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August 12, 2009

BY HAND & ELECTRONIC FILING

The Hon. Leonard P. Stark
J. Caleb Boggs Federal Building
U.S. District Court for the District of Delaware
844 N. King Street, Unit 26, Room 6100
Wilmington, DE 19801-3556

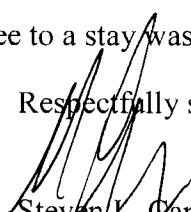Re: ***Leader Technologies, Inc. v. Facebook, Inc.*, C.A. No. 08-862-JJF**

Dear Judge Stark:

Facebook respectfully disagrees with paragraphs two and three of the Court's July 28, 2009 Order Regarding Discovery Matters (D.I. 78, "Order"). Regretfully, Facebook believes that the Court ordered production of Facebook's entire source code without the benefit of all relevant facts, including both side's expert testimony on the alleged need for the entire source code and all technical documents, which LTI demanded essentially *in toto* on August 10, 2009. Facebook filed objections to the Order on Monday, August 10, 2009 (*see* D.I. 82).

Facebook asks that the Court stay execution of the Order pending a ruling on Facebook's objections. Because of the magnitude of the production and the sensitivity of the Facebook's source code – its most critical asset – Facebook believes it will be irreparably harmed if its objections are sustained only after the time for production has passed. Facebook therefore requests that the Court stay execution of the Order pending a ruling on Facebook's objections.

Facebook's August 11 request that LTI agree to a stay was rejected.

Respectfully submitted,

Steven L. Caponi
I.D. No. 3484

SLC:pfc
cc: Philip A. Rovner, Esquire – via e-service   Paul J. Andre, Esquire – via e-service
        Lisa Kobialka, Esquire – via e-service

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