

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

CONNECTU INC.,

Plaintiff,

v.

FACEBOOK, INC., MARK ZUCKERBERG,  
EDUARDO SAVERIN, DUSTIN MOSKOVITZ,  
ANDREW MCCOLLUM, CHRISTOPHER  
HUGHES AND THEFACEBOOK LLC,

Defendants.

Case No. 07-10593-DPW

**MOTION BY FACEBOOK DEFENDANTS TO EXTEND TIME  
TO ANSWER OR OTHERWISE RESPOND TO CONNECTU INC.'S COMPLAINT**

Defendants Facebook, Inc., Mark Zuckerberg, Dustin Moskowitz, Christopher Hughes, and TheFacebook LLC (collectively the “Facebook Defendants”), hereby request that the time for them to answer or otherwise respond to Plaintiff ConnectU Inc.’s Complaint be extended up to and including May 9, 2007.<sup>1</sup>

The Complaint was filed on March 28, 2007, after the dismissal of Civil Action No. 04-111923-DPW. Plaintiff’s counsel requested that counsel accept service of the Complaint, but not pursuant to the waiver of service provisions of Fed. R. Civ. P. 4(d). Had the plaintiff proceeded under Rule 4(d), the Facebook Defendants’ response to the Complaint would have been due no sooner than May 29, 2007. Instead, the plaintiff proceeded to serve the Facebook Defendants piecemeal, resulting in asynchronous response dates. As of the date of this motion, upon

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<sup>1</sup> Defendant Eduardo Saverin (“Saverin”), the only other defendant, is separately represented, and has not joined this motion.

information and belief, plaintiff still has not effected service on defendant Andrew McCollum. Should the plaintiff effect service on Mr. McCollum today, on April 17, 2007, then his time to respond to the complaint would be May 7, 2007.

The Facebook Defendants seek this brief enlargement of the time for them to answer to allow them to coordinate their respective responses and conserve judicial and party resources. The Facebook Defendants anticipate asserting a number of common defenses, and the assertion of those defenses will be simplified by the presentation of a combined response on behalf of all Facebook Defendants.

WHEREFORE, Defendants respectfully request that this Court grant the motion, allowing the Facebook Defendants until May 9, 2007 to answer or otherwise respond to the Complaint.

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies pursuant to D. Mass. Local Rule 7.1(A)(2) that counsel for the Facebook Defendants, from the law firm Orrick, Herrington & Sutcliffe, conferred with Plaintiff's counsel, from the law firm Finnegan & Henderson, in a good faith attempt to resolve or narrow the issue presented by this motion.

Dated: April 17, 2007

Respectfully submitted,

FACEBOOK, INC., MARK ZUCKERBERG,  
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,  
CHRISTOPHER HUGHES, and THEFACEBOOK  
LLC,

By their attorneys,

/s/ Steven M. Bauer

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non registered participants on April 17, 2007.

/s/ Steven M. Bauer

Steven M. Bauer