

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU, INC., CAMERON  
WINKLEVOSS, TYLER WINKLEVOSS,  
AND DIVYA NARENDRA,

Plaintiff,

v.

FACEBOOK, INC., MARK ZUCKERBERG,  
EDUARDO SAVERIN, DUSTIN  
MOSKOVITZ, ANDREW MCCOLLUM, and  
FACEBOOK, LLC,

Defendants.

Civil Action No. 1:07-CV-10593-DPW

**DECLARATION OF MONTE COOPER IN SUPPORT OF DEFENDANTS MARK  
ZUCKERBERG, FACEBOOK, INC., AND THEFACEBOOK LLC'S REPLY IN  
SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT ON PLAINTIFFS'  
CLAIMS FOR BREACH OF CONTRACT, BREACH OF THE COVENANT OF GOOD  
FAITH AND FAIR DEALING, AND PROMISSORY ESTOPPEL**

I, Monte Cooper, declare as follows:

1. I am Of Counsel at the law firm of Orrick, Herrington & Sutcliffe, counsel for Defendants Facebook, Inc., Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, and TheFacebook, LLC in this action. I make this declaration in support of Defendants Mark Zuckerberg, Facebook, Inc., and Thefacebook LLC's reply in support of their Motion for Summary Judgment on Plaintiffs' Claims for Breach of Contract, Breach of the Covenant of Good Faith and Fair Dealing, and Promissory Estoppel.

2. Attached hereto as **Exhibit 6** is a true and correct copy of excerpts from the August 9, 2005, Deposition of ConnectU pursuant to Fed.R.Civ.P. 30(b)(6) taken in *ConnectU v. Zuckerberg et al.*, case no. 1:04-cv-11923.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 5th day of October 2007, at Menlo Park, California.

/s/ Monte M.F. Cooper /s/

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Monte M.F. Cooper

### **CERTIFICATE OF SERVICE**

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on October 5, 2007.

Dated: October 5, 2007.

Respectfully submitted,

/s/ I. Neel Chatterjee /s/

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I. Neel Chatterjee