

# **EXHIBIT 6**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiff,

v.

C.A. No. 04-1923 (DPW)

MARK ZUCKERBERG, EDUARDO SAVERIN,  
DUSTIN MOSKOVITZ, ANDREW McCOLLUM,  
CHRISTOPHER HUGHES and THE FACEBOOK,  
INC.,

Defendants.

CERTIFIED  
COPY

---

VOLUME 1

VIDEOTAPED DEPOSITION OF CONNECTU LLC

BY CAMERON H. WINKLEVOSS

Boston, Massachusetts

Tuesday, August 9, 2005

9:44 a.m. to 5:27 p.m.

Reported by:

Jessica L. Williamson, RMR, RPR, CRR

Notary Public, CSR No. 138795

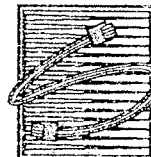
JOB NO. 36599

[www.sarnoffcourtreporters.com](http://www.sarnoffcourtreporters.com)

46 Corporate Park, Suite 100  
Irvine, CA 92606

445 South Figueroa St., Suite 2950  
Los Angeles, CA 90071

phone 877.955.3855  
fax 949.955.3854



**SARNOFF**  
Court Reporters and  
Legal Technologies

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

VIDEOTAPED DEPOSITION OF CONNECTU LLC  
by CAMERON H. WINKLEVOSS, a witness called  
on behalf of the Defendant Mark Zuckerberg,  
Dustin Moskovitz, Andrew McCollum,  
Christopher Hughes and The Facebook, Inc.,  
pursuant to Rule 30(b)(6) of the Federal  
Rules of Civil Procedure, before Jessica L.  
Williamson, Registered Merit Reporter,  
Certified Realtime Reporter and Notary  
Public in and for the Commonwealth of  
Massachusetts, at the Offices of Proskauer  
Rose, LLP, One International Place, Boston,  
Massachusetts, on Tuesday, August 9, 2005,  
commencing at 9:44 a.m.

A P P E A R A N C E S

FINNEGAN HENDERSON FARABOW GARRETT & DUNNER  
LLP

(By John F. Hornick, Esq.  
and Troy E. Grabow, Esq.)  
901 New York Avenue, NW  
Washington, D.C. 20001-4413  
(202) 408-4000  
john.hornick@finnegan.com  
Counsel for the Plaintiff

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S, Continued

ORRICK, HERRINGTON & SUTCLIFFE LLP

(By I. Neel Chatterjee, Esq.

and Joshua H. Walker, Esq.)

1000 Marsh Road

Menlo Park, California 94025

(650) 614-7356

nchatterjee@orrick.com

Counsel for the Defendants Mark

Zuckerberg, Dustin Moskovitz, Andrew

McCollum, Christopher Hughes and The

Facebook, Inc.

HELLER EHRMAN LLP

(By Robert B. Hawk, Esq.)

275 Middlefield Road

Menlo Park, California 94025-3506

(650) 324-7000

robert.hawk@hellerehrman.com

Counsel for the Defendant Eduardo Saverin

ALSO PRESENT:

George Dobrentey, Videographer

P R O C E E D I N G S

THE VIDEOGRAPHER: We are recording and are now on the record. Today's date is August the 9th, 2005, and the time is 9:44 a.m. My name is George Dobrentey. I'm a legal videographer for G & M Court Reporters, Ltd. Our business address is 42 Chauncy Street, Suite 1A, Boston, Massachusetts 02111.

This is the deposition of Cameron Winklevoss in the matter of ConnectU vs. Zuckerberg in the United States District Court for the District of Massachusetts, Civil Action No. 04-1923(DPW).

This deposition is being taken at One International Place in Boston, Massachusetts, on behalf of the defendant. The court reporter is Jessica Williamson. Counsel will state their appearances, and the court reporter will administer the oath.

MR. CHATTERJEE: Neel Chatterjee and Joshua Walker for all of the defendants except for Eduardo Saverin.

MR. WALKER: Robert Hawk from Heller Ehrman for Defendant Saverin.

09:44:59 1  
9:45:01 2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
9:45:10 14  
09:45:14 15  
09:45:16 16  
09:45:19 17  
09:45:19 18  
09:45:19 19  
09:45:21 20  
09:45:21 21  
09:45:22 22  
09:45:26 23  
09:45:29 24  
09:45:31 25

MR. HORNICK: John Hornick and Troy Grabow for the plaintiff, ConnectU.

CAMERON H. WINKLEVOSS,  
a witness called on behalf of the Defendants Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, Christopher Hughes and The Facebook, Inc., having first been duly sworn, was deposed and testifies as follows:

DIRECT EXAMINATION

BY MR. CHATTERJEE:

- Q. Mr. Winklevoss, thank you for coming today. Do you understand that your deposition today is you're testifying on behalf of ConnectU LLC?
- A. Yes.
- Q. Have you ever had your deposition taken before?
- A. No.
- Q. I'm going to go over some ground rules with you, and I'm just going to ask you to make sure you understand them. You may have gone over them with your counsel before.

05:31:57 1  
05:31:58 2  
05:32:01 3  
05:32:03 4  
05:32:05 5  
05:32:08 6  
05:32:11 7  
05:32:13 8  
05:32:14 9  
05:32:17 10  
05:32:19 11  
05:32:22 12  
05:32:22 13  
05:32:26 14  
05:32:27 15  
05:32:24 16  
05:32:25 17  
05:32:27 18  
05:32:30 19  
05:32:31 20  
05:32:34 21  
05:32:37 22  
05:32:38 23  
05:32:40 24  
05:32:43 25

critical in terms of the development of the site. And we all treated each other as equals, acted as equals.

Again, we're college students, and this is a project that's going to launch. It was premature to talk about specific equity stake at that point with respect to percentages.

Q. Sir, my question was about a conversation that you had or didn't have with Mr. Zuckerberg. The answer you just gave had nothing to do with any conversation that you had --

MR. HORNICK: Robert, you cut off his answer.

Q. -- or didn't have with Mr. Zuckerberg.

MR. HORNICK: You cut off his answer, and you sit there and you shake his head -- you shake your head while he's talking, and you laugh and you smile while he's talking, and that is improper. You should sit there quietly, without shaking your head, without smiling and without laughing while the witness finishes his answer, and then you can ask another

05:32:44 1  
05:32:44 2  
05:32:45 3  
05:32:47 4  
05:32:49 5  
05:32:50 6  
05:32:50 7  
05:32:53 8  
05:32:56 9  
05:33:05 10  
05:33:06 11  
05:33:10 12  
05:33:13 13  
05:33:16 14  
05:33:17 15  
05:33:20 16  
05:33:22 17  
05:33:27 18  
05:33:29 19  
05:33:35 20  
05:33:38 21  
05:33:40 22  
05:33:41 23  
05:33:43 24  
05:33:46 25

question.

MR. HAWK: Well, thank you for your advice. Let me ask the question again because I don't think I got an answer to it, in all fairness.

BY MR. HAWK:

Q. Did you ever have a conversation with Mr. Zuckerberg in which you communicated to him that he would receive an equal partnership share in HarvardConnection and that his share would be equal to his contribution?

A. I think it was clear in our second meeting that he would -- as I mentioned before earlier, I mean, we've gone over this question multiple times, and I'm starting to believe that it's not because my answer is not correct, but that the answer is -- you guys don't want to seem to take my answer. And the answer is simple. Mr. Zuckerberg was invited to become part of a team. He became -- he agreed to become part of that team.

It was an equal opportunity partnership. Each person had respective contributions, and down the road as those



05:33:49 1 contributions increased or decreased we  
05:33:53 2 would certainly have attached what you call,  
05:33:55 3 you know, more of a specific allocation,  
05:33:58 4 okay? At that time it was an equal  
05:34:00 5 allocation, okay? You're at the starting  
05:34:02 6 gate of a race. You can't predict who's  
05:34:04 7 going to be the winner, who's going to pull  
05:34:06 8 the most.

05:34:09 9 So -- and I would go so far as to say  
05:34:11 10 that actually his compensation was initially  
05:34:14 11 perhaps larger than ours because we made it  
05:34:17 12 very clear to him that we wanted him to be  
05:34:21 13 the center point in the Crimson article at  
05:34:24 14 the launch of the site and that he would be  
05:34:26 15 sort of reinventing his character, which we  
05:34:28 16 would not be a part of. So from some  
05:34:31 17 accounts you could say that it was skewed in  
05:34:34 18 his favor.

05:34:36 19 Q. Okay.

05:34:36 20 A. But --

05:34:38 21 Q. Are you finished?

05:34:39 22 A. -- to the extent, that, again, we're college  
05:34:42 23 students and this is a team, a project, Mr.  
05:34:45 24 Zuckerberg has reapportioned shares and  
05:34:48 25 aspects of this company multiple times.

05:34:51 1 Q. All right. I -- you know, I've reached the  
05:34:55 2 point where I'm not going to, at your  
05:34:57 3 counsel's suggestion, ask you the question  
05:34:58 4 again unless -- unless you tell me that you  
05:35:04 5 actually intend to answer it the next time.

05:35:05 6 MR. HORNICK: Objection.

05:35:06 7 Q. The question --

05:35:07 8 MR. HAWK: Just let me finish this.

05:35:09 9 Q. The question that I ask had to do with  
05:35:11 10 conversations that you either had or didn't  
05:35:13 11 have with Mr. Zuckerberg. I think I've  
05:35:16 12 asked that question at least three times  
05:35:18 13 now, and I don't -- I don't believe, in all  
05:35:21 14 fairness, that I've gotten an answer to the  
05:35:22 15 question. If you want to take another shot  
05:35:25 16 at answering the question, then I'll reask  
05:35:27 17 it. If you believe or you're not going to  
05:35:30 18 give me anything other than another answer  
05:35:32 19 like the one that you just gave me, I'll  
05:35:34 20 move on, and then I'll go to the Court and  
05:35:37 21 I'll try and seek an order that you be  
05:35:39 22 ordered to answer the questions that are  
05:35:40 23 asked in the deposition.

05:35:42 24 So I'm going to put it out there one  
05:35:44 25 more time.

05:35:45 1  
05:35:46 2  
05:35:48 3  
05:35:50 4  
05:35:51 5  
05:35:53 6  
05:35:54 7  
05:35:56 8  
05:35:57 9  
05:35:58 10  
05:36:00 11  
05:36:02 12  
05:36:04 13  
05:36:09 14  
05:36:13 15  
05:36:15 16  
05:36:18 17  
05:36:19 18  
05:36:21 19  
05:36:22 20  
05:36:23 21  
05:36:25 22  
05:36:29 23  
05:36:32 24  
05:36:35 25

MR. HORNICK: And I'll say that I believe the witness has answered the questions to the best of his ability. You just don't like his answers.

MR. HAWK: Okay. All right. I understand your position. You can argue that to the Court based on this record, all right?

BY MR. HAWK:

Q. My question to you, sir, is did you ever have any conversation with Mr. Zuckerberg in which you said to him that he would be getting an equal partnership share in the -- in the HarvardConnection team?

MR. HORNICK: Objection. You've asked a question that he can answer because he's already said that he didn't use the word "partner." So your question's unfair.

Q. All right. Let me rephrase. Let me rephrase. Let me don't use -- because in all fairness, you have said that you didn't say "partner." You didn't say "partner."

Did you ever tell or discuss with Mr. Zuckerberg that he would be getting an equal share of HarvardConnection?

05:36:38 1 A. Well, I think your question should be did  
05:36:45 2 he -- did we have a discussion for Mr.  
05:36:49 3 Zuckerberg to get a share of the  
05:36:51 4 partnership, okay?

05:36:52 5 Q. Well, I wanted to ask my question, Mr.  
05:36:55 6 Winklevoss. I ask you the question.

05:36:55 7 A. No, you asked me --

05:36:57 8 Q. I don't want you --

05:36:57 9 A. -- did he say --

05:36:57 10 Q. -- to reformulate my question.

05:36:58 11 A. You know, equal partnership with respect to  
05:37:02 12 a partnership based on equality, meaning  
05:37:05 13 people's contributions would be weighed  
05:37:07 14 accurately and you would divvy out equity  
05:37:11 15 based on contribution in an equal manner,  
05:37:14 16 yes, we had an equal partnership by that  
05:37:16 17 definition, to answer your question.

05:37:17 18 Q. Okay. Now, my question was not about the  
05:37:19 19 kind of partnership you had. My question  
05:37:21 20 was about whether you ever had any  
05:37:24 21 discussion along the lines of --

05:37:26 22 A. Yeah.

05:37:26 23 Q. -- you just testified -- let me finish.

05:37:28 24 Did you ever have that discussion with  
05:37:30 25 Mr. Zuckerberg?

05:37:31 1  
05:37:34 2  
05:37:37 3  
05:37:41 4  
05:37:43 5  
05:37:45 6  
05:37:47 7  
05:37:50 8  
05:37:53 9  
05:37:55 10  
05:37:57 11  
05:37:59 12  
05:38:01 13  
05:38:04 14  
05:38:05 15  
05:38:07 16  
05:38:09 17  
05:38:11 18  
05:38:15 19  
05:38:16 20  
05:38:20 21  
05:38:21 22  
05:38:23 23  
05:38:23 24  
05:38:27 25

A. Yes, as I said before, we -- in the second meeting we discussed people's respective roles. Everybody was on an equal playing field. That's why I'm referring to it as an equal partnership, if you will, okay, or equal team, based on contributions. If contributions six months down the road were unequal, then the partnership, you know, would certainly change in scope. But everybody was equal in terms of what they brought to the table, what they can contribute. So to answer your question, yes, we did have a discussion about equal partnership.

Q. Okay. And you had that discussion with --

A. Not using the word "partner."

Q. Okay. But you had the discussion about equal shares of HarvardConnection based on contribution, you had that discussion with Mr. Zuckerberg in your second meeting with him, correct?

A. Yes. We --

Q. Okay.

A. -- went through the fact that he would reap in an equal manner any and all benefits that

05:38:30 1  
05:38:31 2  
05:38:34 3  
05:38:39 4  
05:38:39 5  
05:38:44 6  
05:38:46 7  
05:38:47 8  
05:38:48 9  
05:38:53 10  
05:38:56 11  
05:38:58 12  
05:39:01 13  
05:39:04 14  
05:39:05 15  
05:39:07 16  
05:39:07 17  
05:39:09 18  
05:39:14 19  
05:39:16 20  
05:39:19 21  
05:39:22 22  
05:39:24 23  
05:39:25 24  
05:39:33 25

came along with the site, okay?

Q. All right. What did your brother Tyler Winklevoss -- what is his contribution to HarvardConnection?

A. He was part of the promotional aspects and the marketing aspects of which I was a part of.

Q. What specifically did he do?

A. As I said earlier, we were going to set up a -- well, that would have been more of a post-launch role. We were going to do a launch party and do some promotional stuff around campus, but aside from that, in terms of the creation, he was involved with the strategy and overall concept and development.

Q. How many hours did Tyler Winklevoss contribute to HarvardConnection prior to, let's say, February 4th, 2004?

A. Again, you know, you're asking sort of a question for me to recall exactly how many hours.

Q. Give me a range.

A. Well, I can't -- you know, hours. I would answer your question to say that he put in

05:39:36 1 as many hours and as much work as myself and  
05:39:39 2 Divya did. How many hours that would be  
05:39:41 3 might be -- you know, every time we thought  
05:39:47 4 about the site, it could be hundreds,  
05:39:49 5 hundreds and hundreds of hours. You know,  
05:39:52 6 the hours we sat with programmers or talked  
05:39:54 7 with them and spent time communicating, it  
05:39:56 8 would be in the hundreds of hours.

05:39:58 9 Q. You think you worked more than 100 hours on  
05:40:02 10 HarvardConnection prior to February 4th,  
05:40:05 11 2004; is that your testimony?

05:40:06 12 A. I would say that if you coupled in all the  
05:40:09 13 sort of the discourse and the thinking and  
05:40:12 14 the work involved with it, I would say it  
05:40:16 15 could be upwards of 100 hours, perhaps.

05:40:19 16 Q. Between 100 and 200 hours?

05:40:22 17 A. No, I didn't say that. I said it could be  
05:40:24 18 up to 100 hours.

05:40:27 19 Q. Okay. All right. You think it was no more  
05:40:29 20 than 100 hours?

05:40:29 21 A. Probably not, probably not.

05:40:33 22 Q. Okay. Have you ever spoken to Mr. Saverin?

05:40:41 23 A. I think we already went over this. I have  
05:40:43 24 not.

05:40:43 25 Q. Okay. You've never --

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I, CAMERON H. WINKLEVOSS, do hereby declare under penalty of perjury that I have read the foregoing transcript; that I have made any corrections as appear noted, in ink, initialed by me, or attached hereto; that my testimony as contained herein, as corrected, is true and correct.

EXECUTED this 12 day of September,  
20 05, at Queque (City), NY (State)

*[Signature]*  
CAMERON H. WINKLEVOSS



1 In the United States District Court  
2 For the District of Massachusetts  
3 I, Jessica L. Williamson, Registered,  
4 Merit Reporter, Certified Realtime Reporter  
5 and Notary Public in and for the  
6 Commonwealth of Massachusetts, do hereby  
7 certify that CAMERON H. WINKLEVOSS, the  
8 witness whose deposition is hereinbefore set  
9 forth, was duly sworn by me and that such  
10 deposition is a true record of the testimony  
11 given by the witness.

12 I further certify that I am neither  
13 related to or employed by any of the parties  
14 in or counsel to this action, nor am I  
15 financially interested in the outcome of  
16 this action.

17 In witness whereof, I have hereunto set  
18 my hand and seal this 11th day of August,  
19 2005.

20  
21 

22  
23 \_\_\_\_\_  
24 Jessica L. Williamson, RMR, RPR, CRR  
25 Notary Public, CSR No. 138795  
My commission expires: 12/18/2009