

EXHIBIT 1

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

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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

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

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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.

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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.

02:44:59 1 information. This is not someone that I'm
02:45:01 2 just spilling something to.

02:45:03 3 MR. CHATTERJEE: Could you please
02:45:05 4 read my question back.

02:45:09 5 (Record read.)

02:45:19 6 A. Oh, okay. Excuse me. I don't believe
02:45:27 7 there's anything in these e-mails that
02:45:30 8 indicate that it's confidential, no.

02:45:31 9 MR. HORNICK: I should state for
02:45:33 10 the record, though, that I think this e-mail
02:45:35 11 also contains confidential information of
02:45:38 12 Mr. Lentz.

02:45:40 13 Q. And before these e-mails were exchanged, did
02:45:43 14 you have any conversations with Mr. Lentz?

02:45:45 15 A. Yeah. And Mr. Lentz -- before or -- sorry,
02:45:49 16 was the question before?

02:45:50 17 Q. Before this e-mail exchange occurred.

02:45:53 18 A. We may have talked on the phone. I would
02:45:56 19 assume that we would have talked on the
02:45:58 20 phone.

02:45:59 21 Q. And so you're not sure? You don't remember?

02:46:01 22 A. I don't know the -- like if it started as an
02:46:04 23 e-mail -- I mean, if it started as an e-mail
02:46:08 24 dialogue, then we would be reading that. So
02:46:10 25 I'm assuming that -- in fact, no, I remember

02:46:12 1 that we spoke in person. Initially he
02:46:17 2 mentioned he had a wireless business. And I
02:46:20 3 said, "Oh, that sounds interesting." And
02:46:21 4 then I think we may have talked and tried to
02:46:24 5 set up some sort of discussion.

02:46:25 6 Q. And so prior to sending this e-mail, it's
02:46:27 7 your testimony that you had an agreement
02:46:29 8 with him that all the information that
02:46:32 9 you're talking about --

02:46:32 10 A. Right.

02:46:33 11 Q. -- was confidential?

02:46:34 12 A. An oral agreement that is confidential
02:46:37 13 between the co-parties, absolutely, yeah.

02:46:38 14 Q. So the two of you had that agreement --

02:46:38 15 A. Uh-huh.

02:46:40 16 Q. -- before any e-mails were exchanged?

02:46:42 17 A. Sure, yeah. I mean, as I said, he has a
02:46:43 18 business, a wireless business. He sent over
02:46:46 19 a lot of information, a lot of material. He
02:46:47 20 had a partner, and it was -- you know, he
02:46:52 21 had a lot of protectable information on the
02:46:53 22 table, too.

02:47:00 23 Q. So after your relationship ended with Mark
02:47:02 24 Zuckerberg, who did you get involved with
02:47:04 25 next on the programming side?