

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

**THE FACEBOOK DEFENDANTS' MOTION TO COMPEL  
RESPONSE TO INTERROGATORY NO. 1**

Defendants Facebook, Inc., Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, and TheFacebook, LLC (collectively, the "Facebook Defendants") request that the Court order plaintiffs ConnectU, Inc., Cameron Winklevoss, Tyler Winklevoss and Divya Narendra (collectively, "Plaintiffs") to supplement ConnectU's response to Interrogatory No. 1 to set forth all facts supporting their copyright infringement claim. The Court should order Plaintiffs to include in their response a specific identification (by reference to document production number, software version, file and line) of any Harvard Connection source code that Plaintiffs allege was copied and an identification (by document production number, version, file and line) of www.thefacebook.com source code that allegedly corresponds thereto. The Court should similarly order Plaintiffs to identify with specificity any non-literal element(s) of the Harvard Connection website that they allege was infringed, the allegedly corresponding element(s) of www.thefacebook.com website, and an identification (by document production number, version, file and line) of Harvard Connection and www.thefacebook.com source code corresponding to each such non-literal element. Finally, the Court should also order Plaintiffs to include in their response an explanation of how each allegedly copied literal and/or non-literal element comprises original, protectable expression, and how the element allegedly supports their claim that there is "substantial similarity" between the Harvard Connection and www.thefacebook.com websites.

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(2) AND FRCP 37(a)(2)**

Counsel for the Facebook Defendants certifies that, pursuant to Local Rule 7.1(a)(2) and FRCP 37(a)(2), they met and conferred with counsel for Plaintiffs and Defendant Eduardo Saverin regarding this motion on August 15, 2007, via telephone conference. Monte M.F. Cooper, Theresa Sutton and Chester Day participated on behalf of the Facebook Defendants, Daniel Hampton on behalf of Defendant Eduardo Saverin, and Meredith Schoenfeld and Daniel

Kaufman on behalf of Plaintiffs. The length of the teleconference was approximately one and one-half hours.

**REQUEST FOR ORAL ARGUMENT**

The Facebook Defendants request a hearing on this motion.

Dated: November 14, 2007.

Respectfully submitted,

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

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G. Hopkins Guy, III\*  
I. Neel Chatterjee\*  
Monte M.F. Cooper\*  
Theresa A. Sutton\*  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
1000 Marsh Road  
Menlo Park, California 94025  
Telephone: (650) 614-7400  
Facsimile: (650) 614-7401  
[hopguy@orrick.com](mailto:hopguy@orrick.com)  
[nchatterjee@orrick.com](mailto:nchatterjee@orrick.com)  
[mcooper@orrick.com](mailto:mcooper@orrick.com)  
[tsutton@orrick.com](mailto:tsutton@orrick.com)

Steven M. Bauer  
Jeremy P. Oczek  
PROSKAUER ROSE, LLP  
One International Plaza, 14th Floor  
Boston, MA 02110-2600  
Telephone: (617) 526-9600  
Facsimile: (617) 526-9899  
[sbauer@proskauer.com](mailto:sbauer@proskauer.com)  
[joczek@proskauer.com](mailto:joczek@proskauer.com)

\* Admitted Pro Hac Vice

**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 November 14, 2007.

Dated: November 14, 2007.

Respectfully submitted,

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

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Monte M.F. Cooper