

EXHIBIT 10

Hanhan, Melinda

From: Schoenfeld, Meredith [Meredith.Schoenfeld@finnegan.com]
Sent: Tuesday, September 11, 2007 5:16 PM
To: Cooper, Monte; Hornick, John; Esquenet, Margaret; Hart, Pat; Kaufman, Daniel
Cc: Mudurian, Karen; Dalton, Amy; Chatterjee, I. Neel; Guy, Hopkins; Sutton, Theresa A.; Annette Hurst; Dan Hampton; Sbauer; Joczek; Sutton, Theresa A.; Boutin, Anne; Hanhan, Melinda; Day, Chester; Trinh, Michael; Greer, Yvonne
Subject: RE: Response to September 6, 2007 Cooper Letter

Monte:

We will supplement our interrogatory responses by October 12, 2007.

-Meredith

From: Cooper, Monte [mailto:mcooper@orrick.com]
Sent: Tuesday, September 11, 2007 10:39 AM
To: Schoenfeld, Meredith; Hornick, John; Esquenet, Margaret; Hart, Pat; Kaufman, Daniel
Cc: Mudurian, Karen; Dalton, Amy; Chatterjee, I. Neel; Guy, Hopkins; Sutton, Theresa A.; Annette Hurst; Dan Hampton; Sbauer; Joczek; Sutton, Theresa A.; Boutin, Anne; Hanhan, Melinda; Day, Chester; Trinh, Michael; Greer, Yvonne
Subject: RE: Response to September 6, 2007 Cooper Letter

Meredith:

Concerning your letter of September 6, Facebook Defendants respond as follows:

(1) With respect to the "supplemented interrogatories," Facebook Defendants have been promised responses for two months, and yet plaintiffs continue to refuse to do so. Defendants have need of the supplementation immediately because ConnectU unilaterally changed its trade secret designation, and has added new allegations, claims and defendants in its amended complaint. Moreover, the deposition of Joseph Jackson is scheduled for September 20. Accordingly, either we receive an immediate commitment to serve the long-promised supplementation by September 18, or we will move to compel. Defendants further note that they need the supplementation immediately to ensure it is adequate to address the deficiencies identified in prior correspondence, and is sufficiently responsive to the original Interrogatories.

(2) With respect to the imaging and keyword searches, Facebook Defendants will move to compel under the same protocol that plaintiffs contend should be applicable to all Defendants. With respect to your offer to do keyword searches, it is unclear how you intend to use such a search mechanism. We have been told there has been no imaging and will be no imaging of all electronic devices used by ConnectU and its Founders. Indeed, your letter separately indicates that plaintiffs will not agree to such imaging.

(3) Facebook Defendants can show that all Founders had access to the Harvard Connection code on the Hurricane Electric servers at all times before and after it was allegedly provided to Mark Zuckerberg. That also includes both before and after ConnectU brought suit. Moreover, the original code simply was not preserved. Accordingly, Facebook Defendants will move to compel on this issue.

(4) With respect to ConnectU code, PNS confirmed it was subject to its "Subversion" control. We have never received all versions of the code in executable form to determine how and when particular Subversion versions existed and/or were added and deleted on the PNS servers. Nor, for instance, have we received the code as it was admittedly kept by Winston Williams on his own laptop computer. Indeed, he testified he could not produce such code because he has lost his laptop. Further, we have received none of the information in the database files of PNS, such as the dates particular members joined ConnectU or were invited to join ConnectU. Again, therefore, Facebook Defendants will now move to compel such missing information.

(5) We have received multiple versions from ConnectU of the December 20, 2006 email from Howard Winklevoss

to his sons referencing the "hedge fund that wants to fund the rest of [the litigation] on a contingent basis." One such example is Bates-Numbered CUCA02996 - CUCA02998. Again, the information concerning investment in ConnectU, including funding by the hedge fund, is relevant to several issues such as damages, and is not privileged. Facebook Defendants therefore will move to compel the information about the referenced hedge fund and any other investments by third parties in the litigation and/or ConnectU.

Thank you,

Monte Cooper

From: Schoenfeld, Meredith [mailto:Meredith.Schoenfeld@finnegan.com]
Sent: Monday, September 10, 2007 1:30 PM
To: Cooper, Monte; Hornick, John; Esquenet, Margaret; Hart, Pat; Kaufman, Daniel
Cc: Mudurian, Karen; Dalton, Amy; Chatterjee, I. Neel; Guy, Hopkins; Sutton, Theresa A.; Annette Hurst; Dan Hampton; Sbauer; Joczek; Sutton, Theresa A.; Boutin, Anne; Hanhan, Melinda; Day, Chester; Trinh, Michael
Subject: Response to September 6, 2007 Cooper Letter

Please see attached.

-Meredith

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