

EXHIBIT 12

From: Adam Wolfson [adamwolfson@quinnemanuel.com]
Sent: Sunday, October 14, 2007 7:11 AM
To: Sutton, Theresa A.
Cc: Mudurian, Karen; Dalton, Amy; Chatterjee, I. Neel; Guy, Hopkins; Annette Hurst; Dan Hampton; Sbauer; Joczek; Boutin, Anne; Hanhan, Melinda; Day, Chester; Trinh, Michael; Greer, Yvonne; Stillman, Stacey; Schoenfeld, Meredith; Cooper, Monte; Hornick, John; Esquenet, Margaret; Hart, Pat; Kaufman, Daniel; Rick Werder; Peter Calamari; Renee Bea; Sarah Hartley
Subject: RE: Response to September 6, 2007 Cooper Letter

Theresa,

I write in response to your email dated Friday, October 12, 2007. To answer your question, we did not serve and do not, at this time, plan on serving supplemental interrogatory responses. The reason for this decision is that the Interrogatories for which you requested supplementation pursuant to Monte Cooper's letter to Meredith Schoenfeld dated August 23, 2007, Nos. 1-8, 10, 11, 13 and 14, have been answered to the extent of our knowledge at this stage of discovery. Furthermore, your original assertions of deficiency were lodged before the First Amended Complaint ("FAC") was filed before this Court and you have not explained how our responses are deficient in light of the much greater detail provided in that pleading.

Specifically, we never received explanation why your contention interrogatories (Nos. 1-8, 11 and 13) are either insufficiently answered in our previous Responses or in the FAC. Additionally, at several points in his original letter on this subject to Margaret Esquenet dated July 12, 2007, Neel Chatterjee requested that we state whether or not our answers to these Interrogatories were made in full. Discovery is ongoing and we cannot make such an assertion yet. To give just two examples why this is so, we have not had opportunity to view the hard drive images ordered by the Court on September 13, 2007, nor do we yet know, as referenced in our letter to Mr. Chatterjee dated October 10, 2007, if the relevant Facebook code at issue in this case even exists. As such, it would be premature to supplement our Responses as they were provided to the best of our knowledge given the status of discovery at that time, and discovery has not moved significantly forward since then.

With respect to Interrogatory No. 14, we have already provided our response in full. To reiterate, Plaintiffs were unaware of any third party website embodying the combination of trade secrets identified in both the FAC and Interrogatory Responses.

I hope this letter clears up any confusion. We look forward to your response regarding our October 10 letter and will see you in Boston on Wednesday.

Sincerely,

Adam Wolfson
Quinn Emanuel Urquhart Oliver & Hedges, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
Direct: (212) 849-7192
Main Phone: (212) 849-7000
Main Fax: (212) 849-7100
E-mail: adamwolfson@quinnemanuel.com
Web: www.quinnemanuel.com

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