

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU, INC., CAMERON
WINKLEVOSS, TYLER WINKLEVOSS,
AND DIVYA NARENDRA,

Plaintiffs,

v.

FACEBOOK, INC., MARK ZUCKERBERG,
EDUARDO SAVERIN, DUSTIN
MOSKOVITZ, ANDREW MCCOLLUM, and
FACEBOOK, LLC,

Defendants.

Civil Action No. 1:07-CV-10593-DPW

DECLARATION OF THERESA A. SUTTON RE DE-DESIGNATION OF EXHIBIT 34

I, Theresa A. Sutton, declare as follows:

1. I am an associate at the law firm of Orrick, Herrington & Sutcliffe, counsel for Defendants Facebook, Inc., Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, and TheFacebook, LLC in this action. I make this declaration in support of Defendants Reply to Plaintiffs' Opposition to the Facebook Defendants' Motion to Compel Plaintiffs to Image and Search Their Memory Devices for Source Code, and to Comply with Requests for Production Nos 1-2, 67-68, and 117 ("Reply Brief").

2. On November 14, 2007, Facebook Defendants filed the Reply Brief and the Declaration of Theresa A. Sutton in Support thereof. Attached as **Exhibit 34** to my declaration was an email originally designated as confidential by Plaintiff ConnectU under the parties' Stipulated Protective Order.

3. Plaintiffs have agreed to de-designate Exhibit 34. Both Exhibit 34 and Plaintiffs' email de-designating it are attached hereto. Exhibit 34 should no longer be sealed separate from the public record.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 16th day of November 2007, at Menlo Park, California.

/s/ Theresa S. Sutton/s/

Theresa S. Sutton

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 16, 2007.

Dated: November 16, 2007

Respectfully submitted,

/s/ Theresa A. Sutton /s/

Theresa A. Sutton