

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

**ASSENTED-TO MOTION TO SEAL THE FACEBOOK DEFENDANTS' OPPOSITION  
TO CONNECTU'S EMERGENCY MOTION FOR EXPEDITED HEARING AND IN  
CAMERA EXAMINATION OF DOCUMENTS AND OF THE EXPERT PARMET, IN  
REGARD TO SEPTEMBER 13, 2007 AND SUPPORTING DOCUMENTS**

Defendants Facebook, Inc., Mark Zuckerberg, Dustin Moskovitz, Andrew McCollum, and TheFacebook, LLC (collectively, the "Facebook Defendants") hereby move to file under seal pursuant to the Stipulated Protective Order entered between the parties in the related case, *ConnectU v. Zuckerberg et al.*, Case No. 1:04-cv-11923-DPW, the following documents:

1. **THE FACEBOOK DEFENDANTS' OPPOSITION TO CONNECTU'S EMERGENCY MOTION FOR EXPEDITED HEARING AND IN CAMERA EXAMINATION OF DOCUMENTS AND OF THE EXPERT PARMET, IN REGARD TO SEPTEMBER 13, 2007**
2. **DECLARATION OF I. NEEL CHATTERJEE AND EXHIBITS IN SUPPORT THEREOF;**
3. **DECLARATION OF JEREMY P. OCZEK AND EXHIBIT IN SUPPORT THEREOF; and**
4. **FACEBOOK DEFENDANTS' MOTION TO CONDUCT HEARING ON CONNECTU'S EMERGENCY MOTION FOR EXPEDITED HEARING IN CAMERA**

The Facebook Defendants respectfully request permission to file these documents under seal because they contain information that has been designated by the parties as confidential under the Stipulated Protective Order entered in previously related case. In accordance with the Local Rules, the Facebook Defendants respectfully request that this pleading and its supporting papers be impounded until the final resolution of this litigation between the parties, at which time it will be retrieved by counsel for the Facebook Defendants.

WHEREFORE, it is respectfully requested that the Court grant this assented-to motion to file the above-described document under seal.

#### **CERTIFICATION PURSUANT TO LOCAL RULE 7.1**

The undersigned counsel certifies that counsel for the parties have conferred in an attempt to resolve or narrow the issues presented by this motion, and that counsel for plaintiff ConnectU LLC has assented to the relief requested by this motion, pursuant to an agreement between the parties.

Dated: May 28, 2008.

Respectfully submitted,

/s/ Theresa A. Sutton /s/

---

Sean A. Lincoln\*

I. Neel Chatterjee\*

Monte 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 May 28, 2008.

Dated: May 28, 2008

Respectfully submitted,

/s/ Theresa A. Sutton /s/

Theresa A. Sutton

OHS West:260446449.1