

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

CONNECTU LLC,

Plaintiffs,

v.

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

Defendants.

Civil Action No. 1:04-CV-11923 (DPW)

MARK ZUCKERBERG, and FACEBOOK,
INC.,

Counterclaimants,

v.

CONNECTU LLC, Counterdefendant, and
CAMERON WINKLEVOSS, TYLER
WINKLEVOSS, and DIVYA NARENDRA,
Additional Counterdefendants.

**DEFENDANTS-COUNTERCLAIMANTS' RESPONSE TO PRO HAC VICE
APPLICATION OF MICHAEL UNDERHILL AND EVAN PARKE**

In order to preserve their rights to object in a more appropriate pleading, the Facebook Defendants submit this response to the recently filed applications for *pro hac vice* admission by Michael Underhill and Evan Parke. The Facebook Defendants take no position as to whether the Court should grant such applications. However, the Facebook Defendants have notified Messrs. Underhill and Parke that they believe their firm, Boies Schiller & Flexner, is laboring under an apparent or actual conflict of interest related to its current and former representation of both ConnectU and the Founders. For this reason, the Facebook Defendants hereby reserve their rights to later object to any representation of the individuals by the Boies firm.

Dated: December 18, 2008.

Respectfully submitted,

/s/ Theresa A. Sutton /s/

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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 December 18, 2008.

Dated: December 18, 2008.

Respectfully submitted,

/s/ Theresa A. Sutton /s/

Theresa A. Sutton