

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' STATEMENT OF NON-OPPOSITION TO PLAINTIFFS' MOTION TO  
DISMISS**

Plaintiffs filed a Motion to Dismiss on December 15, 2008. Dkt. 232. Facebook Defendants do not oppose this motion but request that all defendants be dismissed. The current motion was filed pursuant to Paragraph 2(c) of the July 2, 2008, Judgment Enforcing Settlement Agreement. Dkt. 208. The Judgment requires Plaintiffs to prepare for filing “a legally sufficient dismissal with prejudice of all cases by and between the parties pending as of the date of the Agreement.” *Id.* Plaintiffs’ present motion, however, appears only to dismiss Facebook, Inc. and Mark Zuckerberg. Any dismissal should be corrected to reflect dismissal of all claims against all defendants in compliance with the Judgment.

Dated: December 19, 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/

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Theresa A. Sutton