

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
CONNECTU, INC.,)	
)	
Plaintiff,)	CIVIL ACTION
)	NO. 07-10593-DPW
v.)	(CONSOLIDATED WITH
)	04-11923-DPW)
FACEBOOK, INC., ET AL)	
)	
Defendants.)	
_____)	

COUNTERDEFENDANTS’ ASSENTED-TO MOTION FOR IMPOUNDMENT

Counterdefendants Cameron Winklevoss, Tyler Winklevoss, and Divya Narendra (“Movants”) respectfully move, pursuant to Local Rule 7.2 and the Second Stipulated Protective Order dated July 6, 2005, and with the assent of the non-moving party, Facebook, Inc., for leave to file under seal the following documents:

- (i) Counterdefendants’ Motion for Limited Relief From Stay and for Limited Modification to the Second Stipulated Protective Order, and Request for Prompt Oral Argument;
- (ii) Memorandum in Support of Counterdefendants’ Motion for Limited Relief From Stay and for Limited Modification to the Second Stipulated Protective Order, and Request for Prompt Oral Argument; and,
- (iii) Affidavit of Sean F. O’Shea.

These submissions attach and/or refer to documents that are either designated “CONFIDENTIAL INFORMATION” under the Second Stipulated Protective Order, or that are similarly protected from disclosure under a protective order issued in a pending arbitration to which the Movants are a party.

Based upon the Court's September 30, 2009 order staying this action, Movants respectfully suggest that these materials should be impounded until further order of the Court, and that they should be returned to Movants' counsel if and when the impoundment period ends.

WHEREFORE, Movants respectfully request the Court to allow this motion and allow Movants to file the documents identified above under seal.

Respectfully submitted,

CAMERON WINKLEVOSS, TYLER
WINKLEVOSS, AND DIVYA NARENDRA,
Counterdefendants,

By their attorneys,

Dated: October 8, 2009

/s/ Robert M. Mendillo

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Local Rule 7.1 Certificate

I, Attorney Robert M. Mendillo, certify that counsel for the Movants have conferred with counsel for Facebook, Inc. and that Facebook, Inc. has assented to this motion.

/s/ Robert M. Mendillo

Robert M. Mendillo

CERTIFICATE OF SERVICE

I, Robert M. Mendillo, hereby certify that this document 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 October 8, 2009.

I further certify that I caused a copy of this document to be served upon Attorney Richard I. Werder, Jr., Partner, Quinn Emanuel on October 8, 2009 by email to rickwerder@quinnemanuel.com and on October 9, 2009 by first-class mail, postage prepaid, to:

Richard Werder, Jr.
Quinn Emanuel
51 Madison Avenue 22nd Floor
New York, NY 10010

/s/ Robert M. Mendillo

Robert M. Mendillo