### 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 FACEBOOK'S UN-REDACTED OPPOSITION TO MOTION FOR LIMITED RELIEF FROM STAY AND FOR LIMITED MODIFICATION TO THE SECOND STIPULATED PROTECTIVE ORDER AND EXHIBITS A AND G TO THE DECLARATION OF THERESA A. SUTTON IN SUPPORT THEREOF

Defendant Facebook, Inc., hereby moves to file under seal pursuant to the Stipulated Protective Order entered between the parties in the related case, *ConnectUv. Zuckerberg et al.*, Case No. 1:04-cv-11923-DPW, the following documents:

- 1. FACEBOOK'S UN-REDACTED OPPOSITION TO MOTION FOR LIMITED RELIEF FROM STAY AND FOR LIMITED MODIFICATION TO THE SECOND STIPULATED PROTECTIVE ORDER;
- 2. <u>EXHIBIT A</u> TO THE DECLARATION OF THERESA A. SUTTON IN SUPPORT THEREOF; and
- 3. <u>EXHIBIT G</u> TO THE DECLARATION OF THERESA A. SUTTON IN SUPPORT THEREOF.

Facebook respectfully request permission to file these documents under seal because they contain information that has been designated by Plaintiffs as confidential under the Second Stipulated Protective Order, or that are similarly protected from disclosure under a Protective Order entered in a pending arbitration to which the Plaintiffs are a party. In accordance with the Local Rules, Facebook respectfully requests 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 Facebook.

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

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# **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 has assented to the relief requested by this motion, pursuant to an agreement between the parties.

Dated: November 3, 2009. Respectfully submitted,

## /s/ Theresa A. Sutton /s/

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<sup>\*</sup> 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 November 3, 2009.

Dated: November 3, 2009	Respectfully submitted,
	/s/ Theresa A. Sutton /s/
	Theresa A. Sutton
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