

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CONNECTU, INC., CAMERON
WINKLEVOSS, TYLER WINKLEVOSS,
AND DIVYA NARENDRA,

Plaintiffs,

v.

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

Defendants.

Civil Action No. 1:07-CV-10593-DPW

**DECLARATION OF THERESA A. SUTTON IN SUPPORT OF FACEBOOK'S
OPPOSITION TO MOTION FOR LIMITED RELIEF FROM STAY AND FOR
LIMITED MODIFICATION TO THE SECOND STIPULATED PROTECTIVE ORDER**

I, Theresa A. Sutton, declare as follows:

1. I am an associate at the law firm of Orrick, Herrington & Sutcliffe, counsel for Defendant Facebook, Inc. in this action. I make this declaration in support of Facebook's Opposition to Motion for Limited Relief from Stay and for Limited Modification to the Second Stipulated Protective Order.

2. Attached hereto as **Exhibit A** is a true and correct copy of the Scheduling and Procedure Order No. 9 from the American Arbitration Association Northeast Case Management Center, Case No. 13 194 Y 995 08. **[Confidential Exhibit Filed Separately Under Seal]**

3. Attached hereto as **Exhibit B** is a true and correct copy of a September 10, 2009 letter from Karen Thompson to the Arbitration Panel.

4. Attached hereto as **Exhibit C** is a true and correct copy of a September 17, 2009 email from Karen Thompson to the Arbitration Panel.

5. Attached hereto as **Exhibit D** is a true and correct copy of the Memorandum of Law in Support of Motion to Compel Compliance with Subpoenas Pursuant to 9 U.S.C. § 7 and CPLR § 2308(b) and to Remove ConnectU, Inc. as a Party to this Proceeding Pursuant to CPLR § 1003, dated September 21, 2009 and Memorandum of Law in Support of Motion to Compel Compliance with Subpoenas Pursuant to 9 U.S.C. § 7 and CPLR § 2308(b), dated October 1, 2009.

6. Attached hereto as **Exhibit E** is a true and correct copy of an October 29, 2009 letter from Michael E. Petrella to Karen Thompson.

7. Attached hereto as **Exhibit F** is a true and correct copy of an October 23, 2009 letter from Monte Cooper to Sean O' Shea.

8. Attached hereto as **Exhibit G** is a true and correct copy of the Expert Report of William F. Chandler submitted in the American Arbitration Association action, Case No. 13 194 Y 995 08. **[Confidential Exhibit Filed Separately Under Seal]**

I declare under penalty of perjury that the foregoing is true and correct. Executed this 3rd day of November 2009, at Menlo Park, California.

/s/ Theresa S. Sutton/s/

Theresa S. Sutton

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