

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 MONTE M. F. COOPER IN SUPPORT OF FACEBOOK'S
MOTION FOR LIMITED RELIEF FROM STAY AND TO ENJOIN INDIVIDUAL
PLAINTIFFS AND THEIR COUNSEL**

I, Monte M.F. Cooper, declare as follows:

1. I am Of Counsel 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 Motion For Limited Relief From Stay and to Enjoin Individual Plaintiffs and Their Counsel.

2. Attached hereto as **Exhibit 1** is a true and correct copy of an October 15, 2009 letter from Monte Cooper to Sean O'Shea.

3. Attached hereto as **Exhibit 2** is a true and correct copy of an October 23, 2009 letter from Monte Cooper to Sean O'Shea.

4. Attached hereto as **Exhibit 3** is a true and correct copy of an October 27, 2009 letter from Monte Cooper to Sean O'Shea.

5. Attached hereto as **Exhibit 4** is a true and correct copy of an October 21, 2009 letter from Michael Petrella to Monte Cooper.

6. Attached hereto as **Exhibit 5** is a true and correct copy of an October 26, 2009 letter from Michael Petrella to Monte Cooper.

7. Attached hereto as **Exhibit 6** is a true and correct copy of this Court's June 3, 2008 Memorandum and Order, Docket Number 204.

8. Attached hereto as **Exhibit 7** is a true and correct copy of excerpts from the unsealed hearing transcript for proceedings before this Court dated June 2, 2008.

9. Attached hereto as **Exhibit 8** is a true and correct copy of a February 17, 2008 email from Cameron Winklevoss to Renee Bea. [**Confidential Exhibit Filed Separately Under Seal**].

10. Attached hereto as **Exhibit 9** is a true and correct copy of Quinn Emanuel's November 10, 2008 Statement of Claim and Responses to Counterclaim submitted in the

American Arbitration Association action, Case No. 13 194 Y 995 08. [**Confidential Exhibit Filed Separately Under Seal**].

11. Attached hereto as **Exhibit 10** is a true and correct copy of a redacted copy of a February 19, 2008 email from John Hornick to Cameron Winklevoss, Tyler Winklevoss, Divya Narendra, Howard Winklevoss and David Azar, attachment omitted. [**Confidential Exhibit Filed Separately Under Seal**].

12. Attached hereto as **Exhibit 11** is a true and correct copy of the Honorable Judge Ware's June 25, 2008 Order Granting Plaintiff's Confidential Motion to Enforce the Settlement Agreement filed in the United States District Court for the Northern District of California San Jose Division, Case No. C 07-01389.

13. Attached hereto as **Exhibit 12** is a true and correct copy of the Stipulation and Order Governing the Exchange of Confidential Information submitted in the American Arbitration Association action, Case No. 13 194 Y 995 08, on April 17, 2009. [**Confidential Exhibit Filed Separately Under Seal**]

14. Attached hereto as **Exhibit 13** is a true and correct copy of a December 16, 2008 letter from Adam Wolfson to Mark Weissman. [**Confidential Exhibit Filed Separately Under Seal**]

15. Attached hereto as **Exhibit 14** is a true and correct copy of Respondent's subpoena to Facebook issued from the American Arbitration Association action, Case No. 13 194 Y 995 08 on September 18, 2009.

16. Attached hereto as **Exhibit 15** is a true and correct copy of Non-Party Facebook Inc's Objections and Response to Respondents-Counterclaimants' Subpoena *Duces Tecum* dated September 18, 2009 submitted to the American Arbitration Association action, Case No. 13 194

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/ Monte M.F. Cooper /s/

Monte M.F. Cooper