

EXHIBIT 18

AMERICAN ARBITRATION ASSOCIATION

QUINN EMANUEL URQUHART OLIVER
& HEDGES, LLP,

Claimant-
Counterclaim Respondent,

v.

HOWARD WINKLEVOSS, CAMERON
WINKLEVOSS, TYLER WINKLEVOSS,
and DIVYA NARENDRA,

Respondents-
Counterclaimants,

Case No. 13 194 Y 995 08

Arbitrators: Hon. William A. Dreier
Hon. Thomas Penfield Jackson
Richard H. Silberberg, Esq.

Arbitration Dates: October 13; 26-29;
November 17-18

Location: New York, New York

FACEBOOK SUBPOENA AND ORDER

This matter having come before the Panel on the application of Respondents-Counterclaimant; and

WHEREAS Respondents-Counterclaimants submitted a subpoena to Facebook, Inc. for the Panel's approval on August 28, 2009;

WHEREAS by Order dated September 9, 2009 the Panel denied Respondents-Counterclaimants' August 28, 2009 subpoena to Facebook as overbroad, but granted leave to amend on or before September 14, 2009;

WHEREAS Respondents-Counterclaimants submitted a revised subpoena to Facebook on September 11, 2009, which the Panel approved in part and denied in part;

WHEREAS on September 17, 2009 the Panel heard oral argument regarding certain requested documents on device 37 1-01 identified by Respondents-Counterclaimants as the non-

code documents that caused Jeff Parmet to contact Quinn Emanuel and counsel for Facebook in or about December 2007;

WHEREAS by order of the Panel, on September 17, 2009 Respondents-Counterclaimants submitted a revised subpoena to the Panel which the Panel approved and issued on September 18, 2009, with a return date of September 29, 2009;

WHEREAS on September 28, 2009, one day before the return date, Facebook appeared in this proceeding and filed a response and objections to the Panel's subpoena denying the existence of responsive documents; and

WHEREAS on September 30, 2009 Respondents-Counterclaimants submitted a letter to the Panel requesting additional relief, and an authorized representative of the Panel having heard additional oral argument on the issue on October 5, 2009,

IT IS HEREBY ORDERED as follows:

1. Facebook (including but not limited to its attorneys, agents, affiliates, officers and/or directors (including but not limited to Mark Zuckerberg)) shall appear before the Panel for a hearing and testimony in this matter on October 16, 2009, at 10:00 am at the offices of Dorsey & Whitney LLP, 250 Park Avenue, New York, NY 10177-1500 and bring with it and produce to Respondents in electronic form (or, failing that, hard copy) copies of the email from Jeff Parmet to Neel Chatterjee attached as Exhibit C to Respondents-Counterclaimants' September 30, 2009, which letter was served upon Facebook's counsel by Respondents-Counterclaimants (the "Documents") contained on the hard drive designated as device 371-01 ("the Device") in connection with the matter of *Connect U, Inc. v. Facebook, Inc.*, 1 :07-cv-1 1923 ("the Massachusetts Litigation") at the time it was provided to Jeffrey Parmet in connection with the Massachusetts Litigation.

2. In the event that Facebook (including but not limited to its attorneys, agents, affiliates, officers and/or directors (including but not limited to Mark Zuckerberg)) continues to claim that it does not have possession, custody, or control of a copy of the Documents specified above, Facebook shall appear before the Panel for a hearing and testimony in this matter on

October 16, 2009, at 10:00 am at the offices of Dorsey & Whitney LLP, 250 Park Avenue, New York, NY 10177-1500 and bring with it and produce to Respondents a mirror-image copy of the hard drive designated as device 371-01 (“the Device”) in connection with the matter of *Connect U, Inc. v. Facebook, Inc.*, 1 :07-cv-1 1923 (“the Massachusetts Litigation”), which copy shall contain the Documents that existed on the Device at the time that it was provided to Jeff Parmet for review in connection with the Massachusetts Litigation.

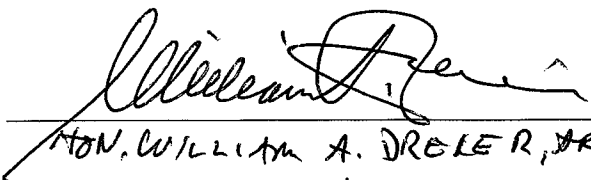
3. In the event that this Subpoena and Order is subjected to judicial review, the Panel notes that the intent of this Subpoena and Order is to secure production of and testimony regarding the Documents referenced in the unredacted version of the email from Jeff Parmet to Neel Chatterjee attached as Exhibit C to Respondents-Counterclaimants’ September 30, 2009, which letter was served upon Facebook’s counsel by Respondents-Counterclaimants, and that Respondents-Counterclaimants have been directed by the Panel to copy and examine no more than such Documents from the Device, preserving the confidentiality of any other information contained thereon..

4. Facebook shall produce the responsive Documents within its possession, custody or control, including but not limited to Documents in the possession of its attorneys, agents, affiliates, officers and/or directors (including but not limited to Mark Zuckerberg).

5. The Panel intends that this Subpoena and Order have the same force and effect as a subpoena issued pursuant to 9 U.S.C. § 7 and/or N.Y. CPLR § 7505, and it shall be served upon Facebook accordingly.

DATED: October 8, 2009

SO ORDERED:

By: 
WILLIAM A. DREIER, ARBITRATOR
for the Panel