

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CONNECTU, INC.,

Plaintiff,

v.

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

Defendants.

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

Related Action No. 1:04-CV-11923-DPW

**DEFENDANT EDUARDO SAVERIN'S
MOTION TO DISMISS CONNECTU, INC'S COMPLAINT
PURSUANT TO FED. R. CIV. P. 12(B)(6)**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), defendant Eduardo Saverin moves to dismiss each of the claims for relief asserted against him by ConnectU Inc. ("ConnectU"): the first (copyright infringement), second (trade secret misappropriation), fifth (unfair trade practices), seventh (unjust enrichment), and eighth (intentional interference with prospective contractual and advantageous business relations) claims. As set forth in the memorandum submitted herewith, ConnectU's complaint should be dismissed as against Mr. Saverin because it fails to meet even the liberal notice requirements of Federal Rule of Procedure 8(a). Despite its assertion of five claims against Mr. Saverin, ConnectU's complaint contains *no factual allegations* identifying what role Mr. Saverin is alleged to have played in *any wrongdoing*. Accordingly, all of ConnectU's claims against Mr. Saverin should be dismissed.

REQUEST FOR ORAL ARGUMENT

Because Defendant Saverin wishes to be heard and believes that oral argument may assist the Court, pursuant to D. Mass. L.R. 7.1(D), he hereby requests that the Court grant oral argument on this motion.

RULE 7.1(A)(2) CERTIFICATION

The undersigned counsel hereby certifies that counsel for Saverin has conferred with counsel for ConnectU, Inc. in a good faith effort to resolve or narrow the issue presented by this motion.

DATED: May 3, 2007

/s Daniel K. Hampton

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CERTIFICATE OF SERVICE

I 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 May 3, 2007.

/s Daniel K. Hampton
Daniel K. Hampton

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