

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

**ERRATA RE: FACEBOOK’S MOTION FOR LIMITED RELIEF FROM STAY AND
TO ENJOIN PLAINTIFFS AND THEIR COUNSEL**

1. Defendant Facebook, Inc. submits this errata to clarify the following statement included in its recent Motion for Relief from Stay and to Enjoin Plaintiffs and their Counsel (Dkt. No. 291) filed on November 3, 2009.

Original Text	Corrected Text
Page 4-5, § A.1., “Plaintiffs’ current counsel, Sean O’Shea, attended the hearing and appeared as counsel of record to obtain access to materials governed by the Protective Order.”	[delete]
Page 11, § B.1., “... Sean O’Shea, counsel for Plaintiffs in the arbitration, was present for the emergency motion hearing in Massachusetts ...”	... counsel for Facebook recalls that Sean O’Shea, counsel for Plaintiffs, was present for the emergency motion hearing in Massachusetts ...
Page 12, § B.1., “Plaintiffs’ knowledge of the Court reflects that they are culpable for contempt for their unilateral actions violating them in the legal fee arbitration.”	Plaintiffs’ knowledge of the Court Orders reflects that they are culpable for contempt for their unilateral actions violating them in the legal fee arbitration.
Page 13, § B.2., “O’Shea was present at that hearing, as was at least one of the individual plaintiffs.”	At least one of the individual plaintiffs was present at that hearing, as was (Facebook believes) O’Shea.
Page 16, § B.4.b., “Nevertheless,	Nevertheless, Plaintiffs and their

Plaintiffs and their counsel, aware of the restrictions of the Court Orders having been involved and present at the hearing before this Court at ConnectU's "emergency motion" sought issuance of the subpoenas to Facebook."	counsel, aware of the restrictions of the Court Orders having been involved and believed to have been present at the hearing before this Court at ConnectU's "emergency motion" sought issuance of the subpoenas to Facebook.
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2. This clarification is being made because Mr. O'Shea's Partner, Michael Petrella, contends that Mr. O'Shea did not appear at the June 2, 2008, hearing. Facebook counsel believes that Mr. O'Shea attended but, given the claim by Mr. Petrella, cannot be sure as the June 2, 2008 hearing was heavily attended by numerous persons on Plaintiffs' behalf. In any event, the O'Shea firm has a copy of the transcript from that hearing, apparently has confidential information submitted in the proceedings (although they appear to disclaim being counsel of record), has read such materials and cannot, therefore, claim they are unaware of what occurred at the June 2, 2008 hearing.

Dated: November 16, 2009

Respectfully submitted,

/s/ Monte M.F. Cooper /s/

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ATTORNEYS FOR FACEBOOK, INC.

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 16, 2009.

Dated: November 16, 2009.

/s/ Monte M.F. Cooper /s/

Monte M.F. Cooper