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February 1, 2010

VIA FEDEX

Honorable Douglas P. Woodlock
United States District Judge
District of Massachusetts
Moakley Courthouse
1 Courthouse Way
Boston, MA 02210

Re: ConnectU, Inc. v. Facebook, Inc., et al. No. 07-10593-DPW (Consolidated with 04-11923-DPW)

Your Honor:

This firm represents Cameron Winklevoss, Tyler Winklevoss and Divya Narendra in a pending arbitration in New York City between them and their former attorneys captioned *Quinn Emanuel Urquhart Oliver & Hedges, LLP v. Winklevoss, et al.*, AAA Arb. No. 13 194 Y 995 08 (“the Arbitration”).

The Arbitration panel (“Panel”) consists of the Honorable Thomas Penfield Jackson (a retired U.S. District Judge for the District of the District of Columbia), the Honorable William A. Dreier (a retired New Jersey Appellate Division Judge), and Richard Silberberg, Esq. (a partner at Dorsey & Whitney LLP). The Panel has previously held hearings on October 26-28, 2009 and January 27-29, 2010. Additional (and perhaps final) hearings in the arbitration are scheduled for April 20-23, 2010.

On October 22, 2009, our clients, represented by Sally & Fitch LLP, filed the Counterdefendants’ Motion for Relief from Stay and for Limited Modification to the Second Stipulated Protective Order in the above captioned matter before this Court. The motion seeks

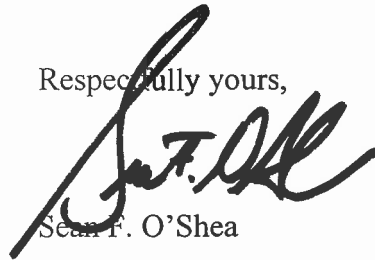
the Court's permission to use twenty-one Facebook documents, previously designated by Facebook as confidential in this action, in aid of the pending Arbitration. That motion, which Facebook has opposed, is pending with the Court.

The purpose of this letter is to inform the Court that during the January 27th hearing, the Panel ordered the parties to the arbitration to request that the Court grant permission on an expedited basis for the Panel to review *in camera* three of the twenty-one documents referenced in the October 22, 2009 motion. Specifically, the Panel has determined that three stock valuation reports that were produced in this action (and the underlying arbitration) are highly material and necessary to decide the issues before it. The requested documents (which we and our opposing counsel in the arbitration already have) are contained in Exhibit A1 to the Sealed Affidavit of Sean F. O'Shea (Dkt. No. 282) and bear the Bates numbers FBMA0000001-0000092/QECU0009129-0009220; FBMA000093-000171/QECU0008920-00008998; and FBMA0000172-0000263/QECU0009036-00009127.

The Panel has expressed its view that no prejudice to Facebook would arise from the Panel's *in camera* review of the three valuation reports, and has stated that it will not show the documents to anyone other themselves and legal counsel (who have them and have already seen them). The Panel has further offered to limit any discussion regarding the documents to counsel who have already viewed the documents in connection with this action and to seal the relevant portion of the record.

As the arbitration is currently underway and the Panel has deemed the valuation reports material to the arbitration, we respectfully request that the Court rule that we can disclose the reports to the Panel for *in camera* review on an expedited basis. The Panel has instructed us that Mr. Silberberg, the chair of the arbitration panel, is available to answer any questions the Court may have regarding this matter. The telephone number for Mr. Silberberg is (212) 415-9231.

Respectfully yours,



Sean F. O'Shea

cc: Gregg P. Bailey, Esq. John F. Hornick Esq.
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