

# **EXHIBIT 5**

**Dalton, Amy**

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**From:** ECFnotice@mad.uscourts.gov

**Sent:** Wednesday, February 20, 2008 12:41 PM

**To:** CourtCopy@mad.uscourts.gov

**Subject:** Activity in Case 1:07-cv-10593-DPW Connectu, Inc. v. Facebook, Inc. et al Order on Motion to Compel

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United States District Court

District of Massachusetts

### Notice of Electronic Filing

The following transaction was entered on 2/20/2008 at 3:41 PM EST and filed on 2/20/2008

**Case Name:** Connectu, Inc. v. Facebook, Inc. et al

**Case Number:** [1:07-cv-10593](#)

**Filer:**

**Document Number:** No document attached

### Docket Text:

**Magistrate Judge Robert B. Collings: Electronic ORDER entered granting in part and denying in part [132] Motion to Compel. In the exercise of the Court's discretion, it is ORDERED that plaintiff's expert, at the Facebook Defendants' expense, image and search for computer program source code files and database definitions on the ten computer storage devices listed in Attorney Wolfson's letter on November 30, 2007 [165]. More specifically, the motion to compel Request #117 is ALLOWED except that the motion is DENIED as to that part of Request #117 which reads: "...or any software reflecting the creation, development and operation of the ConnectU website, the Social Butterfly Program, or the Facebook Importer program." Counsel shall submit to the Court, on or before the close of business on March 4, 2008, a form of Order to be entered by the Court which is agreeable to all parties and which shall set forth the protocols to be used in the imaging and searching. The Order shall set a date by which plaintiff's must supplement their response to Request 1 and produce any material not previously produced which is discovered as a result of the imaging and searching. The motion to compel as to Requests #2 and ##67-68 is DENIED. See Rule 26(b)(2)(C), Fed. R. Civ. P.**

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