

EXHIBIT 3

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UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO
SAVERIN, DUSTIN MOSKOVITZ, ANDREW
MCCOLLUM, CHRISTOPHER HUGHES
AND THEFACEBOOK, INC.,

Defendants.

CIVIL ACTION No.: 1:04-cv-11923
(DPW)

MARK ZUCKERBERG, and
THEFACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC, CAMERON
WINKLEVOSS, TYLER WINKLEVOSS, and
DIVYA NARENDRA,

Counterdefendants.

**DEFENDANTS AND COUNTERCLAIMANTS' RESPONSES TO PLAINTIFF
AND COUNTERDEFENDANTS' REQUESTS FOR THE PRODUCTION OF
DOCUMENTS AND THINGS**

Defendants and counterclaimants Mark Zuckerberg and TheFacebook, Inc., and Defendants Eduardo Saverin, Dustin Moskovitz, Andrew McCollum, and Christopher Hughes (collectively "Defendants") hereby respond to requests for the production of documents and things ("Request") by Plaintiff and Counterclaimant Defendant ConnectU

LLC and additional Counterclaim Defendants Cameron Winklevoss, Tyler Winklevoss, and Divya Narendra (collectively "Plaintiff").

GENERAL RESPONSES AND OBJECTIONS

1. Defendants have not yet completed investigation and discovery or preparation for trial. It is anticipated that further discovery, independent investigation, legal research, expert consultation and analysis will supply additional facts and documents, add meaning to known fact and establish entirely new factual conclusions and legal contentions, all of which may lead to substantial additions to, changes in, and variations from the responses offered at this time

The following responses are given without prejudice to Defendants' right to produce evidence of any subsequently discovered fact or facts that Defendants may later develop. Accordingly, Defendants reserve the right to change any and all responses given below as additional facts are ascertained, analyses are made, legal research is completed, and contentions are made. The responses below are made in a good faith effort to supply as much factual information as is presently known, but should in no way be used to the prejudice of Defendants in relation to further discovery, research, or analysis.

2. Defendants object to the Request to the extent it seeks information which is not within Defendants' current knowledge, is a matter of public record, is within the files and/or particular knowledge of Plaintiff and/or its agents, or is otherwise equally available to Plaintiff.

3. A statement herein agreeing to produce responsive documents does not mean that responsive documents necessarily exist in the possession, custody, or control of Defendants.

4. To the extent Defendants object to a request as vague and ambiguous such that Defendants are required to speculate on the scope of the request in the context of this action, Defendants may nonetheless respond to such request, giving it a reasonable

interpretation, provided, however, that Defendants shall not be deemed bound by any inconsistent interpretation applied by Plaintiff. Further, Defendants' determination or failure to determine that information may or may not be responsive to a specific request shall not be deemed in any manner an admission by Defendants, and Defendants shall not be deemed bound by any inconsistent interpretation applied by Plaintiff.

5. Defendants object generally to Plaintiff's Requests to the extent that they seek (a) documents protected by the attorney-client privilege; (b) documents prepared in anticipation of litigation or for trial; (c) confidential records or proprietary information; and/or (d) documents otherwise not discoverable within the meaning of Fed. R. Civ. P. 26 and/or 34.

SPECIFIC RESPONSES

Request for Production No. 1

All email(s) and other communications between Mark Zuckerberg and Divya Narendra relating in any way to the website that was to be known as "Harvard Connection" or "HarvardConnection" (as referred to in paragraph 9 of Defendants' counterclaims set forth in the Answer to First Amended Complaint, Counterclaim of Mark Zuckerberg and Thefacebook, Inc., and Jury Demand, hereinafter referred to Defendants' "Answer").

Response to Request for Production No. 1

Without waiving the general objections set forth above, Defendants respond as follows: Defendants will produce responsive documents to the extent such documents exist in their possession and are located by a reasonable search.

Request for Production No. 2

All email(s) and other communications between Mark Zuckerberg and Cameron Winklevoss relating in any way to the website that was to be known as Harvard

Connection, including but not limited to the emails "exchanged between Zuckerberg and Cameron Winklevoss" referred to in paragraph 19 of Defendants' Answer.

Response to Request for Production No. 2

Without waiving the general objections set forth above, Defendants respond as follows: Defendants will produce responsive documents to the extent such documents exist in their possession and are located by a reasonable search.

Request for Production No. 3

All email(s) and other communications between Mark Zuckerberg and Tyler Winklevoss relating in any way to the website that was to be known as Harvard Connection.

Response to Request for Production No. 3

Without waiving the general objections set forth above, Defendants respond as follows: Defendants will produce responsive documents to the extent such documents exist in their possession and are located by a reasonable search.

Request for Production No. 4

All email(s) and other communications between Mark Zuckerberg and Victor Gao relating in any way to the website that was to be known as Harvard Connection.

Response to Request for Production No. 4

Without waiving the general objections set forth above, Defendants respond as follows: Defendants will produce responsive documents to the extent such documents exist in their possession and are located by a reasonable search.

Request for Production No. 5

All email(s) and other communications between Mark Zuckerberg and Sanjay Mavinkurve relating in any way to the website that was to be known as Harvard Connection.

Response to Request for Production No. 5

Without waiving the general objections set forth above, Defendants respond as follows: Defendants have no documents responsive to this request.

Request for Production No. 6

All email(s) and other communications between Mark Zuckerberg and Joseph Jackson relating in any way to the website that was to be known as Harvard Connection.

Response to Request for Production No. 6

Without waiving the general objections set forth above, Defendants respond as follows: Defendants have no documents responsive to this request.

Request for Production No. 7

All email(s) and other communications between Mark Zuckerberg and any other person relating in any way to the website that was to be known as Harvard Connection.

Response to Request for Production No. 7

Defendants object to this request as overbroad, including as to time period. Without waiving the general objections set forth above and subject to the specific objection stated herein, Defendants respond as follows: Defendants refer Plaintiff to Defendants' responses to Requests 1 through 4. Defendants will produce non-privileged responsive

documents to the extent such documents exist in their possession and are located by a reasonable search.

Request for Production No. 8

All email(s) and other communications between Mark Zuckerberg and any other person relating in any way to the website that was to be known as ConnectU.

Response to Request for Production No. 8

Defendants object to this request as overbroad, including as to time period, and vague in its use of the term "website that was to be known as ConnectU." Defendants also object to this request as argumentative and inaccurate to the extent that it implies that Plaintiff had communicated with Mr. Zuckerberg during the time he worked on the proposed Harvard Connection website that Plaintiff intended to rename that site ConnectU, or to create an additional site named ConnectU. Defendants further object to this request on the grounds that it seeks documents that are not relevant to the subject matter of this action, nor reasonably calculated to lead to the discovery of admissible evidence. Defendants additionally object to this request to the extent that it calls for Defendants' confidential, proprietary, commercially sensitive, and/or trade secret information. Without waiving the general objections set forth above and subject to the specific objections stated herein, Defendants respond as follows: Defendants will produce non-privileged responsive documents to the extent such documents exist in their possession and are located by a reasonable search.

Request for Production No. 9

All email(s) and other communications relating in any way to the website that was to be known as Harvard Connection, of which Mark Zuckerberg received or possesses a copy.

Response to Request for Production No. 9

Defendants object to this request as overbroad, including as to time period. Without waiving the general objections set forth above and subject to the specific objection stated herein, Defendants respond as follows: Defendants refer Plaintiff to their responses to Requests 1 through 4 and 7. Further answering, Defendants will produce non-privileged responsive documents to the extent such documents exist in their possession and are located by a reasonable search.

Request for Production No. 10

All email(s) and other communications relating in any way to the website that was to be known as Harvard Connection, of which Eduardo Saverin received or possesses a copy.

Response to Request for Production No. 10

Defendants object to this request as overbroad, including as to time period. Without waiving the general objections set forth above and subject to the specific objection stated herein, Defendants respond as follows: Defendants will produce non-privileged responsive documents to the extent such documents exist in their possession and are located by a reasonable search.

Request for Production No. 11

All email(s) and other communications relating in any way to the website that was to be known as Harvard Connection, of which Dustin Moskovitz received or possesses a copy.

Response to Request for Production No. 11

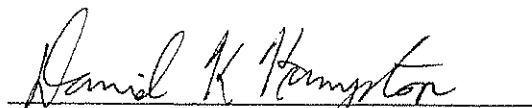
Defendants object to this request as overbroad, including as to time period. Without waiving the general objections set forth above and subject to the specific objection stated

Defendants respond as follows: Defendants refer Plaintiff to Defendants' Response to Request for Production Nos. 1-37, 39-41, 47-49, 51-68, 72-95, 97, 100-105, 108-110, 112, 114-116, 124-140, 142-154, 156, 158-160, 162, 164, and 166-167.

DATED: May 31, 2005

MARK ZUCKERBERG, EDUARDO SAVERIN,
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,
CHRISTOPHER HUGHES, and THEFACEBOOK,
INC.

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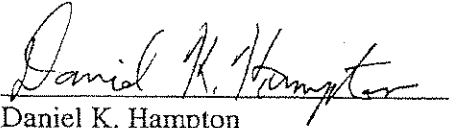
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CERTIFICATE OF SERVICE

I, Daniel K. Hampton, hereby certify that on this 31st day of May, 2005, I served a copy of the within document on the following counsel of record, via facsimile transmission and confirmation copy via first class mail:

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