

United States District Court District of Massachusetts

CONNECTU, INC.,
Plaintiff,

V.

CIVIL ACTION NO. 2007-10593-DPW

FACEBOOK, INC.,
MARK ZUCKERBERG,
EDUARDO SAVERIN,
DUSTIN MOSKOVITZ,
ANDREW MCCOLLUM,
CHRISTOPHER HUGHES,
THE FACEBOOK, LLC.,
Defendants.

PROCEDURAL ORDER RE: NOTICE OF MOTIONS FILED BY PLAINTIFF CONNECTU REQUIRING RESOLUTION (#8)

COLLINGS, U.S.M.J.

Since some discovery was taken in the prior case, 04cv111923, after the discovery motions were briefed and argued and since discovery has been taken in other litigation between the parties in other venues, the Court, pursuant to Rule 37(a), Fed. R. Civ. P. and L.R. 37.1(A), hereby ORDERS that counsel meet

and confer in a good-faith effort to resolve the disputes which remain unresolved according to plaintiffs' counsel. *See* Notice, Etc. (#8) at pp. 2-3.¹ It is ORDERED that the "meet and confer" be at an in-person meeting between counsel and that it occur *on or before the close of business on July 9, 2007*.

Thereafter, counsel for the parties are ORDERED to prepare a joint report in which the items sought in discovery which remain in dispute after the "meet and confer" are listed with specificity. In the joint report, after each item in dispute, counsel shall make reference by docket number and page of the documents in the prior case wherein the dispute was previously briefed and the page numbers and lines of the transcript of the hearing where the specific dispute was argued. In addition, the party resisting the specific item shall set forth in a paragraph (not to exceed 25 words) the reasons for the opposition to the requested discovery, and the party seeking the discovery shall set forth in a paragraph (not to exceed 25 words) why the requested discovery should be produced.

It is FURTHER ORDERED that the Joint Report be FILED *on or before the close of business on Friday, July 27, 2007*. The Court shall thereafter decide

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The Court does not deem the Motion for Contempt as being a "discovery motion" as that term is used in this Order.

the disputes with or without further oral argument as the Court deems appropriate.

Counsel are advised that the Court shall not hesitate to impose sanctions if it finds that any parties' position on any discovery matter is not "substantially justified". See Rule 37(a)(4), Fed. R. Civ. P.

/s/ Robert B. Collings

ROBERT B. COLLINGS
United States Magistrate Judge

June 12, 2007.