

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CONNECTU, INC.,

Plaintiff,

v.

FACEBOOK, INC., MARK ZUCKERBERG,
EDUARDO SAVERIN, DUSTIN MOSKOVITZ,
ANDREW MCCOLLUM, CRISTOPHER
HUGHES, and THEFACEBOOK, LLC,

Defendants.

Civil Action No.: 1:07-CV-10593-DPW

Related Action No. 1:04-CV-11923-DPW

**DEFENDANT EDUARDO SAVERIN'S MOTION TO DISMISS
CONNECTU, INC'S FIRST AMENDED COMPLAINT
PURSUANT TO FED. R. CIV. P. 12(B)(6)**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Eduardo Saverin moves to dismiss each of the claims asserted against him by ConnectU Inc. ("ConnectU"): the sixth (unjust enrichment), eighth (trade secret misappropriation), and ninth (unfair trade practices) claims of ConnectU's First Amended Complaint. As set forth in the memorandum submitted herewith, the few new *factual* allegations ConnectU has made against Mr. Saverin in the First Amended

Complaint remain utterly insufficient to state any claim against Mr. Saverin on which relief could plausibly be granted.

REQUEST FOR ORAL ARGUMENT

Because Defendant Saverin wishes to be heard and believes that oral argument may assist the Court, pursuant to D. Mass. L.R. 7.1(D), he hereby requests that the Court grant oral argument on this motion.

RULE 7.1(A)(2) CERTIFICATION

The undersigned counsel hereby certifies that counsel for Saverin has conferred with counsel for ConnectU, Inc. in a good faith effort to resolve or narrow the issue presented by this motion.

DATED: August 29, 2007

/s/ Annette L. Hurst
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