

Exhibit A

HIERARCHY OF ARGUMENTS TO DISMISS CLAIMS

Theory Under Which Claims or Parties Should Be Dismissed	Claims or Parties To Be Dismissed	Location of Argument
Failure to comply with Rule 8, FAC is overly prolix and obfuscates claims	All Claims	<ul style="list-style-type: none"> • Zuckerberg Mot. to Dismiss, III.A.
Claims are not assigned and/or are not assignable.	All Claims Except Trade Secret and Copyright Infringement	<ul style="list-style-type: none"> • Zuckerberg Mot. to Dismiss, III.B.
Copyright preempts state law claims	All Claims, Except Trade Secret	<ul style="list-style-type: none"> • Zuckerberg Mot. to Dismiss, III.C.2. • Moskowitz & McCollum Mot. to Dismiss, III.B.
Indefinite Promise / Reliance Unreasonable constitutes failure to state a claim	All Claims, Except Trade Secret and Copyright Infringement	<ul style="list-style-type: none"> • Zuckerberg Mot. to Dismiss, III.C.1. and D., E., F.2., G.1. • Defendants’ Mot. for Summ. J.
Successor Liability insufficiently pled	Facebook, Inc. and TheFacebook LLC	<ul style="list-style-type: none"> • Facebook Entities Mot. to Dismiss, III.A.
Failure to State a Claim	Facebook, Inc., TheFacebook LLC, Moskowitz, McCollum, and Saverin	<ul style="list-style-type: none"> • Zuckerberg Mot. to Dismiss, III.E, F.1., G.1. • Moskowitz & McCollum Mot. to Dismiss, III.A.
Statute of Limitations	All Claims Except Copyright Infringement	<ul style="list-style-type: none"> • Zuckerberg Mot. to Dismiss, III.G.2. • Facebook Entities Mot. to Dismiss, III.B.

Exhibit B

**SUMMARY OF CLAIMS IN FIRST AMENDED COMPLAINT
AND DEFENSES ASSERTED BY DEFENDANTS**

Claim Asserted	Asserted by	Asserted Against	Defense Asserted	By Whom	In What Motion
(1) Breach of Contract	ConnectU, Inc.	Zuckerberg (¶¶ 42-87)	(A) Breach of Contract claim should be dismissed on Rule 8 grounds.	Zuckerberg	Zuckerberg Mot. to Dismiss, III.A.
			(B) Breach of Contract claim fails because it is not assignable.	Zuckerberg	Zuckerberg Mot. to Dismiss, III.B.1., III.B.2.a.
			(C) Breach of Contract Claim fails as indefinite.	Zuckerberg	Zuckerberg Mot. to Dismiss, III.C.1.
			(D) Breach of Contract Claim fails because it is preempted by the Copyright Act.	Zuckerberg	Zuckerberg Mot. to Dismiss, III.C.2.
		Facebook Entities (¶¶ 88, 89)	(E) Breach of Contract Claim fails for want of successor liability.	Facebook Entities	Facebook Entities Mot. to Dismiss, III.A.
			(F) Defendants are entitled to summary judgment on the Breach of Contract claim because the evidence fails to raise a genuine issue of material fact.	Zuckerberg & Facebook Entities	Defendants' Mot. for Summ. J., III.A.

Claim Asserted	Asserted by	Asserted Against	Defense Asserted	By Whom	In What Motion
(2) Breach of Covenant of Good Faith	ConnectU, Inc.	Zuckerberg (¶¶ 90-95) Facebook Entities (¶¶ 96, 97)	(A) Breach of Covenant of Good Faith claim should be dismissed on Rule 8 grounds. (B) Breach of Covenant of Good Faith claim fails because there is no enforceable contract. (C) Breach of Covenant of Good Faith claim fails for want of successor liability. (D) Defendants are entitled to summary judgment on the Breach of Coveant of Good Faith claim because the evidence fails to raise a genuine issue of material fact.	Zuckerberg Zuckerberg Facebook Entities Zuckerberg & Facebook Entities	Zuckerberg Mot. to Dismiss, III.A. Zuckerberg Mot. to Dismiss, III.D. Facebook Entities Mot. to Dismiss, III.A. Defendants Mot. for Summ. J., III.B.
(3) Fraud	ConnectU, Inc. <i>or</i> C. Winklevoss, T. Winklevoss, & Narendra (¶ 99)	Zuckerberg (¶¶ 100 -147) Facebook Entities (¶¶ 148, 149)	(A) Fraud claim should be dismissed on Rule 8 grounds. (B) Fraud claim fails because it is not assignable. (C) Fraud claim on part of Individual Plaintiffs fails because no personal claims are alleged. (D) Fraud claim is insufficiently pled. (E) Fraud claim is barred by the Statute of Limitations. (F) Fraud claim fails under for want of successor liability.	Zuckerberg Zuckerberg Zuckerberg Zuckerberg Facebook Entities	Zuckerberg Mot. to Dismiss, III.A. Zuckerberg Mot. to Dismiss, III.B.1., III.B.2.b., III.B.4. Zuckerberg Mot. to Dismiss, III.B.4. Zuckerberg Mot. to Dismiss, III.F. Zuckerberg Mot. to Dismiss, III. G. 2. Facebook Entities Mot. to Dismiss, III.A.

Claim Asserted	Asserted by	Asserted Against	Defense Asserted	By Whom	In What Motion
(4) Promissory Estoppel	ConnectU, Inc.	Zuckerberg (¶¶ 151 -159) Facebook Entities (¶¶ 160, 161)	(A) Promissory Estoppel claim should be dismissed on Rule 8 grounds. (B) Promissory Estoppel claim is insufficiently pled. (C) Promissory Estoppel claim fails for want of successor liability. (D) Defendants are entitled to summary judgment on the Promissory Estoppel claim because the evidence fails to raise a genuine issue of material fact.	Zuckerberg Zuckerberg Facebook Entities Zuckerberg & Facebook Entities	Zuckerberg Mot. to Dismiss, III.A. Zuckerberg Mot. to Dismiss, III.E. Facebook Entities Mot. to Dismiss, III.A. Defendants Mot. for Summ. J., III.C.

Claim Asserted	Asserted by	Asserted Against	Defense Asserted	By Whom	In What Motion
(5) Breach of Fiduciary Duty	ConnectU, Inc. <i>or</i> C. Winklevoss, T. Winklevoss, & Narendra (¶ 163)	Zuckerberg (¶¶ 164-169)	(A) Breach of Fiduciary Duty claim should be dismissed on Rule 8 grounds.	Zuckerberg	Zuckerberg Mot. to Dismiss, III.A.
			(B) Breach of Fiduciary Duty claim fails because it is not assignable.	Zuckerberg	Zuckerberg Mot. to Dismiss, III.B.1., III.B.2(b).
			(C) Breach of Fiduciary Duty claim on part of Individual Defendants fails because no personal claims are alleged.	Zuckerberg	Zuckerberg Mot. to Dismiss, III.B.4.
			(C) Breach of Fiduciary Duty claim is insufficiently pled.	Zuckerberg	Zuckerberg Mot. to Dismiss, III.G.1.
			(D) Breach of Fiduciary Duty claim is barred by the Statute of Limitations.	Zuckerberg	Zuckerberg Mot. to Dismiss, III.G.2.
Facebook Entities (¶¶ 170, 171)	(E) Breach of Fiduciary Duty claim fails for want of successor liability.	Facebook Entities	Facebook Entities Mot. to Dismiss, III.A.		

Claim Asserted	Asserted by	Asserted Against	Defense Asserted	By Whom	In What Motion
<p>(6) Unjust Enrichment</p>	<p>ConnectU, Inc.</p>	<p>Zuckerberg (¶¶ 173-199)</p>	<p>(A) Unjust Enrichment claim should be dismissed on Rule 8 grounds.</p>	<p>Zuckerberg</p>	<p>Zuckerberg Mot. to Dismiss, III.A.</p>
			<p>(B) Unjust Enrichment claim fails because it is not assignable.</p>	<p>Zuckerberg</p>	<p>Zuckerberg Mot. to Dismiss, III.B.1., 3.</p>
		<p>Facebook Entities (¶¶ 201-206)</p>	<p>(C) Unjust Enrichment claim is insufficiently pled.</p>	<p>Facebook Entities</p>	<p>Facebook Entities Mot. to Dismiss, III.C.; Moskovitz & McCollum Mot. to Dismiss, III.A.2.a</p>
		<p>McCollum (¶¶ 207-215 & 234-239)</p>	<p>(D) Unjust Enrichment claim fails because Plaintiff claims an adequate remedy at law.</p>	<p>Moskovitz, McCollum</p>	<p>Moskovitz & McCollum Mot. to Dismiss, III.A.2.b</p>
		<p>Moskovitz (¶¶ 216-223 & 234-239)</p>	<p>(E) Unjust Enrichment claim fails because it is preempted by the Copyright Act.</p>	<p>Moskovitz, McCollum</p>	<p>Moskovitz & McCollum Mot. to Dismiss, III.B.2.</p>
<p>Saverin (¶¶ 224-233 & 234-239)</p>					

Claim Asserted	Asserted by	Asserted Against	Defense Asserted	By Whom	In What Motion
(7) Copyright Infringement	ConnectU, Inc.	Zuckerberg (¶¶ 243-261) Facebook Entities (¶¶ 262, 263) McCollum (¶¶ 243-261) Moskovitz (¶¶ 243-261)	(A) Copyright Infringement claim should be dismissed on Rule 8 grounds. (B) Copyright Infringement claim fails for want of successor liability. (C) Copyright Infringement claim is insufficiently pled.	Zuckerberg Facebook Entities Moskovitz, McCollum	Zuckerberg Mot. to Dismiss, III.A. Facebook Entities Mot. to Dismiss, III.A. Moskovitz & McCollum Mot. to Dismiss, III.A.1.
(8) Misappropriation of Trade Secrets	ConnectU, Inc.	Zuckerberg (¶¶ 265-293) Facebook Entities (¶¶ 294, 295) McCollum (¶¶ 287-293) Moskovitz (¶¶ 287-293) Saverin (¶¶ 287-293)	(A) Misappropriation of Trade Secrets claim should be dismissed on Rule 8 grounds. (B) Misappropriation of Trade Secrets claim fails for want of successor liability. (C.1) Misappropriation of Trade Secrets claim brought under M.G.L. c. 226 § 30 does not provide a private right of action. (C.2) Misappropriation of Trade Secrets claim brought under M.G.L. c. 93A § 42 is insufficiently pled.	Zuckerberg Facebook Entities Moskovitz, McCollum Moskovitz, McCollum	Zuckerberg Mot. to Dismiss, III.A. Facebook Entities Mot. to Dismiss, III.A. Moskovitz & McCollum Mot. to Dismiss, III.A.3.a. Moskovitz & McCollum Mot. to Dismiss, III.A.3.b.

Claim Asserted	Asserted by	Asserted Against	Defense Asserted	By Whom	In What Motion
(9) Unfair Trade Practices	ConnectU, Inc.	Zuckerberg (¶¶ 297-326)	(A) Unfair Trade Practices claim should be dismissed on Rule 8 grounds.	Zuckerberg	Zuckerberg Mot. to Dismiss, III.A.
		Facebook Entities (¶¶ 327, 328)	(B) Unfair Trade Practices claim fails for want of successor liability.	Facebook Entities	Facebook Entities Mot. to Dismiss, III.A.
		McCollum (¶¶ 329-337)	(C) Unfair Trade Practices claim is insufficiently pled.	Moskovitz, McCollum	Moskovitz & McCollum Mot. to Dismiss, III.A.4.
		Moskovitz (¶¶ 329-337)	(D) Unfair Trade Practices claim fails because it is preempted by the Copyright Act.	Moskovitz, McCollum	Moskovitz & McCollum Mot. to Dismiss, III.B.1.
		Saverin (¶¶ 329-337)			