

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

FACEBOOK, INC.,	)	
	)	Case No. 10-cv-11917-DPW
Plaintiff,	)	
	)	
v.	)	
	)	
PHOENIX MEDIA/COMMUNICATIONS	)	
GROUP, INC., PEOPLE2PEOPLE GROUP,	)	
INC., TELE-PUBLISHING, INC., AND	)	
FNX BROADCASTING LLC,	)	
	)	
Defendants.	)	

**OBJECTION OF DEFENDANTS PHOENIX MEDIA/COMMUNICATIONS GROUP, INC., PEOPLE2PEOPLE GROUP, INC. AND FNX BROADCASTING LLC TO SERVICE OF INITIAL DISCLOSURES AT THIS TIME**

Pursuant to Fed. R. Civ. P. 26(a)(1)(C) and Local Rule 16.1, defendants Phoenix Media/Communications Group, Inc. (“PMC), People2People Group, Inc. (“P2P”) and FNX Broadcasting LLC (“FNX”) object to serving at this time initial disclosures under Fed. R. Civ. P. 26(a)(1).

PMC, P2P and FNX have moved to dismiss plaintiff’s complaint pursuant to Fed. R. Civ. P. 12(b)(6) and 12(b)(7). The Court has not heard or adjudicated those motions. Unless and until the Court denies the motions to dismiss, preparation of initial disclosures will impose an unnecessary burden on PMC, P2P and FNX.

In the parties’ Joint Statement pursuant to Local Rules 16.1(D), filed February 25, 2011, the parties submitted competing proposals concerning the conduct and progress of this action. PMC, P2P and FNX respectfully submit that the schedule for submitting initial disclosures (if

any are required after the Court's adjudication of the pending motions to dismiss) should await the Court's consideration at the Scheduling Conference on March 8, 2011.

PHOENIX MEDIA/COMMUNICATIONS GROUP, INC.,  
PEOPLE2PEOPLE GROUP, INC. and  
FNX BROADCASTING LLC

By their attorneys,

/s/ T. Christopher Donnelly  
T. Christopher Donnelly (BBO# 129930)  
DONNELLY, CONROY & GELHAAR, LLP  
One Beacon Street, 33rd Floor  
Boston, Massachusetts 02108  
(617) 720-2880

Dated: March 1, 2011

**CERTIFICATE OF SERVICE**

I, T. Christopher Donnelly, hereby certify that on this 1st day of March, 2011, I electronically filed the foregoing OBJECTION OF DEFENDANTS PHOENIX MEDIA/COMMUNICATIONS GROUP, INC., PEOPLE2PEOPLE GROUP, INC. AND FNX BROADCASTING LLC TO SERVICE OF INITIAL DISCLOSURES AT THIS TIME with the Clerk of Court using the CM/ECF system, which will send notification of such filing(s) to all counsel of record.

/s/ T. Christopher Donnelly  
T. Christopher Donnelly