

JS 44 CAND (Rev. 12/11)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Rock Southward, Derivatively on Behalf of Facebook, Inc.,

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Kwasi A. Asiedu (SBN 133698), Schwartz & Asiedu, Post Office Box 2006, Artesia, California 90702-2006, Tel: 310-792-3948

DEFENDANTS

Mark E. Zuckerberg, et al. See Attachment A

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known) James F. Basile, Kirkland & Ellis LLP 555 California Street, San Francisco, CA 94104 Tel: 415-439-1400

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with 5 columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, PRISONER PETITIONS, TORTS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Personal Injury, Labor, and Bankruptcy.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from another district (specify), 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 28 U.S.C. § 1331, 15 U.S.C. § 77v(a)
Brief description of cause: Removal of action alleging breach of fiduciary duty, waste of corporate assets, etc.

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23, DEMAND \$, CHECK YES only if demanded in complaint: JURY DEMAND: X Yes [ ] No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE Chesney DOCKET NUMBER See Attachment B

IX. DIVISIONAL ASSIGNMENT (Civil L.R. 3-2)

(Place an "X" in One Box Only) X SAN FRANCISCO/OAKLAND [ ] SAN JOSE [ ] EUREKA

DATE 08/07/2012

SIGNATURE OF ATTORNEY OF RECORD

Handwritten signature of the attorney of record.

**EXHIBIT A**

**Attachment A:**

**Case Caption**

Rock Southward, Derivatively on Behalf of Himself  
and All Others Similarly Situated,

Plaintiffs,

v.

Mark E. Zuckerberg, David A. Ebersman, Sheryl K. Sandberg,  
David M. Spillane, James W. Breyer, Peter A. Thiel, Marc L. Andreessen,  
Erskine B. Bowles, Donald E. Graham and Reed Hastings,

Defendants,

-and-

Facebook, Inc.,

Nominal Defendant

**EXHIBIT B**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RELATED CASE ORDER

An Administrative Motion to Consider Whether Cases Should Be Related has been filed, requesting a determination as to whether the following cases are related within the meaning of Civil L.R. 3-12(a):

C 12-2662 MMC	Spatz, et al. v. Facebook, Inc., et al.
C 12-2666 MMC	Offner v. Facebook, Inc., et al.
C 12-2680 MMC	Chang, et al. v. Facebook, Inc., et al.
C 12-2815 MMC	Gregory v. Facebook, Inc., et al.
C 12-3195 MMC	Lapin v. Facebook, Inc., et al.
C 12-3196 MMC	DeMois. Jr. v. Facebook, Inc. et al.
C 12-3199 MMC	Lazar v. Facebook, Inc., et al.
C 12-3200 MMC	Shierry v. Facebook, Inc., et al.
C 12-3201 MMC	Cuker, et al. v. Facebook, Inc., et al.
C 12-3202 MMC	Lieber v. Facebook, Inc., et al.
C 12-3203 MMC	Stokes v. Facebook, Inc., et al.
C 12-3212 MMC	Ahrendtsen, et al. v. Facebook, Inc., et al.
C 12-3353 MMC	Hicks, et al. v. Facebook, Inc., et al.
C 12-3366 MMC	Hubuschman v. Zuckerberg, et al.
C 12-3367 MMC	Cole v. Zuckerberg, et al.
C 12-3418 MMC	Nelson v. Facebook, Inc., et al.
C 12-3498 MEJ	Chi v. Zuckerberg, et al.
C 12-3642 PJH	Levy v. Facebook, Inc., et al.

On the basis of the material submitted to the Court, as the Judge assigned to the earliest filed cases, I find that the above-titled cases:

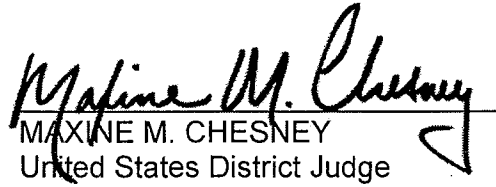
ARE NOT RELATED as defined by Civil L.R. 3-12(a).

ARE RELATED as defined by Civil L.R. 3-12(a).

Counsel are instructed that all future filings in the reassigned cases are to bear the initials **MMC** immediately after the case number. Any case management

conference in the reassigned cases will be rescheduled by the Court. Any dates for hearing noticed motions are vacated and must be re-noticed by the moving party before the undersigned; any deadlines set by the ADR Local Rules remain in effect; and any deadlines established in a case management order continue to govern, except dates for appearance in court, which will be rescheduled by the undersigned.

DATED: July 19, 2012

  
MAXINE M. CHESNEY  
United States District Judge