

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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PAUL D. CEGLIA,	:	
	:	
Plaintiff,	:	Civil Action No. 1:10-cv-00569-RJA
	:	
v.	:	DECLARATION OF
MARK ELLIOT ZUCKERBERG and	:	ALEXANDER H. SOUTHWELL
FACEBOOK, INC.,	:	
	:	
Defendants.	:	
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I, ALEXANDER H. SOUTHWELL, hereby declare under penalty of perjury that the following is true and correct:

1. I am an attorney licensed to practice law in the State of New York and admitted to practice before this Court. I am a partner in the law firm of Gibson, Dunn & Crutcher LLP, counsel of record for Mark Elliot Zuckerberg and Facebook, Inc., in the above-captioned matter. I make this declaration, based on personal knowledge, in support of Defendants' Motion to Substitute a Redacted Document.

2. On the evening of August 4, 2011, Defendants' counsel inadvertently filed an unredacted Notice of Cross-Motion (Doc. No. 95) on the CM/ECF system.

3. Immediately upon discovering this error shortly after filing, I called the ECF Help Desk, which was closed. I left a voicemail message requesting their assistance in removing the unredacted Notice.

4. On the morning of August 5, my co-counsel Terrance P. Flynn called the ECF Help Desk and left another voicemail message. Mr. Flynn also called the Clerk's Office. I understand that the Clerk's Office has placed a full temporary hold on the unredacted Notice of Cross-Motion (Doc. No. 95), which ensures that the document is not publicly accessible.

5. A redacted Notice of Cross-Motion, which Defendants respectfully request be substituted for the unredacted Notice of Cross-Motion (Doc. No. 95), is attached hereto as Exhibit A. This version redacts four words that may reflect information that Plaintiff has designated as confidential under the Joint Stipulated Protective Order (Doc. No. 86).

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 5th day of August, 2011 at New York, New York.



Alexander H. Southwell