

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

PAUL D. CEGLIA,

Plaintiff,

v.

MARK ELLIOT ZUCKERBERG, Individually, and
FACEBOOK, INC.,

Defendants.

**APPLICATION FOR
EXPEDITED HEARING ON
MOTION TO DISSOLVE
TEMPORARY RESTRAINING
ORDER**

Civil Action No.: 1:10-cv-00569-RJA

PLEASE TAKE NOTICE that, upon the accompanying affidavit of Michael B. Powers, Esq., sworn to July 15, 2010, defendants' Mark Elliot Zuckerberg and Facebook, Inc. (collectively, "Defendants") Memorandum of Law in Support of the Application for Expedited Hearing on the Motion to Dissolve Temporary Restraining Order; Defendants' Motion to Dissolve Temporary Restraining Order (Docket No. 4); Defendants' Memorandum of Law in Support of the Motion to Dissolve Temporary Restraining Order (Docket No. 5); the Declaration of Lisa T. Simpson, Esq. in Support of Defendants' Motion to Dissolve Temporary Restraining Order (Docket No. 6); and upon all of the pleadings and proceedings herein, the undersigned will move this Court, before the Hon. Richard J. Arcara, United States District Judge, at the United States Courthouse, 68 Court Street, Buffalo, New York, on July _____, 2010, at _____ o'clock a.m./p.m., for an Order:

- (1) Declaring that the June 30, 2010 Temporary Restraining Order of the New York State Supreme Court, Allegany County has expired; or, in the alternative;
- (2) Granting an expedited hearing on Defendants' Motion to Dissolve Temporary Restraining Order (Docket No. 4), pursuant to Fed. R. Civ. P. 6(c) and Rule 7.1(d) of

the Local Rules of Civil Procedure for the United States District Court for the Western District of
New York; and

(3) Awarding such other and further relief as to the Court seems proper.

DATED: Buffalo, New York
July 15, 2010

PHILLIPS LYTLE LLP

By: /s/ Michael B. Powers

Michael B. Powers

Sean C. McPhee

Attorneys for Defendants

3400 HSBC Center

Buffalo, New York 14203-2887

(716) 847-8400

mpowers@phillipslytle.com

smcphoe@phillipslytle.com

-and-

ORRICK, HERRINGTON & SUTCLIFFE LLP

Lisa T. Simpson

Attorneys for Defendants

51 West 52nd Street

New York, NY 10019

(212) 506-5000

lsimpson@orrick.com

TO: Paul A. Argentieri, Esq.
Attorneys for Plaintiff
188 Main Street
Hornell, NY 14843
(607) 324-3232

Doc # 01-2384449.2