

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

----- X  
PAUL D. CEGLIA,

Plaintiff,

v.

MARK ELLIOT ZUCKERBERG and  
FACEBOOK, INC.,

Defendants.  
----- X

**NOTICE OF MOTION FOR  
EXPEDITED DISCOVERY**

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

**PLEASE TAKE NOTICE** that upon the accompanying Memorandum of Law and the annexed Declarations of Mark Elliot Zuckerberg, Professor Frank J. Romano, Gus R. Lesnevich, Professor Gerald R. McMenemy, Bryan J. Rose, Michael F. McGowan, Don Henne, and Dr. Albert Lyter III, and accompanying exhibits, the undersigned will move this Court, at a date and time to be set by the Court, for expedited discovery under Federal Rule of Civil Procedure 26(d)(1), and an order:

(1) Compelling immediate production of the original signed version of the purported contract attached to the Amended Complaint, the native electronic version of that document, and all copies of the purported contract in electronic or hard-copy form;

(2) Compelling immediate production of the purported emails described in the Amended Complaint in their original, native electronic form, as well as all copies of the purported emails in electronic or hard-copy form;

(3) Immediately seizing, and permitting Defendants to inspect and image, all computers and electronic media in Plaintiff's possession, custody, or control; and

(4) Staying all other discovery until this initial phase of discovery is complete.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Local Civil Rule of Procedure 7 of this Court, Defendants request oral argument and state their intention to file and serve reply papers.

Dated: New York, New York  
June 2, 2011

Thomas H. Dupree, Jr.  
GIBSON, DUNN & CRUTCHER LLP  
1050 Connecticut Avenue, NW  
Washington, DC 20036  
(202) 955-8500

Terrance P. Flynn  
HARRIS BEACH PLLC  
726 Exchange Street  
Suite 1000  
Buffalo, NY 14210  
(716) 200-5120

Respectfully submitted,

/s/ Orin Snyder  
Orin Snyder  
Alexander H. Southwell  
GIBSON, DUNN & CRUTCHER LLP  
200 Park Avenue, 47th Floor  
New York, NY 10166-0193  
(212) 351-4000

*Attorneys for Defendants Mark Zuckerberg and Facebook, Inc.*