

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 (“Gibson Dunn”), 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’ Response to Paul Argentieri’s “Sur Rebuttal” Declarations.
2. A true and correct copy of excerpts of the transcript of Defendants’ July 25, 2012 deposition of James Blanco is attached hereto as Exhibit A.
3. A true and correct copy of the “CTS Statement on the use of Proficiency Testing Data for Error Rate Determinations,” issued by Collaborative Testing Services, Inc. (“CTS”) and dated March 30, 2010, is attached hereto as Exhibit B.
4. A true and correct copy of an August 24, 2011 email from Gibson Dunn attorney Matthew Benjamin to Ceglia’s current counsel Paul Argentieri and former counsel Jeffrey Lake

and Nathan Shaman, transmitting a copy of the subpoena Defendants served on Sidley Austin LLP on that date, is attached hereto as Exhibit C.

5. A true and correct copy of a June 25, 2012 email from Gibson Dunn attorney Amanda Aycock to Ceglia's counsel Dean Boland, transmitting the production from Sidley Austin LLP in response to Defendants' subpoena, is attached hereto as Exhibit D.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 14th day of December, 2012 at New York, New York.



Alexander H. Southwell