

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

PAUL D. CEGLIA,

Plaintiff,

v.

DECLARATION OF
TERRANCE P. FLYNN

MARK ELLIOT ZUCKERBERG, Individually,
and FACEBOOK, INC.

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

Defendants.

I, TERRANCE P. FLYNN, ESQ., hereby declare under penalty of perjury that the following is true and correct:

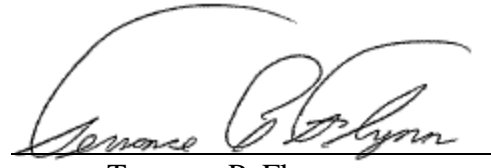
1. I am an attorney licensed to practice law in the State of New York and am admitted to practice before this Court. I am a partner in the law firm Harris Beach PLLC, counsel of record for Defendants Mark Elliot Zuckerberg and Facebook, Inc. (“Facebook”) in the above-captioned matter. I make this declaration, based on personal knowledge, in opposition to Plaintiff’s motion and in support of Defendants’ cross-motion.

2. On July 15, 2011, I spoke directly in person with Jeffrey Lake, Esq. in a conference room at my firm’s law offices, 726 Exchange Street, Suite 1000, Buffalo, New York. During that conversation, I informed Jeffrey Lake, Esq. that the defendants would be providing the Declarations of Mark Elliot Zuckerberg and Alexander Southwell, Esq. to him that day pursuant to the Court’s Order, dated July 1, 2011.

3. I also explained to Mr. Lake that the Local Rules of the Western District of New York do not require the filing of such Declarations with the Court and therefore they would not be filed. Mr. Lake understood and did not object to my statements.

4. The aforementioned Declarations of Mark Elliot Zuckerberg and Alexander Southwell, Esq. were subsequently provided to Mr. Lake after our conversation later that day on July 15, 2011.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 4th day of August, 2011 in Buffalo, New York.



Terrance P. Flynn