

IN THE UNITED STATES DISTRICT COURT**FOR THE EASTERN DISTRICT OF PENNSYLVANIA****CROSS ATLANTIC CAPITAL PARTNERS, INC., CIVIL ACTION**

Plaintiff,

NO. 07-CV- 02768-JP

v.

FACEBOOK, INC. and THEFACEBOOK, LLC,**ORAL ARGUMENT REQUESTED**

Defendants.

FACEBOOK MOTION NO. 4**FACEBOOK'S NOTICE OF MOTION AND MOTION FOR SUMMARY JUDGMENT
OF NON-INFRINGEMENT**

COME NOW the defendants Facebook, Inc. and Thefacebook, LLC (collectively "Facebook"), by and through undersigned counsel, and hereby move for summary judgment of non-infringement.

The grounds for this motion are set forth in the accompanying memorandum, statement of material facts in accordance with the Hon. John R. Padova's Policies and Procedures, declaration and attached exhibits, which are incorporated by reference as if fully set forth herein.

A certificate of service and proposed order are also supplied herewith in accordance with Local Rules 7.1(a) and (d).

Oral argument is hereby requested in accordance with Local Rule 7.1(f).

WHEREFORE, Facebook respectfully requests that this Court grant its motion for summary judgment of non-infringement and enter an order finding that Facebook does not infringe the patent-in-suit.

Respectfully submitted,

Dated: June 20, 2008

By: /s/ Heidi L. Keefe

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