

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.

JURY TRIAL DEMANDED

FACEBOOK, INC. and THEFACEBOOK, LLC,

Defendants.

**DEFENDANTS FACEBOOK, INC. AND THE FACEBOOK LLC'S**  
**MOTION FOR LEAVE TO AMEND ANSWER**  
**AND COUNTERCLAIMS**

Defendants, Facebook, Inc. and The Facebook LLC, hereby move the Court pursuant to Fed. R. Civ. P. 15(a) for an Order granting leave to amend their Answer and Counterclaims. The Amended Answer and Counterclaims adds an affirmative defense and counterclaim of unenforceability based on Plaintiff's inequitable conduct.

In support of their motion, Defendants rely upon the accompanying memorandum of points and authorities, declaration and attached exhibits, including the proposed First Amended Answer and Counterclaims, all of which are incorporated by reference as if fully set forth herein.

WHEREFORE, defendants Facebook, Inc. and The Facebook LLC respectfully request that this Court grant their Motion for Leave to Amend Answer and Counterclaims.

Dated: February 12, 2008

By:           /s/ Heidi L. Keefe          

Heidi L. Keefe  
Mark R. Weinstein  
Sam O'Rourke  
WHITE & CASE LLP  
3000 El Camino Real  
5 Palo Alto Square, 9th Floor  
Palo Alto, CA 94306

Alfred W. Zaher  
Dennis P. McCooe  
BLANK ROME LLP  
130 N 18th St  
Philadelphia, PA 19103

Attorneys for FACEBOOK, INC. and  
THEFACEBOOK, LLC