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VIA ELECTRONIC CASE FILING

Hon. Alex Kozinski, Chief Judge
Hon. J. Clifford Wallace
Hon. Barry G. Silverman
U.S. Court of Appeals for the Ninth Circuit
P.O. Box 193939
95 Seventh Street
San Francisco, CA 94103-1526

Re: The Facebook, Inc. et al. v. ConnectU, Inc., et al.
Case Nos. 08-16745, 08-16873 and 09-15021 (consolidated)

Your Honors:

In the interest of facilitating oral argument, the parties have agreed that it will be appropriate to refer to the full contents, including the specific financial terms of two documents that are central to this appeal but which were previously filed under seal with the District Court and with this Court:

- The Settlement Agreement at ER 482-83
- The Declaration of Cameron Winklevoss at ER 799-803.

Respectfully submitted,

/s/ E. Joshua Rosenkranz

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