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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FACEBOOK, INC.,

No. C 08-05780 JW (JCS)

Plaintiff,

**DISCOVERY ORDER RE: DOCKET
NOS. 265, 267 AND 269**

v.

POWER VENTURES, INC., et al.,

Defendants.

On February 24, 2012, a hearing was held on the Joint Discovery Letters.

For reasons stated on the record, and good cause shown, IT IS HEREBY ORDERED THAT:

1. The Motion for Supervised 30(b)(6) Deposition, docket no. 265: The Defendant shall sit for a renewed 30(b)(6) deposition on topics remaining in this case. There shall be no repeating questions to which the witness provided a clear answer; the witness shall answer all the questions as put to him and there shall be no instruction not to answer other than based on attorney client privilege and attorney work product. The witness may not testify by reading from his declaration. The witness may not argue with the attorney. The witness shall take all reasonable steps, including contacting former employees, to be prepared on all topics listed in the Notice of Deposition that was previously served so long as they are still at issue. The Defendant shall pay reasonable costs, including attorney fees, for the renewed 30(b)(6) deposition. The witness may be deposed for seven (7) hours. The deposition shall be held on **February 29, 2012, at 10:00 a.m.**, at the Orrick Office located in Menlo Park, California.

2. The Motion to Preclude Brazilian Witnesses, docket no. 267: A stipulated order was entered that Defendants agree that they shall not call as witnesses, or provide a declaration from Eric Santos, Felipe Herrera, and Bruno Carvalho.

1 3. The Motion Compelling Production of Emails, docket no. 269: The Defendant shall
2 produce, forthwith, the responsive emails that were not copied to Steve Vachani. The Defendant
3 shall sit for a renewed 30(b)(6) deposition regarding the newly produced emails that are relevant to
4 the issues that are still unresolved by the Court's Summary Judgment Order. The Defendant shall
5 pay reasonable costs, including attorney fees, for the renewed 30(b)(6) deposition.

6 4. The Court makes no ruling on the spoliation of documents and Plaintiff may file formal
7 Motion.

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9 IT IS SO ORDERED.

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11 Dated: March 1, 2012



JOSEPH C. SPERO
United States Magistrate Judge

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