## Case5:08-cv-05780-JW Document75 Filed03/10/10 Page1 of 2

1	I. NEEL CHATTERJEE (STATE BAR NO. 17	3985)		
2	nchatterjee@orrick.com JESSICA S. PERS (STATE BAR NO. 77740)			
3	jpers@orrick.com THOMAS J. GRAY (STATE BAR NO. 19141)	1)		
4	tgray@orrick.com JULIO C. AVALOS (STATE BAR NO. 25535)	0)		
5	javalos@orrick.com ORRICK, HERRINGTON & SUTCLIFFE LLF			
6	1000 Marsh Road Menlo Park, CA 94025			
	Telephone: +1-650-614-7400			
7	Facsimile: +1-650-614-7401			
8	Attorneys for Plaintiff FACEBOOK, INC.			
9				
10	UNITED STATES	S DISTRICT COURT		
11	NORTHERN DISTRICT OF CALIFORNIA			
12	SAN JOS	E DIVISION		
13				
14	FACEBOOK, INC.,	Case No. 5:08-cv-05780 JW (HRL)		
15	Plaintiff,	NOTICE OF HEARING ON FACEBOOK INC.'S MOTION TO		
16	V.	DISMISS DEFENDANTS' COUNTER- COMPLAINT		
		COMILAINI		
17	POWER VENTURES, INC. a Cayman Island	Data: June 7, 2010		
17 18	Corporation; STEVE VACHANI, an individual; DOE 1, d/b/a POWER.COM,	Date: June 7, 2010 Time: 9:00 a.m.		
	Corporation; STEVE VACHANI, an individual; DOE 1, d/b/a POWER.COM, DOES 2-25, inclusive,			
18 19	Corporation; STEVE VACHANI, an individual; DOE 1, d/b/a POWER.COM,	Time: 9:00 a.m. Judge: Hon. James Ware		
18 19 20	Corporation; STEVE VACHANI, an individual; DOE 1, d/b/a POWER.COM, DOES 2-25, inclusive,	Time: 9:00 a.m. Judge: Hon. James Ware		
18 19 20 21	Corporation; STEVE VACHANI, an individual; DOE 1, d/b/a POWER.COM, DOES 2-25, inclusive,	Time: 9:00 a.m. Judge: Hon. James Ware		
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18 19 20 21 22 23 24 25	Corporation; STEVE VACHANI, an individual; DOE 1, d/b/a POWER.COM, DOES 2-25, inclusive,	Time: 9:00 a.m. Judge: Hon. James Ware		

## NOTICE OF MOTION AND MOTION

## TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on June 7, 2010 at 9:00 a.m. or as soon thereafter as the matter may be heard, in the courtroom of the Honorable James Ware, United States District Court, 280 S. First Street, San Jose, CA 95113, Facebook, Inc. ("Facebook") will move the Court for an order dismissing the Counterclaims of Power Ventures, Inc. and Steve Vachani (collectively, "Power") pursuant to Federal Rule of Civil Procedure 12(b)(6), and for an order striking the Affirmative Defenses pursuant to Federal Rule of Civil Procedure 12(f). This motion was originally noticed for hearing on February 26, 2010 before the Honorable Jeremy Fogel. However, Judge Fogel recused himself from this case at the hearing and the matter was reassigned to this Court. The Motion has been fully briefed by the parties:

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D1 / N / 70	Facebook's Notice of Motion, Motion and Memorandum In Support of Motion to
Dkt. No. 58	Dismiss Counterclaims and Strike Affirmative Defenses
	Power's Memorandum of Law In Opposition to Facebook's Motion to Dismiss
Dkt. No. 63	Counterclaims and Strike Affirmative Defenses
	Facebook's Reply Memorandum in Support of Motion to Dismiss Amended
Dkt. No. 67	Counterclaims and Strike Affirmative Defenses

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Affirmative Defenses	
ndum in Support of Motion to Dismiss Amended	
Affirmative Defenses	

JULIO C. AVALOS Orrick, Herrington & Sutcliffe LLP

> /s/ Julio C. Avalos JULIO C. AVALOS Attorneys for Plaintiff FACEBOOK, INC.

Dated: March 10, 2010