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November 20, 2009

VIA ECF FILING AND HAND DELIVERY

The Honorable Leonard P. Stark
J. Caleb Boggs Federal Building
U.S. District Court for the District of Delaware
844 N. King Street, Unit 26, Room 6100
Wilmington, DE 19801-3556

Re: Leuder Technologies, Inc. v. Facebook, Inc., C.A. No. 08-862-JJF

Dear Judge Stark:

I am writing to respectfully request a brief status conference with Your Honor to discuss several case management issues, such as the resolution of pending motions, the upcoming claim construction hearing and before whom future motions should be filed.

As you are aware, earlier this week Judge Farnan cancelled our regularly noticed motions before him (a Motion to Stay the Case Pending Reexamination and a Motion for Leave to File an Amended Answer and Counterclaims) and referred the motions to Your Honor. While Facebook does not oppose Your Honor handling the motions, it was our understanding that Judge Farnan had only referred discovery matters. In light of this recent development, it is unclear as to which matters should be raised before which judge and whose procedures Facebook should follow.

We believe it would be helpful to hold a status conference to address, among other things: (i) whether there will be a hearing on Facebook's two pending non-discovery motions; (ii) whether other substantive motions, including the upcoming *Markman* and summary judgment motions, should be addressed to Your Honor or Judge Farnan; and to whom we should address questions regarding the *Markman* proceedings, for example whether the parties need to focus on a reasonable number of representative claims before *Markman*, as Judge Farnan stated during our March 3, 2009 hearing.

We have asked LTI to join us in this letter, but they declined, saying that they will just be filing their briefs with Judge Farnan. We, however, would like to make sure that we are following the Court's wishes before any filings so that this case proceeds as efficiently as



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possible and that we abide by the appropriate procedures. Therefore, we request a brief status conference with Your Honor to address the questions raised above.

Respectfully submitted,

/s/ Steven L. Caponi

Steven L. Caponi
I.D. No. 3484

SLC:

cc: Philip A. Rovner, Esquire – via e-service
Paul J. Andre, Esquire – via e-service
Lisa Kobialka, Esquire – via e-service