UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

TELE-PUBLISHING, INC.,	)	
Plaintiff,	)	
v.	)	C.A. No. 09-11686-DPW
FACEBOOK, INC. and THEFACEBOOK, LLC,	)	
Defendants.	)	

JOINT STIPULATION PURSUANT TO THE COURT'S AUGUST 11, 2010 ORDER ON PLAINTIFF'S MOTION TO COMPEL

Plaintiff Tele-Publishing, Inc. ("TPI") and Defendants Facebook, Inc. and TheFacebook, LLC (collectively "Facebook") provide the following stipulation pursuant to the Court's hearing of August 10, 2010 and its order of August 11, 2010, and sets forth certain additional agreements among the parties.

1. This stipulation supersedes paragraph 9(a) and 9(f) of the Stipulated Protective Order.

2. On a non-networked, standalone computer (the "Standalone-Computer") at the Boston, Massachusetts office of Facebook's counsel, Facebook will produce the following:

a. a. a single electronic copy of the complete source code for the Facebook website in accordance with how it is maintained in Facebook's repository;

b. source code containing the database instructions for creating each of the tables referenced in the source code in human-readable format in accordance with how it is maintained by Facebook;

c. a single copy of the "folder tree" in .txt format;

d. the Subversion history or equivalent archives of changes to the source code from 2004 through June 2010; Facebook will update the Subversion history as it evolves at a frequency of once every six months.

3. Facebook will make the Standalone-Computer available with the same tools that have previously been made available to TPI pursuant to paragraph 9(e) of the stipulated protective order. These tools include, but are not limited to, the following:

a. Emacs;

b. VI;

c. VIM 7.2 for Windows (installed so as to allow the source code to be compiled;

d. TortoiseSVN;

e. Internet Explorer;

f. Adobe Acrobat Reader; and

g. Notepad.

4. At its own expense, TPI will be allowed to install additional tools on the Standalone-Computer at any reasonable time during business hours, including but not limited to the following:

a. MySQL;

b. NetBeans Integrated Development Environments 6.9.1, with all languages selected;

c. Komodo Integrated Development Environments, with all languages selected;

d. Java for Windows;

e. Python;

f. Effective File Search;

g. Apache web server (version 2.2 or other version compatible with Facebook's database and codebase);

h. Microsoft Office; and

i. Microsoft Access.

5. To the extent TPI needs passwords or other information to install any tools, Facebook will provide them to TPI. To the extent TPI needs the System Administrator password, Facebook may change that password after TPI installs its tools.

6. TPI may create encrypted storage containers on the Standalone-Computer. TPI will have sole access to the passwords needed to access such encrypted storage containers.

7. Facebook will provide the Standalone-Computer pursuant to the terms of this Stipulation within seven days of entry of this Stipulation.

8. After Facebook has provided the Standalone-Computer as described above, Facebook will not access the Standalone-Computer or make any attempt to monitor or view the work performed on the Standalone-Computer by TPI. When TPI is not using the Standalone-Computer, Facebook will store it in a locked cabinet or other storage container. Facebook will provide a key to such cabinet or storage container to TPI, and a backup key to such storage container shall be maintained by a building administrator at Cooley's Boston office for risk management purposes. To the extent Facebook needs to access the Standalone-Computer, it will do so only with prior notice to and approval by TPI and TPI will be allowed to be present during such access by Facebook.

9. Paragraph 9(f) of the Stipulated Protective Order is modified to read in its entirety as follows:

No portion of the source code may be copied or printed without the agreement of the producing party or further order of the Court. Nothing in this subparagraph (f) shall prevent a person accessing the source code pursuant to subparagraph (b) above from taking handwritten or hand-typed notes on a separate personal computer belonging to the reviewing party while reviewing the source code, or printing out work generated during review of the source code. Work that may be printed out includes, by way of example only and without limitation, test results generated by TPI's expert, but may not include portions of the source code without the agreement of the producing party or further order of the Court. The reviewing party must affix the legend HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY—SOURCE CODE to every page of all such notes or work and maintain such notes or work in accordance with the HIGHLY CONFIDENTIAL—ATTORNEYS' EYES ONLY—SOURCE CODE designation.

10. Upon notification by TPI, Facebook will certify that the data on the hard drive(s) maintained on the Standalone-Computer have been permanently destroyed by a mutually agreeable third-party vendor specializing in such data destruction.

11. Facebook will not be responsible for any costs associated with any review undertaken in connection with the Standalone-Computer, as long as Facebook continues to make the Standalone-Computer available in accordance with this Stipulation.

12. Facebook will produce to TPI a copy of all relevant, non-privileged documents from its internal Wiki and its "FB Docs" system containing the term "bootcamp" or phrase "boot camp."

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Adopted
Douglas P. Woodlock
U.S.D.J.

TELE-PUBLISHING, INC.,

By its attorneys,

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Dated: October 5, 2010

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed through the electronic filing system and served electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Shane P. Early

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