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10 Attorneys for Plaintiff
FACEBOOK, INC.

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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

17 FACEBOOK, INC., a Delaware
corporation,

18 Plaintiff,

19 v.

20 SANFORD WALLACE, ADAM
21 ARZOOMANIAN, and SCOTT SHAW,
individuals; and DOES 1 through 25,
22 inclusive, individuals and/or business
entities of unknown nature,

23 Defendants.
24

Case No. C-09-00798-JF

**~~[PROPOSED]~~ ORDER GRANTING
FACEBOOK, INC.'S APPLICATION FOR
DEFAULT JUDGMENT AGAINST
DEFENDANT SANFORD WALLACE**

25 Plaintiff Facebook, Inc.'s ("Facebook") Application for Default Judgment Against
26 Defendant Sanford Wallace came before the Court on September 18, 2009, in Courtroom 3,
27
28

1 the Honorable Jeremy Fogel presiding. Having reviewed the moving and any opposing papers
2 and supporting declarations filed with the Court, and having heard the arguments of counsel,

3 **IT IS HEREBY ORDERED THAT:**

4 Default judgment is entered against Defendant Sanford as follows:

5 Statutory damages in the amount of \$ 710,737,650 against Sanford
6 Wallace for violations of the CAN-SPAM Act.

7 Aggravated statutory damages in the amount of \$ 0
8 against Sanford Wallace for aggravated violations of the CAN-SPAM Act.

9 Statutory damages in the amount of \$ 500,000 against Sanford
10 Wallace for violations of California Business and Professions Code § 22948.

11 Aggravated statutory damages in the amount of \$ 0
12 against Sanford Wallace for aggravated violations of California Business and Professions Code §
13 22948.

14 The Court PERMANENTLY ENJOINS Defendant Sanford Wallace and his agents,
15 servants, employees, attorneys, affiliates, distributors, successors and assigns, and any other
16 persons acting in concert or participation with them from:

17 a. Accessing or attempting to access any of Facebook’s website, networks,
18 data, information, user information, profiles, computers, and/or computer systems;

19 b. Soliciting, requesting, or taking any action to induce Facebook users to
20 provide identifying information or representing that such solicitation, request, or action is being
21 done with Facebook’s authorization or approval;

22 c. Retaining any copies, electronic or otherwise, of any Facebook
23 information, including login information and/or passwords, obtained through illegitimate and/or
24 unlawful actions;

25 d. Engaging in any activity that alters, damages, deletes, destroys, disrupts,
26 diminishes the quality of, interferes with the performance of, or impairs the functionality of
27 Facebook’s computers, computer system, computer network, data, website, or services;
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1 e. Entering or accessing the physical premises or facilities of Facebook or its
2 counsel or contacting any Facebook employee;

3 f. Using Facebook, including its computers, computer systems, computer
4 networks or Facebook users' accounts, information, or profiles to send, directly or indirectly,
5 commercial emails, Wall post bulletins, or messages of any kind;

6 g. Creating, maintaining, or using a Facebook account or profile;

7 h. Using any Facebook trademark or logo, or any design or feature that is
8 intended to resemble a Facebook trademark or logo; and

9 i. Violating, or assisting or inducing others to violate, Facebook's Terms of
10 Use, Development Terms of Service, Facebook Code of Conduct, or Facebook's Statement of
11 Rights and Responsibilities.

12
13 **IT IS SO ORDERED**

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15 Dated: October 29, 2009


The Honorable Jeremy Fogel
United States District Judge
Northern District of California

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18 Presented by:

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20 **PERKINS COIE LLP**

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22 By /s/
23 David Chiappetta

24 Attorneys for Plaintiff *Facebook, Inc.*
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