

April 11, 2017

VIA FEDERAL EXPRESS

Scott S. Harris  
Clerk of Court  
Supreme Court of the United States  
1 First Street, NE  
Washington, DC 20543

Re: Power Ventures Inc., et al. v. Facebook, Inc., No. 16-1105

Dear Mr. Harris:

I represent the Petitioners in the above-captioned case. In our petition for writ of certiorari, Petitioners respectfully advised this Court that one option open to it should it choose not to grant certiorari outright would be to hold and consolidate our Petition with the soon-to-be pending petition in *Nosal v. United States*, 844 F.3d 1024 (CA9 2016), to address a question common to both petitions, i.e., “Whether a third party given consent by a user to access data in a ‘protected computer’ acts ‘without authorization’ in violation of 18 USC 1030(a) of the Computer Fraud and Abuse Act of 1986.” (Petition at 24-25). We noted that the petitioner in *Nosal* was granted an extension to file until April 7, 2017. (No. 16A840).

It has come to our attention that the petitioner in *Nosal* has retained new counsel (Neal Kumar Katyal of Hogan Lovells US LLP), and was granted an additional extension to file until May 5, 2017.

Respectfully submitted,



Thomas H. Lee

cc: Eric A. Shumsky (via email)