

EXHIBIT 22

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

includes this, which is the first thing that rip off report does before it writes anything for a company, they agree that we can e-mail, which is I do the e-mailing, I get a list of all the people who filed the complaints, I e-mail them. They all get an e-mail saying XYZ company -- the e-mail is titled XYZ company contacts rip off report to make things right with their customers, and in their e-mail, it's a long e-mail, it basically says XYZ company has joined this program, and part of this program is they want to make things right for their customers. They are going to actually e-r-r on the side of the customer and everything within reason. I'm not going to let some customer come back and say -- and it's amazing, for some reason, because we are involved, we are all customers, and we all get pissed off. When we left Best Buy or some store, we think we paid too much or got screwed on a warranty that we didn't need.

Q. Okay. Now --

A. You are not letting me finish. I want to make sense of this. What I'm trying to say is -- so let me explain the program now.

Because the customer -- people even perceive a rip off a lot of times that they are not really ripped

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

off. Even the word rip off is not a statement of fact; it's an opinion. And everyone will always feel that they got ripped off some way for something. But maybe they really didn't get ripped off.

But we straightened that out through this program. I kind of got mixed up when you guys started talking, so I'm kind of off track here a little bit. But what the CAP does is the CAP contacts everybody who has ever filed a complaint about that company letting them know they want to make things right, and they have to make things right. I know where I left off, because I said if the complaints are phony, the customer is not going to contact us back, or they are going to say, I'm an inside employee, I want to tell you something blah blah blah, and we tell them, look, is there anything you feel that you are owed by the company. This is the time and place. Do they owe you money. They didn't give you the commission or it's a customer, look they didn't pay this much. They didn't do what they said they were going to do. And the company has to go beyond the call of good customer service and make it right. It's part of the program. That's that initial e-mail when they first joined the program, we sent out an e-mail for everybody to file a complaint, because

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

they don't get on the program unless they have agreed to it. It's in our contract that they are allowing to us do that and they agree to it. Also, they agree not to sue a real customer or an employee who had a legitimate complaint. So if they were really an employee or they had a legitimate complaint. We live in America and our freedom of speech, as far as I know, we still have it, and consumers can certainly put their opinions and even if it is less than flattering, it's okay to say what you want about a company, because, not only has the first amendment been around for years, but the Internet is here and more people are using it and they are able to exercise it. I know I have gotten off side track here.

MR. BLACKERT: Why don't we take a five minute break and then we will recondition seen is that okay with everybody?

THE VIDEOGRAPHER: We are going off the record.

(The deposition was at recess from 11:57 a.m. to 12:16 p.m.)

THE VIDEOGRAPHER: We are back on the record. The time is 12:16 p.m.

Q. BY MR. BLACKERT: Before we broke, you were

EXHIBIT 23

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

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DRAFT - EDWARD MAGEDSON - 6/2/10

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DRAFT - EDWARD MAGEDSON - 6/2/10

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EXHIBIT 24

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

Q. And what happens when they break the contract?

A. Today, I haven't done anything, basically.

Q. So you do nothing?

A. Do I sue them, no.

Q. Do you contact them after that? Do you try to collect the money?

A. Sure, of course, if it was an agreement, somebody -- you make a contract with somebody, yes.

Q. And who drafts the 36 month agreement?

A. It's already been drafted basically, but there's a slight change, of course, depending on the company and a few things that may vary just a little bit.

Q. And who drafts that agreement?

A. That was, of course, drafted by my attorney.

Q. That was drafted by your attorney. Okay. I'm going request the agreement. Make a document request for that agreement that you use.

Is there anyone else involved in setting the prices for the CAP program or is it just solely you.

A. It's me.

Q. Just you?

A. Uh-huh.

Q. Okay. Now, what's your reasoning for not

EXHIBIT 25

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

discussing pricing over the phone when somebody asks about the CAP program?

A. To avoid exactly the kind of under handed shenanigans your client pulled. He lied and he would take things that didn't even happen, which we proved, and turn them around into something else, which never happened, because I don't talk about the fees on the phone. He tried to bait me to do that, and I didn't do it. So it's to avoid people putting words in my mouth and saying I said. Why put something on the phone when it's better off putting it in an e-mail so it can't be he said, she said. And that's exactly what I tell people almost a hundred percent of the time, look, I can't discuss this with you.

Q. Have you ever discussed pricing over the phone with anyone involving the CAP program?

A. I'm sure there is somebody that I had, but it wouldn't have been somebody that I don't know. I think I've discussed it, which I said earlier, with like an attorney who might have called and I felt talking with an attorney who is honest and is not going to twist something around, I might have discussed it with an attorney when they asked, because they said, look, my client is interested or something like that.

EXHIBIT 26

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

transformed into a hypothetical of you would let someone in the program I'm not sure which question you asked.

Q. BY MR. BLACKERT: Fair enough. Have you ever discussed the CAP program with someone -- with a business or entity that has no customers, like they want to enroll in the program, but they have no customers?

MR. GINGRAS: Again, you are asking if that conversation ever happened.

Q. BY MR. BLACKERT: Had it ever actually happened, yes?

A. That, I can't remember. And if it did, there is many times I've told people they don't -- and I would have been receiving money. I've told them that they are best off. They don't need the program. I can't remember for what reasons, but I tell people that all the time.

Q. Now, hypothetically if a customer approached you and wanted to join the CAP program and had no customers, how would you treat that situation?

A. I don't know if answering a hypothetical question is, because no matter what, you are opposing counsel, and whatever I say, you are going to look sorry, with all due respect, you are going to look at something so I give some hypothetical. I'm not prepared to do

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

hypotheticals today.

Q. Let me ask you this, if the price is always 7500, why do you wait to give them the pricing? If the price is always 7500 for an enrollment fee, for someone that wants to join the CAP program, why do you wait so long to give them that price?

A. Oh, if I maybe did, and I didn't do it in the steps I have, I would have people, which it never happened with your client, because there was no ever discussion of money, let alone something for five thousand dollars, because I don't have anything for five thousand dollars, which is totally utterly ridiculous.

Q. I'm not talking about my client.

A. Well, your client, that's this whole thing that I asked for 5,000. It's just -- that's the way I do it. I don't want people -- I'm not so in a rush to get somebody's money. I'd much rather them use the site like most people do and file a rebuttal.

Q. And -- strike that.

A. Strike what?

Q. Now, at what point do you quote the monthly fees?

A. At what point?

EXHIBIT 27

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

Q. Do you quote the monthly fees to CAP members?

A. Again, asked and answered before. It's after they get -- when they get the -- it's the third thing. First they fill out the application. And then I send them the e-mail that explains that, the whole thing, you are better off filing a rebuttal and these are the benefits of the program, if you want t but you are still better off filing a rebuttal. And once they e-mail us back and I'm satisfied with the way they've responded and think, you know, I don't know what kind of comment they can make, but who the heck knows, but assuming everything is okay at that point, by send them more information along with the fees.

Q. Have you ever solicited anyone to join the CAP program?

A. Solicited, I have a policy not to. At one time, I had a test for probably about three or four weeks and knew it was a bad idea. I just didn't feel comfortable ever soliciting it.

Q. Can you place a time frame on when you had solicited the members for the CAP program?

A. It could be, I don't know, a couple of years ago. I can't remember.

EXHIBIT 28

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

are right on the phone with you to pay them their fees, because you are not a member and they try to get to you pay their fees to become a member, and whatever they do to soften the blow of whatever complaint and you are you know you are a satisfactory member or whatever that is. But people if they want to join the better business bureau or the CAP program or belong to some other organization, I don't believe that it should be solicited and sold to somebody. They have to really want it.

Q. So when an individual enrolls in the CAP program and signs this contract for the 36 months, why do you put a provision in there that they cannot sue the -- sue the party that they are complaining about?

A. They can. There is an exception to the rule.

Q. Okay.

A. If some -- we find through our investigation, which is against our terms of service, if somebody files multiple reports and makes like I'm Joe Smoe in Miami, and I'm complaining about this company and I'm Joe Smoe in New York and somebody from LA and somebody from Dallas and it's really the same person, same e-mail address or same IP address that we find, we will help them sue that individual.

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

Q. How do you help them sue that individual?

A. Well, we send them the e-mail, because we don't know, and we want to know, so we just do a blanket e-mail, like I told you the first step when somebody joins the program, we need to contact -- we send an e-mail out to all those consumers.

Q. I understand that. And then did you then send those e-mails out to the enrollee in the CAP program?

A. I send the e-mail out to anyone that filed the complaint about the business. Because you are talking about, if I remember correctly, you are talking about, how would I know that they were wrong, or you know they were false or something maybe. You didn't use that word.

MR. GINGRAS: He was asking how you help sue, I think that was his question.

THE WITNESS: Okay. Right. How do I help sue? If somebody is -- if you are abusing the site like that, by give the information to the company if somebody was filing multiple reports posing as different people. If they were the same person, you know, I'm Joe Smoe from Miami and they were all read that way, that's okay. But if they go ahead and they are abusing it.

Q. BY MR. BLACKERT: Do you have to be in the CAP

EXHIBIT 29

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

in your pile there.

A. Okay.

Q. It's going to be on page 3. And it's going to be under "Organizing class action lawsuits," the first paragraph, if you can just read that.

A. "Victims and lawyers who want to sue companies or individuals. Attorney hours interested in pursuing litigation against a particular company reported on this list website must contact us directly. It is inappropriate to solicit business using this website other than through prior arrangement. This is largely because we need to ensure the best we can, that our requirements are not being taken advantage of again.

Q. Who wrote this entry?

A. I probably -- I mean, I did this, and I'm sure I had somebody helping me in correcting it. It's 12 years ago I wrote this.

Q. Do you have a team of people helping you write this 12 years ago?

A. I can't remember.

Q. Now, why does it say it's inappropriate to solicit business using the website other than through prior arrangement?

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

A. Through a class action lawsuit.

Q. Do you help organize them, you, yourself?

A. Yes.

Q. You do?

A. I have in the past, yes.

Q. Does Excentric still continue to organize class action lawsuits?

A. It's not -- I don't push it. There's no salesmen. I don't have any salespeople. So it is what it is. An attorney can contact us and make that -- and make a request that we do a mailing for them or they want to advertise or something else like that.

Q. Have you done this in the past?

A. Yes.

Q. When is the most recent time you have done this?

A. I can't -- I don't know. It could have been six months ago. It could have been a year ago. I forget.

Q. You have no recollection?

A. No, it's not something I do every day.

Q. And again, why is it inappropriate to solicit business using the website other than through prior arrangement?

EXHIBIT 30

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

Q. Why must they contact you directly?

A. You have -- it's too broad of a question. You have to be more specific with me. I don't know what you mean.

Q. Could they contact somebody else?

A. They meaning who.

Q. Somebody that's post on the rip off report dot com?

A. And can you be more specific.

Q. The victims. Victims.

A. Okay. And now what's the -- what's the question?

Q. It says here that they must contact you -- or us directly, meaning Excentric. They must contact you directly, the victims. Why do you say that?

A. Well, we don't -- we don't give out -- we don't give victims other victims information, and if -- and so if somebody is interested in doing -- in being involved in a class action lawsuit, either I'll direct them to -- by e-mail, by phone, by e-mail, would direct them to a legal directory. If I have to know a lawyer in that particular field, I would direct them to a particular lawyer in the state that they are. And/or forward their

EXHIBIT 31

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

videocassette number one. The time is 1:12 p.m.

(The deposition was at lunch recess from 1:12 p.m. to 2:28 p.m.)

THE VIDEOGRAPHER: We are back on the record to continue the 30(b)6 videotaped deposition of Excentric Ventures, LLC represented by Edward Magedson. This is the beginning of videocassette number two. The time is 2:29 p.m.

Q. BY MR. BLACKERT: Okay. Mr. Magedson --

A. I'd like to clarify something on the record.

Q. Sure.

A. You told me to go back and look at my -- look things over and I did it. And you asked me a question earlier, do I know when I looked at the tapes, you know, looked for the recordings. And because I didn't know when I was making out my affidavit, I wanted to make an affidavit to set the record straight when I did, and there was no need to until after our motion for -- or the anti slap motion was not -- was denied. And then my attorney had asked me, well, we should, if you have any tapes, why don't you go ahead and look for them.

So I immediately started right then and there looking for them, and I started e-mailing them right as I

EXHIBIT 32

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

then the e-mail goes on. Is that your e-mail address?

A. That's my e-mail address.

Q. Okay. Is do you recall receiving this e-mail?

A. It's from April of 2009. I would be speculating.

Q. I don't want you to guess.

A. I am going to tell you that I'm going to need time to go through this. Because in light of the proven lies that your client has already done, I wouldn't put it past your client to possibly take these, and because you are continuing with the case or the attorneys might take something, take it out, slip something in, undue something, make it so -- I don't know where you are going to go with the questioning of this, but the first e-mail does not look like something that would have come to me. I will have to check it. I could have received it, but I don't know.

And any of these e-mails to me, I would have to go over it with a fine-tooth comb, because I have a standard e-mail that goes out. This isn't one of my signatures, and I don't know if this is a complete and accurate piece of evidence that you are using.

Q. So did you review -- before today's depo, did

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

you review your conversations with plaintiffs, the full conversations, the tapes, the e-mails, everything?

A. I didn't really go over the tapes, but I don't remember seeing this, and that you are asking me that each what -- I don't know what.

Q. I'm not asking you about each one yet; I'm just asking you separate questions.

A. If you are going to ask me questions about this, go ahead and ask me and let me see if I can answer your question.

Q. Yes or no --

A. Yes or no what?

Q. Did you review e-mails from plaintiff before today's deposition?

A. Yes, I did.

Q. Okay. Can you tell me the substance of those e-mails that you reviewed?

A. There was a lot of stuff that I went over. There is no way I can sit here and spit it back out to you explaining that I read today or yesterday or the day before.

Q. Do you have copies of those e-mails that you read?

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

A. Yes, somewhere, yes.

Q. I'm going to request copies of those e-mail communications between Mr. Magedson and plaintiffs?

A. These are e-mails that my attorneys gave me.

Q. Okay.

A. The evidence or whatever, but I don't remember seeing this. And as I look closely at it, like I said, I don't have a media at rip off report, and if somebody did find it, it was specifically about media.

Q. So it your e-mail address capital EDITOR at rip off report dot com?

A. You don't have to use the capital. It's editor e-d-i-t-o-r at rip off report dot com.

Q. Do you also maintain another e-mail address info at rip off report dot com?

A. That also comes to us. That's a general e-mail.

Q. What's that for?

A. It's the same thing. Goes to the same place.

Q. Do you want to take time to review these?

A. There's no way. I would have to compare it -- I'd have to print one out and see that nothing is missing. But let's see where you go with what question you want to

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

ask me.

Q. Okay. On page 3, on the bottom, it reads deer editor, I already asked this, but I wanted to make this clear, dear editor, I spoke with someone at your office yesterday. And then it guess on. And it looks like the e-mail was to editor at rip off report dot com, that is your e-mail, correct?

A. Correct.

Q. Okay. Does this e-mail appear to be genuine?

MR. GINGRAS: Objection. Form.

THE WITNESS: I can't speculate to what's genuine or not genuine.

Q. BY MR. BLACKERT: So you cannot answer that question?

A. No.

Q. Okay. Let's go to -- let's go to the fourth page. Go to the next page?

A. That's fifth page.

Q. Okay. The e-mail starts, I am in California dot dot dot. I live here now. It appears to be from editor --

A. Where are you? I don't see that. Where are you?

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

Q. I will find it for you. The e-mail begins, "I am in California . . . I live here now and then the e-mail goes on. The e-mail is addressed from editor at rip off report dot com. Is that your e-mail address?

A. Correct.

Q. Okay. That's correct. Does this appear to be a genuine e-mail?

MR. GINGRAS: Objection. Form.

THE WITNESS: Something has been changed, and I don't know why that would happen. It looks like somebody stuck this into a word document and kind of things got miss done. I have never seen where I sent an e-mail where it turns into this. But any way, basically I'm familiar with this e-mail whether or not it's word for word, I can't -- can't say.

Q. BY MR. BLACKERT: Because according to our 30(b)6 notice, it's supposed to be prepared in your conversations with plaintiffs, so you are supposed to have knowledge of these e-mail conversations?

MR. GINGRAS: Objection argumentative. Ed he is not even asking you a question. He is just talking to you. We have about three minutes left of tape, any way.

MR. BLACKERT: Want to call it? Take lunch.

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

THE WITNESS: Take your three minutes and see how far you go.

Q. BY MR. BLACKERT: Let's go with the next e-mail. Reads, "Dear Ed, as I mentioned to you on the phone, our institute was a free online publication, and it goes on and on and on. It's addressed to editor at rip off report dot com. That's your e-mail address, correct?

A. Correct.

Q. Does that e-mail look familiar to you?

A. Correct.

Q. Is this e-mail genuine?

MR. GINGRAS: Objection. Form.

THE WITNESS: It looks like it is pending checking every word from what I have on line versus what you have here, but it looks genuine.

Q. BY MR. BLACKERT: And you have copies of these e-mails?

A. Correct.

Q. So I'm going to request copies of those e-mails.

Okay. Let's move on. Go to the next page. See right there.

A. Uh-huh.

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

Q. Okay. The e-mail starts, editor at rip off report dot com wrote "Most things on the Internet are anonymous and then it goes on and on and on. It is to editor at rip off report dot com. Is that your e-mail address?

A. Yes.

Q. I want you to look at the e-mail and tell me if it appears to be genuine.

MR. GINGRAS: Objection. Form.

THE WITNESS: It's a long e-mail that I'm being asked questions about this. I will reserve the right to tell you I don't know if anything is really missing out of here, and that's in light of the kind of things your client has already pulled so I don't -- you know, because of who I am dealing with now. So --

Q. BY MR. BLACKERT: Okay. Stop right there. Let's look at this e-mail. Let's see. It begins, "Dear editor, I spoke with someone at your office yesterday, and then it goes on. It's to editor at rip off report dot com and info at rip off report dot com. Are those, in fact, Excentric's e-mail addresses?

A. Uh-huh. Yes. This was already asked and answered. Why do you keep asking it?

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

Q. Does this he e-mail appear to be accurate?

A. Yes.

Q. Let's go to the next one. See what I'm talking about right here, this long e-mail?

It begins right or wrong, true or false. Best to respond to the report. It goes on and on and on. That is to editor at rip off report dot com. Is that your e-mail?

A. Correct.

Q. Does this e-mail appear to be accurate?

A. Without going over it word for word, line from line, I'll say for right now, yes, pending a lot of work to see if anything was taken out, so if this is used in a court proceeding, maybe a jury or somebody or the judge might not see something. I have to be conscious of that with who I'm dealing with today.

Q. Fair enough, let's go to the last page.

MR. GINGRAS: I think we are out of time.

THE VIDEOGRAPHER: 45 seconds.

Q. BY MR. BLACKERT: Real quick. Last page.

MS. BORODKIN: Why don't you break.

MR. BLACKERT: Okay we will break now.

THE VIDEOGRAPHER: This marks the end of

DRAFT - EDWARD MAGEDSON - 6/2/10

*** UNEDITED UNCERTIFIED TEXT ***

A. It's something I missed. There's a lot of things, as you could imagine, that I'm looking at.

Q. So let's go to the final page of Exhibit I.

A. I'm there.

Q. Where it starts off "Dear editor, I spoke with someone at your office" -- this is the last paragraph of the page, and it goes on. It is to the editor and to info at rip off report dot com. Does this e-mail look genuine to you?

MR. GINGRAS: Objection. Form.

THE WITNESS: I'm not sure what genuine is. I mean, it looks okay. Right now, do I know it's one hundred percent correct, I have no way of knowing.

Q. BY MR. BLACKERT: Does it look accurate to you?

A. It is what it is. Do you have a specific question you want to ask me about it?

Q. Does it look accurate based upon your going back and looking at your e-mails whenever you looked at them?

A. From the moment, it looks correct.

Q. You know, I'm sorry, let's go back to Exhibit I. Let's go to the one, two -- the fourth page. The