

1 PATRICIA L. GLASER - State Bar No. 55668
 pglaser@glaserweil.com
 2 FRED D. HEATHER - State Bar No. 110650
 fheather@glaserweil.com
 3 AARON P. ALLAN - State Bar No. 144406
 aallan@glaserweil.com
 4 GLASER WEIL FINK HOWARD
 AVCHEN & SHAPIRO LLP
 5 10250 Constellation Boulevard, 19th Floor
 Los Angeles, California 90067
 6 Telephone: (310) 553-3000
 Facsimile: (310) 556-2920

7 Attorneys for Plaintiff
 8 LegalZoom.com, Inc.

9 UNITED STATES DISTRICT COURT
 10 CENTRAL DISTRICT OF CALIFORNIA
 11 WESTERN DIVISION

Glaser Weil Fink Jacobs
 Howard Avchen & Shapiro LLP

12 LEGALZOOM.COM, INC., a Delaware
 13 corporation,
 14 Plaintiff,
 15 v.
 16 ROCKET LAWYER INCORPORATED,
 a Delaware corporation,
 17 Defendant.
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28

CASE NO.: CV 12-9942-GAF (AGR_x)
 Hon. Gary A. Feess
 Courtroom: 740

**REDACTED DECLARATION OF
 BARAK VAUGHN IN SUPPORT
 OF THE MOTION OF
 LEGALZOOM.COM, INC. TO
 SUPPLEMENT FACTUAL
 RECORD IN OPPOSITION TO
 DEFENDANT ROCKET LAWYER
 INCORPORATED'S MOTION FOR
 SUMMARY JUDGMENT**

Date: October 27, 2014
 Time: 9:30 p.m.
 Courtroom: 740

DECLARATION OF BARAK VAUGHN

I, BARAK VAUGHN, declare as follows:

1. I am Of Counsel at Glaser Weil Fink Howard Avchen & Shapiro, counsel of record for Plaintiff LegalZoom.com, Inc. (“LegalZoom”). I submit this declaration in support of LegalZoom’s Motion to Supplement Factual Record In Opposition To Defendant Rocket Lawyer Incorporated’s Motion For Summary Judgment (the “Motion”). I am over the age of 18 years. Unless otherwise indicated, I have personal knowledge of the matters stated herein and, if called upon to do so, I could and would competently testify to them under oath.

2. Attached hereto as Exhibit L is a true and correct copy of [REDACTED]

3. Attached hereto as Exhibit M is a true and correct copy of [REDACTED]

4. Attached hereto as Exhibit N is a true and correct copy of [REDACTED]

5. Attached hereto as Exhibit O is a true and correct copy of an email between Jen Mazzon of Rocket Lawyer and David Baga of Rocket Lawyer dated August 11, 2010, Bates Nos. RLI0037098-99.

6. Attached hereto as Exhibit P is a true and correct copy of an email between Katherine K. of Google and Charley Moore of Rocket Lawyer dated December 2, 2011, Bates Nos. RLI0042339-40.

7. Attached hereto as Exhibit Q is a true and correct copy of [REDACTED]

1 I declare under penalty of perjury under the laws of the United States of
2 America and the State of California that the foregoing is true and correct.

3 Executed on this 6th day of October, 2014.

4
5
6 
7 BARAK VAUGHN
8
9
10
11

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
Glaser Weil Fink Jacobs
Howard Avchen & Shapiro LLP

EXHIBITS L-N
ARE REDACTED IN THEIR ENTIRETY
AND FILED UNDER SEAL

EXHIBIT 0

From: Jen Mazzon <jenmazzon@rocketlawyer.com>
Sent: Tuesday, August 17, 2010 11:48 PM
To: David Baga
Cc: Dan Nye; Roberta Carraro
Subject: Re: PLS give feedback ASAP: Cancellation save page

OK party people, here's the updated version: <https://sites.google.com/a/rocketlawyer.com/post-doc-workflow/8-26-release/membership-profile-page/cancellation-instructions>

Scroll down below the mock & you'll see my responses to your detailed feedback from the first round.

If both my UI designers weren't severely oversubscribed, you'd get something much prettier ;-}

Jen.

On Wed, Aug 11, 2010 at 8:10 AM, Jen Mazzon <jenmazzon@rocketlawyer.com> wrote:
Thanks for your feedback, guys. We'll iterate on this puppy & add more functionality (i.e. different pages for different plans, special offers, etc.) over time.

Cheers,

Jen.

On Wednesday, August 11, 2010, David Baga <dbaga@rocketlawyer.com> wrote:

> Hi Jen,
> Thanks for sharing, even the RL cancel confirm is a huge step forward. Here are a few thoughts:
>
> 1. I really like the language that 37Signals uses for their cancellation, it is down to earth, friendly and still has some teeth to it (consequences of losing your documents/files): <http://37signals.com/help/cancel>
>
> 2. I think that there are a very large percentage of our RL customer's that cancel because they don't understand the terms of our Free Trial, I think we should have a link explaining what happened. It might save some, others might just leave with a better impression rather than thinking they were ripped off
>
> 3. We have a free offer now so we should be able to explain that they are shutting off their premium account features but that there are all of these other things that they can do as a basic member.
>
> 4. The copy is very feature oriented and I'd recommend that we try to focus on answering the customer's major concerns that they are facing:
> Can I really do this myself? Are these documents legal? What happens when I need help? Will my lawyer accept these documents? Is this secure? How much does it cost?
> 5. I LOVE (really love) that you have prominently displayed the call in number and the chat feature, it's great. I'd also like to see another placement at the bottom near the action to close.
> Thanks,
> David
>

> On Tue, Aug 10, 2010 at 11:52 PM, Jen Mazzon <jenmazzon@rocketlawyer.com> wrote:

>> Dan & David,

>> The attached mock (RL-cancel-confirm.png) is incredibly ugly, but I want

>> your feedback ASAP b/c I have to finalize it tomorrow so that I can rid us

>> of the even uglier page (cancel-click1-badgreenbutton.png) that is the

>> current page.

>> We'll incorporate as much of your feedback as possible for the 8/26 release,

>> and iterate in subsequent releases.

>> Cheers,

>> Jen.

>

>

>

> --

> David Baga

> Vice President of Sales

> Rocket Lawyer Incorporated

>

> Office: 415.963.4023

> Mobile: 415.505.5261

> Email: dbaga@rocketlawyer.com

>

>

>

>

EXHIBIT P

From: Katherine K [katherine.k@google.com]
Sent: Friday, December 02, 2011 3:59 PM
To: Charley Moore
Cc: Alisa Weiner
Subject: Re: Rocket Lawyer Follow Up

Hi Charley,

I've spoken to the policy team, but they will not give us a formal statement. I'm very sorry about this, but as I mentioned before, it really is just not something they can do.

However, I can give you an explanation of what they have communicated to me.

What I have been told is that RocketLawyer's ads currently violate our Offer Not Found policy, which falls under Advertiser Claims.

The reasons are that:

- 1) Saying something like "Incorporate for Free" does not disclose the state filing fees, so it is essentially impossible to incorporate for free.
- 2) Saying "Free Legal Document" does not disclose the contingency that a user must opt into a legal plan in order for the document to be free, which violates the FTC definition of the use of "free."

If you can send me your rebuttal, I will pass it along to Policy and ask them to re-review. It is not possible for me to put you in touch with a policy specialist directly, but I will make sure to communicate that this is of the utmost urgency.

Thanks,
Katherine

Original Message Follows:

From: Charley Moore <cm@rocketlawyer.com>
Subject: Re: Rocket Lawyer Follow Up
Date: Fri, 2 Dec 2011 11:30:16 -0800

> Ok. Cool.
>
> Will call you at 12.
>
>
>
> On Dec 2, 2011, at 11:05 AM, Katherine K <katherine.k@google.com> wrote:
>
> > Hi Charley,
> >
> > We'll discuss more on the phone, but I wanted to let you know right
> away
> > that we are able to get an extension. Since I spoke with Mike
> yesterday,
> > that's actually what my team and I have been negotiating with the
Policy

> > team, and they've now confirmed that we can get a week's extension,
moving
> > the deadline to Monday 12/12.
> >
> > Wanted to let you know ASAP. Talk to you soon.
> >
> > Best,
> > Katherine
> >
> > Original Message Follows:
> > -----
> > From: "Katherine K" <katherine.k@google.com>
> > Subject: Re: Rocket Lawyer Follow Up
> > Date: Fri, 02 Dec 2011 18:15:46 -0000
> >
> >> Hi Charley,
> >>
> >> Okay, just give me a call when you are available and I will be here!
> >>
> >> Thanks,
> >> Katherine
> >>
> >>
> >
>

EXHIBIT Q
IS REDACTED IN THEIR ENTIRETY
AND FILED UNDER SEAL