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7 Attorneys for Plaintiff
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9 UNITED STATES DISTRICT COURT
 10 CENTRAL DISTRICT OF CALIFORNIA
 11 WESTERN DIVISION

Glaser Weil Fink Jacobs
 Howard Avchen & Shapiro LLP

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 13 LEGALZOOM.COM, INC., a Delaware
 corporation
 14
 Plaintiff,
 15
 v.
 16 ROCKET LAWYER INCORPORATED,
 a Delaware corporation
 17
 Defendant.

CASE NO.: CV 12-9942-GAF (AGR_x)
 Hon. Gary A. Feess
**LEGALZOOM.COM, INC.’S
 INITIAL DISCLOSURES
 PURSUANT TO FED. R. CIV. P.
 26(A)(1)**
 Original Complaint Filed: November
 20, 2012

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1 Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Plaintiff
2 LegalZoom.com, Inc. (“LegalZoom” or “Plaintiff”), by and through its undersigned
3 counsel, hereby make the following Initial Disclosures:

4 I. INTRODUCTORY STATEMENT

5 These Initial Disclosures represent the product of LegalZoom’s investigation to
6 date. Further investigation and discovery may bring light to additional information
7 that may have a bearing on LegalZoom’s claims and defenses in this matter. These
8 Initial Disclosures are subject to supplementation. In addition, because the parties
9 may further assert, clarify, modify or otherwise develop their theories during the
10 course of this lawsuit, LegalZoom reserves the right, at any time in this litigation, to
11 identify additional witnesses. LegalZoom’s disclosures are made without waiving, in
12 any respect, the right to object the use of any such information, for any purpose, in
13 whole or in part, in any subsequent state or proceeding in this action or any other
14 action, or any other discovery proceeding involving or relating to the subject matter of
15 these disclosures, on the grounds of competency, privilege, relevance, materiality,
16 hearsay, or any other proper ground.

17 The following disclosures are made based on the information reasonably
18 available to LegalZoom as of the date of these disclosures and represent LegalZoom’s
19 good faith effort to identify information pertaining to the allegations in this litigation.
20 LegalZoom anticipates that further investigation, research and analysis will supply
21 additional facts and documents and add meaning to known facts, all of which may in
22 turn lead to substantial additions or changes to these disclosures.

23 LegalZoom reserves the right to supplement and/or amend its disclosures
24 before trial based upon continuing investigation, if appropriate. All of the disclosures
25 set forth below are made subject to the above comments and qualifications.

26 II. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION
27 (RULE 26(a)(1)(A)(i))

28 Based upon information reasonably available to LegalZoom at this time,

1 LegalZoom hereby identifies the following individuals who are likely to have
2 discoverable information that LegalZoom may use to support its claims or defenses in
3 this action, excluding individuals who are to be used solely for the purposes of
4 impeachment.

5 A. The following current chairman of the board and employees of
6 LegalZoom:

- 7 i. Brian Liu
- 8 ii. Dorian Quispe
- 9 iii. Scott MacDonnell
- 10 iv. Eddie Hartman

11 These individuals are the current chairman of the board or employees of
12 LegalZoom and should not be contacted except through counsel for LegalZoom:
13 Patricia L. Glaser and Fred D. Heather, Glaser Weil Fink Jacobs Howard Avchen &
14 Shapiro LLP, 10250 Constellation Boulevard, 19th Floor, Los Angeles, California
15 90067, (310) 552-3000. The aforementioned individuals are knowledgeable and are
16 expected to have information regarding LegalZoom's marketing, advertisements and
17 promotions as well as LegalZoom's business operations.

18 B. The following principal of DocRun: Jennifer Reuting.

19 Ms. Reuting is the founder and Chief Executive Officer of DocRun. Ms.
20 Reuting is knowledgeable and is expected to have information regarding Rocket
21 Lawyer's entity formation and registered agent service practices. DocRun is located
22 at 1408 3rd St. Promenade, 3rd Floor, Santa Monica, California 90401, (310) 751-
23 7583.

24 In addition to the above-identified individuals, LegalZoom may also rely on
25 additional witnesses to prove its claims and defenses, and to rebut Defendant Rocket
26 Lawyer Incorporated's ("Rocket Lawyer") claims. Discovery, investigation and
27 analysis of these matters are incomplete at this stage in the action, and future
28 developments may impact the identification of witnesses.

1 LegalZoom reserves the right to supplement this disclosure when or if
2 additional information becomes known and to later designate and/or call additional
3 witnesses at trial.

4 III. DESCRIPTION OF CATEGORY AND LOCATION OF ALL DOCUMENTS,
5 ELECTRONICALLY STORED INFORMATION, AND TANGIBLE
6 THINGS (RULE 26(a)(1)(A)(ii))

7 Based on the information reasonably available to LegalZoom at this time,
8 LegalZoom hereby describes the documents, data compilations, and tangible things in
9 the possession, custody, or control of LegalZoom or its retained counsel, which may
10 be relevant to the claim or defense of any party, excluding such documents, data
11 compilations, and tangible things that may be used solely for impeachment:

- 12 a. LegalZoom’s trademarks and file history;
- 13 b. Communications and other documents related to RocketLawyer’s use of
14 LegalZoom’s trademarks as search terms to trigger Rocket Lawyer’s advertisements;
- 15 c. Communications and other documents related to Rocket Lawyer’s
16 advertisements using the term “free”;
- 17 d. Communications and other documents related to Rocket Lawyer’s
18 negative option program.
- 19 e. Rocket Lawyer’s registration of the domain names
20 www.legalzoomer.com and www.legalzoomgadget.com;
- 21 f. Legalspring.com’s disclosure related to its affiliate relationships with
22 third party sites reviewed on its site; and
- 23 g. Documents produced by any party to this litigation.

24 LegalZoom reserves the right to supplement this list of categories of documents
25 that it may use to support its claims or defenses. In addition to documents within the
26 above-identified categories, LegalZoom may use any additional documents obtained
27 through further discovery and investigation, and any documents identified by Rocket
28 Lawyer. LegalZoom may also use additional documents not identified in the present

1 disclosure for the purpose of impeachment.

2 IV. STATEMENT OF DAMAGES (RULE 26(a)(1)(A)(iii))

3 LegalZoom is currently unaware of the total amount of damages as it has not
4 yet received any discovery in this case. LegalZoom seeks damages adequate to
5 compensate it for Rocket Lawyer's misconduct, including its actual damages, Rocket
6 Lawyer's profits, treble and punitive damages, as well as its attorneys' fees and costs,
7 in an amount to be ascertained pursuant to applicable laws, including without
8 limitation, 15 U.S.C. §1117 and California law. LegalZoom further seeks the transfer
9 of the domains, www.legalzoomer.com and www.legalzoomgadget.com, to
10 LegalZoom. LegalZoom further seeks a temporary, preliminary and permanent
11 injunction against Rocket Lawyer from further registration of domain names that are
12 identical or confusingly similar to LegalZoom's trademarks, or any infringing or
13 dilutive variations thereto, from further use of LegalZoom's trademarks as search
14 terms to trigger sponsored links to Rocket Lawyer's false and misleading
15 advertisements, from further use of false and misleading advertisements as alleged in
16 LegalZoom's First Amended Complaint, and from any further acts of false and
17 misleading advertising and unfair competition that would damage or injure
18 LegalZoom.

19 V. PRODUCTION OF ANY APPLICABLE INSURANCE AGREEMENT
20 (RULE 26(a)(1)(A)(iv))

21 LegalZoom is currently unaware of any indemnity or insurance coverage for
22 the claims being alleged in this action.

23 DATED: April 8, 2013

GLASER WEIL FINK JACOBS
HOWARD AVCHEN & SHAPIRO LLP

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By: /s/ Fred D. Heather
PATRICIA L. GLASER
FRED D. HEATHER
MARY ANN T. NGUYEN
Attorneys for Plaintiff LegalZoom.com, Inc.

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1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that all counsel who have consented to
3 electronic service are being served with a copy of the foregoing document via the
4 Central District of California CM/ECF system on April 8, 2013.

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6 /s/ Fred D. Heather
Fred D. Heather

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