

1 Forrest A. Hainline III (SBN 64166)
 fhainline@goodwinprocter.com
 2 Hong-An Vu (SBN 266268)
 hvu@goodwinprocter.com
 3 **GOODWIN PROCTER LLP**
 Three Embarcadero Center
 4 24th Floor
 San Francisco, California 94111
 5 Tel.: 415.733.6000
 Fax.: 415.677.9041

6 Michael T. Jones (SBN 290660)
 mjones@goodwinprocter.com
 7 **GOODWIN PROCTER LLP**
 135 Commonwealth Drive
 8 Menlo Park, California 94025-1105
 9 Tel.: 650.752.3100
 Fax.: 650.853.1038

10 Brian W. Cook (*Pro Hac Vice*)
 bcook@goodwinprocter.com
 11 **GOODWIN PROCTER LLP**
 53 State Street
 12 Boston, MA 02109-2802
 13 Tel.: 617.570.1000
 Fax.: 617.523.1231

14 *Attorneys for Defendant*
 15 **ROCKET LAWYER INCORPORATED**

16 **UNITED STATES DISTRICT COURT**
 17 **CENTRAL DISTRICT OF CALIFORNIA**
 18 **WESTERN DIVISION**

19
 20 LEGALZOOM.COM, INC., a Delaware
 21 corporation,

22 Plaintiff,

23 v.

24 **ROCKET LAWYER**
 25 **INCORPORATED**, a Delaware
 corporation,

26 Defendant.

Case No. 2:12-cv-09942-GAF-AGR

**DECLARATION OF HONG-AN VU
 IN SUPPORT OF ROCKET
 LAWYER INCORPORATED'S
 MOTION FOR SUMMARY
 JUDGMENT AND/OR
 ADJUDICATION**

Date: August 18, 2014

Time: 9:30 a.m. ___

Judge: Judge Gary A. Feess

Courtroom: 740

255 East Temple Street
 Los Angeles, CA 90012

Action Filed: November 20, 2012

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DECLARATION OF HONG-AN VU

I, Hong-An Vu, declare as follows:

1. I am an associate at Goodwin Procter LLP, counsel of record for defendant and counterclaimant Rocket Lawyer Incorporated (“Rocket Lawyer”). I submit this declaration in support of Rocket Lawyer’s Motion for Summary Judgment and/or Adjudication (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 A** is a true and correct copy of the expert report of Professor Jerry (Yoram) Wind Consumer Perceptions of Rocket Lawyer’s Advertisement and Website without appendices, dated April 15, 2014.

3. Attached hereto as **Exhibit B** is a true and correct copy of the various appendices to Professor Wind’s expert report¹:

- (a) Appendix A, the declaration of David Baga, attesting to the consumer journey reflected in Professor Wind’s stimuli;
 - (b) Appendix B, Professor Wind’s resume;
 - (c) Appendix C, a list of cases in which Professor Wind has testified;
 - (d) Appendix E, the stimuli used in Professor Wind’s survey;
 - (e) Appendix G, the questionnaire used for Professor Wind’s survey;
 - (f) Appendix L, computer tabulations for Professor Wind’s survey;
- and
- (g) Appendix M, statistical analysis of the survey results.

4. Attached hereto as **Exhibit C** is a true and correct copy of Professor Wind’s rebuttal report to the expert report submitted by Dr. Bruce Isaacson,

¹ All appendices were served on counsel for LegalZoom on April 15, 2014 along with Professor Wind’s expert report.

1 LegalZoom’s expert, purporting to measure the impressions conveyed by materials
2 advertising Rocket Lawyer, dated May 15, 2014.

3 5. Attached hereto as **Exhibit D** is a copy of the expert report submitted
4 by Dr. Bruce Isaacson, LegalZoom’s expert, purporting to measure the impressions
5 conveyed by materials advertising Rocket Lawyer, with Exhibits 2-5, dated May 15,
6 2014.

7 6. Attached hereto as **Exhibit E** is a true and correct copy of Rocket
8 Lawyer’s Second Supplemental Objections and Responses to Plaintiff’s First Set of
9 Special Interrogatories.

10 7. Attached hereto as **Exhibit F** are charts with Rocket Lawyer’s business
11 formation (i.e. incorporation and LLC) advertisement and conversion data from
12 documents produced in Excel format, Bates RLI0007924-RLI0007925, and RLI-
13 0036636.

14 8. Attached hereto as **Exhibit G** is a true and correct copy of an Excel file
15 containing data demonstrating that Rocket Lawyer has not advertised “free legal
16 review” on Google.com, Bates RLI0007917.

17 9. Attached hereto as **Exhibit H** is a true and correct copy of an Excel file
18 containing data demonstrating that Rocket Lawyer has not advertised “free legal
19 review” on Bing.com, Bates RLI0007921.

20 10. Attached hereto as **Exhibit I** is a true and correct copy of an Excel file
21 containing data demonstrating that Rocket Lawyer has not advertised “free help
22 from local attorneys” on Google.com, Bates RLI0007923.

23 11. Attached hereto as **Exhibit J** is a true and correct copy of an Excel file
24 containing data demonstrating that Rocket Lawyer has not advertised “free help
25 from local attorneys” on Bing.com, Bates RLI0007919.

26 12. Attached hereto as **Exhibit K** is a chart with Rocket Lawyer’s free trial
27 advertisement and conversion data from documents produced in Excel format, Bates
28 RLI0007918 and RLI0007922.

1 13. Attached hereto as **Exhibit L** is a true and correct copy of a document
2 containing data relating to businesses formed on RocketLawyer.com and cash
3 proceeds collected by Rocket Lawyer, Bates RLI0036636-RLI0036637.

4 14. Attached hereto as **Exhibit M** is a true and correct copy of a
5 screenshots I took of LegalZoom’s free trial advertisements on
6 www.legalzoom.com.

7 15. Attached hereto as **Exhibit N** is a true and correct copy of the Google
8 and Bing instructions regarding keyword advertisements on Google and Bing,
9 respectively, and Google and Bing search results for the keyword “incorporation.”

10 16. Attached hereto as **Exhibit O** is a true and correct copy of Professor
11 Wind’s response to Dr. Isaacson’s rebuttal to his expert report, dated June 27, 2014.

12 17. As of the date of this Motion, Rocket Lawyer has produced over 22,000
13 documents in response to LegalZoom’s discovery requests, including at least 10
14 spreadsheets of generated advertisement and conversion data.

15 I declare under penalty of perjury under the laws of the State of California
16 that the foregoing is true and correct. Executed on this 30th day of June, 2014.

17
18
19
20
21
22
23
24
25
26
27
28

/s/ Hong-An Vu
HONG-AN VU