

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
INCORPORATED, a Delaware
25 corporation,

26 Defendant.

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

**ROCKET LAWYER
INCORPORATED'S
MEMORANDUM OF
EVIDENTIARY OBJECTIONS IN
OPPOSITION TO LEGALZOOM'S
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Date: August 18, 2014
Time: 9:30 a.m.
Judge: Judge Gary A. Feess
Courtroom: 740
Action Filed: November 20, 2012

1 Pursuant to the Court’s current standing Scheduling Order, Defendant Rocket
2 Lawyer Incorporated (“Rocket Lawyer”) submits this Memorandum of Evidentiary
3 Objections to Plaintiff Legalzoom.com, Inc.’s Separate Statement of Undisputed
4 Material Facts.

5 Separate Statement Paragraph 4: Objection to Paragraph 4 of the Declaration
6 of Dorian Quispe (“Quispe Decl.”) (“LegalZoom has not authored any of the
7 reviews on Legalspring.com, and has no responsibility for the reviews which are
8 actually posted.”) on the grounds that it is misleading. To the extent this statement
9 implies that LegalZoom had no involvement in selecting the reviews that were
10 posted on or removed from Legalspring.com, it is misleading. Fed. R. Evid. 403.

11 Objection to Paragraph 4 of the Declaration of Travis Giggy (“Giggy Decl.”)
12 (“Between 2004 and March 1, 2013, I selected and published on the
13 Legalspring.com website opinions as well as third party customer reviews about
14 various online legal service providers, including LegalZoom.”) on the grounds that
15 it is misleading. To the extent this statement implies that Giggy acted alone in
16 selecting customer reviews for publication, it is misleading. Fed. R. Evid. 403.

17 Separate Statement Paragraph 5: Same objection to Paragraph 4 of the Quispe
18 Decl. as identified with respect to Separate Statement Paragraph 4, above.

19 Separate Statement Paragraph 6: Objection to Paragraph 3 of the Quispe Decl.
20 (“The relationship between Legalspring.com and LegalZoom is, and always has
21 been, that of affiliate and client.”) on the grounds that it is misleading. To the extent
22 it is offered to show that the current relationship between LegalZoom and
23 Legalspring.com is the same as it always has been, it is misleading. Fed. R. Evid.
24 403.

25 Separate Statement Paragraph 8: Objection to Paragraph 6 of the Quispe Decl.
26 (“While Mr. Giggy, at one time, received compensation from LegalZoom for any
27 products sold by LegalZoom as a result of a consumer first visiting
28 Legalspring.com, that relationship terminated as of March 2013.”) and Paragraph 8

1 of the Giggy Decl. (“Like other affiliate referral sites, Legalspring.com received
2 commissions and/or compensation from its affiliates, including from LegalZoom.”)
3 on the grounds that the evidence is incomplete and misleading. To the extent these
4 statements imply that this is the only form of compensation paid by LegalZoom to
5 Mr. Giggy with respect to Legalspring.com, it is incomplete and misleading. Fed.
6 R. Evid. 106, 403.

7 Separate Statement Paragraph 10: Objection to Paragraph 8 of the Quispe
8 Decl. (“”) and Paragraph 9, Exhibit B, of the Giggy Decl. on the grounds that they
9 are misleading. To the extent the evidence is offered to show that this is the only
10 content on Legalspring.com that was authored by LegalZoom, it is incomplete and
11 misleading. Fed. R. Evid. 106, 403.

12
13 Dated: July 28, 2014

GOODWIN PROCTER LLP

14
15 By: /s/ Michael T. Jones
16 Forrest A. Hainline III (SBN 64166)
17 *fhainline@goodwinprocter.com*
18 Hong-An Vu (SBN 266268)
19 *hvu@goodwinprocter.com*
20 Michael T. Jones (SBN 290660)
21 *mjones@goodwinprocter.com*
22 Brian W. Cook (Pro Hac Vice)
23 *bcook@goodwinprocter.com*
24 **GOODWIN PROCTER LLP**

Attorneys for Defendant
ROCKET LAWYER INCORPORATED

25
26
27
28