

EXHIBIT J

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DANIEL M. MILLER,

Plaintiff,

-vs-

CASE NO. 3:10-CV-00264 (WHA)

FACEBOOK, INC. and YAO WEI YEO,

Defendants.

VIDEOTAPED DEPOSITION OF ARMONDO MARTINEZ

WEDNESDAY, FEBRUARY 9, 2011

8:59 A.M.

1111 BRICKELL AVENUE, SUITE 2500

MIAMI, FLORIDA

REPORTED BY:
CARMEN THOMAS
RPR, NOTARY PUBLIC

JOB No. 155432

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

APPEARANCES:

Appearing on Behalf of the Plaintiff:

BRIAN HANCOCK, ESQUIRE

Heninger Garrison Davis

2224 1st Avenue North

Birmingham, Alabama 35203

Appearing on Behalf of the Defendant:

JULIO AVALOS, ESQUIRE

Orrick, Herrington & Sutcliffe

1000 Marsh Road

Menlo Park, California 94131

SHAWN LANE, VIDEOGRAPHER

GLORIA NICHOLS, INTERPRETER

1 right? That was -- is that what you understood from
2 this e-mail?

3 A (In English) Yes.

4 Q Okay. And based on this part on page two of
5 that e-mail that Facebook sent you, were you able to
6 determine what work Friends Chain Game was being accused
7 of infringing?

8 THE INTERPRETER: Could you repeat -- could
9 you rephrase the question, please.

10 BY MR. AVALOS:

11 Q Sure. As you sit here now and you look at
12 page two of Exhibit 2044, do you -- does that refresh
13 your recollection as to when you received this e-mail
14 what game or work you were being accused of infringing
15 -- or the Friends game was being accused of infringing?

16 A (In English) No.

17 Q Okay. Do you see on the second page,
18 description of copyrighted work and underneath that
19 there's a word Boomshine?

20 THE INTERPRETER: Yeah, I can read it.

21 BY MR. AVALOS:

22 Q Okay. And at the time that you received this
23 e-mail, did -- had you heard the word Boomshine before?

24 A (In English) Never.

25 Q Did you -- so is it fair to say that if you'd

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

CERTIFICATE OF REPORTER

STATE OF FLORIDA)
COUNTY OF ORANGE)

I, Carmen J. Thomas, Registered Professional Reporter, and Notary Public, do hereby certify that I was authorized to and did stenographically report the foregoing deposition of ARMONDO MARTINEZ; that a review of the transcript was requested; and that the foregoing transcript, pages 1 through 134 is a true record of my stenographic notes.

I FURTHER CERTIFY that I am not a relative, employee, or attorney, or counsel of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

DATED this 11th day of February, 2011 at Orlando, Orange County, Florida.

Carmen J. Thomas

Carmen J. Thomas
Registered Professional Reporter