

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

DANIEL M. MILLER

Plaintiff,

vs.

CIVIL ACTION FILE

NO. 10-00264 (WHA)

FACEBOOK, INC. and YAO WEI
YEO,

Defendants.

HIGHLY CONFIDENTIAL

VIDEO DEPOSITION OF DANIEL MILLER

Monday, February 7, 2011

10:05 a.m.

Heninger, Garrison & Davis

1 Glenlake Parkway, Suite 700

Atlanta, Georgia

Reported by:
Robyn Bosworth
RPR, CRR, CCR-B-2138

JOB NO. 155202

1 APPEARANCES OF COUNSEL:

2 On behalf of the Plaintiff:

3 BRIAN D. HANCOCK (when noted)
4 DOUGLAS L. BRIDGES (when noted)
5 Attorneys at Law
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8 Atlanta, Georgia 30328
9 (678)638-6309

10

11 On behalf of the Defendant Facebook, Inc.:

12 I. NEEL CHATTERJEE
13 JULIO C. AVALOS
14 Attorneys at Law
15 Orrick, Herrington & Sutcliffe, LLP
16 1000 Marsh Road
17 Menlo Park, California 94025
18 (650)614-7356

19

20 Also Present: Terry Wetz, Videographer

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17:05:54 1 Q Do you play games on Facebook?

17:06:01 2 A Not currently.

17:06:02 3 Q Okay. Do you do it every once in a while?

17:06:07 4 A Once in a while I might.

17:06:08 5 Q Are you active on Facebook?

17:06:10 6 A I consider myself active on Facebook.

17:06:13 7 Q And what are you generally doing when

17:06:15 8 you're on Facebook?

17:06:17 9 A I'm chatting with friends or looking at

17:06:23 10 what my friends are up to.

17:06:24 11 Q Do you go to Facebook for the games?

17:06:27 12 A No.

17:06:29 13 Q Why did you decide to launch Obechi on

17:06:32 14 Facebook?

17:06:33 15 A I wanted to explore how developing on

17:06:36 16 Facebook would be.

17:06:37 17 Q Now, Facebook does not host the Obechi

17:06:42 18 game, right?

17:06:46 19 A What do you mean doesn't host the Obechi

17:06:49 20 game?

17:06:49 21 Q Where does the Obechi game operate from?

17:06:51 22 MR. BRIDGES: Object as to form.

17:06:52 23 A The Obechi SWF file operates on my server.

17:06:55 24 BY MR. CHATTERJEE:

17:06:55 25 Q Okay. And it's transmitted -- and there's

17:48:43 1
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CERTIFICATE

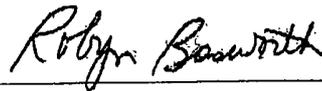
STATE OF GEORGIA:

COUNTY OF FULTON:

I hereby certify that the foregoing transcript was taken down, as stated in the caption, and the colloquies, questions, and answers were reduced to typewriting under my direction; that the transcript is a true and correct record of the evidence given upon said proceeding.

I further certify that I am not a relative or employee or attorney of any party, nor am I financially interested in the outcome of this action.

This the 10th day of February, 2011.



ROBYN BOSWORTH, RPR, CRR, CCR-B-2138