

1 BORIS FELDMAN, State Bar No. 128838  
DYLAN J. LIDDIARD, State Bar No. 203055  
2 DOMINIQUE-CHANTALE ALEPIN, State Bar No. 241648  
WILSON SONSINI GOODRICH & ROSATI  
3 Professional Corporation  
650 Page Mill Road  
4 Palo Alto, CA 94304-1050  
Telephone: (650) 493-9300  
5 Facsimile: (650) 565-5100  
Email: boris.feldman@wsgr.com;  
6 dliddiard@wsgr.com; dalepin@wsgr.com

7 Attorneys for Defendant Bazaarvoice, Inc.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION

12 United States of America, )  
13 Plaintiff, )  
14 v. )  
15 Bazaarvoice, Inc., )  
16 Defendant. )  
17 )  
18 )

CASE NO.: 13-cv-0133 WHO  
**JOINT STIPULATION AND ORDER  
REGARDING ADMISSIBILITY  
AND USE OF DEPOSITION  
TESTIMONY AT TRIAL**  
Complaint Filed: January 10, 2013  
Judge: Hon. William Orrick  
Trial Date: September 23, 2013

19  
20 **WHEREAS**, the parties have met and conferred regarding the admissibility and use of  
21 deposition testimony for those witnesses whose deposition testimony may be considered at trial  
22 pursuant to Federal Rule of Civil Procedure 32;

23 **WHEREAS**, the parties believe in the interest of judicial efficiency, the Court should  
24 consider deposition testimony taken in this case as evidence without having it read into the  
25 record at trial;

26 **WHEREAS**, the parties have met and conferred concerning the admissibility of  
27 deposition testimony provided by certain witnesses who reside within 100 miles;  
28

1           **NOW THEREFORE**, it is hereby stipulated and agreed between Plaintiff and Defendant  
2 through their respective counsel listed below, subject to the approval of the Court, that:

- 3           1. The parties shall be able to use as substantive evidence the deposition testimony of  
4           the corporate representatives of Gigya, Lithium, Clorox, Paypal, Wine.com, Seagate,  
5           and Orchard Supply; and  
6           2. All deposition testimony that would be considered substantive evidence under Federal  
7           Rule 32 (including the deposition testimony noted above in Paragraph 1) shall be  
8           considered as substantive evidence without having to be read into the record at trial.

9  
10           **IT IS SO STIPULATED**

11  
12 Dated: August 12, 2013

By:           /s/ Dominique-Chantale Alepin            
Dominique-Chantale Alepin  
Wilson Sonsini Goodrich & Rosati  
650 Page Mill Rd  
Palo Alto, CA 94304  
Telephone: (650) 493-9300  
Facsimile: (650) 849-6811  
E-mail: dalepin@wsgr.com

Attorneys for Defendant Bazaarvoice, Inc.

13  
14  
15  
16  
17  
18  
19 Dated: August 12, 2013

By:           /s/ Peter K. Huston            
Peter K. Huston  
Assistant Chief  
United States Department of Justice  
Antitrust Division  
450 Golden Gate Ave.  
San Francisco, CA 94102  
Telephone: (415) 436-6660  
Facsimile: (415) 436-6687  
E-mail: peter.huston@usdoj.gov

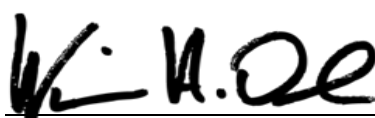
Attorneys for Plaintiff  
United States of America

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

**ORDER**

Pursuant to the parties' stipulation, **IT IS SO ORDERED.**

Dated: August 14, 2013



---

Hon. William Orrick  
United States District Court Judge

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

**ATTESTATION**

I, Dominique-Chantale Alepin, am the ECF User whose identification and password are being used to file the **JOINT STIPULATION AND ORDER REGARDING ADMISSIBILITY AND USE OF DEPOSITION TESTIMONY**. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that Peter K. Huston has concurred in this filing.

Dated: August 12, 2013

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By:           /s/ Dominique-Chantale Alepin            
Dominique-Chantale Alepin

Attorneys for Defendant Bazaarvoice, Inc.