

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

| | | |
|------------------------------|---|-------------|
| CLRB HANSON INDUSTRIES, LLC, |) | |
| etc., et al., |) | |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | Case No. |
| |) | 05-03639 JW |
| GOOGLE, INC., |) | |
| |) | |
| |) | |
| Defendant. |) | |
| |) | |

DEPOSITION OF HOWARD STERN

August 16, 2006

227871



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|----------------|---------------|----------------|---------------|----------------|---------------------|
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H. Stern

A. Yes.

Q. Is that an incentive for you to sign up for AdWords?

A. Right. It's a good reason, right.

Q. And then it goes on to say, "This is the same no matter how you choose to pay for your advertising."

Do you see that?

A. Yes.

Q. Okay. So why did you switch to Google from Yahoo?

A. Because Yahoo had a monthly minimum that I needed to pay, whether or not I even ran the ads.

Q. And Google?

A. They had no minimum.

Q. And, in fact, they told you they had no minimum; correct?

A. Right.

MR. BIDERMAN: Objection.

Assumes facts not in evidence.

MR. LEVY: Do you want to change the tape now?