

EXHIBIT Q

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.)	
_____)	

30 (b) (6) DEPOSITION OF BRETT R. HANSON

August 18, 2006

228010



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(949) 955.0400 Orange County	(408) 885.0550 San Jose	(858) 455.5444 San Diego
(415) 433.5777 San Francisco	(951) 686.0606 Inland Empire	(760) 322.2240 Palm Springs

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

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CLRB HANSON INDUSTRIES, LLC d/b/a
INDUSTRIAL PRINTING, and HOWARD
STERN, on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

GOOGLE, INC.,

Defendant.

Case No.
05-03639 JW

Confidential
Portions Bound
Separately

-----x

August 18, 2006

9:45 a.m.

30(b)(6) VIDEOTAPED DEPOSITION

of CLRB HANSON INDUSTRIES d/b/a
INDUSTRIAL PRINTING by BRETT R. HANSON,
taken by Defendant, pursuant to notice,
held at the offices of Thacher Proffitt
& Wood, 2 World Financial Center, New
York, New York, before Amy E. Sikora,
CRR, CSR, RPR, Certified Realtime
Reporter, Certified Shorthand Reporter,
Registered Professional Reporter, and
Notary Public within and for the State
of New York.

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A P P E A R A N C E S:

WOLF POPPER LLP

Attorneys for Plaintiffs and the Proposed Class

845 Third Avenue

New York, New York 10022

BY: LESTER L. LEVY, ESQ.

MICHELE F. RAPHAEL, ESQ.

PERKINS COIE LLP

Attorneys for Defendant

180 Townsend Street

San Francisco, CA 94107-1909

BY: DAVID T. BIDERMAN, ESQ.

M. CHRISTOPHER JHANG, ESQ.

ALSO PRESENT:

THOMAS DELVECCHIO, Videographer

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B. Hanson

55428. And 4401 Quebec Avenue North, New Hope, Minnesota 55428.

Q. And you understand that you're here to testify as a representative of an entity which is described as CLRB Hanson Industries LLC d/b/a Industrial Printing?

A. Yes.

Q. And what is your relationship to that entity?

A. I'm 100 percent owner, single member.

Q. Okay. And is that entity a sole proprietorship or some other type of entity?

A. It's a limited liability corporation treated as disregarded entity as a single member for tax consideration.

Q. And how long has that entity been in existence?

A. September of 1992, I believe. Excuse me, September of 2002, I believe.

Q. And there was an entity --

MR. BIDERMAN: Withdraw that.

Q. You, sir, also did business with Google prior to September 2002; is that

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B. Hanson

10:02 proprietorship, have you otherwise placed any
10:02 advertisements with Google for yourself?

10:02 A. Not that I can recall.

10:04 Q. And with respect to Industrial
10:04 Printing, when did Industrial Printing first
10:04 start to do business with Google?

10:04 A. I think it was on or about
10:04 July 2002.

10:04 Q. And prior to that time, had you
10:04 had -- pardon me. Prior to that time, had
10:04 you used any other on-line advertising other
10:04 than Google?

10:04 MR. LEVY: Could you tell me who
10:04 "you" is?

10:04 MR. BIDERMAN: The sole
10:04 proprietorship and Industrial Printing.

10:04 MR. LEVY: You're asking did
10:04 Industrial Printing use another
10:04 service?

10:04 MR. BIDERMAN: Yes.

10:04 Q. Yahoo, Overture?

10:04 A. Could you ask the question
10:04 again, please.

10:04 Q. Sure. Prior to starting to do

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B. Hanson

that do the same type of business that
Industrial Printing did?

A. No. At the present time CLRB is
strictly a web fulfillment company.

Q. And what's a web fulfillment
company?

A. We have a site that takes orders
for signage and places them with third
parties and collects a fee.

Q. And did CLRB Hanson ever do
printing on three-dimensional substrates?

A. Yes.

Q. When -- how long did it do that?

A. Three years.

Q. And when did it stop,
approximately?

A. September of 2005.

Q. Okay. And when you, through
Industrial Printing, first began to do
business with Google, could you describe the
process by which you established the
relationship with Google?

A. I found the web site for Google,
selected the -- the -- I think it was called

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B. Hanson

2 matter what I changed the daily budget to, it
3 always went over.

4 Q. Okay. So it's fair to say you
5 came to that understanding sometime, say,
6 June 2005?

7 A. Yes.

8 Q. And with respect to Exhibits 39
9 and 38, the communications with Tina, did you
10 speak to her by phone?

11 A. I don't know if Google has
12 phones. No. E-mail.

13 Q. And have you ever spoken to
14 anyone at Google by telephone?

15 A. Recently, I believe, I received
16 a voicemail. In fact, on Monday, thanking us
17 for our business from a Matt. I don't know,
18 Matt something left on my voicemail.

19 Q. And anything other than that
20 communication?

21 A. Not that I can recall.

22 Q. I thought -- have you ever
23 spoken to anyone by phone or otherwise at
24 Google about daily budget issues?

25 A. I think I -- let me refresh my

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B. Hanson

cards?

A. Yes, sir.

Q. Okay. Could you tell me the

names of the credit cards or identify the

credit cards. We can put that under seal so

it's -- no one else is going to look at it,

other than except for this litigation.

MR. LEVY: Just the names of the

cards?

MR. BIDERMAN: Just the names.

I was going to ask for the numbers

next. All right, I was going to ask.

A. I believe they're all identified

by the billing information contained on the

Google reports. I don't recall off the top

of my -- I don't recollect the names.

Q. How many credit cards have you

used, if you know?

A. I have no idea.

Q. More than four?

A. Possibly.

Q. More than 10?

A. Probably not.

Q. And other than through credit

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B. Hanson

cards, have you ever paid for Google
advertising in any other fashion?

A. No, sir.

Q. And do you remember --

MR. BIDERMAN: Okay. Withdraw
the question.

Q. When -- other than the one time
that you signed up for the AdWords program in
July 2002, have you ever signed up for the
AdWords program again? In other words,
established an account?

A. Can you clarify how you're
asking that question?

Q. Sure. Did you go in there and
basically start anew, registering a new
e-mail address, providing new account
information?

A. Not that I can recall.

Q. Just that one time?

A. On behalf of CLRB?

Q. Yes.

A. Yes.

Q. And it was really on behalf of
Industrial Printing, and you're best

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B. Hanson

2 with a daily budget of \$50 for Industrial
3 Printing. Has that daily budget changed?

4 A. I believe you have the records.
5 Yes.

6 Q. And how often has it changed?

7 A. Sometimes change it three, four
8 times a day.

9 Q. And what has it varied from?

10 A. Zero, turning off the campaign,
11 suspending the campaign, to from -- to answer
12 your specific question, zero to I think it's
13 been as high as \$2,000 a day.

14 Q. And what causes you to change
15 your daily budget?

16 A. Our -- our web logs that track
17 traffic in correlation with the orders.
18 Certain times of day. Certain days of the
19 week. Certain keywords. Whether we're going
20 to continue in how the traffic is coming in
21 from -- from MSN or Yahoo in correlation with
22 our web logs and how that ties in. We've got
23 a formula that we look at.

24 Q. And because you advertise on MSN
25 and Yahoo also; is that correct?

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B. Hanson

A. Yes, sir.

Q. And other than MSN, Yahoo and Google, any other on-line advertising that you've used on behalf of Industrial Printing or CLRB Hanson?

A. Industrybrains.com. Super Pages, Verizon Super Pages. Mama, M-A-M-A, dot com. Request. That's a pay per impression.

MR. BIDERMAN: Did you get the name?

THE REPORTER: Yes.

A. That's what I can recall.

Q. Then I'll show you as exhibit next in order, Exhibit 24, which are -- is Exhibit A1 to the complaint or amended complaint in this case.

(Discussion off the record.)

(Exhibit No. 24, Exhibit A1 to the amended complaint in this case, marked for identification as of this date.)

Q. Exhibit 24 are, as I represented, exhibits to the amended

1 B. Hanson

14:26 2 A. Yes. I was seeing at this time
14:26 3 if there was an affiliate program that they
14:26 4 offered, yeah.

14:26 5 Q. And you were told that they
14:26 6 don't have one, nor do they plan to implement
14:26 7 one. Do you recall that?

14:26 8 A. Just whatever this e-mail back
14:26 9 from them says.

14:27 10 Q. There's a reference, if you look
14:27 11 under tab 64, to -- it's an e-mail from you
14:27 12 to Bethanie dated 7 December 2004?

14:27 13 A. Under 64?

14:27 14 Q. Yes, sir. It's under tab 64.

14:27 15 Do you see that reference or see
14:27 16 that e-mail string?

14:27 17 A. Yes.

14:27 18 Q. What was that e-mail string
14:27 19 involving?

14:27 20 A. This was a report, I believe,
14:27 21 that I sent to Bethanie to -- our log files
14:27 22 weren't matching with what Google was saying
14:27 23 the clicks were.

14:28 24 Q. Okay. And how were your log
14:28 25 files created?

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B. Hanson

14:28 A. Well, they're created every
14:28 time -- our web sites are hosted on our
14:28 server, so when someone logs in, it tells us
14:28 who came to our site and where they came
14:28 from. And it wasn't matching with Google's,
14:28 and I had mentioned that to Google at that
14:28 time.

14:28 Q. Through this e-mail?

14:28 A. Right.

14:28 Q. And then what was -- what was
14:28 the ultimate conclusion of that inquiry?

14:28 A. I don't recall.

14:28 Q. Do you have -- have you ever
14:28 reached any conclusions one way or the other
14:28 about, quote, whether you're paying for
14:28 clicks that are not coming to your site?

14:28 A. We have not.

14:28 Q. And I understand, that's not
14:28 part of this -- you're not suing Google in
14:28 this lawsuit for that, are you?

14:29 A. No, sir.

14:29 Q. And if you look under tab 64,
14:29 there's a reference -- there's a call
14:29 summary -- I'm sorry, 66, there's a call

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STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I, Oscar Ventura, hereby certify:

I am an employee of Barkley Court Reporters,
duly authorized agent for the deposition officer that
stenographically recorded the testimony in the foregoing
deposition and authorized to execute this copy
certificate.

The foregoing is true and correct copy of
the original transcript of the proceedings taken before
me as thereon stated.

Dated September 8, 2006.


