

# Exhibit C

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CLRB HANSON INDUSTRIES, LLC, )  
etc., et al., )

Plaintiffs, )

v. )

GOOGLE, INC., )

Defendant. )

Case No.  
05-03639 JW

DEPOSITION OF HOWARD STERN

August 16, 2006

227871

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

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

Plaintiffs,

v.

Case No.  
05-03639 JW

GOOGLE, INC.,

Defendant.

-----X

August 16, 2006

11:19 a.m.

VIDEOTAPED DEPOSITION of HOWARD  
STERN, 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:

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M. CHRISTOPHER JHANG, ESQ.

ALSO PRESENT:

THOMAS DELVECCHIO, Videographer



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H. Stern

you, sir, this is the current sign-in version  
for the Google AdWords program.

A. Right.

Q. We don't have the one that was  
in existence at the time you signed up.

My question to you is, is this  
similar to the page that you saw when you  
signed up for your account?

A. In a lot of ways it's not.

Q. Okay. Tell me the ways it is  
and the ways it isn't, if you would.

A. When I signed up, there was only  
one way to enroll, I believe.

Q. Got you.

A. Currently, when you sign up  
there are two ways to enroll.

Q. Okay. And when you signed up,  
what was the one way to enroll?

A. You basically give the keywords;  
your daily budget; your cost per click, I  
believe; your credit card information; your  
mailing address; an e-mail, contact e-mail.  
That's about all I recall.

Q. Okay. And how do you know that

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H. Stern

A. No. I was under the assumption that it was related to the number of days your ad is active, and that each day you wouldn't be charged more than your daily budget.

Q. Okay.

A. Because I never run my ads everyday. So this really doesn't apply to my situation.

Q. And what made you believe that you would -- that the days that your campaign was paused would not be included in that calculation?

A. Well, for the simple reason that this is -- this AdWords is put forward as something that gives me complete control over my charges, so I thought -- thought it was reasonable to assume, if I'm not running my ads, why would I be charged for days that I'm turning them off.

Q. Okay. And did you -- have you ever seen any documentation that stated, documentation from Google, that stated that the days where your campaign was paused would

