

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

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

|                         |   |                         |
|-------------------------|---|-------------------------|
| _____                   | ) |                         |
| IO GROUP, INC., a       | ) |                         |
| California Corporation, | ) |                         |
|                         | ) |                         |
| Plaintiff,              | ) |                         |
|                         | ) |                         |
| vs.                     | ) | CASE NO. C-06-3926(HRL) |
|                         | ) |                         |
| VEOH NETWORKS, INC., a  | ) |                         |
| California Corporation, | ) |                         |
|                         | ) |                         |
| Defendant.              | ) |                         |
| _____                   | ) |                         |

DEPOSITION OF JOHN STYN  
SAN DIEGO, CALIFORNIA  
MAY 31, 2007

REPORTED BY REGINA L. GARRISON, CSR NO. 12921

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

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

|                         |   |                         |
|-------------------------|---|-------------------------|
| _____                   | ) |                         |
| IO GROUP, INC., a       | ) |                         |
| California Corporation, | ) |                         |
|                         | ) |                         |
| Plaintiff,              | ) |                         |
|                         | ) |                         |
| vs.                     | ) | CASE NO. C-06-3926(HRL) |
|                         | ) |                         |
| VEOH NETWORKS, INC., a  | ) |                         |
| California Corporation, | ) |                         |
|                         | ) |                         |
| Defendant.              | ) |                         |
| _____                   | ) |                         |

DEPOSITION OF JOHN STYN, taken on behalf of  
the Plaintiff, at 530 B Street, Suite 350, San Diego,  
California, on Thursday, May 31, 2007, at 9:57 a.m.,  
before Regina L. Garrison, Certified Shorthand  
Reporter, in and for the County of San Diego, State of  
California.

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

A P P E A R A N C E S

FOR THE PLAINTIFF:

THE LAW OFFICES OF GILL SPERLEIN  
BY GILL SPERLEIN  
69 Converse Street  
San Francisco, California 94103  
(415) 487-1211, Ext. 32

FOR THE DEFENDANT:

WINSTON & STRAWN LLP  
BY JENNIFER A. GOLINVEAUX  
101 California Street  
San Francisco, California 94111-5894  
(415) 591-1506

1 A. No.

2 Q. Did you do it with personal conversations,  
3 either face-to-face or telephone?

4 A. Yes, and e-mail.

5 Q. And e-mail.

6 And how about message boards?

7 A. Yes.

8 Q. What type of programs did you suggest that  
9 people develop?

10 A. I would often just brainstorm, because it  
11 could be anything. I convinced someone to do a  
12 painting show, how to oil paint. Someone was going to  
13 do a cooking show. Whatever their interests were.

14 Q. You just gave me two examples of programming  
15 that you suggested, and then people actually --

16 A. Created.

17 Q. -- created --

18 A. Sorry.

19 Q. Let me clarify that one. You said that  
20 someone did do an oil painting show. You said someone  
21 was going to do a cooking show. Do you know if they  
22 actually did the cooking show?

23 A. The person I was talking to did not.

24 Q. Do you have any recollection of any people  
25 who you recommended an idea to that then went forward

1 and created your idea and submitted it to VEOH?

2 A. I believe that Yanks Cash, or yanks.com, did  
3 a -- I suggest they put interviews of their talent on  
4 VEOH. And I believe they did that.

5 Q. Is yanks.com an adult site?

6 A. Yes.

7 Q. Let me remind you once more to kind of wait  
8 until I finish my question. You know, it's a natural  
9 thing, especially for someone who enjoys communicating  
10 with people, to kind of engage that way, so it's kind  
11 of hard to break that habit.

12 Did you suggest to people the idea of talking  
13 with older people in their neighborhood or something  
14 like that and putting it on -- making a video from  
15 that? Do you have a recollection of that?

16 A. I don't recall specifically. Certainly  
17 sounds like something I would say.

18 Q. Do you have a recollection of making a  
19 suggestion that people view just the face of someone  
20 when they were having an orgasm and putting those  
21 together as part of a video collection for publication  
22 on VEOH?

23 A. I do remember saying that. I don't remember  
24 when. I still think it's a good idea.

25 Q. You indicated that you -- your involvement

1 where that statute, 18 USC 2257, played any role  
2 whatsoever?

3 A. Yes.

4 Q. What website is that?

5 A. I had a site called "pinkgasm.com" that had  
6 adult content on it. But it was myself on it, so 2257  
7 was less relevant. I didn't have too many records to  
8 keep. And I have -- I think I've had -- posted other  
9 adult pictures or links where I linked to 2257, pages  
10 of other companies.

11 Q. On the website that you just described, did  
12 you put a label on that website anywhere that indicated  
13 where the records were kept?

14 A. On Pinkgasm?

15 Q. Yes.

16 A. Yes.

17 Q. And why did you do that?

18 A. I was copying what people were doing.

19 Q. Was it your understanding that that was a  
20 requirement of the law?

21 A. It was my understanding that that was the  
22 safest route.

23 Q. Let me assure you, most people do exactly the  
24 same thing, get their legal advice by seeing what other  
25 people are doing in the arena.

1                   When you got involved with VEOH, when you  
2                   talked about VEOH with Dmitry, were you aware of  
3                   whether or not video clips containing sexual explicit  
4                   material would be allowed on VEOH.com?

5                   A.     Yes.

6                   Q.     And at the time that you made that  
7                   realization, did you think to yourself as to whether or  
8                   not there may be issues regarding 2257?

9                   A.     My client that I work with is not US based,  
10                  so I don't have a good understanding.  But I do  
11                  remember thinking that it was -- it should be an issue.  
12                  And -- and, yeah, I remember thinking that that is  
13                  something that VEOH will have to address.

14                  Q.     So after you had those thoughts, did you  
15                  bring that topic up with Dmitry?

16                  A.     Yes.

17                  Q.     And do you remember when you had that  
18                  conversation?

19                  A.     Not specifically.  I know it was before there  
20                  was any 2257 prosecutions or actions.  It was still a  
21                  theoretical idea, and I remember just mentioning it as,  
22                  definitely, it was the "sky is falling" hot button of  
23                  the adult industry.

24                  Q.     How did you know that there weren't any  
25                  prosecutions or actions?

1 A. I'm active on the adult message boards.

2 Q. Earlier, I asked if you had any conversations  
3 about 2257. Did you actively read up on 2257 on the  
4 adult message boards?

5 A. No.

6 Q. But did you read to some degree? I mean, you  
7 just said that you learned there were no legal  
8 prosecutions through adult message boards; is that  
9 accurate?

10 A. Yes.

11 MS. GOLINVEAUX: I'll object to the form.  
12 It's compound.

13 BY MR. SPERLEIN:

14 Q. Was the part accurate where you said you  
15 learned about the lack of prosecutions through message  
16 boards?

17 A. Yes. I tried to stay informed enough that  
18 it -- what degrees is it an issue.

19 Q. And then at some point, you had at least one  
20 conversation with Dmitry about your concerns as far as  
21 the applicability of 2257 to VEOH; is that accurate?

22 A. Yes.

23 Q. Did you have more than one conversation with  
24 Dmitry?

25 A. No.



1 Q. And again, do you recall when the one  
2 conversation you did have with Dmitry took place?

3 A. No.

4 Q. Do you recall whether it was prior to your  
5 becoming a consultant for them?

6 A. I don't think it was before that. I don't  
7 think I was a consultant at the time.

8 Q. And what did Dmitry tell you at that point  
9 about -- what was his reaction to you bringing this  
10 concern to his attention?

11 A. He said he had -- I don't know his exact  
12 words, but he had talked to his lawyers about it.

13 Q. And did he indicate that he didn't think it  
14 was a problem after having talked to his attorneys?

15 A. He seemed to think it was -- whatever he was  
16 doing, he was comfortable with that act. And with my  
17 limited understanding of 2257, I wasn't going to --  
18 that was -- the conversation was over. I just wanted  
19 to make sure that he knew about it.

20 Q. You brought it to his attention --

21 A. He said he knew.

22 Q. It's okay.

23 Do you recall if he said anything -- do you  
24 recall any specific words? Like, did he say it was  
25 under control or just what you've told me: "I talked

1 to my lawyers. It's okay." Any more specific words?

2 MS. GOLINVEAUX: If you recall. Don't  
3 speculate about what Dmitry said.

4 THE WITNESS: I don't remember specific  
5 words.

6 BY MR. SPERLEIN:

7 Q. But the gist of the conversation was that he  
8 had explored the issue and was aware of it?

9 A. That he was aware of it and that his legal  
10 team was aware of it. I didn't get the sense there was  
11 resolution or that it was -- it was -- the people that  
12 needed to know knew, and they were doing whatever they  
13 were doing about it.

14 Q. Do you know if VEOH, at some point, changed  
15 its policy regarding allowing sexually explicit  
16 material to appear on VEOH.com?

17 A. Yes.

18 Q. And how did you become aware of that?

19 A. I believe Dmitry told me that the board made  
20 the recommendation, and it was going to happen.

21 Q. And do you recall when Dmitry had that  
22 conversation with you?

23 A. No. Prior to the change.

24 Q. Did Dmitry tell you the basis for the change?

25 A. Just that the -- the board, you know, wanted

1 STATE OF CALIFORNIA  
2 COUNTY OF SAN DIEGO

3  
4 I, REGINA L. GARRISON, a Certified Shorthand  
5 Reporter for the State of California, CSR No. 12921, do  
6 hereby certify: That the proceedings were taken before  
7 me at the time and place herein named; that the said  
8 proceedings were reported by me in shorthand and  
9 transcribed through computer-aided transcription, under  
10 my direction; and that the foregoing is a true record  
11 of the testimony elicited at proceedings had at said  
12 proceedings to the best of my ability.

13 I do further certify that I am a disinterested  
14 person and am in no way interested in the outcome of  
15 this action or connected with or related to any of the  
16 parties in this action or to their respective counsel.

17 In witness whereof, I have hereunto set my hand  
18 this 21<sup>st</sup> day of June, 2007.

19  
20  
21  
22  
23  
24  
25

Regina L. Garrison  
REGINA L. GARRISON, CSR NO. 12921