

# **EXHIBIT D**

**Rough transcription of excerpts from Adam Guerbuez's youtube.com video postings  
under profile "ToughLife2007"**

**Title: Just some video recorded in past few weeks, everyday life.**

**Link: <http://www.youtube.com/watch?v=I0FdUIISzuY>**

**Caption: "Just put a little mix of clips made on my new sony 60 gig hd handycam. Nothing special, just everyday life and kidding around. Killing the boredom."**

**Date Added: 6/4/2007**

*(Starting at 2:40):*

**(Camera operator):** "We brought a little snack – little snack goin' on here – it's called uh, what what's that? [*camera points at can of spam*] Spam! Pretty nasty meat, but heh.

**(Associate):** It's kind of ironic that it's so close to the computer... [*Associate picks spam up and puts it on laptop; dark sleeve, watch and voice indicate this is Guerbuez*]

**(Camera operator):** Yeah. It's, uh, well, you get the drift.

**(Associate):** [*laughing*]

**(Camera operator):** Anyway. This is room number two ... [*video cuts away*]

*(Starting at 2:56):*

*[Scene opens with Guerbuez sitting at a desk looking at what appears to be the same laptop computer that the spam was previously placed on. Can of spam is now sitting in front of the laptop.]*

**(Camera operator):** Awight. Here we are, Sunday evening, almost midnight. Ready to go out. See what's goin' on in the town. And uh...big boss man here is just checkin' numbers.

**(Guerbuez):** [*looks up from computer at camera*] I'm gonna check the numbers right now. I haven't seen anything for a few hours on how we're doing business wise and how the company is doing. I'm checking right now...while I was sleeping. [*Guerbuez studies laptop screen for a few seconds, nods, then speaks*] Let's go and have a good time. [*nodding while looking at screen*]

**(Camera operator):** [*laughs*] Numbers lookin' sweet?

**(Guerbuez):** [*looking at laptop*] Yup...it's going on, alright.

**(Camera operator):** They're up there in the left testicle?

**(Guerbuez):** Let's go get some ...

**(Camera operator):** .. booyakashaw?

**(Guerbuez):** older booyakashaw. [*looks at computer screen*] Yeah, look like we're good man.

*[claps and stands up] ...*

**Title: A Day In My Life Part 1**

**Link:** <http://www.youtube.com/watch?v=KEZHXQYMI9E&feature=related>

**Caption:** "I was bored so I put a little bunch of clips together of me, my friends, my cars and some broads. The video content was filmed in July and I just got around to editing it. I have so much more content and will be adding more parts up here shortly. This is just a teaser."

**Date Added:** 9/18/2007

*(Starting at 4:13):*

*[Scene opens with two girls standing in front of a hanging wall mural showing a "BV BallerVision" advertisement superimposed on the front grill of a custom painted vehicle.]*

**(Girl 1):** Sorry?

**(Off camera voice):** Say what....

**(Girl 1):** Ok.

**(Off camera voice that sounds like Guerbuez):** Anytime.

**(Girl 1):** Ok. So you think you're a baller?!

**(Girl 2):** Come show us whatcha got,

**(Girl 1 and Girl 2):** *[in unison]* ...at Ballervision.com! ...

**Title: A Day In My Life - Part 2 Volume 2**

**Link:** <http://www.youtube.com/watch?v=XJ2zsd-gdVE&feature=related>

**Caption:** "This was all filmed on October 13, 2007. Another day in my life, I featured my 300c and my Range Rover, I hope you enjoy, I sure know I did. The footage made after the show was way too X-RATED to even post here, so that will always stay in the VAULT."

**Date Added:** 10/17/07

*(Starting at 0:02):*

**(Camera operator):** *[voice sounds like Guerbuez]* Ok here we have Rick ...of Ballervision. He's, ah, he's presently trying to configure this overpriced \$10,000 camera that I bought just for the hell of it.

...

*[The video goes on to display various shots of girls wearing Ballervision t-shirts or shorts, sitting on either the custom 300c car (with Ballervision written on the windshield), or a custom Range Rover (with Ballervision written on the hood and a Ballervision license plate).]*

**Title: Me and my ride having some fun downtown**

**Link: <http://www.youtube.com/watch?v=643CPkITUvU>**

**Caption:** “Whenever I go out for a drive, to the mall or downtown or even just cruising around, so many people rush me with cameras, snapping pics of my cars and asking me questions about the cars when I am at a stop light or getting out of my ride. so I thought, why not film these people and put it up on youtube. Here is a little clip I made, me , my 300c and lots of people on the streets where I was.”

**Date Added:** 6/27/08

*[This video starts by displaying text on the screen. The opening caption says, “EveryDay life” and “Adam G.” This is followed by scrolling text that says, among other things, “...The 300c is my everyday car along with my Range Rover HSE...”.]*

*(Starting at 3:22):*

*[Scene opens with Guerbuez filming a parked Mercedes with a young male associate with sunglasses sitting in the drivers seat.]*

*(Camera operator – Guerbuez):* So tell me -

*(Young male associate):* This is gonna be on Facebook Gerby... fuck, I hope, I hope.

*[laughing and looking around]*

*(Camera operator – Guerbuez): [laughs]* So tell me, rolling in the Mercedes, tell me uh, Lashen, how did you acquire the Mercedes, what, how did you make this money? Tell me.

*(Young male associate): [smiles, looking away with a little laugh]*

*(Camera operator – Guerbuez):* Tell me, tell me, please.

*(Young male associate):* Internet marketing, bro.

*(Camera operator – Guerbuez):* Internet marketing, so you’re ok, that’s good [...some conversation with laughing hard to decipher]

*(Young male associate): [laughing, looking away]* How’d you, how’d you get that shit, fuck. *[associate turns to look behind him while speaking, and the camera pans to show Guerbuez’s 300c car]* Ask yourself that question. *[laughing]* Eh? So quick to ask fuck... *[both laughing, scene ends]*