EXHIBIT B

	· · · · · · · · · · · · · · · · · · ·
1	in particular Judge Seeborg, will be interested in
2	seeing what's going on.
3	MR, BRIDGES: And we will respond
4	appropriately.
5	MR. STERN: I hope you do. I hope you
6	do.
7	MR. BRIDGES: Now, are you doing this to
8 '	try to set up avoidance of making your witness
و	available on Thursday? Is that what's going on?
10	MR. STERN: This has nothing to do with
11	that. I think we've sufficiently met and conferred
12	about this. The record reflects numerous attempts
13	to try to avoid the witness evading questions by
14	providing long answers that are unresponsive to very
15	specific yes or no questions. I think we've gone
16	through this.
17	BY MR. STERN:
18	Q. Isn't it the case, Mr. Arrington, that
19	you spoke with your colleagues about poaching Fusion
20	Garage employees?
21	MR. BRIDGES: Objection, vague and
22	ambiguous.
23	BY MR. STERN:
4	Q. Do you understand the question?
5	A. Could you be more specific?
- 1	

1	Q. No. The question stands. Did you speak
2	with your colleagues at CrunchPad and TechCrunch
3	about poaching Fusion Garage employees? And I'm
4	using the word "poaching" in the way that it would
5	have been used with you.
6	MR. BRIDGES: Objection, vague and
7.	ambiguous.
. 8	You may answer.
9	THE WITNESS: There were there was
10	one person on the team, Mr. Cubrilovic, who made
iı	suggestions that we needed to move away from Fusion
12	Garage, and he suggested some extremely
13	inappropriate things.
14	BY MR. STERN:
15	Q. Did you ever send Mr. Cubrilovic
16	A. Cubrilovic.
17	Q Cubrilovic an email that rejected his
18	suggestions about poaching?
19	A. I don't know.
20	Q. Didn't you in fact tell Mr. Cubrilovic
21	in response to his suggestion about poaching Fusion
22	Garage employees, at a time that you contend there
23	was a fiduciary or partnership relationship between
24	the parties, that you want to discuss this option?
25	A. Can you show me what you're referring

to? Q. I'm asking you a question. 3 tell me that you don't remember. It's entirely up to you. The question stands. 5 I have no recollection of that. Q. Didn't you in fact tell Mr. --7 Α, In fact, I was disappointed that he 8 would even suggest that. I brought -- the next time 9 Chandra was in our office, I brought both Nik and 10 Chandra into our office -- those two clearly had an 11 issue with each other -- and the three of us talked 12 about this issue. And I was very specific about the 13 I said, "You guys need to work together." I was very open about this. 15 In fact, on August 17th, 2009, Mr. 16 Cubrilovic suggested to you that you poach Fusion 17 Garage employees, you asked to speak to him about 18 the subject, and then on August 18th, a day later, 19 he repeated his suggestion to you; isn't that right? 20 A. I need to see what you're referring to. 21 I'm just asking you, do you recall it? Q. 22 Α. Absolutely not. 23 MR. STERN: Next in order. 24 (Deposition Exhibit 9

marked for identification.)

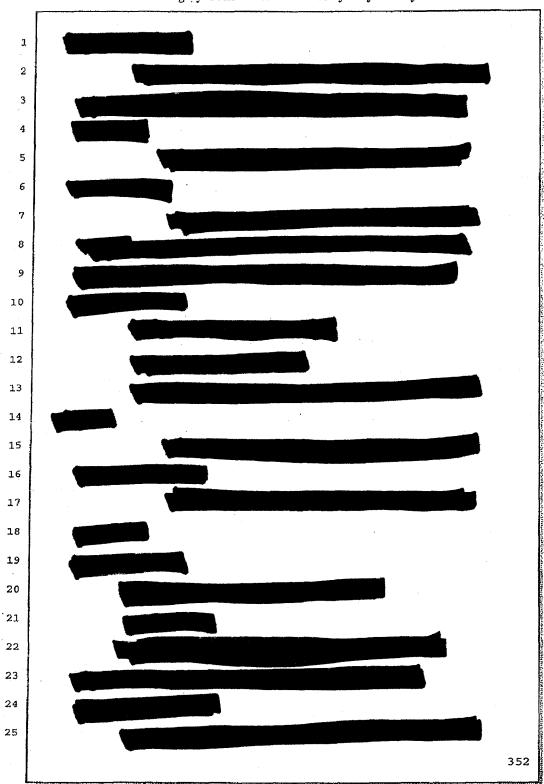
25

1	BY MR. STERN;
2	Q. This is a document that was produced to
. 3	us by TechCrunch. It's an email that's been
4	authored in part by you and by Mr. Cubrilovic.
. 5	MR. BRIDGES: Move to strike the
6	characterization of the document.
7	MR. STERN: Well
- 8	BY MR. STERN:
9	Q. Looking at the bottom of the page, the
10	lower 40 percent of the front page, do you see where
11	it says August 17th, 2009 at 9:02 a.m.?
12	A. Yes.
13	Q. "Nik Cubrilovic wrote." Do you see
14	that?
15	A. Yes.
16	Q. Now, you see that he's writing that to
17	you; is that right?
18	A. Yes.
19	Q. Okay. And in it, he says:
20	"Have you spoken to Chandra in the past
21	few days? Just want you to know what he does
22	doesn't know so far."
23	Do you see that? Do you see what I'm
24	reading?
25	A. Yes.
- 1	254

1	THE WITNESS: What I read in the press.
2	That's about it.
3	BY MR. STERN;
4	Q. What do you read in the press?
5	A. They said they raised, I think, a \$2
6	million round. And then I think they said we have
7	another big round coming. But, again, I don't know.
. 8	That's about all I know about it.
9	Q. Did you ever raise a \$2 million round
10	for the acquisition of Fusion Garage?
11	MR. BRIDGES: Objection, vague and
12	ambiguous.
13	THE WITNESS: We never closed on the
14	round that was offered.
15	BY MR. STERN:
16	Q. Who offered the money?
17	A. In the term sheet it was First Round
.18	Capital, SoftTech VC. Ron Conway I think had signed
19	up, maybe not formally, and they were going to put
20	together the rest of the round as needed.
21	Q. Do you remember what the total round was
22	going to be?
23	A. We were targeting a couple of million
24	dollars, \$2.
25	Q. But that round never closed; is that

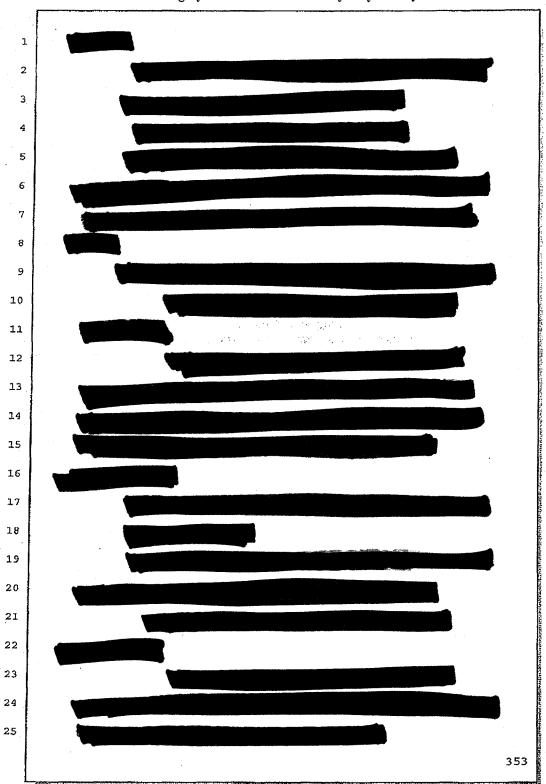
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1	ambiguous.		To the description of
2	BY MR. STERN;		1
3	Q. Well, you mentioned TechBase.		
4	A. We have events we sell tickets to and		K CONTRA
5	sell sponsorships to; we have an advertising-		
б	supported a number of advertising-supported		
7	websites; another website, CrunchBase, which is		1
8	advertising and subscription supported.		
9	. Q. Do you sell a web tablet?		
10	A. We do not.		Pierre and a second
11	Q. Right now are you in the process of		and are marked to
12	developing a web tablet?		and the second second
13	MR. BRIDGES: Objection, vague and		Section of the second
14	ambiguous.		-
15	THE WITNESS: We continue to have hopes		Virginia Calon
16	of doing something in that regard and occasionally		A Militaria Paris La pa
17	have discussions with people around opportunities.		Mennan
18	BY MR. STERN:		
19	Q. When was the last time that you put		The second second
20	together a proposal to any company about developing		Winter a line
21	a web tablet?		0.400 E. C.
22	MR. BRIDGES: Objection, vague and		SAMPLE CONT.
23	ambiguous.		ALL STREET, ST
24	THE WITNESS: Would you repeat the		Dietary and
25	question, please?		William to the
		351	Under the Sales

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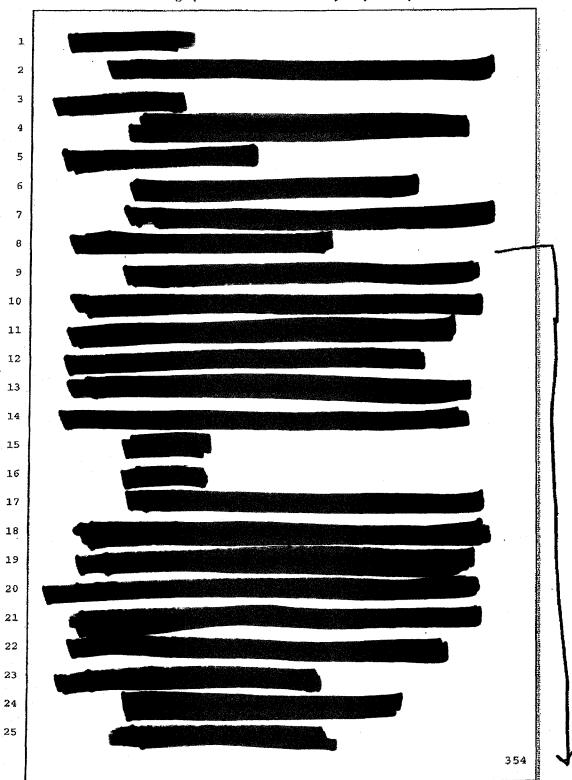


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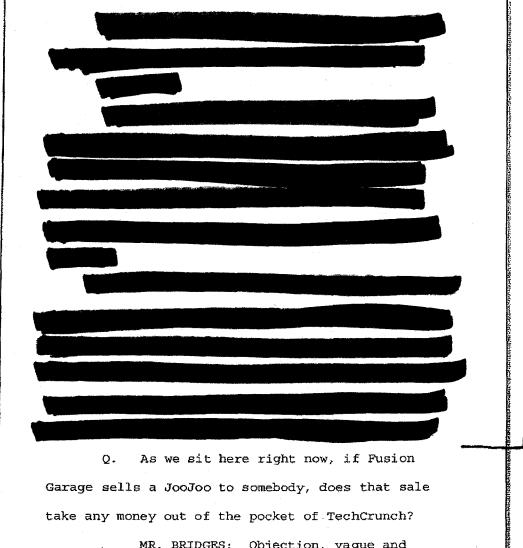
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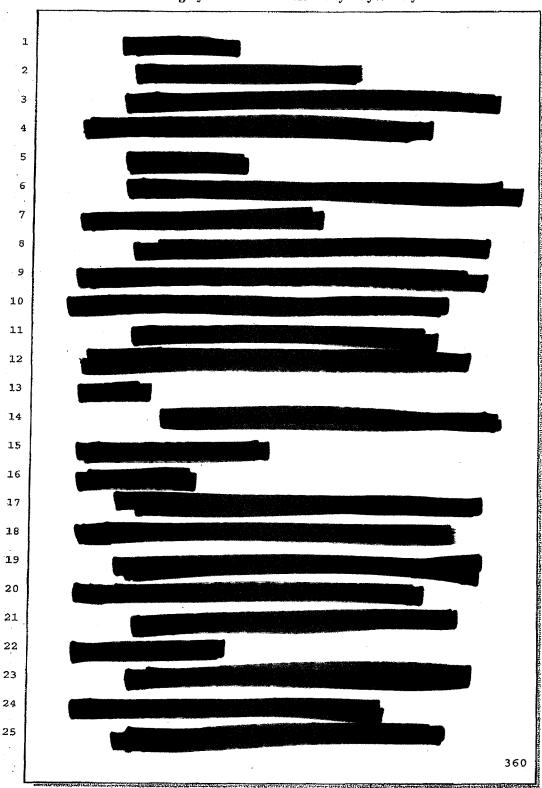
MR. BRIDGES: Objection, vague and ambiguous, argumentative.

BY MR. STERN:

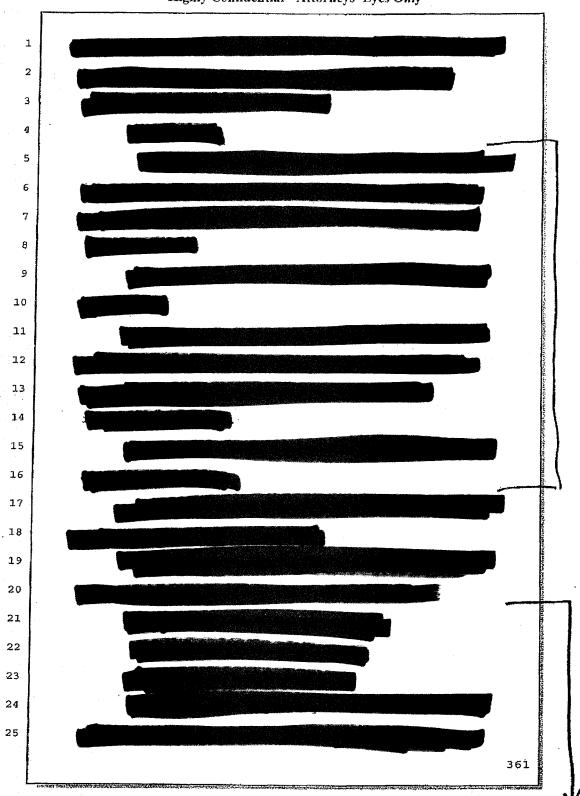
- Q. Do you understand the question? Do you want me to repeat it?
- A. No. I do understand the question and I don't want you to repeat it. Yes, I believe it does

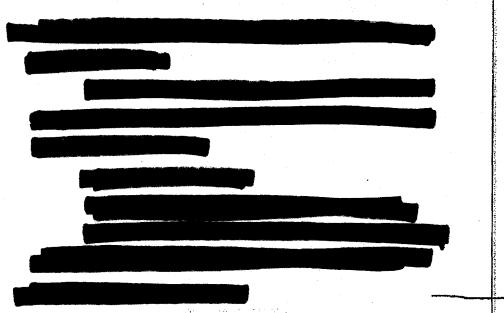
,		
1	at 6:28 p.m.	
2	(Brief recess.)	
3	THE VIDEOGRAPHER: We're back on the	
4	record at 6:31 p.m.	
5	MR. BRIDGES: Sure. If the court	
6	reporter could ask the question again or reread the	
7	question, I would appreciate it.	
8	(Record read.)	
9	MR. BRIDGES: I just want to stress that	
10	we're designating the transcript as "Highly	
11	Confidential, " but we'll sort the details out later,	
12	but this will be kept highly confidential.	·
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Q. Well, you swore to Judge Seeborg or

Judge Weir the following, paragraph 36 of Exhibit 3:

"Denial of the preliminary injunction

would come at a heavy penalty to TechCrunch which has invested approximately \$400,000 in this project."

Now, when you got that number, did you just ask Ms. Harde to give you a number?

- A. Which paragraph?
- Q. Last paragraph, 36.
- A. Yes.

Q. So you have no idea of what that number is made of; is that fair?

MR. BRIDGES: Objection, argumentative.

THE WITNESS: You asked me not to

1	the time that we had introduced the product to the
2	public and it would be us being served with this
3	theoretical patent infringement claim "us" being
4	all of the founders in the company.
5	BY MR. STERN:
6	Q. As of November of 2009, was Mr. Conway
. 7	committed to providing capital into CrunchPad?
.8	A. "Committed" is a word I'm not willing to
9	sign up to, but he seemed to remain interested until
10	the end.
11	Q. And the same question for First Round
12	Capital. Had First Round Capital given you an
13	unqualified commitment to put \$100,000 into
14	CrunchPad?
15	A. They had not.
16	Q. Did SoftTech Ventures provide you an
17	unqualified commitment to put \$100,000 into SoftTech
18	Ventures (sic)?
19	A. They had not.
0	Q. As of November 2009, do you know of any
1	Singaporean investor who had committed to putting
2	1.2 million into CrunchPad?
3	A. No.
4	Q. As of November of 2009 withdraw that.
5	When I say "as of," I mean any time up to November
- 1	

1	going to have a couple questions.
2	THE VIDEOGRAPHER: We are off the record
3	at 6:46 p.m.
4	(Brief recess.)
5	THE VIDEOGRAPHER: We're back on the
6	record at 6:55 p.m.
. 7	
8	EXAMINATION
9	BY MR. BRIDGES:
10	Q. Mr. Arrington, I'm going to ask you a
11	few questions briefly.
12	Mr. Stern asked several questions about a
13	communication from Mr. Cubrilovic to you that used
14	the word "poaching." Do you recall those questions?
15	A. Yes.
16	Q. And he asked you a series of questions
17	on whether you responded to his comment by email.
18	Do you recall those questions?
19	A. Yes.
20	Q. What communications, if any, did you
21	have with Mr. Cubrilovic about that comment other
22	than by email?
23	A. I communicated with Nik at least once by
4	telephone in Singapore when I was able to get ahold
5	of him and consistently in person when he returned
	373

to California and expressed outrage that he had gone beyond the charter of the trip as I sent him out there to do, which was to help with the software, understand where we were with the software, and to assist the team.

He had engaged in background checks.

Clearly Chandra had complained directly about that.

I responded to Chandra by email that that was not part of what Nik it was supposed to do; that the rest of what Nik was doing was inappropriate, completely inappropriate, and undermined our partnership.

When Chandra came to our office, one of the first things I did was sat Chandra and Nik down in person in my office together at the same time and asked what the heck had gone on, why there was so much friction between the two -- clearly there was ill will between the two of them -- and demanded that they clear it up then and there so that we could continue to work together productive. And they agreed to do that.

And I also told Nik both privately and in front of Chandra that if I was forced to choose, that I would choose Chandra, that Chandra was crucial to the project. And Nik's involvement, if

1 it became impossible for Nik and Chandra to work 2 together, it would be Chandra that was chosen. And after that, from my perspective things had calmed down. ο. You were also asked whether TechCrunch or CrunchPad had secured firm commitments -- I believe that was the phrase -- for financing or investment. Do you recall that line of questioning? A. Yes, Sorry. The question was whether you had received unqualified commitments regarding financing of CrunchPad or investments in CrunchPad. Do you remember that questioning? Α. Yes. What obstacles were there, if any, to

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getting unqualified commitments to investing in CrunchPad?

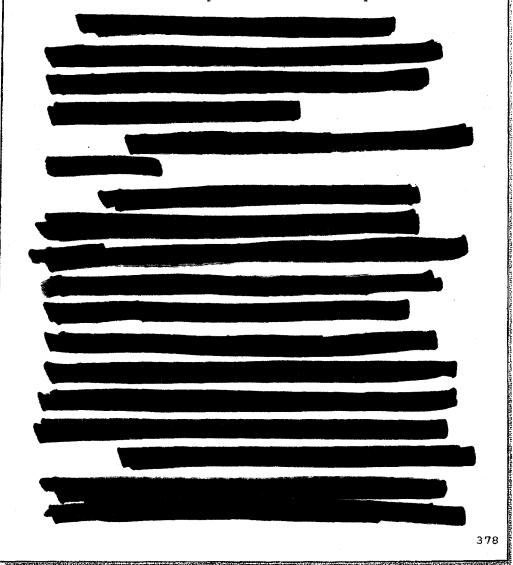
It was difficult to perform -- for firms to perform background checks on Chandra. There were. some negative things, random negative things about him out there in general. And being from Singapore instead of the U.S., it was difficult, and there were some issues around that. Chandra did not check out well.

That being said, with our involvement, we

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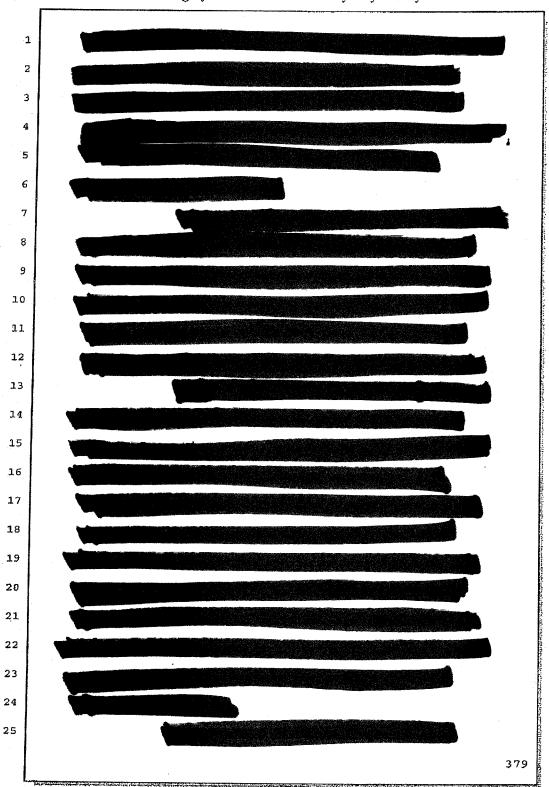
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And you know, as the product was delayed and, you know, it wasn't necessarily urgent for me on a day-to-day basis to get it done on a day-to-day basis. I mean, it was always sort of just around the corner, but always very hard to nail him down on just who we were talking about and just how much and what the relationships were between everyone.



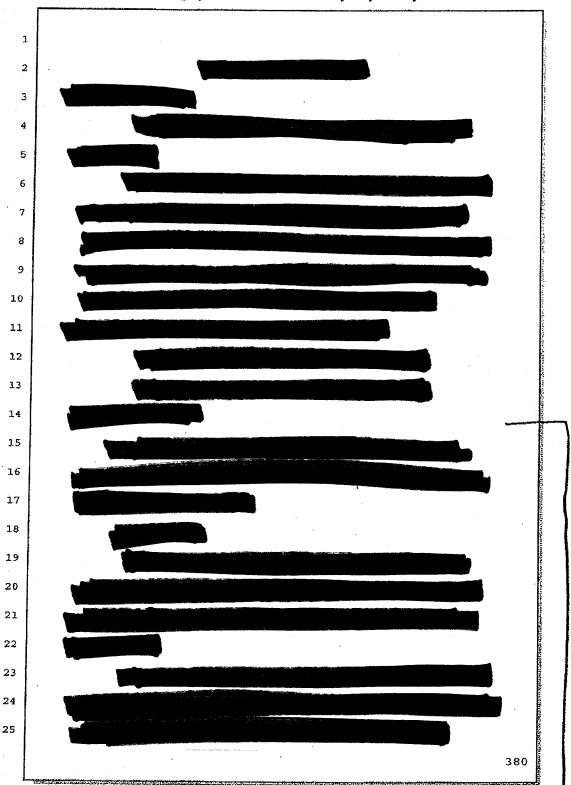
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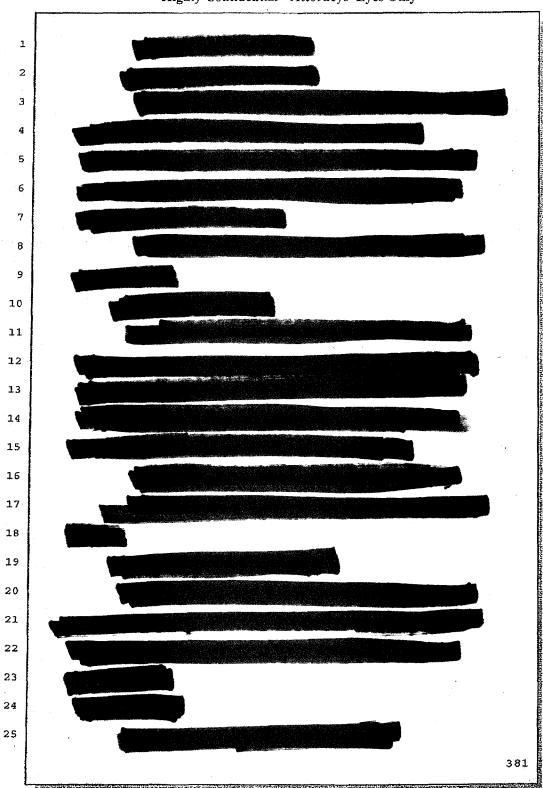


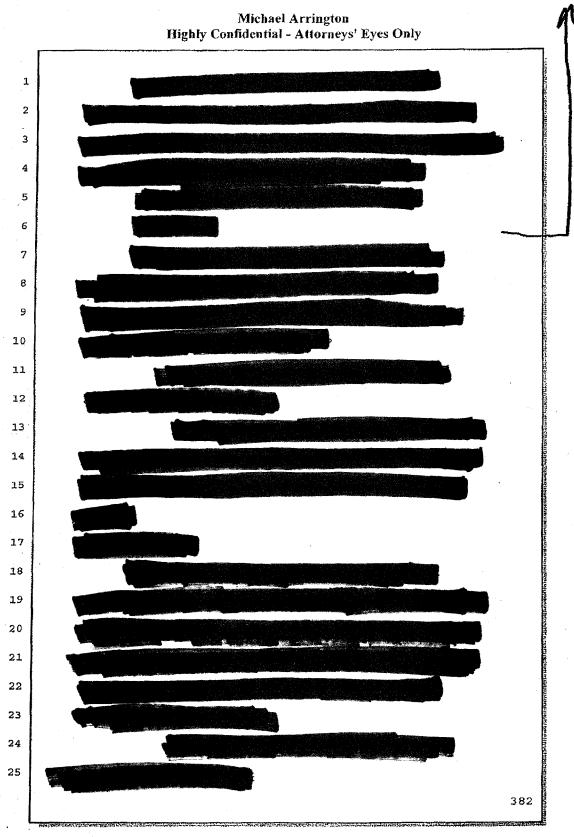
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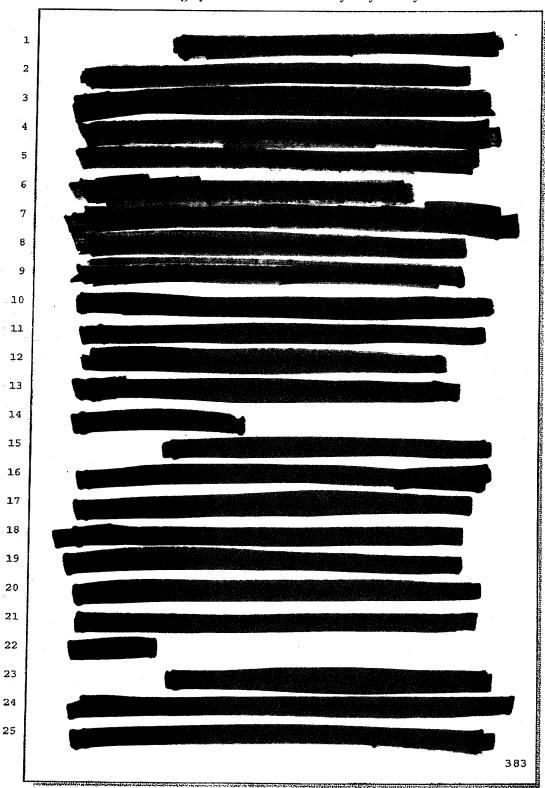
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				·
			,	
Q.	So it's your s	sworn test	imony I	want
o make th	nis clear, that i	it's your	sworn test:	imony
hat prior	to July of 2008	you had	received no	5
nformatio	n regarding Appl	te develop	ing some so	ort of
eb tablet	; is that fair?			
	MR. BRIDGES:	Objection	, vague and	i
mbiguous.				
	THE WITNESS:	Yes.		
Y MR. STE	RN:			
Q.	Prior to July	of 2008,	had you hea	ırd of
ny other	company that had	develope	d or was	•
eveloping	a web tablet?			
	MR. BRIDGES:	Objection	, vague and	l
mbiguous.				
	THE WITNESS:	I get exc	ited about	the
roduct. '	There were a num	ber of pro	oducts on t	he
arket.			•	
Y MR. STE	₹ N ;			

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July 2008 --