

Deposition of Michael Andrews

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00630-DME-MEH

NETQUOTE, INC., a Colorado
corporation,

Plaintiff,

vs.

BRANDON BYRD, an internet user
making use of the IP Addresses
64.136.27.226 and 64.136.26.227,
and MOSTCHOICE.COM, INC., a
Georgia corporation,

Defendants.

VIDEO DEPOSITION OF MICHAEL ANDREW

October 12, 2007
12:41 p.m. - 3:17 p.m.

7000 Peachtree-Dunwoody Road
Building 15, Suite 100
Atlanta, Georgia 30328

Reported by:
Paula Parris, CCR-CVR
State of Georgia
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1 e-mail address.

2 Q. And I'm trying to get to what happened
3 before then because --

4 A. He just told me --

5 Q. Hang on one second.

6 A. Okay.

7 Q. Because when you said he send this, it
8 makes it sound like there was a list that existed prior
9 to that instruction.

10 A. He had me -- There was more than one
11 e-mail. Because I would do -- You know, I would do the
12 first 50. He says I need the next 50. And he would
13 e-mail me or say, hey, I need you to make the next 50 ZIP
14 codes and I'd make a spreadsheet and e-mail to him, and
15 then at some point, he says, "Can you send, you know,
16 your next spreadsheet to Brandon? Here's the e-mail."

17 Q. Okay. So the early conversations where Mr.
18 Levy instructed you to prepare ZIP codes with matching
19 telephone area codes, prefixes, and addresses, what did
20 he tell you that that spreadsheet was for?

21 A. He didn't. He just told me to do it. "I
22 need this report on this. Can you get this data sent to
23 me?"

24 Q. And did he tell you to focus on
25 metropolitan areas?

1 A. Yeah. Just draw a radius in between this
2 range I believe.

3 Q. So you went through the list of largest to
4 smallest metropolitan areas, and then you would pick the
5 center of that area, and Mr. Levy would provide you with
6 information of the radius around those areas within which
7 to --

8 A. I think he said --

9 Q. -- generate the list?

10 A. Just draw a radius around here just to get
11 a sample of ZIP codes from each area.

12 Q. When did you first learn what the purposes
13 of your list was?

14 A. After the lawsuit became what the project
15 was. Before that, Mike -- It was just some project he
16 was doing.

17 Q. Did you continue to send the lists after
18 you learned what the purpose of your lists was?

19 A. No. But it was already -- I didn't send
20 them for a long time. It wasn't like the process was
21 still going on.

22 Q. The lawsuit was filed prior to these
23 e-mails from you. So what I'm trying to get a sense of
24 is when is it that you found out -- Hang on a second.

25 A. Okay.