

EXHIBIT A

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Case No. 07-cv-00630-DME-MJH

NETQUOTE, INC.,
Plaintiff,
vs.
BRANDON BYRD, et al.,
Defendants.

Proceedings before MICHAEL J. HEGARTY, United States Magistrate Judge, United States District Court for the District of Colorado, commencing at 9:35 a.m., February 20, 2008, in the United States Courthouse, Denver, Colorado.

WHEREUPON, THE ELECTRONICALLY RECORDED PROCEEDINGS ARE HEREIN TYPOGRAPHICALLY TRANSCRIBED...

APPEARANCES

HEATHER CARLSON PERKINS, DANIEL D. WILLIAMS and TERESA TATE, Attorneys at Law, appearing for the plaintiff.

RYAN LANCE ISENBERG, Attorney at Law, appearing for the defendants.

FINAL PRETRIAL CONFERENCE

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1 MR. ISENBERG: Your Honor, the discovery rules are
2 in no way ever allowed to supplant the rules of evidence.
3 I mean, so -- I mean, yes, we did raise the preservation
4 issue. That was not dealt with in the order, you know. So
5 as far as I'm concerned, it's still an issue that's got to
6 be --

7 THE COURT: Well, I'm not going to prevent you from
8 filing any motion you think you can file in good faith. But
9 discovery is complete, isn't it?

10 MR. ISENBERG: But it's -- I'm sorry.

11 THE COURT: Is that right?

12 MR. ISENBERG: Yeah, but I'm not asking for
13 discovery. I'm asking to bring witnesses to trial who have
14 relevant evidence.

15 THE COURT: Where are they located?

16 MR. ISENBERG: All over the country.

17 THE COURT: And you already know for a fact that
18 they can't attend the trial?

19 MR. ISENBERG: I have not been in contact with any
20 of them.

21 THE COURT: Well, that would be important, of
22 course, before any judge would grant that kind of relief,
23 that you actually have a good faith basis for believing that
24 they could not come to Colorado. Just because they live
25 outside of Colorado doesn't mean that they wouldn't agree to

1 I'd be happy to entertain a phone call if any issues arise;
2 otherwise, we'll see you in about a month. Okay?

3 MR. ISENBERG: Very good. Thank you, Your Honor.

4 MS. PERKINS: Thank you, Your Honor.

5 THE COURT: Thank you.

6 (Whereupon, the within proceedings were then in
7 conclusion at 10:20 a.m. on February 20, 2008.)

8
9 I certify the foregoing is a correct transcript, to the
10 best of my knowledge and belief, from the record of
11 proceedings in the above-entitled matter.

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14 _____
Signature of Transcriber

Date

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