

**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,

v.

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.

**DEFENDANT MOSTCHOICE.COM, INC.'S REQUEST FOR PRODUCTION OF
DOCUMENTS TO PLAINTIFF NETQUOTE, INC.**

Comes Now, Defendant Mostchoice.com, Inc. and by and through his counsel of record and pursuant to Fed. R. Civ. P. 34, hereby requests Plaintiff Netquote, Inc. produce the documents and things described below for inspection and copying during regular business hours at the offices of Isenberg & Hewitt, P.C., 7000 Peachtree Dunwoody Road, suite #15-100, Atlanta, Georgia 30328, within thirty (30) days of the date hereof. Such production is to be supplemented as necessary in accordance with Rule 26(e) of the Federal Rule of Civil Procedure.

INSTRUCTIONS AND DEFINITIONS

1. "Document" means every writing or record of every type and description that is or has been in your possession, custody, or control or of which you have knowledge, including but not limited to correspondence, memoranda, tapes, stenographic or handwritten notes, studies,

publications, books, pamphlets, pictures, drawings and photographs, films, microfilms, voice recordings, maps, reports, surveys, minutes or statistical compilations, or any other reported or graphic material in whatever form, including copies, drafts, and reproductions. "Document" also refers to any other data compilations from which information can be obtained, and translated, if necessary, by you through computers or detection devices into reasonably usable form.

2. "Person" means any natural person, corporation, partnership, proprietorship, association, governmental entity, agency, group, organization, or group of persons.

3. To "identify" a "document" means to provide the following information irrespective of whether the document is deemed privileged or subject to any claim of privilege:

- (a) The title or other means of identification of each such document;
- (b) The type of document (e.g., letter, memorandum, record);
- (c) The date of each such document;
- (d) The author of each such document;
- (e) The recipient or recipients of each such document, including but not limited to plaintiff or anyone who purports to represent the plaintiff;
- (f) The present location of any and all copies of each such document in the care, custody, or control of plaintiff;
- (g) The names and current addresses of any and all persons who have custody or control of each such document or copies thereof; and
- (h) If all copies of the document have been destroyed, the names and current addresses of the person or persons authorizing the destruction of the document and the date the document was destroyed.

In lieu of "identifying" any document, it shall be deemed a sufficient compliance with these interrogatories to attach a copy of each such document to the answers hereto and reference said document to the particular interrogatory to which the document is responsive.

4. To "identify" a natural person means to state that person's full name, title, or affiliation, and last known address and telephone number. To "identify" a person that is a business, organization, or group of persons means to state the full name of such business, organization, or group of persons, the form of the business, organization, or group of persons (e.g., government agency, corporation, partnership, joint venture, etc.), and to "identify" the natural person who would have knowledge of the information sought by the interrogatory.

5. "Plaintiff," "you," or "your" refers to, without limitation, the named plaintiff,

Netquote, Inc.

6. "Defendants" refers to, without limitation, the named defendants, Brandon Byrd and Mostchoice.com, Inc., to include any other names under which he/she has been known, **unless otherwise specifically noted as being another defendant.**

7. "Complaint" refers to the Complaint filed by plaintiff in this action.

8. Terms in the singular shall be deemed to include the plural and terms in the plural shall be deemed to include the singular.

9. Use of feminine pronouns shall be deemed to include the masculine and neuter and use of masculine pronouns shall be deemed to include the feminine and neuter.

REQUESTS

REQUEST FOR PRODUCTION NO. 1

Please produce a list of the names, address, and phone number for all persons employed

by Netquote since 2004 through the present.

REQUEST FOR PRODUCTION NO. 2

Please produce all documents referred to or relied upon in preparing responses to Mostchoice.com, Inc.'s Interrogatories served simultaneous with these requests.

REQUEST FOR PRODUCTION NO. 3

Please produce all market surveys completed by Netquote customers.

REQUEST FOR PRODUCTION NO. 4

Please produce all market surveys completed by individuals who have completed applications through the Netquote website, including its affiliates.

REQUEST FOR PRODUCTION NO. 5

Please produce all document retention policies in place as of the time this lawsuit was filed through the present.

REQUEST FOR PRODUCTION NO. 6

Please produce all documents that reflect retention and attrition rates of Netquote customers.

REQUEST FOR PRODUCTION NO. 7

Please produce a copy of the Quist Valuation report referred to in your expert's report.

REQUEST FOR PRODUCTION NO. 8

Please produce a copy of any and all written contracts between Netquote and any of te customers identified in pages SD20-SD22 of the plaintiff's expert's report.

[Signature on next page]

Dated this 3rd day of October, 2007.

s/ Ryan Isenberg
Ryan L. Isenberg, Esq.
Isenberg & Hewitt, P.C.
7000 Peachtree Dunwoody Road
Building 15, Suite 100
Atlanta, Georgia 30328
Telephone: 770-351-4400
Facsimile: 770-828-0100 (Fax)
Email: ryan@isenberg-hewitt.com

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of October, 2007, 2007, I served the foregoing Defendant Mostchoice.com, Inc.'s Request for Production of Documents to Plaintiff Netquote, Inc. by electronic delivery, as an attachment to an email, to the following counsel of record:

Daniel D. Williams
FAEGRE & BENSON LLP
3200 Wells Fargo Center
1700 Lincoln Street
Denver, Colorado 80203

s/ Ryan Isenberg