

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 09-cv-00636-REB-KLM

VIDEO PROFESSOR, INC., a Colorado corporation,

Plaintiff,

v.

AMAZON.COM, INC., a Delaware corporation,

Defendant.

**EXHIBIT A TO JOINT MOTION FOR LEAVE
TO AMEND FINAL PRETRIAL ORDER**

6. WITNESSES

Stipulation: The parties stipulate that if a party calls a listed witness which the other party has also listed as a witness, the other party may conduct its direct examination of the calling party's witnesses during its cross-examination of such witness. In that event, the examination of the witness by the other party (the nature of which is disclosed in the Final Pretrial Order [Doc. No. 61] as amended) shall not be limited to the scope of direct of the calling party.

* * *

(A.) (1.) (i) Eric Herrmann, Amazon.com, 1200 12th Ave. S.,
Seattle, WA 98144. (206) 266-1000

Amazon has represented that Mr. Herrmann will be available to testify at trial. VPI incorporates by reference Amazon's description of Mr. Herrmann's areas of

testimony, *infra*. Additionally, Mr. Herman may be asked to testify regarding his general knowledge relating to Internet searching and search engine vendors/operators, to the extent these issues are deemed outside the scope of Amazon's enumerated areas of testimony for the witness. VPI shall conduct its examination of Mr. Herrmann after Amazon's direct examination of Mr. Herrman in Amazon's case.