

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No.: 06-60905-CIV-ALTONAGA/Turnoff

F & G RESEARCH, INC.,

Plaintiff,

vs.

GOOGLE, INC.

Defendant.

**F & G RESEARCH, INC.'S FIRST SET OF INTERROGATORIES
TO GOOGLE, INC.**

Pursuant to the Federal Rules of Civil Procedure 33, Plaintiff, F & G Research, Inc. ("F&G"), propounds its First Set of Interrogatories upon Defendant and requests that Defendant fully respond in writing and under oath within thirty (30) days of service.

INSTRUCTIONS

1. If you contend that any of the following interrogatories is objectionable in whole or in part, you shall state with particularity each objection, the bases for it, and the categories of information to which the objection applies, and you shall respond to the interrogatories insofar as they are objectionable.

2. You are under a duty to timely supplement your responses to these interrogatories if you learn that they were incomplete or incorrect when made or, though complete and correct when made, they are no longer complete and correct.



3. These interrogatories seek all information that is known or available to you, your agents, servants, employees, representatives, investigators, consultants, and, unless privileged, your attorneys, and also their agents, servants, employees, representatives or investigators.

4. For each response to the following interrogatories that is based on knowledge or information other than the personal knowledge of the person signing the responses, identify each person who has knowledge of the truth of the facts given in each such answer.

5. If you believe that the meaning of any word or phrase in these interrogatories is unclear, you shall assume a reasonable meaning, state what you assumed meaning is, and respond to the interrogatories in accordance with that assumed meaning.

6. With respect to any information withheld based on a claim of confidentiality or privilege, including but not limited to the attorney-client privilege and/or the work-product doctrine, you shall serve upon the undersigned counsel for Plaintiff, a written log that identifies: (a) all persons with knowledge of the withheld information; (b) the claim(s) of confidentiality or privilege being asserted; and (c) a description of the asserted bases for withholding the information. If any document is identified or described in such log, for each such document list: (a) its date; (b) its title; (c) its author(s); (d) its addresses; (e) the identity of all persons who received or saw the original or any copy of it; (f) the claims(s) of confidentiality or privilege being asserted; and (g) a description of the asserted bases for withholding the document.

DEFINITIONS

Notwithstanding any of the following definitions, each word, term, or phrase used in these interrogatories is intended to have the broadest meaning permitted under the Federal Rules of Civil Procedure. As used in these interrogatories, the following terms (whether or not capitalized) are to be interpreted in accordance with the following definitions:

(a) The terms "you," "your," "yourself," or "Defendant" refer to Defendant A4 Tech its subsidiaries and affiliates, its predecessors, and any individuals or entities, including attorneys, that at any time have acted or purported to act on behalf of A4 Tech or its subsidiaries, affiliates, or predecessors.

(b) The terms "person" and "persons" refer to natural persons, proprietorships, firms, corporations, partnerships, groups, associations, organizations, or any other entity of any kind.

(c) The terms "document" and "documents" shall be construed in the broadest manner permissible under the Federal Rules of Civil Procedure, including without limitation, any written, printed, typed, photostated, photographed, recorded, copied or otherwise reproduced communication or representation in your control, including letters, words, pictures, sounds or symbols, or combinations thereof. These terms include, but are not limited to, documents records, books, papers, contracts, memoranda, invoices, correspondence, notes, letters, facsimiles, minutes of meetings or conversations, policies and procedures, calendar entries, ledger entries, diaries and journals, surveys, brochures, studies, reports, manuals, photographs, drawings, charts, maps, graphs, data compilations, other writings, microfilm, microfiche, audio recordings (including phono records, audio tapes, and audio disks), and video recordings (including film, video tapes, and video disks). These terms shall also mean electronic mail and any other information stored in electronic or magnetic form (including computer tapes, computer

systems, computer disks, and computer memory, and including backup copies and deleted files on computers or computer storage devices or media). These terms shall include the original of a document, drafts of the document and each copy of the document that is not identical to any other copy. The terms shall also refer to physical or tangible things, such as models, samples, products and prototypes.

(d) The term "identify" means to give a description of the person or document at issue.

(e) When it refers to a document, the term "identify" means and includes the name and address of the custodian of the document, the location of the document, and a general description of the document, including and requires you to provide: (1) the type of the document (i.e., correspondence, email, data base, memorandum, facsimile, etc.); (2) the general subject matter, number of pages, any attachments or appendices it includes of the document; (3) the date of the document; (4) the author of the document; (5) the addressee of the document; (6) all persons to whom it was distributed; and the (6) relationship of the author and addressee to each other.

(f) The singular shall include the plural and vice versa; the terms "and" or "or" shall be both conjunctive and disjunctive; and the term "including" means "including without limitation."

(g) "Date" shall mean the exact date, month and year, if ascertainable or, if not, the best approximation of the date (based upon the relationship with other events).

(h) "Agent" shall mean any agent, employee, officer, director, attorney, independent contractor, or any other person acting at the direction of or on behalf of another.

(i) "Person" shall mean any individual, corporation, proprietorship, partnership, trust, association or any other entity.

(j) The words "pertain to" or "pertaining to" shall mean relates to, refers to, contains, concerns, describes, embodies, mentions, constitutes, constituting, supports, corroborates, demonstrates, proves, evidences, shows, refutes, disputes, rebuts, controverts or contradicts.

(k) The term "third party" or "third parties" refers to individual entities that are not a party to this action.

(l) The term "SOURCE CODE" shall consist of material that constitutes or contains non-public source code or documents revealing source code logic or algorithms of the producing party's software for its GEO or Google Earth product .

INTERROGATORIES

Interrogatory No. 1

State the name, corporate title or position held, and both business and residence addresses of the person(s) answering these interrogatories.

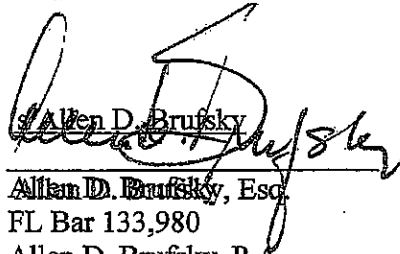
Interrogatory No. 2

Please provide a narrative as to operation of the source code embedded in the Google Earth software which carries out the input commands of a user to the graphic interface navigation compass ; and specifically

- (a) how the source code responds to the command; and
- (b) what steps are carried out by the source code for each command noted in interrogatory 2(a).

Dated: July 16, 2007
Naples, Florida

Respectfully,



~~Allen D. Brufsky~~

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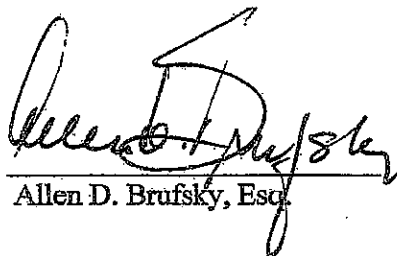
CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing is being served via e-mail and deposited with the United States Postal Service in First Class postage-paid envelopes this 16th, day of July, 2007, addressed to:

Ramsey M. Al-Salam
Perkins Coie LLP
1201 Third Avenue, suite 4800
Seattle, WA 98101-3099

And

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Allen D. Brufsky, Esq.

Attorneys for Defendant, Google, Inc.

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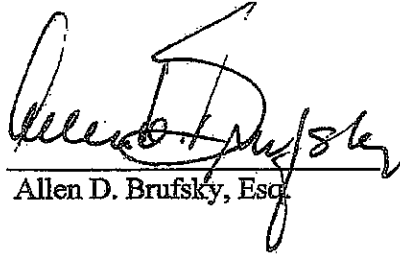
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