

EXHIBIT O

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MIKE HARRIS and JEFF DUNSTAN,)
individually and on behalf of a)
class of similarly situated)
individuals,)
)
Plaintiffs,)
)
-vs-) No. 1:11-cv-5807
)
COMSCORE, INC., a Delaware) Judge Holderman
corporation,)
) Magistrate Judge
) Kim
Defendant.)
)

The deposition of ROBERTO TAMASSIA, Ph.D., called by the Plaintiffs for examination, pursuant to notice and pursuant to the Federal Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before Emily R. Pellegrino, Certified Shorthand Reporter and Notary Public within and for the County of Cook and State of Illinois, at 350 North LaSalle Street, 13th Floor, Chicago, Illinois, commencing at the hour of 9:29 a.m. on the 14th day of December, A.D., 2012.

1 user does not accept does not agree, the comScore
2 portion of the software is not installed but the user
3 will still be able to install the other software that
4 was bundled together with the comScore software which
5 was the original software that the user attempted to
6 download.

7 Q. During the demonstration, was there only one
8 type of bundled software used?

9 A. Yes. In the demonstration, there was only
10 one type of bundled software.

11 Q. Let's move to the operation section of your
12 report.

13 A. Yes.

14 Q. The basis for this whole section is the
15 demonstration that was given to you at Reston,
16 Virginia; is that correct?

17 A. Yes.

18 Q. Can you explain a few ways that a panelist
19 will be able to determine that comScore software is
20 running on their computer?

21 A. Are you referring with the word "panelist"
22 to a user who has installed the comScore software?

23 Q. Yes.

24 A. There are various reasons, multiple reasons

1 that will make such -- panelist as copious user to be
2 fully aware that the software is fine. So first of
3 all, this panelist has explicitly accepted the
4 installation such that manner is occurring. Second,
5 the panelist should notice that the tray area of the
6 task bar in the Windows operating system contains an
7 icon associated with the comScore software. This
8 provides an explicit and continuous and persistent
9 indication that the software is running. In
10 addition, whenever the user -- this panelist, this
11 user will look at the list of programs installed,
12 that the software will appear.

13 And then even more, if you look at what is
14 called the task manager, which is a display of the
15 so-called processes, programs running, the comScore
16 software is there. And if one will inspect some
17 settings of the machine or the so called registry,
18 one will see registry keys associated with the
19 software. The primary visual indication is in the
20 system, is in the tray.

21 Q. In the second sentence of the last full
22 paragraph on page four "Uninstallation" you write,
23 based upon my observations of the demonstration and
24 the documentation I reviewed, comScore software can

1 allows the obfuscation to happen and then feedback is
2 provided back to the software engineering team so
3 that patterns are improved, refined, new patterns are
4 provided. What I personally saw within the classes
5 about the detection is that there are several
6 annotations about new patterns being downloaded and
7 the name of someone to suggest that they found some
8 date.

9 Q. How do they sift through the data
10 technically speaking?

11 MR. SWEDLOW: I'll object as asked and
12 answered but you can answer.

13 THE WITNESS: I did not ask about the
14 detailed steps of this process. I was happy with the
15 general methodology that was implicated.

16 BY MR. GIVENS:

17 Q. Where was that indicated to you?

18 A. In my meeting at comScore.

19 Q. Is the data that's manually sifted through
20 later purged from the database?

21 A. My understanding is that the data that is
22 detected in this subsequent phase is subject to the
23 same type of processing that would have occurred from
24 the client side. So if the data is to be removed, it

1 will be removed. Because if it's a credit card, only
2 the first seven digits are kept. Date of birth, only
3 the year is kept. If it is data that has to be
4 hashed like a password, then it will be hashed. So
5 the term purged, does not accurately describe that
6 process as was indicated to me in that conversation.

7 Q. In the data transmission and storage section
8 of your report which is on page five, you write that,
9 the transmission method for uploading is the same as
10 the page download method employed by the user. Data
11 retrieved from the user from a secure HTTPS
12 connection is uploaded using the secure connection
13 while data originating from a standard non-secured
14 connection HTTP is uploaded via a standard
15 connection.

16 Why wouldn't comScore send everything over
17 SSL?

18 A. I cannot answer about the business methods
19 of the company. I can answer from a technical point
20 of view. It is not necessary to secure data for
21 these transmission to comScore once the data was
22 originally downloaded to the user's machine in an
23 insecure way. In addition, a secure connection uses
24 more resources on a machine than a standard

1 STATE OF ILLINOIS)
) SS:
2 COUNTY OF C O O K)

3 I, Emily R. Pellegrino, Certified Shorthand
4 Reporter and Notary Public in and for the County of
5 Cook, State of Illinois, do hereby certify that on
6 the 14th of December, A.D., 2012, the deposition of
7 the witness, ROBERTO TAMASSIA, Ph.D., called by the
8 Defendants, was taken before me, reported
9 stenographically and was thereafter reduced to
10 typewriting through computer-aided transcription.

11 The said witness, ROBERTO TAMASSIA, Ph.D.,
12 was first duly sworn to tell the truth, the whole
13 truth, and nothing but the truth, and was then
14 examined upon oral interrogatories.

15 I further certify that the foregoing is a
16 true, accurate and complete record of the questions
17 asked of and answers made by the said witness, at the
18 time and place hereinabove referred to.

19 The signature of the witness was not waived
20 by agreement.

21 Pursuant to Rule 207(a) of the Rules of the
22 Supreme Court of Illinois if deponent fails to read
23 and sign this deposition transcript within 28 days or
24 make other arrangements for reading and signing

1 thereof, this deposition transcript may be used as
2 fully as though signed, and the instant certificate
3 will then evidence such failure to read and sign this
4 deposition transcript as the reason for signature
5 being waived.

6 The undersigned is not interested in the
7 within case, nor of kin or counsel to any of the
8 parties.

9 Witness my official signature and seal as
10 Notary Public, in and for Cook County, Illinois on
11 this 18th day of December, A.D., 2012.

12
13
14 *Emily R. Pellegrino*



15
16 Emily R. Pellegrino, CSR
17 Notary Public
18 19 South LaSalle Street, Suite 1402
19 Chicago, Illinois 60603

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