

# EXHIBIT A

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 corporation )  
Defendant. )

The deposition of MICHAEL J. HARRIS, called by the Defendant for examination, taken pursuant to notice, agreement and by the provisions of the Rules of Civil Procedure for the United States District Courts pertaining to the taking of depositions, taken before DEBORAH HABIAN, CSR No. 084-002432, a Notary Public within and for the County of Cook, State of Illinois, and a Certified Shorthand Reporter of said State, at the offices of Quinn Emanuel Urquhart & Sullivan, 500 West Madison Street, Suite 2450, Chicago, Illinois, on Friday, the 13th day of July, 2012, at 9:23 a.m.

Job No: 26294

1 MICHAEL J. HARRIS

2 "with some frequency."

3 Q. Any reason to believe that you didn't  
4 during the course of your membership put on -- the 113  
5 posts on Mac Update?

6 A. No.

7 Q. No reason not to believe it?

8 A. No reason not to believe it.

9 Q. All right. And the third post on this  
10 page is from March 9th, 2010, correct?

11 A. Yes.

12 Q. And that's a post -- did you write that  
13 post?

14 A. Yes.

15 Q. And in that post, you talk about  
16 PremierOpinion software, correct?

17 A. Yes.

18 Q. And you're referring to something called  
19 the Secret Land Screensaver, correct?

20 A. Yes.

21 Q. And at the very bottom of your post in  
22 small font it says "Version 1.1."

23 Do you see that?

24 A. Yes.

25 Q. What does that mean or refer to?

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2 A. I don't know. It's something that the  
3 website adds, not the user.

4 Q. Does it mean that you were commenting on  
5 Version 1.1 of the Secret Land Screensaver?

6 A. I have no knowledge as to that. It's  
7 something that the website adds to the post.

8 Q. I see. So it would automatically be  
9 there. You didn't input that yourself?

10 A. I don't believe I did.

11 Q. Okay. And if you'll look at some of these  
12 other reviews or comments by you, they have version  
13 numbers at the bottom as well, correct?

14 A. Correct.

15 Q. Version 1.3.1 or Version 1.0.8.6, correct?

16 A. Correct.

17 Q. So you wrote about the Secret Land  
18 Screensaver that -- and I'm paraphrasing here, just for  
19 the record -- that "when you install it, you find a  
20 white star menu extra on the menu bar," correct?

21 A. That's indeed what it says.

22 Q. What's a white star menu extra?

23 A. It's a menu extra where the icon on the  
24 menu bar is a white star.

25 Q. And then you write that "If you kill the

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2 process, it -- it" -- strike that.

3 You write "Kill the process and you'll  
4 find launch D keeps relaunching it."

5 Do you know what launch D is?

6 A. Yes.

7 Q. What's that?

8 A. Launch D is the Unix binary that's on the  
9 Mac OS 10 system which is in charge of launch demons  
10 and I want to say launch items was the other thing it  
11 was in charge of.

12 Actually, it's not demons, but daemons,  
13 D-A-E-M-O-N-S.

14 Q. And that's a computer term?

15 A. Yeah.

16 Q. And then a little further down you say  
17 "Fortunately, PremierOpinion uninstall in that directory  
18 appears" -- and you have that bracketed by asterisks --  
19 "to have gotten rid of the whole mess one would hope,"  
20 correct?

21 A. Correct.

22 Q. Now, when you wrote this, had you in fact  
23 downloaded the Secret Land Screensaver?

24 A. Yes.

25 Q. And do you remember what the Secret Land

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2 Screensaver was?

3 A. It was --

4 Q. Actually, strike that. Let me ask the  
5 question.

6 So also when you wrote this, had you  
7 uninstalled the Secret Land Screensaver using the steps  
8 that you describe?

9 A. In all honesty, it would depend on how  
10 you're defining "the Secret Land Screensaver."

11 Q. Strike that.

12 Had you uninstalled the PremierOpinion  
13 software at that point?

14 A. I'd hoped so.

15 Q. Tell us what the Secret Land Screensaver  
16 was.

17 A. It was an application that I downloaded  
18 from the Mac Update website.

19 Q. And do you recall --

20 MR. SCHAPIRO: Well, let me just mark this  
21 exhibit. Let's mark this as Exhibit 7.

22 (Defendant's Exhibit 7 marked for ID)

23 BY MR. SCHAPIRO:

24 Q. So this is a document that has a Bates  
25 stamp on the bottom of the first page that reads

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2 idea on setting it up or its database, so I wouldn't  
3 have any knowledge of its -- firsthand.

4 But I can certainly say what my  
5 interpretation would be of it.

6 Q. Okay.

7 A. Is that what you'd like me to do?

8 Q. Please do.

9 A. Okay. I would presume that "downloads"  
10 would be the num- -- total number of downloads, that  
11 "version downloads" would be the number of times that  
12 particular version of the software was downloaded, I  
13 would presume that "type utilities" would be the main  
14 category and "screensavers" would be the subcategory,  
15 that "license" would be whether it was free or pay or  
16 what have you. I have no knowledge as to what the date  
17 represents. The "platform" would be whether it runs on  
18 a Mac's PPC chipset, the Intel chipset or both, and the  
19 "price" would be the price.

20 Q. And if you go to the final page which ends  
21 with 007 -- actually, it carries over from 006 to 007 --  
22 we see again the comment that we were just looking at in  
23 Defendant's Exhibit 6, correct, the comment from you  
24 about installing it with the white star menu, et cetera?

25 A. Yes.

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2 A. Without seeing those particular  
3 screensavers do that thing, yes. With the exception of  
4 the Secret Land Screensaver.

5 Q. So the Secret Land Screensaver you say you  
6 did download, correct?

7 A. Yes.

8 Q. Why don't you tell us about that. You  
9 found it -- you downloaded it from the Mac Update site,  
10 correct?

11 A. Correct.

12 Q. And it was this Version 1.1, correct?

13 A. I have no knowledge of that.

14 Q. Well, at the end of your comment it says  
15 in small letters "Version 1.1," correct?

16 A. Correct.

17 Q. Any reason to believe that you downloaded  
18 a different version?

19 A. I -- no particular reason that I can think  
20 of.

21 Q. Was this an important event in your life?

22 A. What?

23 MR. EDELSON: Objection.

24 BY MR. SCHAPIRO:

25 Q. Was this an important event in your life,



MICHAEL J. HARRIS

STATE OF ILLINOIS )  
 ) ss:  
COUNTY OF C O O K )

I, Deborah Habian, a Certified Shorthand Reporter within and for the State of Illinois, do hereby certify:

That previous to the commencement of the examination of the witness, the witness was duly sworn to testify the whole truth concerning the matters herein;

That the foregoing deposition was reported stenographically by me, was thereafter reduced to printed transcript by me, and constitutes a true record of the testimony given and the proceedings had;

That the said deposition was taken before me at the time and place specified;

That the reading and signing by the witness of the deposition transcript was agreed upon as stated herein;

That I am not a relative or employee of attorney or counsel, nor a relative or employee of such attorney or counsel for any of the parties hereto, nor interested directly or indirectly in the outcome of this action.

IN WITNESS WHEREOF, I do hereunto set my hand this 23rd day of July, 2012.

DEBORAH HABIAN, CSR, RMR, CRR, CBC  
Notary Public  
CSR No. 084-02432