

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

MIKE HARRIS and JEFF DUNSTAN, individually and on behalf of a class of similarly situated individuals,)	
)	
Plaintiffs,)	Case No. 1:11-5807
)	
v.)	[Hon. James F. Holderman]
)	
COMSCORE, INC., a Delaware corporation,)	
)	
Defendant.)	
)	

**PLAINTIFF JEFF DUNSTAN’S FIRST SET OF REQUESTS FOR
THE PRODUCTION OF DOCUMENTS TO DEFENDANT COMSCORE, INC.**

Plaintiff Jeff Dunstan, pursuant to Federal Rule of Civil Procedure 34, hereby requests that Defendant comScore, Inc. produce the following documents for inspection and copying at the office of Edelson LLC, 350 North LaSalle, Suite 1300, Chicago, Illinois 60654, within thirty (30) days of service hereof and supplement production up to and including the time of trial pursuant to Fed. R. Civ. P. 26(e)(1), and make service of said production upon his counsel.

I. Definitions

1. “*Amici Curiae*” means or refers to the Direct Marketing Association, American Association of Advertising Agencies, Association of National Advertisers, Entertainment Software Association, Interactive Advertising Bureau, and Chamber of Commerce of the United States of America.

2. “Bundling Partner” means or refers to third parties that You contract with, whether formally or otherwise, to combine Your Panelist Software with the Bundling Partner’s software.

3. “Collect” or “Collection” means or refers to the gathering and/or transfer of

information from a Panelist's Computer to You. Information is deemed Collected regardless of whether it is Filtered or otherwise altered prior to or following transmission.

4. "Communication" or "Communications" means or refers to the transmittal of information, facts or ideas Including communications in the form of any discussion, conversation, inquiry, negotiation, agreement, understanding, meeting telephone conversation, letter, correspondence, note, memorandum, e-mail message, telegram, advertisement or other form of exchange of words, whether oral or written.

5. "Complaint" shall mean Plaintiffs' Second Amended Class Action Complaint filed in the United States District Court for the Northern District of Illinois on January 31, 2013. (Dkt. 169.)

6. "Computer" means or refers to all data processing equipment, Including central processing units (CPUs), whether contained in a server or free standing computer or laptop or PDA or similar device that may contain data storage capabilities, irrespective of whether such computing platform, infrastructure or storage is virtualized, whether that data be structured or unstructured, and also Including any equipment where computer files (Including records, documents, logs, and any other contiguous or non-contiguous bit strings), hidden system files or metadata presently reside such as hard disk drives, optical disk drives, removable media, such as floppy disk drives, CD-ROM and DVD drives, Zip drives, Jaz drives, Maxtor drives or snap drives, data processing cards, computer magnetic tapes, backup tapes, drum and disk storage devices or any other similar electronic storage media or system of whatever name or description. "Computer" also refers to all digital image evidence that may be stored on any type of hardware used to store or manipulate electronic images, Including microfilm, microfiche and their repositories and readers, or design or engineering Computer systems and regardless of any digital

image's format, including .jpg, .bmp, or some other advanced or proprietary form of digital image format, such as CAD layered drawings. "Computer" also refers to sources of digital evidence that may not presently be in use by You or may have been deleted from Your active systems, whether the source is a backup tape or disk, some other data retention system or some form of disaster recovery system. "Computer" also refers to places where digital evidence may reside that may have been deleted from Your active files and which may not be readily recoverable from a backup medium, such as metadata.

7. "Correspondence" means or refers to all written and unwritten but recorded Communications, including non-duplicate drafts, versions not sent, and copies that differ only in margin notes or annotations, including memos, letters analog or digital recordings, voicemail, email, Computer files, Computer disks, or other correspondence or things sent or received by You to or from any entity, including correspondence or files maintained or exchanged internally within Your business or with Your Employees.

8. "Date" means the exact year, month and day, if known, or, if not known, Your best approximation thereof.

9. "Describe" when used in relation to any process, policy, act or event means explain the process, policy, act or event in complete and reasonable detail, stating the time, Date, and location, Identifying all Persons participating or present, and Identifying all Documents Relating thereto.

10. "Document" or "Documents" shall mean any writings, letters, telegrams, memoranda, Correspondence, email messages, memoranda or notes of conferences or telephone conversations, reports, studies, lists, compilations of data, papers, books, records, contracts, deeds, leases, agreements, pictures, photographs, transcripts, tapes, microfilm, Computer data

files, printouts, accounting statements, mechanical and electrical recordings, checks, pleadings, and other tangible things upon which any handwriting, typing, printing, drawing, representation, photostatic, or other magnetic or electrical impulses or other form of Communication is recorded, stored or produced, Including audio and video recordings and ESI (Including e-mails, web pages, Websites, Computer discs, Computer programs and Computer files, Including, where applicable, compiled and uncompiled source code), whether or not in printout form. These terms shall also mean copies of Documents even though the originals are not in Your possession, custody or control; every copy of a Document which contains handwritten or other notations or which otherwise does not duplicate the original of any other copy; all attachments to any Documents; and any other Documents, item and/or information discoverable under federal law and procedure, Including, without limitation, the items referenced in Federal Rule of Civil Procedure 34(a)(1).

11. “Employee” or “Employees” means or refers to all present and former officers, directors, agents, attorneys, employees, and all Persons acting or purporting to act on behalf of comScore.

12. “Electronically Stored Information” or “ESI” as used herein, means and refers to Computer generated information or data, of any kind, stored on Computers, file servers, disks, tape or other devices or media, or otherwise evidenced by recording on some storage media, whether real virtual, or cloud based.

13. “Filter” means or refers to the same process or functionality referenced by Your use of the term “filter” in Your Privacy Policy and User License Agreement. (*See, e.g.*, Dkt. 156-9 at 3 (“[W]e make commercially viable efforts to automatically **filter** confidential personally identifiable information....”) (emphasis added).)

14. “Identify,” when used with respect to a natural person, means to state the person’s full name, present or last known business affiliation and position, past and present home address and past position and business affiliation, if any, with any of the parties herein.

15. “Identify,” when used with respect to a company or other business entity, means to state the company’s legal name, the names under which it does business, its form (*e.g.*, partnership, corporation, etc.), the address of its principal place of business, and to identify its principal proprietors, officers or directors.

16. “Identify,” when used with respect to a Document, means to state the Date(s) prepared, drafted or generated, the author(s), intended and actual recipient(s), type of Document (*e.g.*, “letter,” “Terms of Service” or “email”), and to identify its last known custodian or location.

17. “Identify,” when used in reference to an event, transaction, or occurrence, means to describe the act in complete and reasonable detail; state the time, Date, location; identify all Persons participating or present; and identify all Documents Relating thereto.

18. “Identify,” when used with respect to a Communication, means to state type of Communication (*e.g.*, telephone discussion, email, face-to-face, etc.), the name and present address of each Person present during the Communication, or who otherwise observed or heard the Communication and to state the subject matter of the Communication and the Date upon which it occurred. If the Communication was in writing, identify all Documents that Relate or are Related To the Communication in the manner provided above.

19. “Includes” and “Including” means “including, but not limited to;” “includes” means “includes, but not limited to.”

20. “Mac Software” means or refers to Your data collection software designed to

operate on the Macintosh operating system (Mac OS), Including Your MacMeter software.

21. “Metadata” means and refers to data about data, Including without limitation, information embedded in a native file or other data that is not ordinarily viewable or printable from the application that generated, edited, or modified such native file which describes the characteristics, origins, usage and validity of the electronic file as well as information generated automatically by the operation of a Computer or other information technology system when a native file is created, modified, transmitted, deleted or otherwise manipulated by a user of such system.

22. “Panelist” means or refers to Persons who, during the Relevant Time Period, had Your Panelist Software operating on their Computers.

23. “Panelist Software” means or refers to Your data collection software, Including OSSProxy and MacMeter, and Includes all versions and/or builds released and/or available during the Relevant Time Period.

24. “Person” means or refers to any natural person, corporation, partnership, association, organization, joint ventures, or other entity of any type or nature.

25. “Personal Information” means or refers to an individual’s name, address, age, zip code, phone number, username, password, Internet searches, website history, credit card numbers and any financial or other sensitive information, goods purchased online, specific advertisements clicked, or any other data that may personally identify an individual.

26. “Plaintiffs” means or refers to Plaintiffs Mike Harris and Jeff Dunstan.

27. “Purge” means or refers to the same process or functionality referenced by Your use of the term “purge” in Your Privacy Policy and User License Agreement. (*See, e.g.*, Dkt. 156-9 at 3 (“[W]e make commercially viable efforts to **purge** our database of such

information.”) (emphasis added).)

28. “Relating To,” Including its various forms such as “Relates To,” means to consist of, concern, discuss, mention, regard, refer to, reflect or be in any way logically, factually or legally connected, directly or indirectly, with the matter described.

29. “Relevant Time Period,” means 2005 until the present. Unless otherwise indicated, all Requests shall refer to the Relevant Time Period.

30. “You,” “Your,” or “comScore” means or refers to Defendant comScore, Inc. and its divisions, subsidiaries, related companies, predecessors, and successors, all present and former officers, directors, agents, attorneys, Employees, and all Persons acting or purporting to act on behalf of any of them.

II. Instructions

1. The Person responding to a Request should have knowledge to answer said request. If another Person has superior knowledge on certain Requests, that other Person should respond to that Request and be so designated. If such Person is unavailable, that Person should be fully Identified and the nature and scope of their knowledge and the reasons that such Person’s knowledge is or is believed to be superior, explained fully.

2. In responding to these Requests, furnish all information, however obtained, including hearsay, which is available to You and any information known by You, in Your possession, or appearing in Your records.

3. These are intended as continuing Requests having within them a duty to timely supplement Your responses until and during the course of trial.

4. Information sought by these Requests that You obtain after You serve Your responses must be disclosed to Plaintiffs by supplementary responses.

5. It is intended by this set of Requests to elicit information not merely within Your knowledge, but obtainable by You or on Your behalf.

6. You may not claim lack of information or knowledge as grounds for failing to respond to any Request or as grounds for giving an incomplete or partial response to any Request without exercising due diligence to secure the full information needed to do so. Where You rely or respond based on information provided to You from any other Person, fully Identify that Person and how You obtained the information from them. Where You rely on information in any Document, specifically Identify the Document and Identify the Person who has custody of that Document.

7. If You cannot respond to a Request in full after exercising due diligence to secure the full information needed to do so, so state and respond to the extent possible, specifying Your inability to respond to the remainder, stating whatever information or knowledge You have Concerning the portion to which You did not respond and detailing Your attempts to secure the unknown information.

8. If any Request is objected to on the basis that the time period covered by the Request is irrelevant, burdensome, or otherwise inappropriate, state what time period You consider proper for that Request and answer the Request for that time period, preserving Your objection to the remainder of the time period.

9. If You choose to provide in electronic media or machine-readable form (such as Computer disk, cartridge, tape, punch cards, or other non-printed media) any responses, Documents, or other materials in Your responses, You must provide all information and things necessary for Plaintiffs or their agents to fully access, read, and decode into plain English text all data and files so provided.

10. All Documents, ESI, file systems, and digital media are to be produced in their respective native format with all associated Metadata intact and, if such electronic Documents or ESI are no longer available in their native formats for any reason, please Identify the reasons such native format Documents are no longer so available and the Dates each such Document became unavailable.

11. Upon producing any Document requested, You are instructed to indicate to which of the numbered Requests for Production the Document is being produced in response. You may do so by referencing Document numbers (*i.e.*, Bates Numbers).

12. Under Rule 34(b)(2)(E) of the Federal Rules of Civil Procedure, all Documents are to be produced in the form, order, and manner in which they are maintained in Your files. Documents are to be produced in the folders, cartons, or containers in which they have been maintained, stored, clipped, stapled, or otherwise arranged in the same form and manner in which they were found and in such a manner that the office and location from which they were produced is readily identifiable. Whenever a Document or group of Documents is/are taken out of a file folder, file drawer, file box, or notebook, before the same is/are produced, attach thereto a copy of the label on the file folder, file box, or notebook from which the Document or group of Documents was removed.

13. If any Document requested has been lost or destroyed since its creation, Identify the nature of the Document (*e.g.*, letter, email, etc.), the Date of the Document, the Persons who sent and received the original and any copy of the Document, a summary of the contents of the Document and Describe when, where, how, and by whom said Document was lost or destroyed, and state the name of the Person(s) who last had custody thereof.

14. If, in responding to these Requests, You encounter any ambiguity in construing

either the Request or any instruction relevant to the Request, You should nonetheless respond to the Request, set forth the matter deemed ambiguous, and set forth the construction used in responding to the Request.

15. If You claim privilege as grounds for failing to produce any Document requested, provide a privilege log that:

- (i) Identifies the author or originator of the Document, the Date authored or originated, the identity of each Person to whom an original or a copy was addressed or delivered, the identity of each Person known or reasonably believed by You to have present possession, custody or control thereof;
- (ii) Discusses the factual basis for Your claim of privilege in sufficient detail to permit the Court to adjudicate the validity of that claim; and
- (iii) Produces so much of each such Document that does not contain privileged information or Communications.

16. “And” as well as “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of these Requests any information which might otherwise be construed to be outside of their scope. Singular and plural words should be read so as to bring within the scope of these Requests any information that might otherwise be construed to be outside their scope. “Each” shall encompass “every.”

17. Attachments. Email attachments and embedded files must be mapped to their parent by the Document or production number. If attachments and embedded files are combined with their parent Documents, then “BeginAttach” and “EndAttach” fields listing the unique beginning and end number for each attachment or embedded Document must be included.

18. Bates Numbering. Each page of a produced Document, or media upon which ESI in native format is produced, shall have a legible, unique page identifier “Bates Number” electronically “burned” onto or associated with the media, or image in such a manner that information from the source Document is not obliterated, concealed, or interfered with. There

shall be no other legend or stamp placed on the Document image unless a Document qualifies for confidential treatment pursuant to the terms of a protective order in this litigation, or has been redacted in accordance with applicable law or Court order. In the case of confidential materials, a designation may be “burned” onto or otherwise associated with the Document’s image at a location that does not obliterate or obscure any information from the source Document. For redacted material, the word “Redacted” should be burned onto the Document image over the protected information. To the extent native files are produced, the producing party will name the native file with the Bates number.

19. Duplicates. To the extent that exact duplicate ESI Document (based on MD5 or SHA-1 hash values) resides within a party’s data set, You may produce only a single copy of a responsive Document. This de-duping should be done only on exact duplicate Documents. Only Documents where the main Document and the attachments are exactly the same will be considered exact duplicates. ESI with differing file names but identical hash values shall not be considered duplicates. Exact duplicate shall mean bit-for-bit identically with both Document content and any associated Metadata. Where any such Documents have attachments, hash values must be identical for both the Document-plus-attachment (Including associated Metadata) as well as for any attachment (Including associated Metadata) standing alone.

20. File Naming Conventions. Where production of .tiff images rather than Native Format ESI is requested or agreed to, each Document image file produced shall be named with the unique Bates Number of the first page of the Document, followed by the extension “.tif” or “.tiff.” To the extent separate text files are provided, text files should be named the same as the first tiff image of the Document.

21. Metadata shall be provided in connection with ESI requested, and Includes

without limitation, file, application and system Metadata. The following list identifies the Metadata fields that shall be produced (to the extent available):

- Document number or production number (Including the Document start and Document end numbers). This should use the standard Bates Number in accordance with those used in previous productions.
- BeginAttach
- EndAttach
- Title/Subject
- Sent/Date and time (for emails only)
- Last Modified Date and time created Date and time (for e-docs)
- Received Date and time (for emails only)
- Author
- Recipients
- cc:
- bcc:
- Source (custodian)
- Hash Value
- File Path
- Media (type of media that the Document was stored on when it was collected)
- Page count
- Original file name
- Doc extension
- Full text
- Accessed Date & time
- Last print Date

22. Production of Paper Documents. Production of paper-based original Documents (*i.e.*, Documents that were not first generated by a Computer, such as hand written memoranda) shall be produced in hard copy manner.

23. Structured Data. Structured data such as relevant database information shall be produced in native data format, together with any associated database schema necessary to render such data reasonably usable.

24. For any term used herein, which is not otherwise specifically defined, the common and usual meaning of such term is intended. Any ambiguity in these Requests shall be resolved so as to construe these Requests as broadly as possible. Defined terms need not be

capitalized terms to retain their defined meaning.

III. Documents Requested

DOCUMENT REQUEST NO. 1

All Documents, ESI, Correspondence, or Communications that You used, relied upon, reviewed, referenced, or consulted in drafting Your: (i) Answers to Plaintiff Jeff Dunstan's First Set of Interrogatories, (ii) Responses to Plaintiff Jeff Dunstan's First Set of Requests for the Production of Documents, (iii) Answers to Plaintiff Mike Harris's Second Set of Interrogatories, and (iv) Answer to Plaintiffs' Second Amended Complaint. (Dkt. 180.)

RESPONSE:

DOCUMENT REQUEST NO. 2

All Documents Relating To the design, development, operation, modification and maintenance of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 3

All Communications between You and any Person, Including Your Employees and Bundling Partners, Relating To the design, development, operation, modification and maintenance of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 4

All Communications to, from, or among Mike Brown, Randy McCaskill, and Yvonne

Bigbee Relating To the design, development, operation, modification and maintenance of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 5

All Documents Relating To the investigation into and termination of Your Mac Software.

RESPONSE:

DOCUMENT REQUEST NO. 6

All Communications between You any Person, Including Your Employees, Relating To the investigation into and termination of Your Mac Software.

RESPONSE:

DOCUMENT REQUEST NO. 7

All Communications to, from, or among Mike Brown, Randy McCaskill, and Yvonne Bigbee Relating To the design, development, deployment, investigation, and termination of Your Mac Software.

RESPONSE:

DOCUMENT REQUEST NO. 8

Any and all contracts, amendments to contracts, agreements, and written understandings between You and any third party Relating To the design, creation, programming, maintenance, or deployment of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 9

All Documents and ESI Relating To any and all contracts, amendments to contracts, agreements, and written understandings between You and any third party Relating To the design, creation, programming, maintenance, or deployment of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 10

All Communications Relating To any all contracts, amendments to contracts, agreements, and understandings between You and any third party Relating To the design, creation, programming, maintenance, or deployment of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 11

All Communications and Correspondence by or between Your Employees Relating To the Collection of Personal Information from Panelists, Including Communications and Correspondence Relating To any concern voiced by Your Employees about the Collection of Personal Information by Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 12

All Communications and Correspondence by or between Your Employees Relating To the categories of information Collected from Panelists by Your Panelist Software, Including Communications and Correspondence Relating To any concern voiced by Your Employees about the categories of information Collected by Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 13

All Communications and Correspondence by or between Your Employees Relating To the manner in which You disclose to Panelists, or potential Panelists, the types of Personal Information Collected by Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 14

All Communications and Correspondence by or between Your Employees Relating To the manner in which You disclose to Panelists, or potential Panelists, the types of information

Collected by Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 15

All Documents Relating To the manner in which You designed Your Panelist Software to Collect Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 16

All Communications between You and any Person, Including Your Employees, Relating To the Collection of Personal Information through Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 17

All Communications between You and any Person, Including Your Employees, Relating To the manner in which You designed Your Panelist Software to Collect Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 18

All Documents, Including training manuals, memoranda, handbooks, and/or other written instructions that You provided Your Employees Relating To the deployment of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 19

All Documents, Including training manuals, memoranda, handbooks, and/or other written instructions that You provided Your Employees Relating To the advertising and promotion of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 20

All Documents, Including training manuals, memoranda, handbooks, and/or other written instructions that You provided Your Employees Relating To the manner in which You recruit Persons to download and/or install Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 21

All Communications between You and any Person, Including Your Employees, Relating To the advertisement or promotion of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 22

Any and all contracts, amendments to contracts, agreements, and written understandings between You and any other Person Relating To the advertisement or promotion of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 23

Any and all contracts, amendments to contracts, agreements, and written understandings between You and Your Bundling Partners Relating To Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 24

All Documents and ESI Relating To any and all contracts, amendments to contracts, agreements, and written understandings between You and Your Bundling Partners Relating To Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 25

All Communications Relating To any and all contracts, amendments to contracts, agreements, and written understandings between You and Your Bundling Partners.

RESPONSE:

DOCUMENT REQUEST NO. 26

All Communications between You and Your Bundling Partners Relating To the functionality of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 27

All Communications to, from, or among, John O'Toole and Jennifer Kuropkat Relating

To any and all contracts, amendments to contracts, agreements, and written understandings between You and Your Bundling Partners.

RESPONSE:

DOCUMENT REQUEST NO. 28

All Documents and ESI that disclose, discuss, refer, or Relate To the identity of Panelists who had Panelist Software downloaded and installed onto their Computers, distinguishing between OSSProxy and Mac Software, where applicable.

RESPONSE:

DOCUMENT REQUEST NO. 29

All Communications between You and any Person Relating To the identity of Panelists who had Panelist Software downloaded and installed onto their Computers, distinguishing between OSSProxy and Mac Software, where applicable.

RESPONSE:

DOCUMENT REQUEST NO. 30

All Documents Relating To the manner in which You designed Your Panelist Software to Filter Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 31

All Documents Relating To the process by which Your Panelist Software Collects and

then Filters Panelists' Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 32

All Communications between You and any Person, Including Your Employees, Relating To the manner in which You Filter Personal Information Collected through Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 33

All Documents Relating To any occurrence where You Collected Personal Information through Your Panelist Software that was not Filtered.

RESPONSE:

DOCUMENT REQUEST NO. 34

All Documents Relating To any occurrence where You did not Purge Personal Information Collected through Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 35

All Communications between You and any Person, Including Your Employees, Relating To any occurrence where You Collected Personal Information through Your Panelist Software that was not Filtered.

RESPONSE:

DOCUMENT REQUEST NO. 36

All Communications between You and any Person, Including Your Employees, Relating To any occurrence where You did not Purge Personal Information Collected through Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 37

All Documents that Relate To or Describe Your current and past protocols, processes, and/or procedures for identifying, processing, and/or documenting occurrences where You Collected Personal Information through Your Panelist Software that was not Filtered.

RESPONSE:

DOCUMENT REQUEST NO. 38

All Documents Relating To any occurrence where You Purged Your database(s) of the Personal Information Identified in Your response to Document Request No. 37.

RESPONSE:

DOCUMENT REQUEST NO. 39

All Communications between You and any Person, Including Your Employees, Relating To any occurrence where You Purged Your database(s) of the Personal Information Identified in Your response to Document Request No. 37.

RESPONSE:

DOCUMENT REQUEST NO. 40

Any Documents, ESI, Correspondence, and Communications Relating To Your decisions to Filter Panelists' Personal Information, broken down by type of Personal Information and Date You began Filtering such data.

RESPONSE:

DOCUMENT REQUEST NO. 41

Any Documents, ESI, Correspondence, and Communications Relating To any occasions where You discovered that Personal Information intended to be Filtered was being Collected without being Filtered, and the Dates of such discoveries.

RESPONSE:

DOCUMENT REQUEST NO. 42

Any Documents, ESI, Correspondence, and Communications Relating To any attempt You made to Purge Personal Information, whether successful or not, broken down by Date and type of Personal Information You attempted to Purge.

RESPONSE:

DOCUMENT REQUEST NO. 43

All Communications between You and Your Employees Relating To the Terms of Service, User License Agreements, or other agreements that You contend govern the relationship between You and Panelists.

RESPONSE:

DOCUMENT REQUEST NO. 44

All Communications to, from, or among, John O'Toole, Jennifer Kuropkat, Mike Brown, Yvonne Bigbee, and Randy McCaskill Relating To the Terms of Service, User License Agreements, or other agreements that You contend govern the relationship between You and Panelists.

RESPONSE:

DOCUMENT REQUEST NO. 45

All Documents and ESI Relating To Your decision to modify and/or amend any of the Terms of Service, User License Agreements, or other agreements that You contend govern the relationship between You and Panelists.

RESPONSE:

DOCUMENT REQUEST NO. 46

Any Documents, ESI, Correspondence, and Communications Relating To any Modifications to the Terms of Service, User License Agreement, Privacy Statement, or any other

Document that You contend governs the use of Your Panelist Software, resulting from changes to Your Personal Information Collection practices.

RESPONSE:

DOCUMENT REQUEST NO. 47

Any Documents, ESI, Correspondence, and Communications Relating To Your decision to begin Collecting the following data from Panelists' Computers, broken down by type of information and Date You began Collecting such data:

- The past 25 websites viewed by a Panelist prior to installation of the Panelist Software;
- The content of iPod playlists, or the web browsing history of smartphones;
- The names of every file stored on Panelists' Computers; and
- Information derived from PDF files viewed during web browsing sessions.

RESPONSE:

DOCUMENT REQUEST NO. 48

Any Documents, ESI, Correspondence, and Communications Relating To any Modifications to the Panelist Software's User License Agreement or Privacy Statement that resulted from Your decision to begin Collecting the following data from Panelists' Computers:

- The past 25 websites viewed by a Panelist prior to installation of the Panelist Software;
- The content of iPod playlists, or the web browsing history of smartphones;
- The names of every file stored on Panelists' Computers; and

- Information derived from PDF files viewed during web browsing sessions.

RESPONSE:

DOCUMENT REQUEST NO. 49

Any Documents, ESI, Communications, or Correspondence Relating To agreements existing between Panelists and third parties that You contend permit You to access Panelists' Computers or information stored on Panelists' Computers.

RESPONSE:

DOCUMENT REQUEST NO. 50

All Documents and ESI Relating To the Collection, retention, usage, and/or sale of the Class's and Subclass's Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 51

All Communications between You and any Person, Including Your Employees, Relating To the Collection, retention, usage, and/or sale of the Class's and Subclass's Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 52

All Documents and ESI Relating To the Collection, retention, usage, and/or sale of Plaintiff Mike Harris's Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 53

All Communications between You and any Person, Including Your Employees, Relating To the Collection, retention, usage, and/or sale of Plaintiff Mike Harris's Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 54

All Documents and ESI Relating To the Collection, retention, usage, and/or sale of Plaintiff Jeff Dunstan's Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 55

All Communications between You and any Person, Including Your Employees, Relating To the Collection, retention, usage, and/or sale of Plaintiff Jeff Dunstan's Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 56

All Documents and ESI sufficient to Identify the top-line revenue generated from You sharing, selling, transmitting, and/or disclosing of the Class's and Subclass's Personal

Information (broken down by year).

RESPONSE:

DOCUMENT REQUEST NO. 57

All Communications between You and any Person, Including Your Employees, Relating To the top-line revenue generated from You sharing, selling, transmitting, and/or disclosing of the Class's and Subclass's Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 58

All Documents and ESI Relating To the amount of monies or other tangible benefits that You received from sharing, selling, transmitting, and/or disclosing the Class's and Subclass's Personal Information (broken down by year).

RESPONSE:

DOCUMENT REQUEST NO. 59

All Communications between You and any Person, Including Your Employees, Relating To the amount of monies or other tangible benefits that You received from sharing, selling, transmitting, and/or disclosing the Class's and Subclass's Personal Information (broken down by year).

RESPONSE:

DOCUMENT REQUEST NO. 60

All Documents sufficient to Identify Your total net worth as of the Date of Your response to this Document Request.

RESPONSE:

DOCUMENT REQUEST NO. 61

All Communications between You and any Person, Including Your Employees, Relating To Your total net worth as of the Date of Your response to this Document Request.

RESPONSE:

DOCUMENT REQUEST NO. 62

All Documents and ESI Related To any requests or orders whether pending or otherwise, for access to Your Panelists' Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 63

All Communications Relating To any requests or orders, whether pending or otherwise, for access to Your Panelists' Personal Information.

RESPONSE:

DOCUMENT REQUEST NO. 64

All Documents and ESI Relating To any contracts, amendments to contracts, agreements, and understanding between You and Trees for the Future, NPO.

RESPONSE:

DOCUMENT REQUEST NO. 65

Any and all contracts, amendments to contracts, agreements, and understandings between You and Trees for the Future, NPO.

RESPONSE:

DOCUMENT REQUEST NO. 66

All Communications between You and any Person, Including Your Employees, Relating To any contracts, amendments to contracts, agreements, and understandings between You and Trees for the Future, NPO, Including Communications between You and any Person employed or acting on behalf of Trees For the Future, NPO.

RESPONSE:

DOCUMENT REQUEST NO. 67

All Documents and ESI Relating To the number of trees that have been planted by or on behalf of Trees For the Future, NPO specifically as a result of Class and Subclass members downloading and installing Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 68

All Communications between You and any Person, Including Your Employees, Relating To the number of trees that have been planted by or on behalf of Trees For the Future, NPO specifically as a result of Class and Subclass members downloading and installing Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 69

Any and all contracts, amendments to contracts, agreements, and written understandings between You and the *Amici Curiae*.

RESPONSE:

DOCUMENT REQUEST NO. 70

All Communications between You and the *Amici Curiae* Relating To any allegations contained in the Complaint or to the facts at issue in this litigation.

RESPONSE:

DOCUMENT REQUEST NO. 71

All Communications between You and the *Amici Curiae* Relating To the amicus brief filed in support of Your appeal of the class certification order pursuant to Fed. R. Civ. P. 23(f).

RESPONSE:

DOCUMENT REQUEST NO. 72

All Communications between You and any Person, Including Your Employees, Relating To the *Amici Curiae*.

RESPONSE:

DOCUMENT REQUEST NO. 73

All Communications between You and any Person, Including Your Employees, Relating To the *amicus* brief filed in support of Your appeal of the class certification order pursuant to Fed. R. Civ. P. 23(f).

RESPONSE:

DOCUMENT REQUEST NO. 74

All Documents and ESI Relating To complaints about Your Panelist Software, Including complaints about the installation and/or removal of Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 75

All Communications between You and any Person, Including Your Employees, Relating To complaints about Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 76

All Communications between You and Your Bundling Partners Relating To complaints

about Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 77

All Communications to, from, or among, John O’Toole, Helena Barkman, and Jenny Ahujua Relating To complaints about Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 78

All Documents and ESI Related To any third party privacy audits of Your data Collection practices, Including privacy audits Relating To Your Collection of Panelists’ Personal Information through Your Panelist Software.

RESPONSE:

DOCUMENT REQUEST NO. 79

All Communications between You and any Person, Including Your Employees, Relating To any third party privacy audits of Your data Collection practices.

RESPONSE:

DOCUMENT REQUEST NO. 80

Any Documents, ESI, Correspondence, and Communications Relating To Your decision to begin Collecting the following Personal Information from Panelists’ Computers, broken down by type of Personal Information and Date You began Collecting such data:

- Name;
- Address;
- Age;
- Zip code;
- Phone number;
- Credit card number;
- Bank account number;
- Username; and
- Password.

RESPONSE:

DOCUMENT REQUEST NO. 81

All Documents and ESI relating to the following companies:

- TMRG, Inc.;
- VoiceFive, Inc.;
- CreativeKnowledge, Inc.;
- Nedstat, Inc.; and
- Knowledge Networks, Inc.

RESPONSE:

DOCUMENT REQUEST NO. 82

All Communications and Correspondence between any of Your officers, directors, or Employees on the one hand, and representatives of the following companies on the other hand:

- TMRG, Inc.;
- VoiceFive, Inc.;
- CreativeKnowledge, Inc.;
- Nedstat, Inc.; and
- Knowledge Networks, Inc.

RESPONSE:

DOCUMENT REQUEST NO. 83

All Documents, ESI, Correspondence or Communications that You contend permit You to access data Collected by the following companies:

- TMRG, Inc.;
- VoiceFive, Inc.;
- CreativeKnowledge, Inc.;
- Nedstat, Inc.; and
- Knowledge Networks, Inc.

RESPONSE:

DOCUMENT REQUEST NO. 84

Any expert reports prepared on Your behalf Relating To the allegations in the Complaint.

RESPONSE:

DOCUMENT REQUEST NO. 85

All Documents and ESI Relating To Your data destruction, disposal, and/or preservation

policies.

RESPONSE:

DOCUMENT REQUEST NO. 86

For all Documents, ESI, Correspondence or Communications requested and/or produced, please produce any and all corresponding uncompiled source and object code written to generate or create any such Document.

RESPONSE:

DOCUMENT REQUEST NO. 87

All Documents, ESI, Correspondence, or Communications that You used, relied upon, reviewed, referenced, or consulted in drafting any public response(s) to this lawsuit.

RESPONSE:

DOCUMENT REQUEST NO. 88

Any and all policies of liability insurance under which You were named or covered during the Relevant Time Period.

RESPONSE:

*

*

*

JEFF DUNSTAN, individually and on behalf of a class of similarly situated individuals,

By: 

One of Plaintiff's Attorneys

Dated: July 31, 2013

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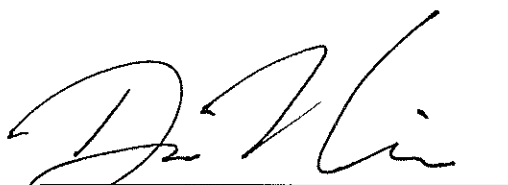
CERTIFICATE OF SERVICE

I, David I. Mindell, an attorney, hereby certify that on July 31, 2013, I served the above and foregoing *Plaintiff Jeff Dunstan's First Set of Requests for the Production of Documents to Defendant comScore, Inc.* by causing true and accurate copies of such paper to be transmitted to the persons shown below via electronic mail, and further by causing true and accurate copies of such paper to be placed in postage prepaid envelopes addressed to the persons shown below, and by causing such envelopes to be deposited in the United States Mailbox located at 350 North LaSalle, Chicago, Illinois on this 31st day of July 2013.

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