

EXHIBIT C

**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.)	
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**PLAINTIFF MIKE HARRIS’S SECOND SET OF
INTERROGATORIES TO DEFENDANT COMSCORE, INC.**

Plaintiff Mike Harris, pursuant to Federal Rule of Civil Procedure 33, hereby requests that Defendant comScore, Inc. answer the following Interrogatories within thirty (30) days of service hereof and supplement answers up to and including the time of trial pursuant to Fed. R. Civ. P. 26(e)(1), and to make service of said answers upon his counsel.

I. Definitions

1. “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.

2. “Collect” 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.

3. “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.)

4. “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.

5. “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).

6. “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.

7. “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).)

8. “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.

9. “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.

10. “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.

11. “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.

12. “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.

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

14. “Mac Software” means or refers to Your data collection software designed to operate on the Mac operating system (Mac OS), Including Your MacMeter software.

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

16. “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 to the public during the Relevant Time Period.

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

18. “Personal Information” means or refers to an individual’s name, address, age, zip code, phone number, username and 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.

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

20. “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.

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

22. “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 an Interrogatory should have knowledge to answer said Interrogatory. If another Person has superior knowledge of the information requested in a specific Interrogatory, that other Person should respond to that Interrogatory 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 Interrogatories, furnish all information, however obtained, including hearsay that is available to You and any information known by You, or that is within Your possession, custody or control.

3. These are intended as continuing Interrogatories, having within them a duty to timely supplement Your responses until and during the course of trial. Information sought by these Interrogatories that You obtain after You serve Your responses hereto must be disclosed to Plaintiffs by supplementary responses.

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

5. You may not claim lack of information or knowledge as grounds for failing to respond to any Interrogatory or as grounds for giving an incomplete or partial response to any Interrogatory without exercising due diligence to secure the full information needed to respond.

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.

6. If You cannot respond to an Interrogatory 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 un-responded to portion and detailing what You did in attempting to secure the unknown information.

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

8. If You object or otherwise refuse to respond to any portion of any Interrogatory, You shall (i) state the nature and basis of the objection or reason for such refusal in sufficient fashion to permit the Court to rule on the validity of the objection, and (ii) answer all portions of such Interrogatory that are not claimed to be objectionable.

9. If You object to answering all or any part of any Interrogatory on the grounds of privilege or work product, Identify the privileged matter, materials and/or Document(s), and with respect to each, Identify:

- a. the Date appearing on such Document, or if no Date appears, the Date on which such Document or ESI was prepared;
- b. ESI metadata creation, revision, transmission, receipt, and last access

- dates;
- c. the name of each Person to whom such material, Document or ESI was addressed;
 - d. the name of each Person, other than the addressee(s) Identified in subparagraph (c) above, to whom such material, Document or ESI, or copy thereof was sent, or with whom such material, Document or ESI was discussed;
 - e. the name of each Person who signed such material, Document or ESI, if not signed, the name of each Person who prepared it;
 - f. the name of each Person making any contribution to the authorship of such material, Document or ESI;
 - g. the job title or position of each Person Identified in subparagraphs (c), (d), (e), and (f) above;
 - h. the Date such material, Document or ESI was received or discussed by each Person Identified in subparagraphs (c) or (d) above;
 - i. the general nature or description of such material, Document or ESI, and where applicable, its number of pages;
 - j. the name of each Person who currently has custody of such material, Document or ESI; and
 - k. the specific ground(s) upon which the privilege or work product rests.

10. If You are producing any Document in lieu of answering any of the Interrogatories stated herein, 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 (as defined) or group of Documents is taken out of a file folder, file drawer, file box, or notebook, before the same is 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. All ESI should be produced in native format, reasonably usable, and verifiably responsive to the pertinent request(s) and processable using readily available tools.

11. The singular form of a word shall be interpreted as plural, and the plural form of a word shall be interpreted as singular, whichever makes the Interrogatory most broad.

12. As used herein, the present tense shall also include the past tense.

13. 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 Interrogatories shall be resolved so as to construe these Interrogatories as broadly as possible.

14. When these Interrogatories refer to a “specific location,” they contemplate a level of detail that would allow counsel to independently locate an item without significant assistance. Thus, when these Interrogatories request the specific location of digital Media, an acceptable answer might be “in Bill Johnson’s office, at 123 Main Street, Suite 100, New York, NY 10000.”

III. Interrogatories

INTERROGATORY NO. 1

Identify each Person who participated or otherwise assisted in the preparation of the answers to these Interrogatories. For each Person so Identified, specify each Interrogatory that such Person assisted in answering.

ANSWER:

INTERROGATORY NO. 2

Identify each of Your Bundling Partners and the duration of Your business relationship with the same by referencing the Dates that each relationship began and was terminated, where applicable.

ANSWER:

INTERROGATORY NO. 3

Identify each Person with whom You have shared, sold, transmitted, or otherwise disclosed any Personal Information Collected from Panelists (broken down by year). For each Person so Identified, Identify the types of Personal Information that You shared, sold, transmitted, or otherwise disclosed.

ANSWER:

INTERROGATORY NO. 4

Identify any and all contract, agreements, and/or other written or oral understandings between You and each Person Identified in Your response to Interrogatory No. 3 Relating To the sharing, sale, transmission, and/or disclosure of Your Panelists' Personal Information.

ANSWER:

INTERROGATORY NO. 5

Identify and Describe Your relationship with Trees for the Future, NPO, and Identify the total number of trees that have been planted (pursuant to this relationship) specifically as a result of Class and Subclass members downloading and installing Your Panelist Software.

ANSWER:

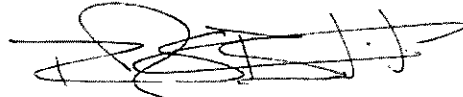
INTERROGATORY NO. 6

Describe Your investigation of the Mac Software, Including the reasons for its ultimate termination.

ANSWER:

* * *

MIKE HARRIS, 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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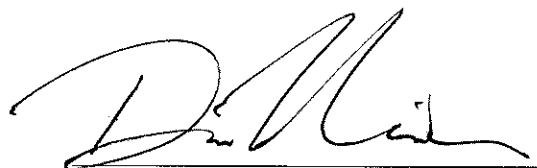
CERTIFICATE OF SERVICE

I, David I. Mindell, an attorney, hereby certify that on July 31, 2013, I served the above and foregoing *Plaintiff Mike Harris's Second Set of Interrogatories 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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