

Exhibit 16

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 (Witness duly sworn.)

2 ROBERTO TAMASSIA, Ph.D.,

3 called as a witness herein, having been first duly
4 sworn, was examined and testified as follows:

5 EXAMINATION

6 BY MR. GIVENS:

7 Q. Good morning, Roberto.

8 A. Hi.

9 Q. My name is Chandler Givens, this is my
10 colleague Ben Thomassen, and one of our law clerks
11 Amir Missaghi who's sitting in today.

12 A. Okay.

13 Q. I read in your expert report that you
14 haven't testified at deposition or trial in the past
15 four yours. Have you ever sat for a deposition
16 before?

17 A. I have never sat for a deposition.

18 Q. Okay. So I'm going to layout some ground
19 rules just to help you understand what's going on
20 here.

21 A. Sure.

22 Q. Everything you say is on the record today,
23 so I need you to give verbal answers. So if you nod
24 your head or shrug your shoulders or point a finger

1 about the form of the Social Security numbers will
2 determine how the pattern looks like. And then the
3 programmer will have to create what is the actual
4 programming specification of the regular expression.

5 Q. So at comScore, who is the person who
6 determines that?

7 A. I did not ask who is the person. I assumed
8 that they have domain experts who have this knowledge
9 and I know that it is the software developers under
10 the leadership of the CDO and the director of
11 technology and video technology who implement in this
12 programming language of regular expressions what is
13 this domain knowledge.

14 Q. When you write in your report that sensitive
15 data is transformed through the obfuscation process,
16 what do you mean by transformed?

17 A. What I mean is that there is a matter that
18 takes as input data and could use as output some
19 other data; that is the transformation process.

20 Q. So is the comScore software actively seeking
21 Social Security numbers, credit card numbers?

22 A. Yes. The software tries to identify the
23 presence of various types of sensitive data including
24 Social Security numbers and credit card numbers. And

1 once they are discovered, the software either removes
2 completely the data or transforms it so that the new
3 output data cannot be used to reconstruct the
4 original data.

5 Q. When you say removes completely, what do you
6 mean?

7 A. Removes completely means that the output of
8 the transformation is the empty data set.

9 Q. Is the empty data set then sent to
10 comScore's servers?

11 A. There is no such concept of submitting an
12 empty set. The data is suppressed, is not uploaded.

13 Q. Once that type of sensitive information is
14 detected, a credit card number, a Social Security
15 number, a bank number, would it be technically
16 feasible to simply excise that information or not
17 collect it at all?

18 MR. SWEDLOW: I'll object as vague and
19 compound, but you can answer.

20 THE WITNESS: Your question, it is
21 hypothetical about -- so can you rephrase it again?
22 Can you say it to me again so I can understand?

23 BY MR. GIVENS:

24 Q. My understanding of the way the comScore

1 software works is that it uses regular expressions to
2 detect some certain information like a credit card or
3 Social Security number?

4 A. Yes.

5 Q. Then it collects that information and
6 transforms it; those are your words?

7 A. Yes.

8 Q. Would it be technically feasible to rather
9 than collect it and transform it, to detect it, and
10 not collect it at all?

11 A. Of course it is technically feasible to do
12 nothing about the information that is collected, but
13 comScore is in the business of actually acquiring
14 some type of information.

15 Q. Why do you think comScore transforms credit
16 card numbers and collects that information?

17 A. You're asking two questions. Can you ask
18 them separately?

19 Q. Why do you think that comScore actively
20 seeks credit card numbers to collect?

21 A. Yes. My understanding of the comScore
22 business is that they're the one to provide aggregate
23 statistical data to their customers about, for
24 example, the use of certain credit cards for

1 transactions. So that's one of the reasons that they
2 will track credit card usage across the economy,
3 across the users of the software.

4 Q. Once the comScore software is installed on
5 the user's machine, is it constantly listening for
6 web traffic?

7 A. My understanding is that yes, this is the
8 case.

9 Q. When the comScore software detects
10 information to be collected, how much time elapses
11 between collection and transmission to comScore
12 servers?

13 A. I did not run timing experiments, so I
14 cannot answer this question.

15 Q. When you write in your expert report --

16 MR. SWEDLOW: Are we on page five?

17 BY MR. GIVENS:

18 Q. Page five second full paragraph, once it is
19 identified sensitive data is transformed by an
20 obfuscation process, it aims to remove detailed
21 information while preserving more general information
22 of statistical significance. What do you mean by
23 general information of statistical significance?

24 A. General information means that this

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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