

# EXHIBIT

# D

PAM COLE  
UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

**CERTIFIED COPY**

1			
2			
3			
4		- - -	
5	Timelines, Inc.,	:	
		:	
6	Plaintiff,	:	
		:	
7	vs.	:	Case No.
		:	11-CV-06867
8	Facebook, Inc.,	:	
		:	
9	Defendant.	:	

- - -  
DEPOSITION OF PAM COLE

- - -  
Tuesday, September 18, 2012  
9:40 a.m.  
3242 West Henderson Road, Suite A  
Columbus, Ohio 43220

- - -  
SHAYNA M. GRIFFIN  
REGISTERED PROFESSIONAL REPORTER  
CERTIFIED REALTIME REPORTER

- - -  
Job No: 53167

1 PAM COLE

2 LifeSnapz profile, which is a Timelines product, and  
3 that was all that I was able to come up with.

4 Q. Okay. Thank you.

5 Ms. Cole, are you familiar with Facebook?

6 A. Yes.

7 Q. And what is Facebook?

8 A. Facebook is a social networking website.

9 Q. Do you recall about when you first learned  
10 about Facebook?

11 A. I first learned about Facebook, I think I  
12 was in graduate school, so it was sometime in the  
13 mid 2000's.

14 Q. Okay. Do you have a Facebook account?

15 A. I do.

16 Q. Do you remember when you established your  
17 Facebook account?

18 A. Not exactly, but it was pretty early on.  
19 As a librarian, I'm interested in these sorts of  
20 tools, and so I often sign up for them when I hear  
21 about them, whether or not I use them.

22 Q. Okay. About how often do you sign in to  
23 Facebook?

24 A. I sign in to Facebook very frequently.

25 Q. Would frequently consist of logging in on

PAM COLE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

it.

Q. What's your brother's name?

A. His name is Geoffrey Buesing.

Q. Do you know how long he has been with Timelines, Inc.?

A. I do not know exactly how long he's been with Timelines, Inc., but I do know that he's been there at least as long as I've heard of it, so at least since 2008. But I believe he's been working with some of these people for quite a while.

Q. And you said he's a software developer?

A. I think that's what he is, yes.

Q. Okay. Are you familiar with the Timelines, Inc., website?

A. Yes.

Q. Do you visit the website?

A. I do.

Q. Are you a registered user of the website?

A. I am a registered user of LifeSnapz, which is a product of theirs. But I do not know if I'm a register of the Timelines website.

Q. Okay. And is there a difference between LifeSnapz and Timelines, Inc., in terms of the services that they respectively provide?

1 PAM COLE

2 that they were trying to -- he told me they were  
3 trying to find ways to use it, trying to find ways  
4 to monetize it, the product they had made.

5 Q. So that being the case, did you think that  
6 Timelines -- were you thinking Timelines, Inc., had  
7 sold a timeline to Facebook?

8 A. Well, I didn't know. That's why I asked  
9 him. I didn't know if he had sold it to Facebook or  
10 if they had some sort of software that you could use  
11 on Facebook or what it was. And this is before the  
12 Facebook timeline was actually out there and in use.  
13 So I couldn't -- you know, I couldn't look at it.

14 Q. Right.

15 Did your brother respond to your question  
16 in this e-mail?

17 A. He did not.

18 Q. Did you ever follow up with him about the  
19 question?

20 A. I think that I talked to him on the phone  
21 as opposed to e-mail.

22 Q. Do you remember what he said?

23 A. I don't remember what he said, but he did  
24 say that it was not their Timelines product that  
25 Facebook was doing.

PAM COLE  
CERTIFICATE

1 State of Ohio :

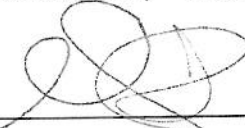
2  
3 SS:

4 County of Franklin:

5 I, Shayna M. Griffin, Notary Public in and  
6 for the State of Ohio, duly commissioned and  
7 qualified, certify that the within named PAM COLE  
8 was by me duly sworn to testify to the whole truth  
9 in the cause aforesaid; that the testimony was taken  
10 down by me in stenotypy in the presence of said  
11 witness, afterwards transcribed upon a computer;  
12 that the foregoing is a true and correct transcript  
13 of the testimony given by said witness taken at the  
14 time and place in the foregoing caption specified.

15 I certify that I am not a relative,  
16 employee, or attorney of any of the parties hereto,  
17 or of any attorney or counsel employed by the  
18 parties, or financially interested in the action.

19 IN WITNESS WHEREOF, I have set my hand and  
20 affixed my seal of office at Columbus, Ohio, on this  
21 28th day of September, 2012.

  
\_\_\_\_\_  
22 SHAYNA M. GRIFFIN, Notary Public  
23 in and for the State of Ohio  
24 and Registered Professional  
25 Reporter, Certified Realtime  
Reporter.

My Commission expires June 12, 2013.