

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Civil Docket No.: **06 CA 11370 MLW**

Christine. Varad,
Plaintiff,
v.

Reed Elsevier Incorporated,
d.b.a. *LexisNexis, LexisNexis Risk &
Information Analytics Group, Inc.*,
Defendant.

EXHIBIT A

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Docket No.: 06 CA 11370 MLW

Christine Varad,
Plaintiff,

v.

Reed Elsevier Incorporated,
d.b.a. *LexisNexis, LexisNexis Risk &
Information Analytics Group, Inc.*,
Defendant.

Plaintiff Varad's First Set of Interrogatories Addressed to Defendant, Reed Elsevier Incorporated, d.b.a. LexisNexis, LexisNexis Risk & Information Analytics Group, Inc.,

Plaintiff Christine Varad serves these interrogatories on Reed Elsevier Incorporated, d.b.a. LexisNexis, LexisNexis Risk & Information Analytics Group, Inc. as authorized by Federal Rule of Civil Procedure 33. Reed Elsevier Incorporated, d.b.a. LexisNexis, LexisNexis Risk & Information Analytics Group, Inc. must serve an answer to each interrogatory separately and fully, in writing, under oath, within 30 days after service.

DEFINITIONS

The following terms have the following meanings, unless the context requires otherwise:

1. **Parties** The term "plaintiff" or "defendant", as well as a parties full or abbreviated name or a pronoun referring to a party, means the party and, where applicable, his agents, representatives, officers, directors, employees, partners, corporate parent, subsidiaries, or affiliates. This definition is not intended to impose a discovery obligation on any person who is not a party to the litigation.
2. **Person** The term "person" is defined as any natural person, any business, a legal or governmental entity, or an association.
3. **Document** The term "document" is defined to be synonymous in meaning and equate in scope to the usage of this term in the Federal Rules of Civil Procedure 34(a) and includes computer records held in any format. A draft or non-identical copy is a separate document within the meaning of this term.

The term “document” also includes “any tangible things” as that term is used in Rule 34(a).

4. Communications The term “communications” means the transmittal of information in the form of facts, ideas, inquires, or otherwise.
5. Identify (person) When referring to a person, “identify” means to give, to the extent known, the person’s full name, present or last known address, telephone number, and, when referring to a natural person, the present or last known place of employment. Once a person has been identified in compliance with this paragraph, only the name of that person need be listed in response to later discovery requesting identification of that person.
6. Identify(document) When referring to documents, “identify” means to give, to the extent known, the following information: (a) the type of document; (b) the general subject matter of the document; (c) the date of the document; (d) the authors, addressees, and recipients of the document; (e) the location of the document; (f) the identity of the person who has custody of the document; and (g) whether the document has been destroyed, and if so, (i) the date of its destruction, (ii) the reason for its destruction, and (iii) the identity of the person who destroyed it.
7. Relating The term “relating” means concerning, referring, describing, evidencing, or constituting, directly or indirectly.
8. All/Each The terms “all” and “each” should be construed as “and” and “and/or.”
9. Any The term “any” should be understood in either its most or its least inclusive sense as necessary to bring within scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
10. And/Or The term “and” and “or” should be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery request all responses that might otherwise be construed to be outside of its scope.
11. Number The use of the singular form of any word includes the plural and vice versa.

INTERROGATORY 1

Please identify yourself by stating your name, date of birth, residence and business address, the position you hold with the Defendant corporations, and your duties for the Defendant corporations.

INTERROGATORY 2

If you are not answering these interrogatories on the basis of your own personal knowledge, please identify each source of information on which you rely by stating separately:

- a. For each person consulted, his/her full name, residence address, business address, position, title or job description, relationship to the Defendant

- corporations and number of each interrogatory answer for which he or she had provided information; and
- b. For each document or database consulted, it's title or description, location, corporate association, the name of the person, entity or party that provided the paper document or maintains the database, the date of paper document preparation or date of insertion into the database, the name of the person, entity or database that retains custody of the information, and the number of each interrogatory answer for which that information or data was used.

INTERROGATORY 3

Please state the title, nature of contract and date of contracting as to each and every agreement for services made between Reed Elsevier Incorporated, d.b.a. LexisNexis, LexisNexis Risk & Information Analytics Group, Inc., and/or any of its subsidiaries, and (1) the State Maine, (2) the State of Massachusetts and (3) Gall and Gall Company, Inc., dating from the year 2000 to the present.

INTERROGATORY 4

Please describe each and every process and procedure used to collect personal data on individuals, detail the process by which the data is electronically maintained, the length of time it is retained, the form in which it is retained, the process used to verify the data and how often the data is updated.

INTERROGATORY 5

Please describe each and every process and procedure used to collect personal data on Christine M. Varad, detail the process by which that data is electronically maintained, the length of time it is retained, the form in which it is retained, the process or processes used to verify the correctness of the data and how often the data was updated.

INTERROGATORY 6

Please identify the corporate owner/operator of each and every database or electronically maintained data system that Defendant accessed or continues to routinely access for collection or compilation of data and information concerning plaintiff Christine M. Varad; include name of the corporate or individual database owner and the physical location of the database and the name of the individual, employee, or agent that substantially operates, controls and maintains that database(s).

INTERROGATORY 7

Please identify each and every category of data contained in a compiled data report as provided through access to any and all of the Defendant's databases and made available to others for any reason. State whether or not each and every report contains the exact same data categories or information to be made available to others, or if some reports are

different data or contain specially restricted, confidential information, state basis of the difference in reports, and when a special report may be issued or restricted in those customers that may access that data, who is allowed access to the information and why.

INTERROGATORY 8

Please identify each and every category of data contained in a compiled data report on Christine M. Varad as provided through access to any and all of the Defendant's databases and made available to others for any reason. State whether or not each and every report issued contained the exact same data categories and resultant data to be made available to others, and/or if some reports are different or contain restricted, confidential information, state basis of the difference in reports, and when a restricted access report was issued and/or accessed, state who person or entity that accessed that data or report, the date of access and the reason access was requested.

INTERROGATORY 9

Please identify each and every category of data that may have been contained in a compiled data report on Christine M. Varad and provided through access to any and all of the Defendant's databases to be made available to the State of Maine, it's agents, assigns or representatives. State whether or not such reports would contain confidential information, such as medical information, financial and or credit related information, or other such confidential information, and state the date or dates such reports were made and the reason the data was requested.

INTERROGATORY 10

Please identify all communications written or oral made between the Defendant and the State of Maine, it employees, agents and/or assigns, the date and time of the communication and the reason for contacting the Defendant and/or the Defendant's databases by any means, including but not limited to, electronic mail, electronic web site access, regular mail, and telephone.

INTERROGATORY 11

Please identify all communications written or oral made between specifically Seisint, Inc., d.b.a. *Accurint* and the State of Maine, it employees, agents and/or assigns, the date and time of the communication and the reason for contacting the Defendant and/or the Defendant's databases by any means, including but not limited to, electronic mail, electronic web site access, regular mail, and telephone.

INTERROGATORY 12

Please identify each and every category of data that may have been contained in a compiled data report on Christine M. Varad and provided through access to any and all of

the Defendant's databases to be made available to the State of Massachusetts, its agents, assigns or representatives. State whether or not such reports would contain confidential information, such as medical information, financial and or credit related information, or other such confidential information, and state the date or dates such reports were made and the reason the data was requested.

INTERROGATORY 13

Please identify each and every category of data information concerning Christine M. Varad that the Defendant's databases have corrected, changed, updated, edited in whole or in part, or deleted. For each category of data state specifically data/information prior to the change, correction or deletion and then state the data/information after the change, correction or deletion was effected and the date of each such change to permanent database entries and categories.

INTERROGATORY 14

Please state the nature and status of the business relationships between Gall and Gall Company, Inc., Seisint, Inc. and Reed Elsevier Incorporated, d.b.a. LexisNexis, LexisNexis Risk & Information Analytics Group, Inc.

INTERROGATORY 15

For purposes of the Gramm-Leach-Bliley Act (GLBA), 15 USC, Subchapter I, Sec. 6801-6809, please describe and detail, pursuant to § 6805, the exact nature of the Defendant's legal status providing the basis for invocation of the jurisdiction of such statute as a financial institution, insurance company, investment company, credit union, security broker or dealer or any other such basis.

INTERROGATORY 16

Please state whether or not, for the purposes of the Fair Credit Reporting Act, FCRA, 15 U.S.C. 1681 et seq., the Defendant has provided Plaintiff with a copy of her complete "file" as required by that statute.

INTERROGATORY 17

Please specifically detail the Defendant's full understanding of the differences, if any, between the electronically held data used to compile the "background check report," made available on Plaintiff to the Gall and Gall Company, Inc. and the electronic contents of a database "file" for the purposes of the Fair Credit Reporting Act, FCRA, 15 U.S.C. 1681 et seq. used to compile a consumer report.

INTERROGATORY 17

Please state specifically all of the foundations for the Defendant's assertion that it is "not a consumer credit reporting agency" for the purposes of the Fair Credit Reporting Act, FCRA, 15 U.S.C. 1681 et seq.

INTERROGATORY 18

Please state specifically all of the foundations for the Defendant's assertion that Gall and Gall Company, Inc. was not utilizing background check report data from the Defendant's databases to provide to clients with information upon which employment related decisions would be made for the purpose of the Fair Credit Reporting Act, FCRA, 15 U.S.C. 1681 et seq.

INTERROGATORY 19

Please state specifically all of the foundations for which the Defendant bases a belief that it has correct information in its databases concerning Christine M. Varad, the steps that have been taken to verify all data concerning Varad, the steps that have been taken to stop retaining false or injurious data concerning Varad, the steps taken to insure that no future incorrect, false or defamatory information will be published to others concerning Varad in the future.

INTERROGATORY 20

Identify the reason Seisint, Inc., dba Accurint database customer, "*First Data Solutions*," accessed the Defendant's database systems concerning retrieving data on Christine Varad, what data was provided to that entity, the date of the database access, the names of any access to any other of the Defendant's database systems and the ultimate use that such data/information. State the legal status of the Defendant's affiliation with First Data Solutions.

INTERROGATORY 21

Identify the reason Seisint, Inc., dba Accurint database customer, "*GVB Security & Investigative Corporation*," accessed the Defendant's database systems concerning retrieving data on Christine Varad, what data was provided to that entity, the date of the database access, the names of any access to any other of the Defendant's database systems and the ultimate use that such data/information. State the legal status of the Defendant's affiliation with GVB Security & Investigative Corporation.

INTERROGATORY 22

Please state whether or not the Defendant has intentionally withheld any information, data, report, source of data or data related information concerning Christine M. Varad for reasons of confidentiality, legally based restricted access to the data or information, restrictions on accessing data based on agreement with another person or entity, or any other reason, please state the reason for withholding the information and/or data and

identify specifically all other persons or entities connected with an agreement to restrict access to data or information. State any data/information that was withheld for reasons in connections with contents containing medical or medical related information or data.

INTERROGATORY 23

Please state whether or not the Defendant has intentionally withheld any information, data, report, source of data or data related information concerning Christine M. Varad for reasons of confidentiality, legally based restrictions on access to data or information, or restrictions on accessing data based on agreement with any Federal or State governmental agency or legal representative or police department, including but not limited to the Federal Bureau of Investigation, state or local police departments, or state and federal depositories of containing medical records for any reason, or any federal or state agency representative, agent, assign or contract participant, please state the reason for withholding the information and/or data and identify specifically all other persons or entities connected with any agreement to restrict access to that data or information. State specifically whether any data/information was withheld for reasons in connection with the contents of stored medical or medical related information or data.

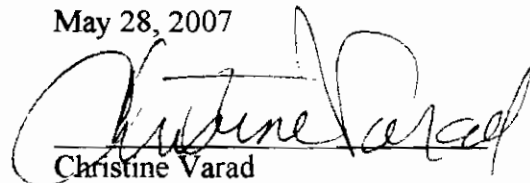
INTERROGATORY 24

Please state whether or not the Defendant has intentionally withheld any information, data, report, source of data or data related information concerning Christine M. Varad for reasons of confidentiality, legally based restrictions on access to data or information, restrictions on accessing data based on agreement with any financial institution, insurance company, investment company, credit union, security broker/dealer or any other related financial industry interest, representative, assign contract participant, please state the reason for withholding the information and/or data and identify specifically all other persons or entities connected with any such agreement to restrict access to that data or information. State specifically whether any data/information was withheld for reasons in connection with the contents of stored medical or medical related information or data.

INTERROGATORY 25

Please state any and all information concerning Christine M. Varad and any "newspaper article" in which her name appeared.

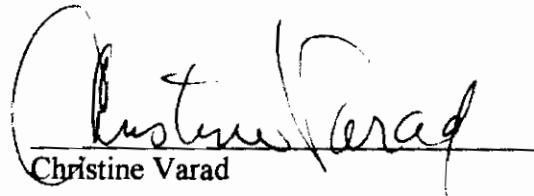
May 28, 2007



Christine Varad
P.O. Box 583
Milton, Massachusetts 02186
781 583 7117

I certify that on this 1st day of July 2007, I caused a copy of *Plaintiff Varad's First Set of Interrogatories Addressed to Defendant, Reed Elsevier Incorporated, d.b.a. LexisNexis, LexisNexis Risk & Information Analytics Group, Inc.*, to be served by regular first class mail, postage prepaid, on the attorney of record for defendant Reed Elsevier, Incorporated at the following address of record:

Kristin Cataldo
Donnelly, Conroy and Gelhaar, LLP
One Beacon Street, 33rd Floor
Boston, Massachusetts 02108
617 720 2880



Christine Varad

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Civil Docket No.: **06 CA 11370 MLW**

Christine. Varad,
Plaintiff,

v.

Reed Elsevier Incorporated,
d.b.a. *LexisNexis, LexisNexis Risk &
Information Analytics Group, Inc.*,
Defendant.

EXHIBIT B

Kristin M. Cataldo
Donnelly, Conroy & Gelhaar, LLP
One Beacon Street, 33rd Floor
Boston, MA 02108
kmc@dcglaw.com

July 13, 2007

RE: Varad v. Reed Elsevier, Inc., d/b/a/ LexisNexis, LexisNexis Risk and Information
Analytics Group, Inc.
C.A. 06 CA 11370 MLW

Dear Ms. Cataldo,

I am contacting you regarding, "Defendant's Response to Plaintiff's Request for Admissions," specifically your response to Requests Numbers 7 and 10 as follows:

"Further, Reed does not know what Ms. Varad's address was in 1992, and there is conflicting information as to whether Ms. Varad is correctly associated with the address she disputes, as Gall and Gall Company, Inc.'s president testified at his deposition that Varad told him the 1992 address was where her ex-husband lived, with whom she did not want to be associated."

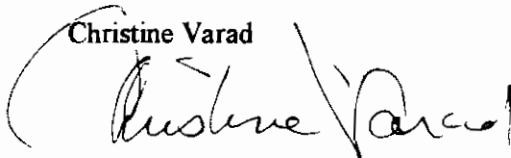
I would like to respond as follows:

1. I never gave information concerning the address history of Rajan Varad to anyone at Gall and Gall Company, Inc, at any time. I gave information concerning specifically my own address history as requested and I have never lived at any time in South Dakota.
2. I have contacted Rajan Varad and he has stated to me that he never lived, at any time, anywhere in South Dakota.
3. Mr. Varad has asked me to contact you in order to obtain for him a copy of the deposition containing testimony concerning his address history as offered by Gall and Gall Company, Inc. Mr. Varad intends to take whatever legal action is necessary to stop Reed Elsevier, Inc. or Gall and Gall Company, Inc. from making false and defamatory assertions as to his name, relationship with his ex-wife and/or address history.

Please respond as soon as possible so that I may forward the information to Mr. Varad.

Sincerely,

Christine Varad

A handwritten signature in black ink that reads "Christine Varad". The signature is written in a cursive style and is positioned below the typed name.

C

Kristin M. Cataldo
kmc@deglaw.com

July 20, 2007

Ms. Christine M. Varad
P.O. Box 583
Milton, MA 02186

Re: Christine Varad v. Reed Elsevier Incorporated, d/b/a Lexis Nexis
Corporation, Lexis Nexis Accurint
C.A. No. 06 CA 11370 MLW

Dear Ms. Varad:

I am in receipt of your letter of July 13, 2007. Please be advised that the defendant is not obligated to provide a copy of the transcript of Steven Gall, Gall & Gall Company, Inc. Should you wish to obtain a copy of such transcript at your own expense, I have provided the stenographer's contact information below.

Mike Mobley Reporting
334 south Main Street
Dayton, OH 45402-2716
t. 937-222-2259
f. 937-222-9747

Sincerely,



Kristin M. Cataldo

KMC/kh

cc: T. Christopher Donnelly, Esq.