Jackson, Joe   9/27/2007

1   A.   Yes.

2   Q.   Is that Divya Narendra, if you know?

3   A.   Yes.

4   Q.   And beside it is mzuckerb?

5   A.   Yes.

6   Q.   Mzuckerb@fas.harvard.edu?

7   A.   Yes.

8   Q.   Do you know if that's Mark Zuckerberg?

9   A.   I would assume so.

10   Q.   Do you recall being in a class with Mark

11   Zuckerberg your fall semester of 2003?

12   A.   I don't really remember specifically, but

13   it appears that I was, so ...

14   Q.   Then if you go three above -- four above

15   Narendra's e-mail address you'll see a

16   vGao@fas.harvard.edu.

17   A.   Yes.

18   Q.   Is that Victor Gao's e-mail address?

19   A.   Yes.

20   Q.   All right. What course was this?

21   A.   It was computer graphics.

22   Q.   Okay. Do you recall having any

23   discussions with either Victor Gao or Divya Narendra

24   concerning Harvard Connection in your computer

25   graphics course?

Jackson, Joe   9/27/2007

1   A.   In -- sorry, in the class itself?

2   Q.   Before or after.

3   A.   I don't -- it's definitely possible, but I

4   don't remember specifically.

5   Q.   Did you ever discuss Harvard Connection

6   with other students at Harvard?

7   A.   I think -- I believe I did, but I don't --

8   I don't really remember who he might have -- I'm

9   sure I mentioned to it my close friends and

10   roommates.

11   Q.   All right. Who was your roommate?

12   A.   Junior year, my roommates were Michael

13   Whealy, Christopher Green, and Phil Telfeyan.

14   Q.   What were your roommates -- this was your

15   junior year, not your sophomore year, right?

16   A.   Yes.

17   Q.   These were at Pforzheimer Hall again,

18   correct?

19   A.   Yes.

20   Q.   And who were some of your close friends?

21   A.   My roommates were close friends of mine.

22   Shi-Wen Li, who is listed here, Sli, S-L-I, Fas is

23   on the list. He was a friend of mine. Stephanie

24   Killian was listed here. She was another CS student

25   who I talked to. I mean, I don't remember -- I

Jackson, Joe   9/27/2007

1   mean, I knew a lot of these people. Bringing back

2   memories of talking to these people, but I don't

3   remember specifically talking about Harvard

4   Connection to anyone in particular.

5   Q.   Do you have a recollection of people

6   knowing at some level that you were working on the

7   coding of the Harvard Connection web site?

8   A.   Definitely some people knew that I was

9   working on it. My roommates must have known.

10   Q.   Is that because you didn't expect there

11   was any confidential information about working on

12   the web site?

13   A.   Yeah. I don't remember there being any --

14   any confidentiality.

15   Q.   And some of your other close friends even

16   were in your computer science class with you?

17   A.   Yes. I know a lot of these people here.

18   Q.   Were these the same people you would talk

19   with in the computer lab?

20   A.   Yes.

21   Q.   That's the computer lab at Harvard?

22   A.   Yes.

23   Q.   Is there one computer lab at Harvard, or

24   is there multiple computer labs?

25   A.   There's one major, like, very good

Jackson, Joe   9/27/2007

1   computer lab, and then each of the houses and some

2   of the freshman dorms have their own computer labs

3   that are smaller.

4   Q.   Now, you said at times you would work on

5   your own computer on the code, correct?

6   A.   Yes.

7   Q.   Was that also true, to the best of your

8   knowledge, with Victor Gao?

9   A.   I don't know.

10   Q.   At any time were you told you had

11   exclusive control of the code?

12   A.   We would -- well, we were working -- well,

13   not of all the code. If we were working on the same

14   file, I would let them know that I was working on

15   it, so he shouldn't change it until I'm done, things

16   like that. So in that case it would be exclusive --

17   I would be exclusively editing that file.

18   Q.   But that's exclusive only in the sense of

19   controlling it for purposes of actually writing into

20   the code, correct?

21   A.   Yes.

22   Q.   That's not exclusive into controlling the

23   code where it resided, for instance, on whatever

24   server it was on?

25   A.   No.

Jackson, Joe   9/27/2007

1   Q.   You didn't have exclusivity control

2   rights, correct?

3   A.   No.

4   Q.   You know what I'm talking about in terms

5   of a version restriction?

6   A.   A version restriction?

7   Q.   Have you ever worked with software in

8   which each version, as it's updated, a version

9   control can only be accessed by specific passwords

10   and specific users?

11   A.   I've worked -- I've worked with version

12   control software like that, yes.

13   Q.   You understand, there are ways to restrict

14   the -- the version software development to specific

15   programmers?

16   A.   Yes.

17   Q.   In order -- and that's in order to ensure

18   that there isn't contention problems like you're

19   describing in materials of writing the code,

20   correct?

21   A.   Yes. Yes.

22   Q.   But there was nothing like that, correct?

23   A.   Correct.

24   Q.   All right. When you say you had

25   contention issues, would it be just orally telling

Jackson, Joe   9/27/2007

1   Victor, hey, I'm working on such and such module and

2   don't work on it until I'm done?

3   A.   Yes.

4   Q.   Okay.

5   (Whereupon, Deposition Exhibit 7

6   was marked for identification.)

7   THE WITNESS: Thanks.

8   MR. COOPER: Q.   Mr. Jackson, earlier in

9   the depo I asked you if you ever discussed the

10   Harvard Connection code via instant messaging

11   service.

12   Do you recall?

13   A.   Yes.

14   Q.   You said, in fact, you had?

15   A.   Yes.

16   Q.   You said to the best of your recollection

17   you used an AOL account, JOEJ83?

18   A.   Yes.

19   Q.   I put in front of you Exhibit 7, which

20   appears to be an e-mail -- or I mean an IM

21   discussion of JOEJ83 with someone identified as

22   thebestwithinus0.

23   A.   Yes.

24   Q.   Now, earlier you said you thought you

25   recalled Victor Gao used an AOL handle of

Jackson, Joe   9/27/2007

1   thebestwithinus?

2   A.   Yes.

3   Q.   Is this the handle that you were referring

4   to?

5   A.   Yes.

6   Q.   So this is a recording of an example of an

7   IM discussion you had with Victor relating to

8   Harvard Connection, isn't it?

9   A.   Yes.

10   Q.   All right. If you go to the second page,

11   he starts with -- or the bestwithinus0, who you say

12   is Victor Gao, says, "Hey Joe, I have some things to

13   let you know about registration to keep in mind when

14   you get to do it."

15   Do you see that?

16   A.   Yes.

17   Q.   And you say, "Okay, shoot."

18   A.   Yes.

19   Q.   Then Victor says, "One in date, we need to

20   add a new thing into registration called" phase --

21   "phrase. The user puts his catch phrase to be

22   displayed."

23   A.   Yes.

24   Q.   And then, "Two, in date, the 'anything

25   interesting about you' part should go into the

1   kind of sketchy though."

2   A.   Yes.

3   Q.   Why did you feel the fields that were

4   being proposed were "kind of sketchy"?

5   A.   Well, it says -- I say after that that I

6   wasn't sure if it's legal to have a dating service

7   for people under 18.

8   Q.   All right.   Do you know if anybody was

9   providing legal advice to Harvard Connection while

10   you were working on it?

11   A.   Not that I was aware of.

12   Q.   All right.   So it was just ad hoc how you

13   would address issues like this?

14   A.   Yeah.   I mean -- yeah.   I think -- yes.

15   Q.   All right.   And what you are describing

16   here is setting in the database the fields that will

17   be permitted, correct?

18   A.   Yes.

19   Q.   So this is backend scripting again,

20   correct?

21   A.   Well, we're talking about how to translate

22   the choices that the user makes on the front ends

23   into values and database on the back end.

24   Q.   But to your recollection, you don't recall

25   where that database was -- was -- was retained,

Jackson, Joe   9/27/2007

1   correct?

2   A.   Where it was retained?

3   Q.   Yeah?

4   A.   No. It was on -- we were accessing it

5   through -- it was on a server somewhere. I think it

6   was at Harvardconnection.com already.

7   Q.   But you can't recall if it was the

8   Hurricane Electric account that I showed you

9   earlier, correct?

10   A.   Right. Correct.

11   Q.   But you definitely were responding to some

12   server account that was somewhere, correct?

13   A.   Yes.

14   Q.   Okay. You indicated others also had

15   versions of the -- you had a copy of the code that

16   you worked on on your own computer, correct?

17   A.   Yes.

18   Q.   And you said others did too, correct?

19   A.   Well, probably. There are -- yeah. It's

20   possible. I wouldn't -- I don't really know though.

21   Q.   Did anyone ever ask you to return that

22   code?

23   A.   I -- I don't believe so.

24   Q.   Okay. Did Victor work off of his own

25   computer, if you know.

1   A.   I don't know for sure -- for certain.

2   Q.   But you did say you know for certain at

3 times you worked on the Harvard lab computers on the

4 code, correct?

5   A.   Yes.

6   Q.   And my understanding is you said at times

7 you worked with Victor in the Harvard labs, correct?

8   A.   Yes.

9   Q.   So he too was using the Harvard labs to

10 communicate with the server?

11   A.   Yes.

12   Q.   All right. Do you know if Divya Narendra

13 had copies of the code?

14   A.   I -- I would -- I would assume that he

15 did, but I don't know for sure.

16   Q.   Okay. And how about Cameron Winklevoss?

17   A.   He -- I don't really know. He probably --

18 I don't know if he had it specifically.

19   Q.   All right. And Tyler, if you know?

20   A.   I also don't know.

21   Q.   But you didn't have exclusive rights to

22 the code; you did say that, correct?

23   A.   Yes. Correct.

24   Q.   One person we mentioned at the outset,

25 Sanjay Mavinkurve?

1   A.   Yes.

2   Q.   Did you ever have any interactions with

3   him relating to Harvard Connection?

4   A.   Not that I remember.

5   Q.   All right. Did you know that he worked on

6   Harvard Connection?

7   A.   Yes.

8   Q.   Okay. When did you become aware that he

9   worked on Harvard Connection?

10   A.   I don't remember. It may not have been

11   until I read about it in the paper.

12   Q.   Okay. And you said earlier you didn't

13   know until later that Mark Zuckerberg had worked on

14   Harvard Connection?

15   A.   Correct.

16   Q.   And is that because you learned of that

17   also through news sources?

18   A.   I don't remember.

19   Q.   Okay. But it definitely wasn't something

20   you knew while you were working on Harvard

21   Connection?

22   A.   Correct.

23   Q.   And you agree your own e-mails reflect you

24   were working on Harvard Connection at least in

25   October of 2003?

1   Q.   Can you just give a high overview of what

2   portions would be missing that -- from the time when

3   you were working on it?

4   A.   Yeah. Well, there are other -- this is

5   just -- it looks like this code generates the form

6   that the user fills out to edit their profile, or

7   create their profile. So this -- this code is

8   rendering a form in HTML on the user screen and, as

9   necessary, populating it with data that's pulled

10   from the database, which is where a lot of the code

11   in here is from.

12   So there would be other code that was used

13   to actually register -- actually put the information

14   back into the database, which we already looked at.

15   There is also a code used to -- to search,

16   which I don't know if we've -- if we've looked at

17   that yet.

18   And then there are other, like, interface

19   and other web pages that were in existence that I --

20   that I didn't work on. So I didn't have a copy of

21   those in my computer. And then, again, I didn't

22   have anything related to the job side of it.

23   And then there are probably also other --

24   we only saw the schema of one table that was on the

25   database. There are -- I'm sure there are schemas

Jackson, Joe   9/27/2007

1   of the other tables too.

2   Q.   To the best of your recollection, who

3   would have had that code besides yourself?

4   A.   Well, it was all stored on the server, the

5   same server as the database was. So anybody who had

6   access to the server had access to the code.

7   Q.   And that included Divya, Tyler and

8   Cameron?

9   A.   Yes, as far as I know.

10   Q.   And Victor?

11   A.   Yes.

12   Q.   And you?

13   A.   Yes.

14   Q.   And anybody else who ever worked on the

15   code?

16   A.   Yes.

17   Q.   And possibly Nathan Rosenberg?

18   A.   I don't -- I don't -- I guess it's

19   possible, but since he never -- as far as I

20   remember, he never actually worked on the site. I

21   don't know if he ever got access to the code.

22   Q.   Just one thing to clear up about Nathan

23   Rosenberg. If you go back to Exhibit -- Exhibit 4?

24   A.   Yes.

25   Q.   -- you said that you recalled meeting in a

Jackson, Joe   9/27/2007

1   dorm room in the evening, I thought I understood.

2   A.   I don't remember what time of day it was.

3   Q.   That's the -- here there was an indication

4   Victor wanted whatever meeting was described in

5   these e-mails as occurring at 1:30 p.m.

6   A.   Yes.

7   Q.   You don't have -- do you have any

8   recollection whether there was one or more meetings?

9   A.   No. I just had one meeting with Nathan.

10   I don't know if there were others or not.

11   Q.   All right. The reason I ask is because if

12   you look right below it, Cameron's original idea was

13   to meet in Pforzheimer dining hall?

14   A.   Yes.

15   Q.   But you say you recall meeting in a -- in

16   a dorm room?

17   A.   Yeah. I do remember meeting in a dorm

18   room.

19   Q.   All right. Did you ever recall meeting in

20   the cafeteria?

21   A.   I remember -- I mean, I recall meeting in

22   the cafeteria with Cameron and Tyler, but I don't

23   remember whether Nate was there or not.

24   Q.   But you did have meetings with Cameron,

25   Tyler, and possibly Divya in the dorm room at some

CERTIFICATE OF DEPOSITION OFFICER

I, KATHLEEN A. WILKINS, RPR, CSR NO. 10068,
duly authorized to administer oaths pursuant to
Section 8211 of the California Code of Civil
Procedure, hereby certify that the witness in the
foregoing deposition was by me sworn to testify to
the truth, the whole truth and nothing but the truth
in the within-entitled cause; that said deposition
was taken at the time and place therein stated; that
the testimony of said witness was reported by me and
was thereafter transcribed by me or under my
direction by means of computer-aided
transcription; that the foregoing is a full,
complete and true record of said testimony; and that
the witness was given an opportunity to read and
correct said deposition and to subscribe same.

I further certify that I am not of counsel or
attorney for either or any of the parties in the
foregoing deposition and caption named, nor in any
way interested in the outcome of the cause named in
said caption.

IN WITNESS WHEREOF, I have hereunto subscribed
by my hand this 2nd day of October, 2007.

_____
KATHLEEN A. WILKINS, RPR, CSR NO. 10068

178