

EXHIBIT D

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Docket No.: 05-40170 FDS

Stephanie Hofer and Douglas Hofer,)
Plaintiffs,)
)
v.)
)
The Gap Inc., Expedia, Inc., and)
Turtle Beach Towers,)
Defendants.)

**STEPHANIE HOFER'S ANSWERS TO
DEFENDANT, EXPEDIA, INC.'S, FIRST REQUESTS FOR ADMISSIONS**

REQUEST TO ADMIT NO. 1:

Stephanie reserved the Trip herself via Expedia.com.

RESPONSE

Denied.

REQUEST TO ADMIT NO.2:

Carrie is the "friend" referred to in Paragraph 7 of the Complaint.

RESPONSE

Admitted.

REQUEST TO ADMIT NO.3:

Carrie reserved the Trip for herself and Stephanie via Expedia.com.

RESPONSE

Admitted that Carrie reserved the Trip for herself and Stephanie through Expedia. Plaintiff is unable to admit or deny whether Carrie utilized Expedia.com.

REQUEST TO ADMIT NO.4:

Stephanie was present when the Trip was reserved via Expedia.com.

RESPONSE

Denied.

) **REQUEST TO ADMIT NO.5:**

Stephanie was aware as of the time the Trip was reserved of websites other than Expedia.com through which substantially similar travel packages could be reserved.

RESPONSE

Denied.

REQUEST TO ADMIT NO.6:

Stephanie browsed other travel related websites before reserving the Trip via Expedia.com.

RESPONSE

Denied.

REQUEST TO ADMIT NO.7:

The Agreement is displayed on Expedia.com.

RESPONSE

Stephanie is without sufficient knowledge to answer.

) **REQUEST TO ADMIT NO.8:**

Stephanie read the "Liability Disclaimer" section of the Agreement before reserving the Trip.

RESPONSE

Denied

REQUEST TO ADMIT NO.9:

Carrie read the "Liability Disclaimer" section of the Agreement before reserving the Trip.

RESPONSE

Stephanie is without sufficient knowledge to answer as she cannot answer for someone else.

REQUEST TO ADMIT NO. 10:

Stephanie clicked "I Agree" after reading the Agreement on Expedia.com, but before reserving the Trip.

RESPONSE

Denied.

REQUEST TO ADMIT NO. 11:

Carrie clicked "I Agree" after reading the Agreement on Expedia.com, but before reserving the Trip.

RESPONSE

Stephanie is without sufficient knowledge to answer.

REQUEST TO ADMIT NO. 12:

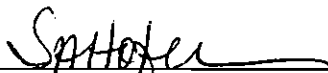
Any actions of Carrie in connection with the booking of the Trip via Expedia.com were with the permission and authority of Stephanie.

RESPONSE

OBJECTION

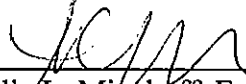
Plaintiff objects to this admission in that the term "any" is overly broad. Plaintiff cannot possibly state whether "any" action taken by Carrie was with her permission and authority without knowing the identification or description of the alleged action.

Signed under the pains and penalties of perjury this 13th day of April, 2006.



Stephanie Hofer

Objections by,



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