

EXHIBIT A2

072706LAROCHE

12:05:27 8 minutes after 12:00. We're off the record.

12:05:31 9 (Lunch recess taken.)

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12:52:50 1 AFTERNOON SESSION

12:52:53 2 THE VIDEOGRAPHER: Okay. We are

12:52:58 3 back on the record. This is Tape No. 3.

12:53:00 4 The time is 12:52.

12:53:00 5

12:53:00 6 (CARRIE L. LaROCHE, Resumed.)

12:53:00 7 DIRECT EXAMINATION, Continued

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12:53:03 8

12:53:03 9 BY MR. REITH:

12:53:08 10 Q. Before the break we were talking about the

12:53:10 11 booking process via Expedia.com. I just

12:53:12 12 want to ask you a few more questions about

12:53:14 13 that. I'll put one more document in front

12:53:17 14 of you.

12:53:17 15 A. Sure.

12:53:20 16 MR. REITH: Ask you to mark that,

12:53:22 17 please.

12:53:23 18 (Exhibit No. 6, Document headed

12:53:23 19 "Expedia, Inc. Web Site Terms, Conditions,

12:53:33 20 and Notices," marked for identification.)

12:53:33 21 MS. MINCHOFF: 5?

12:53:35 22 MR. REITH: 6.

12:53:42 23 Q. I'm just going to ask you a few questions

12:53:44 24 about this. I can ask you first off the bat

12:53:47 25 if you recognize this document.

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12:53:49 1 A. Not really, no.

12:53:51 2 Q. Okay. Do you recognize reviewing a document

12:53:56 3 or a screen printout like this when you

12:53:59 4 booked the trip to Jamaica via Expedia.com?

12:54:01 5 A. I don't remember.

12:54:02 6 Q. Okay. Do you recall reviewing this

12:54:06 7 particular document or a document like it

12:54:09 8 when you booked any other trips via

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12:54:12 9 Expedia.com?
12:54:12 10 A. I don't remember.
12:54:13 11 Q. All right. Just directing your attention
12:54:16 12 down to the part that says "Liability
12:54:18 13 Disclaimer," I'm just going to ask you to
12:54:21 14 read that section, please, to yourself, and
12:54:23 15 let me know when you're done.
12:54:24 16 A. Okay.
12:54:25 17 (Witness reviews document.)
12:55:38 18 (Discussion off the record.)
12:57:15 19 A. How far did you want me to read?
12:57:16 20 Q. Just to the end of that section, "Liability
12:57:16 21 Disclaimer." It ends right before you get
12:57:24 22 to "Indemnification."
12:57:24 23 A. Right, at the top here. Okay.
12:57:25 24 Q. Have you seen this language before today?
12:57:29 25 MS. MINCHOFF: Objection.
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12:57:29 1 A. This particular, like, word for word this
12:57:31 2 (indicating) or --
12:57:33 3 Q. Yes. Have you seen the section labeled
12:57:36 4 "Liability Disclaimer" prior to today?
12:57:37 5 A. I don't know.
12:57:37 6 Q. Okay. Do you recall -- strike that.
12:57:40 7 Did you see this specific language or
12:57:44 8 something similar to it at the time you

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12:57:46 9 booked the trip using Expedia.com?
12:57:48 10 A. I don't remember.
12:57:52 11 Q. All right. Let's just talk about the travel
12:57:58 12 to Jamaica. You took a plane, correct?
12:58:01 13 A. Yes.
12:58:01 14 Q. Do you enjoy flying?
12:58:03 15 A. Sometimes.
12:58:04 16 Q. Did you enjoy flying this day down to
12:58:10 17 Jamaica?
12:58:10 18 A. It was okay.
12:58:11 19 Q. Okay. Do you ever get nervous on planes?
12:58:13 20 A. Sometimes.
12:58:14 21 Q. When you get nervous, what do you do to try
12:58:17 22 to calm your nerves?
12:58:18 23 A. Go to sleep.
12:58:19 24 Q. Do you do anything else like read?
12:58:21 25 A. Yeah, sometimes.

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12:58:22 1 Q. Do you ever drink on the plane?
12:58:23 2 A. No.
12:58:23 3 Q. Do you drink ever?
12:58:28 4 A. Occasionally.
12:58:29 5 Q. Okay. Do you take any medications to help
12:58:33 6 you fly?
12:58:34 7 A. No.
12:58:34 8 Q. On the actual flight on May -- I'm sorry,
12:58:42 9 March --

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