

**DECLARATION OF RICHARD S. BUSCH IN OPPOSITION TO MOTION FOR  
SUMMARY JUDGMENT OF DEFENDANTS APPLE COMPUTER, INC. AND  
AFTERMATH RECORDS d/b/a/ AFTERMATH ENTERTAINMENT**

**EXHIBIT 2**

DEPOSITION OF LISA ROGELL

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UNITED STATES DISTRICT  
CENTRAL DISTRICT OF CALIFORNIA

F.B.T. PRODUCTIONS, LLC, )  
AND EM2M, LLC, )  
PLAINTIFFS, )  
VS. )  
AFTERMATH RECORDS DOING )  
BUSINESS AS AFTERMATH )  
ENTERTAINMENT; INTERSCOPE )  
RECORDS; UMG RECORDINGS, )  
INC.; AND ARY, INC., )  
DEFENDANTS. )

CASE NO.  
CV 07-3314 PSG  
(MANX)

DEPOSITION OF LISA ROGELL, TAKEN  
ON BEHALF OF THE PLAINTIFFS, AT  
10250 CONSTELLATION BOULEVARD,  
LOS ANGELES, CALIFORNIA, COMMENCING  
AT 1:59 P.M., MONDAY, MAY 5, 2008,  
BEFORE JUDITH SAMSON, CSR NUMBER  
6916.

DEPOSITION OF LISA ROGELL

02:11:12 1

Q. OKAY. WAS IT EXECUTED BY  
MR. LEVINSOHN OR BY JOEL?

02:11:13 2

02:11:19 3

A. NO, IT WAS A DRAFT.

02:11:19 4

Q. OKAY. SO THAT DOCUMENT WAS NEVER  
EXECUTED BY ANYBODY THAT --

02:11:19 5

02:11:20 6

A. I DON'T KNOW.

02:11:22 7

Q. THE ONE --

02:11:23 8

A. THE ONE I SAW DID NOT HAVE ANY. IT  
WAS A DRAFT.

02:11:25 9

02:11:26 10

Q. OKAY. DO YOU KNOW WHAT SONG OR  
SONGS IT APPLIED TO?

02:11:27 11

02:11:29 12

A. I DON'T.

02:11:29 13

Q. OKAY. AND THE ONLY AGREEMENT  
BETWEEN F.B.T. AND AFTERMATH THAT YOU REVIEWED IN  
PREPARATION FOR YOUR DEPOSITION TODAY WAS A 2004  
AMENDMENT?

02:11:37 14

02:11:43 15

02:11:46 16

02:11:46 17

A. I GUESS.

02:11:47 18

I THINK THEY SHOWED ME THE '98  
AGREEMENT FOR A MINUTE TOO.

02:11:49 19

02:11:52 20

Q. OKAY. WHAT ABOUT THE 2003  
AGREEMENT?

02:11:53 21

02:11:54 22

A. I DON'T KNOW WHAT THAT IS.

02:11:55 23

Q. OKAY. MAYBE YOU MEAN THE 2003  
AGREEMENT WHEN YOU TALK ABOUT THE 2004 AMENDMENT.

02:11:59 24

02:12:03 25

A. I DON'T KNOW.

DEPOSITION OF LISA ROGELL

2:12:04 1

Q. OKAY. WELL, I'LL SHOW YOU THE

2:12:05 2

DOCUMENTS.

2:12:05 3

A. I DON'T KNOW.

2:12:06 4

Q. THAT'S FINE. I'LL SHOW YOU THE

2:12:08 5

DOCUMENTS. OKAY.

2:12:09 6

HAVE YOU SPOKEN AT ALL WITH RAND

2:12:17 7

HOFFMAN ABOUT THIS CASE?

2:12:19 8

A. NO.

2:12:23 9

Q. OKAY. ALL RIGHT. WHEN YOU BEGAN

2:12:31 10

AT INTERSCOPE, WHAT RELATIONSHIP, IF ANY -- WHAT

2:12:35 11

INVOLVEMENT, IF ANY, DID YOU HAVE WITH AFTERMATH

2:12:38 12

RECORDS?

2:12:42 13

A. I'M NOT SURE THAT -- I THINK IT WAS

2:12:46 14

JUST STARTING THEN. I DIDN'T REALLY HAVE ANY

2:12:49 15

RELATIONSHIP WITH THEM.

2:12:50 16

YOU KNOW, THAT WAS DRE'S LABEL. I

2:12:53 17

THINK IT WAS JUST STARTING THEN.

2:12:55 18

Q. RIGHT. MY QUESTION, I GUESS, IS

2:12:56 19

YOU KNOW THAT THE FIRST AGREEMENT BETWEEN F.B.T.

2:12:59 20

AND AFTERMATH WAS IN 1998?

2:13:01 21

A. RIGHT.

2:13:02 22

Q. OKAY. MY QUESTION IS: FIRST OF

2:13:04 23

ALL, WHAT INVOLVEMENT DID YOU HAVE WITH THAT

2:13:08 24

SPECIFIC AGREEMENT IN DRAFTING IT, EDITING IT,

2:13:11 25

REVIEWING IT -- THOSE TYPES OF THINGS?

DEPOSITION OF LISA ROGELL

02:13:13 1 A. I REVIEWED IT AND WOULD MAKE  
02:13:16 2 COMMENTS ON IT AND TALK TO MARNIE NIEVES ABOUT IT  
02:13:21 3 WHEN SHE WAS DRAFTING IT.

02:13:24 4 Q. OKAY. WAS RAND HOFFMAN INVOLVED IN  
02:13:27 5 THAT PROCESS AT ALL?

02:13:29 6 A. NO, HE DIDN'T WORK THERE YET.

02:13:30 7 Q. OKAY. WHEN DID MR. HOFFMAN ARRIVE  
02:13:32 8 AT --

02:13:33 9 A. I DON'T KNOW. I THINK IT MIGHT  
02:13:34 10 HAVE BEEN '99.

02:13:35 11 Q. OKAY. WELL, LET ME ASK THIS  
02:13:38 12 QUESTION: THERE WERE MULTIPLE AGREEMENTS AS TIME  
02:13:40 13 WENT ON. AND I'D LIKE TO KNOW FROM '98 UNTIL 2005  
02:13:45 14 DID THE INVOLVEMENT OF THE INTERSCOPE SIDE OF THE  
02:13:50 15 PEOPLE -- RAND HOFFMAN, YOURSELF -- VERSUS  
02:13:54 16 MR. PATERNO AND HIS FIRM -- AS FAR AS DRAFTING  
02:13:58 17 AGREEMENTS AND EDITING THEM AND SO FORTH -- DID IT  
02:14:01 18 INCREASE, DID IT DECREASE, DID IT STAY THE SAME?

02:14:04 19 CAN YOU JUST TAKE ME THROUGH THE  
02:14:05 20 PROCESS?

02:14:06 21 A. I THINK --

02:14:06 22 MR. POMERANTZ: HOLD ON. OBJECTION  
02:14:08 23 TO THE FORM.

02:14:08 24 BY MR. BUSCH:

02:14:09 25 Q. GO AHEAD.

DEPOSITION OF LISA ROGELL

11:27 1 A. THE '98 ONE WAS THAT WAS THEIRS.  
11:30 2 AND THEN AFTER THAT, I'M PRETTY SURE WE TOOK OVER  
11:34 3 MAKING ALL THE AMENDMENTS.

11:35 4 Q. WHY WAS THAT?

11:39 5 A. DON'T KNOW WHY.

11:41 6 Q. OKAY. WERE YOU INVOLVED AT ALL  
11:43 7 WITH OTHER AFTERMATH AGREEMENTS FOR OTHER CLIENTS  
11:50 8 OTHER THAN F.B.T.?

11:53 9 A. NO.

11:53 10 Q. OKAY. WHY WERE YOU JUST INVOLVED  
11:58 11 WITH F.B.T.?

12:00 12 A. JUST LUCKY. EMINEM. I DON'T KNOW.  
12:05 13 I DON'T KNOW WHY.

12:05 14 Q. OKAY. BUT JUST SO THAT WE'RE  
12:08 15 CLEAR, AS FAR AS THE RELATIONSHIP BETWEEN  
12:10 16 AFTERMATH AND INTERSCOPE, WHAT I'M HEARING YOU SAY  
12:13 17 IS THAT THE 1998 AGREEMENT WAS BASICALLY A PATERNO  
12:18 18 PRODUCT FROM HIS OFFICE THAT YOU REVIEWED AND  
12:20 19 EDITED, AND THAT THE SUBSEQUENT AGREEMENTS WERE  
12:24 20 INTERSCOPE AGREEMENTS, AND THAT YOUR ONLY  
12:29 21 INVOLVEMENT WITH AFTERMATH IS ON THE F.B.T. --  
12:33 22 WITH F.B.T.; IS THAT CORRECT?

12:35 23 MR. POMERANTZ: I'M GOING TO OBJECT  
12:36 24 TO THE FORM.

12:36 25 ALSO I THINK THE TERM "INTERSCOPE

DEPOSITION OF LISA ROGELL

2:15:38 1 AGREEMENTS" IS VAGUE AND AMBIGUOUS.

2:15:39 2 BY MR. BUSCH:

2:15:40 3 Q. GO AHEAD.

2:15:41 4 A. OKAY. I THINK I'M NOT REALLY SURE  
2:15:44 5 HOW THE FIRST FORM -- YOU KNOW, IT WAS NOT -- IT  
2:15:48 6 WAS NOT OUR -- A FORM WE HAD, AND IT WASN'T AN  
2:15:52 7 AFTERMATH FORM THAT THEY USED ALL THE TIME.

2:15:54 8 SO I'M NOT REALLY SURE HOW IT CAME  
2:15:56 9 ABOUT, YOU KNOW.

2:15:58 10 BUT SHE WAS THE ONE DRAFTING IT,  
2:16:00 11 BUT I MAY HAVE BEEN SENDING HER THINGS FOR IT, YOU  
2:16:03 12 KNOW, LIKE AN INITIAL OUTLINE OF A FORM OR  
2:16:06 13 SOMETHING.

2:16:06 14 BUT AFTER THAT, YES, YOU KNOW, THE  
2:16:10 15 AMENDMENTS THAT WE MADE WERE MADE BY ME.

2:16:12 16 Q. OKAY. WHEN YOU SAY THE ORIGINAL  
2:16:15 17 '98 AGREEMENT WAS NOT AN AFTERMATH FORM THAT THEY  
2:16:19 18 TYPICALLY USED, HOW DO YOU KNOW THAT?

2:16:21 19 A. IT JUST LOOKS DIFFERENT FROM THE  
2:16:23 20 AFTERMATH FORM THAT I'VE SEEN, THE PETER PATERNO  
2:16:26 21 FORM THAT HE USES, HIS SHORT FORM.

2:16:29 22 DOESN'T MEAN IT WASN'T ANOTHER FORM  
2:16:30 23 THEY USED, BUT IT WASN'T LIKE HIS SHORT FORM THAT  
2:16:33 24 I KNOW IS HIS SHORT FORM THAT I'VE SEEN OVER THE  
2:16:36 25 YEARS.

DEPOSITION OF LISA ROGELL

02:29:40 1

SHORT FORM.

02:29:41 2

Q JUST ANYTHING TO DO WITH IT.

02:29:42 3

A. YES.

02:29:43 4

Q. WHO DID YOU HAVE A

02:29:44 5

CONVERSATION WITH?

02:29:45 6

A. EITHER SCOTT -- PROBABLY

02:29:48 7

SCOTT.)

02:39:38 8

BY MR. BUSCH:

02:39:38 9

Q. DO YOU WANT TO --

02:39:39 10

A. SO TO CLARIFY, I DON'T RECALL

02:39:41 11

ANY CONVERSATIONS WITH ANYBODY ABOUT PUTTING

02:39:44 12

THAT SPECIFIC PROVISION IN THAT SPECIFIC CONTRACT.

02:39:47 13

THAT'S NOT WHAT I WAS SAYING.

02:39:48 14

Q. SO WHAT WERE YOU SAYING WHEN YOU

02:39:50 15

ANSWERED THAT YOU DID HAVE A CONVERSATION ABOUT --

02:39:52 16

A. I DID NOT HAVE A CONVERSATION.

02:39:53 17

Q. HOLD ON.

02:39:54 18

WHEN YOU ANSWERED THE QUESTION A

02:39:55 19

FEW QUESTIONS AGO AND SAID THAT, IN FACT, YOU DID

02:39:57 20

HAVE A CONVERSATION ABOUT THE CONTRACTS AND

02:40:02 21

PUTTING THE 50 PERCENT LICENSING PROVISION IN AND

02:40:05 22

YOU ANSWERED YOU DID AND IT WAS PROBABLY WITH

02:40:08 23

SCOTT, WHAT DID YOU MEAN?

02:40:09 24

A. I MEANT IF THERE'S LIKE A SHORT

02:40:11 25

FORM, JUST MAKING SURE THAT, YOU KNOW, EVERYTHING



DEPOSITION OF LISA ROGELL

04:01:12 1 AND IT HAS A SECTION 4 SAYS ROYALTIES --

04:01:16 2 A. OKAY.

04:01:16 3 Q. -- AND THEN 4 (D) SAYS:

04:01:19 4 "DOWNLOADS: THE BASIC L.P.

04:01:21 5 ROYALTY RATE WITH NO CONTAINER

04:01:25 6 DEDUCTION OR FREE GOODS

04:01:26 7 DEDUCTION."

04:01:27 8 DO YOU SEE THAT?

04:01:28 9 A. UH-HUH.

04:01:28 10 Q. AND THEN I WANT TO DIRECT YOUR

04:01:31 11 ATTENTION TO EXHIBIT B, STANDARD TERMS AND

04:01:33 12 AGREEMENTS?

04:01:34 13 A. UH-HUH.

04:01:35 14 Q. DO YOU RECOGNIZE THE STANDARD TERMS

04:01:37 15 AND AGREEMENTS SECTION TO BE AN INTERSCOPE

04:01:40 16 DOCUMENT?

04:01:41 17 A. YES.

04:01:41 18 Q. OKAY. SO IF -- I BELIEVE THAT

04:01:45 19 REFRESHES MY MEMORY ABOUT WHAT MR. PATERNO SAID

04:01:48 20 SPECIFICALLY.

04:01:49 21 MR. PATERNO SAID THAT THE FIRST

04:01:50 22 PART OF THIS WAS HIS DOCUMENT AND THAT HE STAPLED

04:01:53 23 ONTO IT THE INTERSCOPE DOCUMENT THAT'S THE

04:01:56 24 EXHIBIT.

04:01:56 25 DOES THAT SEEM RIGHT TO YOU?

DEPOSITION OF LISA ROGELL

01:58 1  
01:58 2  
02:00 3  
02:01 4  
02:02 5  
02:03 6  
02:04 7  
02:06 8  
02:11 9  
02:41 10  
02:42 11  
02:45 12  
02:45 13  
03:04 14  
03:10 15  
03:12 16  
03:14 17  
03:14 18  
03:18 19  
03:20 20  
03:22 21  
03:23 22  
03:26 23  
03:29 24  
03:30 25

MR. POMERANTZ: OBJECTION TO THE  
EXTENT IT MISSTATES HIS TESTIMONY.

BY MR. BUSCH:

Q. GO AHEAD. DOES THAT SEEM RIGHT TO  
YOU?

A. YEAH.

Q. OKAY. NOW LOOKING AT EXHIBIT B,  
WHICH IS THE INTERSCOPE DOCUMENT, I WANT TO DIRECT  
YOUR ATTENTION TO PAGE 20, PARAGRAPH 9 --

A. UH-HUH.

Q. -- ENTITLED "ROYALTIES."

A. UH-HUH.

Q. AND GOING ON TO PAGE 24 -- SO IT'S  
PARAGRAPH 9, SUBSECTION LITTLE C (1)(I)?

MR. POMERANTZ: 9.02. IS THAT WHAT  
YOU'RE SAYING TALKING ABOUT?

BY MR. BUSCH:

Q. YES, LITTLE C (1)(I) AND 9.02  
LITTLE C NUMBER (1)(II).

DO YOU SEE THE PROVISION THAT SAYS:

"IF COMPANY SELLS OR  
LICENSES TO ANY THIRD PARTY THE  
RIGHT TO SELL PERMANENT DOWNLOADS  
OF RECORDS HEREUNDER, THE ROYALTY  
RATE WILL BE --" AND IT GOES ON?

DEPOSITION OF LISA ROGELL

04:03:33 1

A. UH-HUH.

04:03:34 2

04:03:40 3

Q. DOES THAT -- IS THAT THE PROVISION THAT WAS INSERTED BY INTERSCOPE AT SOME POINT IN THEIR STANDARD FORM?

04:03:43 4

04:03:45 5

A. YES.

04:03:47 6

04:03:54 7

Q. OKAY. AND IF YOU LOOK AT C (1) (II) WHERE IT SAYS:

04:03:54 8

"IF COMPANY SELLS OR

04:03:55 9

LICENSES TO ANY THIRD PARTY THE

04:03:57 10

RIGHT TO SELL ELECTRONIC

04:03:59 11

TRANSMISSIONS OF RECORDS

04:04:01 12

HEREUNDER (INCLUDING WITHOUT

04:04:04 13

LIMITATION STREAMS AND LIMITED

04:04:07 14

DOWNLOADS) OTHER THAN PERMANENT

04:04:11 15

DOWNLOADS, THE ROYALTY WILL BE

04:04:13 16

ONE-HALF OF COMPANY'S NET

04:04:15 17

RECEIPTS WITH RESPECT TO THOSE

04:04:18 18

ELECTRONIC TRANSMISSIONS."

04:04:20 19

DO YOU SEE THAT?

04:04:21 20

A. YES.

04:04:21 21

04:04:24 22

Q. IS THAT THE STANDARD INTERSCOPE

LANGUAGE WHEN IT COMES TO STREAMS AND LIMITED DOWNLOADS?

04:04:28 23

04:04:29 24

04:04:30 25

MR. POMERANTZ: WAS THAT AT THE TIME OF THIS AGREEMENT?

DEPOSITION OF LISA ROGELL

04:08:11 1

BY MR. BUSCH:

04:08:12 2

Q. DO YOU KNOW OF ANY AGREEMENTS THAT

04:08:13 3

WERE SIGNED OR EXECUTED AFTER MARCH 19, 2003 THAT

04:08:18 4

DID NOT HAVE THIS LANGUAGE IN IT?

04:08:22 5

A. NO, I DON'T KNOW.

04:08:23 6

Q. OKAY. WAS IT YOUR DIRECTION TO PUT

04:08:25 7

THIS LANGUAGE IN EVERY SINGLE AGREEMENT?

04:08:28 8

A. YEAH, THIS WAS THE NEW FORM.

04:08:30 9

Q. OKAY.

04:08:31 10

THE VIDEOGRAPHER: PARDON ME,

04:08:33 11

COUNSEL, APPROXIMATELY TEN MINUTES LEFT ON THE

04:08:35 12

VIDEOTAPE.

04:08:38 13

MR. BUSCH: ALL RIGHT.

04:08:52 14

BY MR. BUSCH:

04:08:52 15

Q. HOLD ON TO THAT FOR ONE SECOND IF

04:08:54 16

YOU WOULD.

04:08:55 17

A. UH-HUH.

04:08:57 18

Q. LET ME SHOW WHAT YOU I MARKED AT A

04:10:37 19

PREVIOUS DEPOSITION AS EXHIBIT NUMBER 10. IT'S

04:10:41 20

THE JULY 2ND, 2003 AGREEMENT WITH AFTERMATH

04:10:51 21

RECORDS AND ACKNOWLEDGED AND AGREED TO BY

04:10:55 22

INTERSCOPE AND F.B.T. SIGNED BY RAND HOFFMAN.

04:11:13 23

LET ME SHOW YOU EXHIBIT NUMBER 10.

04:11:15 24

DO YOU RECOGNIZE EXHIBIT NUMBER 10?

04:11:19 25

MR. POMERANTZ: TAKE A MOMENT TO

DEPOSITION OF LISA ROGELL

11:21 1 FAMILIARIZE YOURSELF. YOU DON'T NEED TO READ IT  
11:24 2 ALL, JUST FLIP THROUGH THE PAGES.

11:26 3 THE DEPONENT: I KNOW, I KNOW.

11:39 4 (DOCUMENT REVIEWED BY DEPONENT.)

11:39 5 THE DEPONENT: YEAH, YES.

11:39 6 BY MR. BUSCH:

11:41 7 Q. THIS IS A JULY 2ND, 2003 AGREEMENT  
11:43 8 BETWEEN AFTERMATH, INTERSCOPE, EMINEM AND F.B.T.;  
11:49 9 CORRECT?

11:50 10 A. YES.

11:51 11 Q. OKAY. AND CAN YOU TELL ME WHETHER  
11:55 12 THOSE DIGITAL PROVISIONS THAT WE JUST LOOKED AT IN  
12:01 13 THE INTERSCOPE DOCUMENT THAT WAS CREATED IN MARCH  
12:04 14 2003 IS IN THIS AGREEMENT.

12:04 15 (DOCUMENT REVIEWED BY DEPONENT.)

12:04 16 THE DEPONENT: NO, IT'S NOT.

12:27 17 BY MR. BUSCH:

12:27 18 Q. YOU WORKED ON THIS AGREEMENT;  
12:29 19 RIGHT?

12:29 20 A. UH-HUH.

12:30 21 Q. AND YOU EDITED IT AND MADE  
12:32 22 SUGGESTIONS AND CHANGES BEFORE IT WAS FINALIZED;  
12:32 23 RIGHT?

12:36 24 A. UH-HUH.

12:36 25 Q. WHY DID YOU NOT PUT IN THE DIGITAL

DEPOSITION OF LISA ROGELL

4:17:18 1  
4:17:19 2  
4:17:21 3  
4:17:25 4  
4:17:28 5  
4:17:29 6  
4:17:29 7  
4:17:30 8  
4:17:32 9  
4:17:32 10  
4:17:32 11  
4:17:33 12  
4:17:34 13  
4:17:36 14  
4:17:36 15  
4:17:38 16  
4:17:43 17  
4:17:46 18  
4:17:49 19  
4:17:50 20  
4:17:51 21  
4:17:51 22  
4:17:53 23  
4:17:54 24  
4:17:55 25

A. DIDN'T NEED TO.

Q. IS THERE ANYWHERE IN THE 2003 AGREEMENT THAT SAYS SPECIFICALLY HOW EMINEM OR F.B.T. WOULD BE PAID FOR DIGITAL CONDITIONAL STREAMING PERMANENT DOWNLOADS?

A. YES.

MR. POMERANTZ: ARE YOU ASKING WHETHER THOSE WORDS APPEAR?

BY MR. BUSCH:

Q. YES.

A. I DON'T KNOW THAT THOSE WORDS APPEAR.

I'M SAYING IT WAS COVERED BY SALES OF RECORDS.

Q. HOW COME IT'S NOT -- DO YOU KNOW WHETHER THE PARAGRAPH ON 50/50 SPLITS THAT TALK ABOUT LICENSES FOR THE SALE AND MANUFACTURER OF RECORDS OR FOR ANY OTHER USES -- DO YOU KNOW WHETHER THERE WAS ANY DISCUSSION ABOUT WHETHER THAT WOULD APPLY TO IT?

MR. POMERANTZ: OBJECTION; ASKED AND ANSWERED.

YOU'RE JUST ARGUING WITH THE WITNESS.

MR. BUSCH: NO, I'M ASKING: WAS

DEPOSITION OF LISA ROGELL

05:28:19 1 THIS HAS AN INTERSCOPE FORM ATTACHED TO IT OR NOT  
05:28:23 2 THAT MIGHT HAVE THE NEW LANGUAGE FROM 2005 THAT  
05:28:27 3 YOU MENTIONED WAS CHANGED FROM THE 2003 DRAFT.

05:28:30 4 MR. POMERANTZ: LET ME SEE IT REAL  
05:28:31 5 QUICK.

05:28:33 6 MR. BUSCH: IS IT THE SAME ONE?

05:28:35 7 MR. POMERANTZ: YEAH, EXHIBIT 15.

05:28:37 8 MR. BUSCH: IT'S EXHIBIT 15?

05:28:39 9 MR. POMERANTZ: YEAH, I THINK.

05:28:41 10 566, YEAH.

05:28:44 11 BY MR. BUSCH:

05:28:44 12 Q. WOULD YOU TAKE -- SHOW THAT TO THE  
05:28:46 13 WITNESS REAL QUICK IF YOU WOULD.

05:28:47 14 I THINK IT'S JUST AFTERMATH AND MAY  
05:28:49 15 NOT HAVE AN INTERSCOPE ATTACHMENT.

05:28:51 16 TELL ME IF THAT HAS AN INTERSCOPE  
05:28:54 17 DOCUMENT ATTACHED TO IT?

05:28:57 18 MR. POMERANTZ: WHAT'S THE LAST  
05:28:58 19 NUMBER ON THAT? JUST WANT TO MAKE SURE WE HAVE  
05:29:01 20 THE SAME DOCUMENT.

05:29:01 21 MR. BUSCH: 707.

05:29:02 22 MR. POMERANTZ: 707, YEAH.

05:29:15 23 THE DEPONENT: DOES NOT HAVE THE  
05:29:17 24 INTERSCOPE ATTACHMENT.

05:29:19 25 ///

DEPOSITION OF LISA ROGELL

5:29:19 1 BY MR. BUSCH:

5:29:20 2 Q. SO THIS IS AN AFTERMATH AGREEMENT  
5:29:24 3 ONLY?

5:29:29 4 MR. POMERANTZ: OBJECTION; VAGUE.  
5:29:39 5 THE DEPONENT: IT'S AN AFTERMATH  
5:29:41 6 FORM.

5:29:41 7 BY MR. BUSCH:

5:29:41 8 Q. OKAY. SO TAKE A LOOK AT PAGE 12,  
5:29:43 9 IF YOU WOULD?

5:29:51 10 A. UH-HUH.

5:29:51 11 Q. AND IF YOU LOOK AT PAGE 12, YOU'LL  
5:29:59 12 SEE SOME LANGUAGE ABOUT -- ON PARAGRAPH B (VI):

5:30:04 13 "ON RECORDS SOLD VIA  
5:30:06 14 TELEPHONE, SATELLITE, CABLE OR  
5:30:08 15 OTHER DIRECT TRANSMISSION  
5:30:10 16 INCLUDING BY WAY OF ELECTRONIC  
5:30:12 17 TRANSMISSION --" SO FORTH AND SO ON.

5:30:13 18 A. UH-HUH.

5:30:14 19 Q. THAT'S NOT A NEW INTERSCOPE  
5:30:16 20 LANGUAGE WHERE THE DIGITAL DOWNLOAD OR LIMITED  
5:30:21 21 DOWNLOAD WAS CHANGED TO THAT LANGUAGE; IS THAT  
5:30:23 22 CORRECT?

5:30:23 23 A. I HAVE TO LOOK AT THE NEW LANGUAGE.

5:30:25 24 MR. BUSCH: I DON'T BELIEVE WE'VE  
5:30:26 25 HAD THAT PRODUCED TO US.



DEPOSITION OF LISA ROGELL

1 STATE OF CALIFORNIA )  
 ) SS  
2 COUNTY OF LOS ANGELES)

3  
4  
5  
6 DEPONENT'S DECLARATION

7  
8  
9 I CERTIFY UNDER PENALTY OF PERJURY THAT  
10 THE FOREGOING IS TRUE AND CORRECT.  
11  
12  
13  
14

15 EXECUTED AT \_\_\_\_\_ ON \_\_\_\_\_ .  
16  
17  
18

19 \_\_\_\_\_  
(SIGNATURE OF DEPONENT)  
20  
21  
22  
23  
24  
25

DEPOSITION OF LISA ROGELL

1 STATE OF CALIFORNIA )  
 ) SS  
2 COUNTY OF LOS ANGELES)

3

4 I, JUDITH SAMSON, CERTIFIED SHORTHAND  
5 REPORTER, CERTIFICATE NUMBER 6916, FOR THE STATE  
6 OF CALIFORNIA, HEREBY CERTIFY:

7 THE FOREGOING PROCEEDINGS WERE TAKEN  
8 BEFORE ME AT THE TIME AND PLACE THEREIN SET FORTH,  
9 AT WHICH TIME THE DEPONENT WAS PLACED UNDER OATH  
10 BY ME;

11 THE TESTIMONY OF THE DEPONENT AND ALL  
12 OBJECTIONS MADE AT THE TIME OF THE EXAMINATION  
13 WERE RECORDED STENOGRAPHICALLY BY ME AND WERE  
14 THEREAFTER TRANSCRIBED;

15 THE FOREGOING TRANSCRIPT IS A TRUE AND  
16 CORRECT TRANSCRIPT OF MY SHORTHAND NOTES SO TAKEN;

17 I FURTHER CERTIFY THAT I AM NEITHER  
18 COUNSEL FOR NOR RELATED TO ANY PARTY TO SAID  
19 ACTION, NOR IN ANY WAY INTERESTED IN THE OUTCOME  
20 THEREOF.

21 IN WITNESS WHEREOF, I HAVE HEREUNTO  
22 SUBSCRIBED MY NAME THIS 10TH DAY OF MAY, 2008.

23

24

25

Judith Samson