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# Exhibit D

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

CERTIFIED COPY

THE WEATHER UNDERGROUND, INC.,  
a Michigan corporation

Plaintiff,

vs.

No. 2:09-CV-10756

NAVIGATION CATALYST SYSTEMS, INC.,  
a Delaware corporation; BASIC FUSION  
INC., a Delaware corporation;  
CONNEXUS CORP., a Delaware  
corporation; and FIRSTLOOK INC., a  
Delaware corporation,

Defendants.

CONFIDENTIAL

DEPOSITION OF CHRISTOPHER SCHWERZLER

Thursday, April 29, 2010

SHEILA CHASE & ASSOCIATES  
REPORTING FOR:  
West Court Reporting Services  
221 Main Street, Suite 1250  
San Francisco, California 94105  
Phone: (415) 321-2300  
Fax: (415) 618-0743

Reported by:  
JANIS JENNINGS, CSR, CRP, CLR

1 **CONFIDENTIAL**  
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6 Q. Okay. What -- do you have an actual physical  
7 office in Ann Arbor?

8 A. Yes, we do.

9 Q. What's there?

10 A. What's there?

11 Q. Yeah.

12 A. Our employees that work in Ann Arbor.

13 Q. So does the contractor that you mentioned in  
14 Ann Arbor work at that facility or is she --

15 A. Our support people tend to work from home, but  
16 they also at times will drive into the office and work  
17 from there.

18 Q. Okay. So Mr. Masters and Mr. Ferguson are  
19 there?

20 A. Yes.

21 Q. Other than office space for them there, is  
22 there anything else there, in terms of servers,  
23 satellite dishes, things like that?

24 A. Our finances are hosted in that office.

25 Q. That's where the CPA is; correct?

1           A.     Jeff acts as the CFO of the company and we  
2 have a contracted CPA that assists him.

3           Q.     I'm sorry. Who did you say was the CFO?

4           A.     Jeff Ferguson. Jeff acts as CFO.

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1 CERTIFICATE OF REPORTER

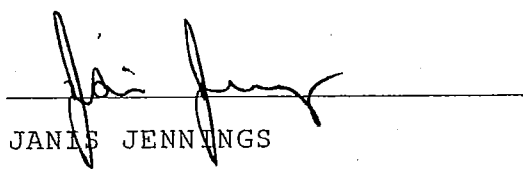
2  
3 I, JANIS L. JENNINGS, a Certified Shorthand  
4 Reporter of the State of California, do hereby certify:

5 That the foregoing proceedings were taken  
6 before me at the time and place herein set forth; that  
7 any witnesses in the foregoing proceedings, prior to  
8 testifying, were placed under oath; that a verbatim  
9 record of the proceedings was made by me using machine  
10 shorthand which was thereafter transcribed under my  
11 direction; further, that the foregoing is an accurate  
12 transcription thereof.

13 I further certify that I am neither  
14 financially interested in the action nor a relative or  
15 employee of any attorney of any of the parties.

16 IN WITNESS WHEREOF, I have this date  
17 subscribed my name.

18  
19 Dated: May 11, 2010

20  
21   
22 JANIS JENNINGS

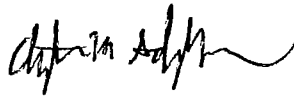
23 CSR NO. 3942, CLR, CRP  
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DECLARATION

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I hereby declare under penalty of perjury that the foregoing is my deposition under oath; that these are the questions asked of me and my answers thereto; and that I have read my deposition and have made the corrections, additions, or changes to my answers that I deem necessary.

In witness whereof, I hereby subscribe my name this 25 day of May, 2010.



CHRISTOPHER SCHWERZLER

# CALIFORNIA JURAT WITH AFFIANT STATEMENT

- See Attached Document (Notary to cross out lines 1-6 below)  
 See Statement Below (Lines 1-5 to be completed only by document signer[s], *not* Notary)

1 \_\_\_\_\_  
2 \_\_\_\_\_  
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Signature of Document Signer No. 1 \_\_\_\_\_ Signature of Document Signer No. 2 (if any) \_\_\_\_\_

State of California

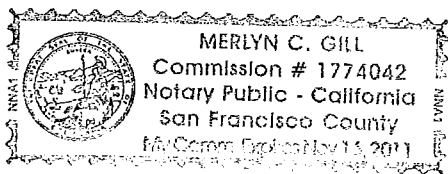
County of San Francisco

Subscribed and sworn to (or affirmed) before me on this

25 day of May, 2010, by  
Date Month Year

(1) Christopher Schwerzler,  
Name of Signer

proved to me on the basis of satisfactory evidence  
be the person who appeared before me (.) (,)



(and  
(2) N/A,  
Name of Signer

proved to me on the basis of satisfactory evidence  
be the person who appeared before me.)

Signature [Signature]  
Signature of Notary Public

Place Notary Seal Above

## OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

### Further Description of Any Attached Document

Title or Type of Document: Declaration

Document Date: 5/29/2010 Number of Pages: 1

Signer(s) Other Than Named Above: N/A

**RIGHT THUMBPRINT OF SIGNER #1**  
Top of thumb here

**RIGHT THUMBPRINT OF SIGNER #2**  
Top of thumb here

# ERRATA SHEET

## Westlaw Deposition Services

Deposition of Christopher Schwerzler

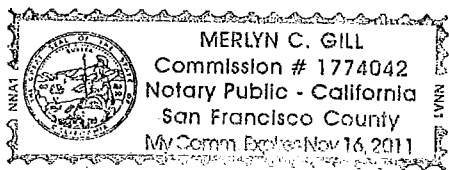
I wish to make the following changes for the following reasons:

Page	Line	Change	Reason

*See attached*

Witness Signature/Date \_\_\_\_\_

Notary Stamp and Signature *[Signature]* \_\_\_\_\_  
(A stamp may be required in certain jurisdictions.)





page 15 line 20 month to year  
page 26 line 3 Word documentation to white board discussion  
page 32 line 22 refer to referrer  
page 32 line 23 refer to referrer  
page 36 line 3 anesthetics to asthetics  
page 54 line 20 - 22 should read "read various articles that there are ways  
to manipulate their system."  
page 60 line 12 "a button" should read "an auto"  
page 61 line 14 "1" should read "wund" and "i.1" should read "i.wund"  
page 68 line 11 "I will hold it back" should read "I will have to look"  
page 87 line 14 "Laurie" to "Lori"  
page 91 line 22 "Mac" "Matt"  
page 105 line 5 "who was" to "who were"  
page 114 line 22 "Laurie" to "Lori"  
page 114 line 24 "Laurie" to "Lori"  
page 117 line 6 "STS" to "SDS"  
page 123 line 18 "a board" to "Ford"  
page 129 line 20 "certainly" to "certain"  
page 132 line 8 "glean" to "gleam"  
page 147 line 8 "permanently" to "prominently"  
page 170 line 4 "only" to "often"