

## Exhibit E

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

CERTIFIED COPY

THE WEATHER UNDERGROUND, INC., )  
a Michigan Corporation, )

Plaintiff, )

vs. )

Case 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 - UNDER SEAL -

DEPOSITION OF LILY STEVENSON

Los Angeles, California

Tuesday, August 31, 2010

Reported by: Judy Samson  
CSR No. 6916

1 Q And Travis DuCote is not?

2 A No.

3 Q Do you know why Travis DuCote is no longer  
4 employed?

5 A No.

6 Q Let's look at the second page here.

7 Have you ever seen this?

8 A No.

9 Q Does anything on here appear inaccurate to you?

10 A There's a lot of people that have left.

11 Q Okay. Back in 2005 when this was created, do  
12 you have any reason to believe that there's any  
13 inaccurate information here?

14 MR. DELGADO: Objection; lacks foundation.

15 BY MR. HALL:

16 Q Do you know when this document was created?

17 A No.

18 Q About what year was Vendare NetBlue operating?

19 A 2005, 2006.

20 Q And you were the domain manager for Vendare  
21 NetBlue in 2005, 2006?

22 A Yes.

23 Q And what were your responsibilities at Vendare  
24 NetBlue as domain manager?

25 A Reviewed domains for trademark, handled all

1 cease and desists, all UDRPs, all WIPOs.

2 Q What you say "reviewed all domains for  
3 trademarks," what do you mean by that?

4 A Any domains we purchased, I had to review them  
5 for trademarks.

6 Q When you say "any domains we purchased," who is  
7 "we"?

8 A The company.

9 Q What's the company?

10 A Vendare NetBlue.

11 Q Was Vendare NetBlue the registrant of those  
12 domain names?

13 A I don't remember 2005.

14 Q So any domain name purchased by the company you  
15 reviewed?

16 A Yes.

17 Q Who made the decision to purchase the domain  
18 name?

19 A There's a couple of people that would review  
20 the domain.

21 Q Okay. Who are those people?

22 A 2005, I can't remember back then. One was me,  
23 and one was Mavi.

24 Q So let's talk about you.

25 How would you typically purchase a domain name?

1 What process would you follow?

2 A If it was a Fortune 500 company that I knew,  
3 we'd exclude it. If -- I would also do a USPTO search.  
4 If it was trademarked, we wouldn't purchase it.

5 Q Okay. Let's look at those individually.

6 So would you look at a list of the Fortune 500  
7 companies before you purchased a particular domain name?

8 A No.

9 Q So how did you know who the Fortune 500  
10 companies were?

11 A Just knowledge, just Google, knowledge.

12 Q So when you say "Google knowledge," would you  
13 Google who the Fortune 500 companies were before you  
14 purchased a domain name?

15 A What do you mean? I don't understand that  
16 question: Would you go and Google Fortune 500  
17 companies?

18 I don't understand the question.

19 Q That's the question.

20 How did you know who the Fortune 500 companies  
21 were?

22 A It was just to the best of my knowledge.  
23 Whether I read it in the newspaper or whether I read it  
24 on the Internet, it was just to my knowledge..

25 Q Did you have a list that you would look at that

1 I don't understand the question.

2 Q Okay. So let's do it this way. Let's look at  
3 one domain at a time. Okay.

4 You would look at a domain name; correct?

5 A Yes.

6 Q And you would make what kind of decision as it  
7 relates to that domain name?

8 A Do I think it's a trademark.

9 Q Okay. How did you personally know whether or  
10 not it was a trademark?

11 A Google, Google USPTO, or a gut feeling.

12 Q Okay. Let's break those up individually.

13 When you say Google, what do you mean "Google"?

14 A USPTO.gov is where I went to see if it's a  
15 trademark.

16 Q So you didn't go to Google?

17 A No.

18 Q Okay. And you went to USPTO.gov?

19 A Yes.

20 Q And then what did you do?

21 A I put in the domain, minus the extension.

22 Q When you say "minus the extension," you mean  
23 the dot-com or the dot-net; correct?

24 A Yes.

25 Q So you put in the domain -- the exact

1 for you; correct?

2 A Yes. I would try to, yes.

3 Q So did you go back and make sure that any UDRP  
4 received during your absence was included in the  
5 blacklist?

6 A I don't remember.

7 Q Have you ever heard of -- strike that.

8 I believe you said earlier that you never heard  
9 of Weather Underground or Wunderground prior to the  
10 UDRP?

11 A No.

12 Q Has anyone you work with ever told you that  
13 they had heard of Weather Underground prior to the  
14 filing of the UDRP?

15 A No.

16 Q Now, you told me earlier that Traffic  
17 Marketplace is a part of Connexus; right?

18 A Yes.

19 Q I'm going to hand you document 123.

20 (Plaintiff's Exhibit 123 was marked  
21 for identification by the deposition  
22 reporter and is attached hereto.)

23 BY MR. HALL:

24 Q Do you know what this document is?

25 A It's a purchase order.

1 STATE OF CALIFORNIA )  
2 ) ss:  
3 COUNTY OF LOS ANGELES )

4 I, JUDY SAMSON, do hereby certify:

5 That I am a duly qualified Certified Shorthand  
6 Reporter, in and for the State of California, holder of  
7 certificate number 6916, which is in full force and  
8 effect and that I am authorized to administer oaths and  
9 affirmations;

10 That the foregoing deposition testimony of the  
11 herein named witness was taken before me at the time and  
12 place herein set forth;

13 That prior to being examined, the witness named  
14 in the foregoing deposition, was duly sworn or affirmed  
15 by me, to testify the truth, the whole truth, and  
16 nothing but the truth;

17 That the testimony of the witness and all  
18 objections made at the time of the examination were  
19 recorded stenographically by me, and were thereafter  
20 transcribed under my direction and supervision;

21 That the foregoing pages contain a full, true  
22 and accurate record of the proceedings and testimony to  
23 the best of my skill and ability;


24 That prior to the completion of the foregoing  
25 deposition, review of the transcript was requested.



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I further certify that I am not a relative or employee or attorney or counsel of any of the parties, nor am I a relative or employee of such attorney or counsel, nor am I financially interested in the outcome of this action.

IN WITNESS WHEREOF, I have subscribed my name this 12th day of September, 2010.

  
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JUDY SAMSON, CSR No. 6916