

# EXHIBIT I

Page 1

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

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. )

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- CONFIDENTIAL - UNDER SEAL -

DEPOSITION OF LILY STEVENSON  
Los Angeles, California  
Tuesday, August 31, 2010

Reported by: Judy Samson  
CSR No. 6916

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

1 THE WEATHER UNDERGROUND, INC., )  
2 a Michigan Corporation, )  
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5 THE WEATHER UNDERGROUND, INC., )  
6 a Michigan Corporation, )  
7 )  
8 Plaintiff, )  
9 )  
10 vs. ) Case No. 2:09-CV-10756  
11 )  
12 NAVIGATION CATALYST SYSTEMS, )  
13 INC., a Delaware corporation; )  
14 BASIC FUSION, INC., a Delaware )  
15 corporation; CONNEXUS CORP., a )  
16 Delaware corporation; and )  
17 FIRSTLOOK, INC., a Delaware )  
18 corporation, )  
19 )  
20 Defendants. )  
21 )  
22 )  
23 )  
24 )  
25 )

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DEPOSITION OF LILY STEVENSON,  
taken on behalf of the Plaintiff, at  
707 Wilshire Boulevard, Suite 3725,  
Los Angeles, California, beginning at  
10:03 a.m. and ending at 5:05 p.m.,  
on Tuesday, August 31, 2010, before  
Judy Samson, Certified Shorthand  
Reporter No. 6916.

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4 LILY STEVENSON  
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9 MARKED DESCRIPTION PAGE  
10 Exhibit 97 - Letter from Mr. Denison to 13  
11 Ms. Stevenson, dated October 13,  
12 2005; Bates-stamped NCS 055359  
13 through NCS 055361  
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15 Exhibit 98 - Vendare NetBlue Search and 19  
16 Navigation chart; Bates stamped  
17 NCS 056340; and Vendare NetBlue  
18 New Search Organization chart;  
19 Bates stamped NCS056401  
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21 Exhibit 99 - Lily Stevenson LinkedIn page 38  
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24 Policy; Bates stamped NCS 000007  
25 Exhibit 101 - Timeline 57  
26 Exhibit 102 - Connexus Org Chart - January 2010; 60  
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29 Exhibit 103 - Minutes of a Meeting of the Board 68  
30 of Directors of Connexus  
31 Corporation, March 16, 2009; Bates  
32 stamped NCS 056550 through  
33 NCS 056556  
34 Exhibit 104 - Firstlook Org Chart; Bates 73  
35 stamped NCS 055783 and NCS 0557812

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<p>1 (Plaintiff's Exhibit 97 was marked 2 for identification by the deposition 3 reporter and is attached hereto.) 4 BY MR. HALL: 5 Q Do you know what this document is? 6 A Yes. 7 Q What is it? 8 A My offer letter. 9 Q From what company? 10 A Vendare Media. 11 Q And what's the date on this? 12 A October 17, 2005. 13 Q Can you check that date again. 14 MR. DELGADO: Read it again. 15 THE WITNESS: October 13, 2005. 16 BY MR. HALL: 17 Q And is this the first letter you ever received 18 from Vendare Media? 19 A Yes. 20 Q Let's look at the first numbered paragraph 21 where it talks about your salary. 22 Is that information accurate as of the date of 23 this document? 24 A Yes. 25 Q Is your current salary the same as it is right</p>	<p>1 there in this document? 2 A No. 3 Q What is your current salary? 4 A 48,500. 5 Q Total compensation? 6 A Yes. 7 Q Now, if you look at the second paragraph under 8 the No. 1 portion, it says that: 9 "You will be eligible for a 10 performance based bonus with a 11 target of 10% of your salary." 12 Have you ever received a performance-based 13 bonus? 14 A Yes. 15 Q In what years do you recall receiving a 16 performance-based bonus? 17 A 2006, 2007, 2008, 2009. 18 Q Do you expect to receive one this year, 2010? 19 MR. DELGADO: Calls for speculation. 20 You can still answer the question. 21 THE WITNESS: I hope so. 22 BY MR. HALL: 23 Q Now, a performance-based bonus, can you tell me 24 what criteria that's based upon? 25 A Your review.</p>
Page 15	Page 16
<p>1 Q And what types of things are in that review? 2 A If you meet or exceeded the goals that prior 3 year you had set. 4 Q So what was your position in -- well, strike 5 that. 6 What was your job title when you were hired in 7 October of 2005? 8 A Domain name administrator. 9 Q And what were your responsibilities as a domain 10 name administrator? 11 A I handled all C&amp;Ds for Vendare. At that time, 12 it was Vendare. So handled all the C&amp;Ds that came in, 13 review of trademarks of domain registry. 14 Q When you say C&amp;Ds, what do you mean? 15 A Cease and desist letters. 16 Q So you would review any cease and desist letter 17 from an organization claiming trademark rights in a 18 domain name registered by Vendare Media? 19 A Yes. 20 Q Now, was Vendare Media the registrant of the 21 domain names? 22 A Yes. 23 Q All of them were owned by Vendare Media? 24 A I don't remember. 25 Q So you said you handled cease and desist</p>	<p>1 letters. You also said trademarks. 2 What type of trademark responsibilities did you 3 have? 4 A It wasn't so much trademark responsibilities. 5 It was responding to the cease and desist letters. I 6 worked with general counsel. 7 Q And who was that general counsel? 8 A Julia Feldman. 9 Q And what was the substance of these cease and 10 desist letters? 11 A I don't understand the question. 12 Q What were the letters asking Vendare Media to 13 stop doing? 14 A I don't remember those letters. 15 Q So you're telling me you were responsible for 16 the cease and desist letters, but you don't remember 17 what the substance of those letters were? 18 A No. It was 2005. I don't remember. 19 Q When was the last time you were responsible for 20 responding to a cease and desist letter? 21 A It's still my job now. 22 Q And when you say your "job now," what is your 23 job position now? 24 A I'm a legal compliance manager. 25 Q What are the job responsibilities of a legal</p>

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1 compliance manager?  
2 A I handle all new publishers that come in  
3 through Traffic Marketplace. I do all screenings of the  
4 new publishers. I check on Westlaw. I do background  
5 checks for Traffic Marketplace, for Firstlook.  
6 Any cease and desist letters that come in, any  
7 UDRP, any WIPOs, I work with general counsel to resolve  
8 those issues.  
9 Q So let's focus on the cease and desist letters.  
10 What is the substances of those cease and  
11 desist letters that you're responsible for handling  
12 right now?  
13 A The ones that I'm handling right now is "Stop  
14 infringing on our trademark." They ask to transfer the  
15 domain.  
16 Q And do you always transfer the domain?  
17 A Yes.  
18 Q 100 percent of the time you transfer the  
19 domain?  
20 A To the best of my knowledge, yes.  
21 Q And who makes the ultimate decision whether or  
22 not to transfer the domain?  
23 A General counsel and president of Firstlook.  
24 Q Who's the general counsel?  
25 A As of today it's David Graff.

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1 Do you recall getting that as part of your  
2 employment letter?  
3 A Yes.  
4 Q Do you know if that "Employee Confidentiality  
5 Non-Disclosure Agreement" is still on file with your  
6 employer?  
7 A Yes.  
8 Q Yes, it is?  
9 A Yes, it is.  
10 Q Do you recall what the terms of that "Employee  
11 Confidentiality and Non-Disclosure Agreement" are?  
12 A The terms? I'm not allowed to disclose any --  
13 any of our -- our information.  
14 Q And why are you not allowed to disclose any of  
15 the information?  
16 A Because it's --  
17 MR. DELGADO: Objection; lacks foundation,  
18 calls for speculation.  
19 You can answer if you know.  
20 THE WITNESS: I don't know.  
21 MR. HALL: All right. Let's mark the next  
22 one 98.  
23 (Plaintiff's Exhibit 98 was marked  
24 for identification by the deposition  
25 reporter and is attached hereto.)

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1 Q Who in the past has been general counsel making  
2 that decision?  
3 A Chris Pirrone, Julia Feldman. And there's one  
4 other. I can't remember his name.  
5 Q And you referred to the president as well.  
6 Who is the president making that decision?  
7 A The president of Firstlook is Seth Jacoby.  
8 Q Has he always been the individual responsible  
9 for that decision?  
10 A Yes.  
11 Q Would it be accurate to say he's been  
12 responsible for that decision since 2005 when you first  
13 joined Vendare Media?  
14 A Yes.  
15 Q To your knowledge, who else reviews the cease  
16 and desist letters besides you?  
17 A General counsel and the president.  
18 Q So those individuals that you just told me  
19 would be the ones who review the letters as well?  
20 A Yes.  
21 Q Looking at Exhibit 97 again, if you go to the  
22 second page, it notes:  
23 "Enclosed are the following:  
24 Employee Confidentiality and  
25 Non-Disclosure Agreement."

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1 BY MR. HALL:  
2 Q Do you know what this document is?  
3 A I don't know.  
4 Q Have you ever seen this document before?  
5 A No.  
6 Q Does the information in this document appear  
7 accurate, to your knowledge?  
8 A No.  
9 Q What is inaccurate about it?  
10 A There's a couple people that are no longer in  
11 the company.  
12 Q Let me refer you to the bottom left-hand  
13 portion where it says "Vendare NetBlue."  
14 What is that company?  
15 A The merger from Vendare with NetBlue.  
16 Q Vendare Media with NetBlue?  
17 A Yes.  
18 Q And when did that occur?  
19 A I don't remember.  
20 Q Did you become an employee of Vendare NetBlue?  
21 A Yes.  
22 Q Were you given an employment agreement by  
23 Vendare NetBlue?  
24 A No.  
25 Q What was your position with Vendare NetBlue?

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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?

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1 listed 1 through 500 of those companies and reference  
2 that list before you purchased a domain name?  
3 A No.  
4 Q Sitting here today, can you tell me any of the  
5 companies that were listed on the Fortune 500 list at  
6 the time that you made these domain registrations in  
7 2005 or 2006?  
8 A I don't understand. I don't understand the  
9 question.  
10 Q Would Mavi also look at a list of Fortune 500  
11 companies before registering a domain name?  
12 MR. DELGADO: Objection; misstates the  
13 testimony.  
14 THE WITNESS: I don't know what she would do.  
15 BY MR. HALL:  
16 Q Now, is there anything else you would look at  
17 before the list of Fortune 500 before registering a  
18 domain name?  
19 A No.  
20 MR. DELGADO: Let me just interject.  
21 I think the record got a little messed up. You  
22 might want to go back and ask her a little bit more  
23 about the process in terms of whether she was purchasing  
24 or reviewing or whether there were two people doing that  
25 task.

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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

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1 If you don't want to clarify, that's up to you.  
2 BY MR. HALL:  
3 Q You told me that you reviewed domain names  
4 purchased by Vendare NetBlue back in 2005, 2006;  
5 correct?  
6 A Yes.  
7 Q Did you purchase domain names in 2005, 2006 on  
8 behalf of Vendare NetBlue?  
9 A No.  
10 Q Who did?  
11 A At this time, Mavi. It was -- it was -- I  
12 didn't prepare the -- the domains. I didn't pick the  
13 domains. I just reviewed the domains.  
14 Q Who picked the domains besides Mavi?  
15 MR. DELGADO: Objection; lacks foundation.  
16 THE WITNESS: I don't know.  
17 BY MR. HALL:  
18 Q Did anyone pick domains besides Mavi?  
19 MR. DELGADO: Same objection.  
20 THE WITNESS: I don't know.  
21 BY MR. HALL:  
22 Q Who else was responsible for purchase of domain  
23 names at Vendare NetBlue in 2005, 2006?  
24 A Mavi.  
25 Q When you reviewed these domain names after Mavi

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1 purchased them, what would you review them for?  
2 MR. DELGADO: Objection; misstates her  
3 testimony. I'm not sure she said that she reviewed them  
4 after they were purchased.  
5 MR. HALL: Let's go off the record for a  
6 second.  
7 (Discussion held off the record.)  
8 BY MR. HALL:  
9 Q Back in 2005, 2006, you said before that  
10 Vendare NetBlue purchased domain names as a company;  
11 correct?  
12 A Yes.  
13 Q How did Vendare NetBlue choose a domain name to  
14 purchase?  
15 A I don't know. I wasn't the one that picked --  
16 made that decision. I don't know.  
17 Q Who was the person who made that decision?  
18 A To the best of my knowledge, Mavi.  
19 Q So what was your role in the domain name  
20 process?  
21 A After the domain was purchased, I would review  
22 a list of domains for trademarks.  
23 Q Okay. And how would you know whether that  
24 domain list had trademarks?  
25 A I'm looking at the list.

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1 characters of that domain name you put into USPTO.gov?  
2 A Yes.  
3 I'd have to break it down, though, because if  
4 you just but the domain in there, it won't pull nothing.  
5 Q So tell me how you would break it down.  
6 A Space it, just put place and spaces wherever I  
7 thought was common sense.  
8 Q Let's use an example. Nike, N-i-k-e.  
9 What would you do with Nike?  
10 A Place Nike in there, N-i-k-e.  
11 Q Okay. What else would you do with it?  
12 A I wouldn't break it up.  
13 Q Why not?  
14 A Because I know Nike is a -- Nike. It's a  
15 top -- you know, it's a top company.  
16 Q How do you know that?  
17 A Because I wear Nikes. Everybody has Nikes.  
18 Commercials.  
19 Q Would you do this process for every single  
20 domain name you looked at?  
21 A Yes.  
22 Q Now, what if it was a domain that you didn't  
23 have familiarity with? Would you still put it into the  
24 USPTO.gov website?  
25 A Yes.

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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

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1 Q And let's use another example. Let's just say  
2 "example," e-x-a-m-p-l-e.  
3 You would do what with "example"?  
4 A One, put in "example."  
5 Q Okay.  
6 A Two, break it up with the "M," space it from  
7 the "M" and the "P."  
8 Q So e-x-a-m, space --  
9 A Space.  
10 Q -- -p-l-e?  
11 Why would you do that?  
12 A It's just common knowledge to me.  
13 Q And what do you mean it's common knowledge to  
14 you?  
15 A It's a gut feeling. It's a gut feeling to me.  
16 Q So you based the decision whether or not to  
17 keep a domain name on a gut feeling?  
18 A No.  
19 Q Okay. What would you base it on, then?  
20 A If it was a trademark.  
21 Q So if you put it into the USPTO site and you  
22 didn't get any results, you were confident that you  
23 could register -- keep the domain name?  
24 A Yes.  
25 Q And you would keep the domain name?

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1 A Yes.  
2 Q Now, you understand as legal compliance manager  
3 that a trademark need not be registered to be entitled  
4 to trademark protection, don't you?  
5 A Yes.  
6 Q So how would you make a decision as to ones  
7 that didn't show up in the USPTO, whether or not to keep  
8 them?  
9 A It was my decision.  
10 Q Your sole decision?  
11 A At the end of the process, Seth Jacoby was the  
12 one that could say "no," "yea," "yes," "no."  
13 Q And what would -- how would Seth Jacoby make  
14 that decision?  
15 A I don't know.  
16 Q So let's go back to the "example."  
17 You said you would put a space between the "M"  
18 and the "P."  
19 Would you do anything else?  
20 A No.  
21 Q What would putting a space between the "M" and  
22 the "P" do?  
23 A Just to see if something else pulled up.  
24 Q Did you have a particular process you followed,  
25 or did you just do it on a whim based upon how you felt?

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1 that you did?  
2 A I don't know.  
3 Q So Mavi purchased the domain name. She then  
4 did a review of the domain name. You did a review of  
5 the domain name.  
6 And then what?  
7 A Then we send it to Seth.  
8 Q And what would Seth do?  
9 A I don't know.  
10 Q You have no idea what would happen with that  
11 domain name then?  
12 A After it left my -- after my review, it went  
13 back to Mavi.  
14 What happened, I don't know.  
15 Q Wait. You just told me that it went to Seth  
16 Jacoby, not back to Mavi.  
17 A Mavi did the first review. Mavi purchased the  
18 domain. Mavi did the first review. I did the second  
19 review.  
20 All in this e-mail -- I mean after -- after I  
21 did my review, I'd send it back to Mavi, who would send  
22 it to Seth.  
23 Q Did Mavi do another review after your review?  
24 A I don't know.  
25 Q Let's talk about the Fortune 500 again.

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1 A I don't understand the question.  
2 The process of the USPTO was just my decision  
3 on how -- how I decided to plug in the domain in USPTO.  
4 Q Was there ever a document that told you how you  
5 needed to break up a particular domain name to ensure  
6 that it didn't have a trademark registration with the  
7 USPTO?  
8 A No.  
9 Q So just so I'm clear, Mavi purchased the domain  
10 names; correct?  
11 A Yes.  
12 Q After they were purchased, you reviewed them;  
13 correct?  
14 A Along with Mavi.  
15 Q Okay. What would Mavi do after she purchased  
16 the domain names?  
17 What process would she follow?  
18 MR. DELGADO: Lacks foundation.  
19 Go ahead.  
20 THE WITNESS: She would review it, and then I  
21 would do the second review.  
22 BY MR. HALL:  
23 Q Do you know what type of review she did?  
24 A No.  
25 Q Do you believe it was the same type of review

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1 You told me that you -- what? -- knew of the  
2 Fortune 500 and if a domain was in there, you wouldn't  
3 register it?  
4 A When I said Fortune 500, it was just to my  
5 knowledge of what I thought was a Fortune 500 company --  
6 if it's Nike, IBM, whatever it was that I knew offhand.  
7 Q And you know that the Fortune 500 changes from  
8 year to year?  
9 A Yes.  
10 Q And would you go out and make sure that you  
11 knew what companies came into the Fortune 500 or dropped  
12 out of it?  
13 A No.  
14 Q Now, you also mentioned Google.  
15 What did you use Google for as part of this  
16 process?  
17 A I didn't. I used USPTO.gov.  
18 Q When you say you used USPTO.gov, which portion  
19 of USPTO.gov did you use?  
20 A Trademarks.  
21 Q Trademarks.  
22 Any particular search function within  
23 trademarks or -- what did you use at the trademarks  
24 portion of the USPTO.gov website?  
25 A The search portion.

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1 Q And what kind of search?  
2 A Based on the term or the trademark.  
3 Q Was it a basic search, or it was a structured  
4 search?  
5 A Basic.  
6 Q So this is the job function you were  
7 performing while at Vendare NetBlue as domain manager in  
8 2005, 2006; correct?  
9 A Yes.  
10 Q When did you start working for Firstlook?  
11 A I don't understand the question.  
12 Q Have you ever worked for Firstlook?  
13 A I worked for Vendare.  
14 Q In what year?  
15 A 2005.  
16 Q Okay. After Vendare, who did you work for?  
17 A Vendare NetBlue.  
18 Q In what year?  
19 A 2005, 2006.  
20 Q Okay. After Vendare NetBlue, who did you work  
21 for?  
22 A Connexus Corp.  
23 Q In what year?  
24 A 2007.  
25 MR. HALL: 99.

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1 corporate, which is Vendare NetBlue.  
2 Q Is Firstlook a part of Vendare NetBlue?  
3 A Yes.  
4 Q Currently it is?  
5 MR. DELGADO: Objection; lacks foundation.  
6 THE WITNESS: Yes.  
7 BY MR. HALL:  
8 Q So it shows here that from June 2005 through  
9 April 2008 you were domain manager at Firstlook;  
10 correct?  
11 A Yes.  
12 Q And then from October 2005 through the present,  
13 you're a legal compliance manager at Connexus  
14 Corporation; correct?  
15 A Yes.  
16 Q So were you working for two companies at the  
17 same time?  
18 A No.  
19 Q Have you ever in the past worked for two  
20 companies at the same time?  
21 A No.  
22 Q Well, then how did you work for Connexus  
23 Corporation and Firstlook from October 2005 through  
24 April 2008?  
25 A It's a separate business entity. I still work

Page 38

1 (Plaintiff's Exhibit 99 was marked  
2 for identification by the deposition  
3 reporter and is attached hereto.)  
4 BY MR. HALL:  
5 Q Do you know what this document is?  
6 A Yes.  
7 Q What is it?  
8 A My LinkedIn profile.  
9 Q Did you create this profile?  
10 A Yes.  
11 Q When did you create this profile?  
12 A I don't remember the exact date.  
13 Q Is the information in this profile accurate?  
14 A Yes.  
15 Q It shows in the second portion that from June  
16 2005 through April 2008 you were domain manager at  
17 Firstlook; is that correct?  
18 A Yes.  
19 Q So when I asked you before who you worked for  
20 after Vendare NetBlue, who would that be?  
21 A It was still Vendare NetBlue. Firstlook is an  
22 entity of Vendare NetBlue.  
23 Q What do you mean it's an entity of Vendare  
24 NetBlue?  
25 A It's a business entity. I still worked for

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1 for Vendare NetBlue, Connexus.  
2 Q Which one?  
3 A At this point, the media -- the Epic group.  
4 Q Okay. So let's talk about from June 2005  
5 through April 2008 while you were domain manager at  
6 Firstlook.  
7 Were you performing the same tasks that you  
8 performed while at Vendare NetBlue as a domain manager?  
9 A Yes.  
10 Q How is a domain manager different from a legal  
11 compliance manager?  
12 A Legal compliance manager, I handled the whole  
13 company, Traffic Marketplace compliance and also  
14 Firstlook.  
15 Q Now, how does Traffic Marketplace fit into  
16 Connexus?  
17 A They buy ads. They sell the ads.  
18 Q Okay. And how does Firstlook fit into  
19 Connexus?  
20 A They handle domain purchasing, search,  
21 downloads.  
22 Q When you say, "They handle domain purchasing,"  
23 what do you mean by that?  
24 A They're a domain company.  
25 Q Okay. I understand that.



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1 When you say "domain purchasing," what does  
2 that mean?  
3 A Figure of speech, "domains." They handle --  
4 if you was to ask me what does Firstlook do, what is  
5 Traffic Marketplace, Firstlook handles domains, search,  
6 downloads; Traffic Marketplace is online marketing ads.  
7 We handle social. We handle advertisers,  
8 publishers.  
9 Q Okay. Let's put Traffic Marketplace to the  
10 side for a moment and talk about Firstlook only.  
11 So when you say "domain purchasing," are you  
12 telling me that Firstlook as an entity purchases domain  
13 names?  
14 A Yes.  
15 Q And are those domain names registered to  
16 Firstlook, the entity?  
17 A No.  
18 Q Who are they registered to?  
19 A Navigation Catalyst Systems.  
20 Q Do you work for Navigation Catalyst Systems?  
21 A No.  
22 Q Then why are you registering domain names to  
23 Navigation Catalyst Systems?  
24 A I don't register the domains.  
25 Q Who does?

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1 referring to.  
2 So back in 2005, who was purchasing domain  
3 names?  
4 A Mavi.  
5 Q On behalf of what company?  
6 A I don't remember back 2005.  
7 Q Okay. How about 2006?  
8 A I don't remember.  
9 Q 2007?  
10 A Navigation Catalyst.  
11 Q Navigation Catalyst was what?  
12 A Was the registrant of the domains.  
13 Q And who was registering them for Navigation  
14 Catalyst?  
15 A In what year?  
16 Q 2007. That's the year we're talking about.  
17 A 2007 would still be Mavi.  
18 Q Was Mavi an employee of Navigation Catalyst  
19 Systems in 2007?  
20 A No.  
21 Q Would you review the domain names registered by  
22 Mavi to Navigation Catalyst Systems in 2007?  
23 A I didn't know who -- I didn't -- at my -- my  
24 position, I don't care. I wasn't supposed to look. I  
25 didn't care who registered it. I was just looking at

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1 A As of today, Dennis Rhee.  
2 Q Who does Dennis Rhee work for?  
3 A Seth Jacoby.  
4 Q What organization does Dennis Rhee work for?  
5 A The Epic Media Group.  
6 Q But he registers domain names for Navigation  
7 Catalyst Systems; correct?  
8 A Yes.  
9 Q Is he an employee of Navigation Catalyst  
10 Systems?  
11 A He's an employee of Epic Media Group.  
12 Q Besides Dennis Rhee registering domain names  
13 now, who registered domain names in the past?  
14 A Iris, who's left the company.  
15 Q What's her full name?  
16 A I don't remember her last name.  
17 Q When you say she's left the company, what  
18 company?  
19 A Epic Media Group.  
20 Q So she worked for Epic Media Group?  
21 A No. At that time, it was Connexus.  
22 Q Okay. I think you're starting to see that we  
23 need to be specific here as it relates to time periods.  
24 I understand that it's changed names over time, but I  
25 want to be very specific in the time periods we're

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1 the domain name itself.  
2 Q What do you mean you weren't supposed to look?  
3 A No. I didn't care. I just looked at domains.  
4 This is what I was taught to do: look at the domain and  
5 review for trademark.  
6 Q Taught by whom?  
7 A Mavi.  
8 Q Now, this was in 2007.  
9 How about in 2008? Who was registering domain  
10 names?  
11 A Iris.  
12 Q And what organization was Iris registering the  
13 domain names to?  
14 A Navigation Catalyst Systems.  
15 Q Was she an employee of Navigation Catalyst  
16 Systems?  
17 A No.  
18 Q Did you review those domain names after Iris  
19 registered them in 2008?  
20 A Yes.  
21 Q How about in 2009? Who registered the domain  
22 names?  
23 A Dennis Rhee.  
24 Q And who were the domain names registered to in  
25 2009?

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1 A Navigation Catalyst Systems.  
2 Q Was Dennis Rhee an employee of Navigation  
3 Catalyst Systems?  
4 A No.  
5 Q And did you review the domain names registered  
6 by Dennis Rhee in 2009?  
7 A Yes.  
8 Q Now, you also told me that you not only  
9 reviewed domain names but you responded to cease and  
10 desist letters; correct?  
11 A Yes.  
12 Q Who were those cease and desist letters  
13 directed to?  
14 A Navigation Catalyst Systems.  
15 Q So you must have known that you were responding  
16 on behalf of Navigation Catalyst Systems; correct?  
17 A Yes.  
18 Q And you never asked anyone what the  
19 relationship between Navigation Catalyst Systems and  
20 Firstlook, for example, was?  
21 A No.  
22 Q Why not?  
23 A I didn't ask.  
24 Q Why didn't you ask?  
25 A I didn't ask.

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1 A 2008? Connexus.  
2 Q Where do you work? What's your physical office  
3 address?  
4 A 2141 Rosecrans Avenue, Suite 2020, El Segundo,  
5 California 90245.  
6 Q And you actually go to the office every day and  
7 and work there?  
8 A Yes.  
9 Q How many people are in that office?  
10 A 60.  
11 Q Currently?  
12 A I don't know the current amount.  
13 Q How long have you worked at that office?  
14 A 2007.  
15 Q While working for Connexus?  
16 A Yes.  
17 Q While working for Firstlook?  
18 A I didn't work for Firstlook. I worked for  
19 Connexus, at that time Vendare Media.  
20 Q I'm looking at your LinkedIn profile, and it  
21 says from June 2005 through April 2008 you worked for  
22 Firstlook.  
23 A It's a business entity. It's a separate  
24 business entity.  
25 Q But is it part of Connexus?

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1 Q I understand you didn't ask.  
2 Why didn't you ask?  
3 MR. DELGADO: Objection; asked and answered,  
4 argumentative.  
5 BY MR. HALL:  
6 Q So in -- we'll move on.  
7 In 2005, it was no longer Vendare NetBlue;  
8 correct?  
9 Strike that.  
10 Let's do it this way: When did Connexus Corp.  
11 become the parent company? What year?  
12 A 2008.  
13 Q And did you have to sign an employment  
14 agreement with Connexus Corp. in 2008?  
15 A No.  
16 Q Do you get paid by Connexus Corp. currently?  
17 A The Epic Media Group.  
18 Q So Epic Media Group is the name on your  
19 paycheck?  
20 A I don't know.  
21 Q You don't look at your paycheck?  
22 A Direct deposit.  
23 Q How about in 2008 when Epic Media Group wasn't  
24 around and it was Connexus? What was the name on your  
25 paycheck?

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1 A Yes.  
2 Q Is Navigation Catalyst part of Connexus?  
3 A No.  
4 Q Is Traffic Marketplace part of Connexus?  
5 A Yes.  
6 Q Out of these approximately 60 employees that  
7 are at the El Segundo office, do all of them work for  
8 Epic Media Group now?  
9 A Yes.  
10 Q Prior to the merger with Epic Media Group, did  
11 they all work for Connexus?  
12 A Yes.  
13 Q Was Dennis Rhee one of the individuals in the  
14 office?  
15 A No.  
16 Q Where was he located?  
17 A New York.  
18 Q What about Mavi Llamas?  
19 A El Segundo office.  
20 Q The same office as you?  
21 A Yes.  
22 Q What about Seth Jacoby?  
23 A New York office.  
24 Q Now, when you're with Connexus Corp., your  
25 title is legal compliance manager; correct?

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<p>1 What does TMP stand for? 2 A Traffic Marketplace. 3 Q Do you ever interact with Jim Waltz as part of 4 your job? 5 A No. 6 Q To the right of Jim Waltz is "Seth Jacoby, 7 President of FirstLook"; is that correct? 8 A Yes. 9 Q To the right is "Mark Lambert, CFO." 10 Do you ever interact with Mark Lambert? 11 A No. 12 Q To the right is "Chris Pirrone, Chief 13 Administrative Officer." 14 Were you aware that Chris Pirrone was chief 15 administrative officer for Connexus? 16 A Yes. 17 Q Did he have any other position besides chief 18 administrative officer? 19 MR. DELGADO: At some specific point in time? 20 BY MR. HALL: 21 Q As of January 2010. 22 A General counsel. 23 Q And is Chris Pirrone currently general counsel? 24 A No. 25 Q Do you know why not?</p>	<p>1 A No. 2 Q Go to the next page. 3 On the right-hand side, do you see where your 4 name is listed? 5 A Yes. 6 Q What is your title there? 7 A "Affiliate Compliance Manager." 8 Q Is that accurate? 9 A No. 10 Q Do you know why they would put that down? 11 MR. DELGADO: Objection; calls for speculation. 12 THE WITNESS: I don't know. 13 BY MR. HALL: 14 Q And what is your actual title? 15 A Legal compliance manager. 16 Q Is there anybody on this org chart that you've 17 worked with since you started your employment with 18 Vendare in 2005? 19 A No. 20 Q You've never worked with Chris Pirrone? 21 A Yes. Sorry. Yes. 22 Q Anyone else besides Chris Pirrone? 23 A I work with Connie Sim, but not -- she's 24 contracts. She was in our department. 25 Q What department is that?</p>
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<p>1 A Legal. 2 Q When you say "she's contracts," what do you 3 mean by that? 4 A She handles all contracts for Connexus. 5 Q If you go to the next page, at the top it says 6 "FirstLook." 7 Do you see your name anywhere on this page? 8 A No. 9 Q Why would that be? 10 A I don't work for Firstlook. 11 Q So you do no work on behalf of Firstlook? 12 MR. DELGADO: Objection; misstates her 13 testimony. 14 BY MR. HALL: 15 Q Do you do any work on behalf of Firstlook? 16 A Yes. 17 Q But you're not listed on the org chart? 18 A I don't work for Firstlook. 19 Q I understand you don't work for Firstlook. 20 What do you -- let's do it this way: What do 21 you mean you don't work for Firstlook? 22 Do you mean you're not employed by Firstlook? 23 A I work for Connexus. 24 Q Let's answer my question. 25 When you say you don't work for Firstlook, you</p>	<p>1 mean that you're not employed by Firstlook; correct? 2 A Correct. 3 Q But do you ever do any work on behalf of 4 Firstlook? 5 A Yes. 6 Q Is there anybody on this sheet that you work 7 with? 8 A Yes. 9 Q Can you identify them for me. 10 A Seth Jacoby. 11 Q Okay. 12 A Mavi Llamas and Dennis Rhee. 13 Q Okay. Now, what do you do with Seth Jacoby? 14 A Interact with him regarding cease and desist 15 letters, UDRPs, or WIPOs. 16 Q Now, you keep saying "UDRPs or WIPOs." 17 What do you say that it's UDRP or WIPO? 18 A It's just a term we use. I know it's from 19 the same form, but that's how we differentiate, yeah. 20 Q Okay. So you work with Seth Jacoby on cease 21 and desists and WIPOs. 22 Anything else? 23 A No. 24 Q And those cease and desist letters are directed 25 to whom?</p>

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1 A Navigation Catalyst Systems.  
2 Q So do you work for Navigation Catalyst Systems?  
3 Let's put it this way -- strike that.  
4 You're not employed by Navigation Catalyst  
5 Systems; correct?  
6 A Yes, correct.  
7 Q But part of your job responsibilities is  
8 handling matters for Navigation Catalyst Systems?  
9 A Yes.  
10 Q Would the same be true for Seth Jacoby?  
11 A Yes.  
12 Q What about Mavi Llamas? What do you do with  
13 her?  
14 A In January 2009 --  
15 Q No. January 2010.  
16 A January 2010. She was moving over to  
17 optimization manager, but we were still working together  
18 as far as the domain, domain section.  
19 If I had a question on researching it further,  
20 she knows the system that we use.  
21 So her and I would -- "Okay. Can you go find  
22 this for me? Can you go look for this? How do I do  
23 this in this system?" before she moved over to  
24 optimization.  
25 Q What system is that?

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1 Q Is there anything else you use it for?  
2 A No.  
3 Q Now, you said Mavi Llamas became optimization  
4 manager.  
5 What does that entail?  
6 MR. DELGADO: Calls for speculation.  
7 THE WITNESS: I don't know.  
8 BY MR. HALL:  
9 Q So Mavi Llamas no longer performs the jobs that  
10 we had talked about earlier, namely, registering the  
11 domain name and reviewing it before you review it?  
12 A Yes.  
13 Q Do you know why?  
14 A I don't know why.  
15 Q What about Dennis Rhee? What do you do with  
16 Dennis Rhee?  
17 A He does our purchasing of domains. He's our  
18 first reviewer. He reviews. Where Mavi was before,  
19 Dennis does it now.  
20 Q So is it accurate to say that Dennis Rhee has  
21 replaced Mavi to perform the jobs that Mavi once did in  
22 terms of registering a domain and first level review?  
23 A Yes.  
24 Q What else does Dennis Rhee do?  
25 A I don't know.

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1 A CMS.  
2 Q What does CMS stand for?  
3 A I don't know.  
4 Q And what does that system do?  
5 A It's what I call our database.  
6 Q Okay. And what's in the database?  
7 A I don't know. I just work with what I know  
8 that's in there.  
9 I don't know the back end. I don't know the  
10 front end. I just know how to get in and out.  
11 Q Okay. So what do you get into it for?  
12 A To see if we own a domain, to place a domain on  
13 lock.  
14 Q When you say "we own a domain," who's "we"?  
15 A NCS.  
16 Q Now, what do you mean by "place a domain on  
17 lock"?  
18 A If you receive a UDRP or anything from NAF or  
19 WIPO, you have to place it on lock. So I was obligated  
20 to place a domain on lock.  
21 Q So is your CMS an interface that allows you to  
22 manage your domain portfolio?  
23 A Yes.  
24 Q Is there anything else it allows you to do?  
25 A I don't know.

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1 Q If you had to place yourself in this org chart,  
2 where would you be?  
3 A I don't know.  
4 Q Who out of the individuals listed on this org  
5 chart would you consider to be your boss or bosses?  
6 A Seth Jacoby.  
7 Q Now, we talked earlier about your compensation.  
8 I'm going to hand you Exhibit 103 and ask you  
9 to review that document and let me know if you're  
10 familiar with it.  
11 (Plaintiff's Exhibit 103 was marked  
12 for identification by the deposition  
13 reporter and is attached hereto.)  
14 (Document reviewed by the witness.)  
15 THE WITNESS: I don't know what this is.  
16 BY MR. HALL:  
17 Q Okay. If you go to NCS 056555, this lists  
18 individuals in the left-hand column followed by their  
19 titles and amount of stock options or shares owned.  
20 Does that appear accurate?  
21 A Yes.  
22 Q And if you flip the page, you'll see your name;  
23 correct?  
24 A Yes.  
25 Q What is the title next to your name?