

EXHIBIT K

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

THE WEATHER UNDERGROUND, INC.,
a Michigan corporation,

Plaintiff,

Case No.: 2-09-CV-10756
Hon. Marianne O. Battani

v.

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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NAVIGATION CATALYST SYSTEMS' SUPPLEMENTAL RULE 26(a) INITIAL

DISCLOSURES

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Navigation Catalyst Systems, Inc. (“NCS”) hereby makes its Supplemental Initial Disclosures to Plaintiff, The Weather Underground.

I. WITNESSES

NCS identifies the following individuals likely to have discoverable information that NCS may use to support its defenses.

Name	Relevance/Testimony
<p>Seth Jacoby, President Can be reached through counsel.</p>	<p>NCS’s answer in this action; NCS’s intellectual property rights; NCS’s online business; NCS’s Internet directory and search capability services; NCS’s automated use of the Add Grace Period; NCS’s due diligence screening practices generally; NCS’s blacklist database to prevent registration of potential trademarks; NCS’s human screening practices to prevent registration of potential trademarks; NCS’s domain name registration practices; NCS’s automated tool based on the USPTO database to assist screeners by identifying domains that may be registered trademarks; NCS’s practice of eliminating and deleting derivatives of trademarks; NCS’s policy of transferring disputed domain names to third parties where justified; NCS’s search of its portfolio upon receipt of Plaintiff’s complaint and offer to transfer of domains; the mechanism by which advertisements are published on NCS’s web pages; and knowledge of revenue generated by the domain names at issue.</p>
<p>Donald Misino, Software Architect Can be reached through counsel.</p>	<p>Architect of the domain related software operated by NCS. Can testify regarding the operation of the software.</p>
<p>Lily Stevenson, Compliance Manager Can be reached through counsel.</p>	<p>Manages compliance related to NCS domain names. Can testify regarding trademark review of domain names.</p>

Dennie Rhee, Operations Manager Can be reached through counsel.	Manages operations for NCS. Can testify regarding purchases of names.
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NCS expressly reserves the right to supplement its responses pursuant to Fed. R. Civ. P. 26(e) as its investigation continues.

II. DOCUMENTS

NCS has in its possession, custody, and/or control documents that it may use to support its defenses and which relate to the following categories:

1. NCS's automated registration system including:
 - a. NCS's registration software modules.
 - b. Trademark review instructions.
 - c. The NCS blacklist.
 - d. Data on the domain name registration of the domain names at issue.
2. Revenue reports showing the revenue generated by the domain names at issue.
3. Document retention policy.

NCS expressly reserves the right to supplement its responses pursuant to Fed. R. Civ. P. 26(e) as its investigation continues.

III. COMPUTATION OF DAMAGES

NCS is not seeking damages and, therefore, this section is inapplicable.

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IV. INSURANCE


No applicable insurance agreement applies.

CERTIFICATION OF DISCLOSURE

The undersigned certifies that, to the best of his knowledge, information and belief, formed after an inquiry that is reasonable under the circumstances, the above disclosure is complete and correct as of the time it is made.

Dated: February 26, 2010

WILLENKEN WILSON LOH & LIEB LLP



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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of February, 2010, I served Defendant Navigation Catalyst Systems, Inc.'s Supplemental Rule 26(a) Initial Disclosures via electronic mail and U.S. Mail, first class, postage pre-paid on:

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