

EXHIBIT E

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

THE WEATHER UNDERGROUND, a
Michigan corporation,
Plaintiff, Case No.
2:09-CV-10756

Vs.

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.

Butzel Long, P.C.
380 Madison Avenue
New York, New York
10:00 a.m.
Thursday, November 18, 2010

Deposition of DENNIS RHEE held at the
above-mentioned time and place, before Ruthanne
Ungerleider, CCR, CRR and Notary Public.

1 Q You talked a little bit earlier about
2 selling domain names.

3 A Yes.

4 Q You said that you don't ultimately
5 make that decision as to whether or not to sell a
6 domain name, correct?

7 A Correct.

8 Q What decisions do you have final say
9 for as part of your job?

10 A Probably the deletions, renewals, the
11 registrations.

12 Q Does anybody review your work as it
13 relates to any of those functions?

14 A Not that I know of.

15 Q Now, besides the domain name
16 registration, renewals, deletions, in Lily
17 Stevenson's deposition she said that you were also
18 responsible for parked page content. Is that
19 accurate?

20 A I'm not sure what "parked page content" is.

21 Q Let's do it this way.

22 Do you do anything relating to what content
23 is displayed on a domain name?

24 A Yes, the keywords.

25 Q What do you do for that?

1 A I make sure that the keywords are relevant.
2 If the temps are not putting in the right
3 keywords, then we would tell them to be accurate
4 with their keywords.

5 Q So the temps are provided a domain
6 name and they have to select keywords to associate
7 with that domain name, correct?

8 A Yes.

9 Q And you review those keywords?

10 A I don't.

11 Q Who does?

12 A David Hull.

13 Q You said before that you make sure
14 they're relevant.

15 A Right, meaning I don't review them, but if I
16 do come across a domain name that I happen to be
17 looking at and the keywords are seen as irrelevant,
18 then I would say something.

19 Q Now, when you say you come across a
20 domain name to see if the keywords are relevant, do
21 you mean looking solely at the domain name or
22 actually typing the domain name into a URL and
23 seeing what the page content is?

24 A The page content.

25 Q Now, why would you do that for a

1 when we looked at the name.

2 I honestly don't know.

3 Q Looking back at the VDA list where you
4 put an X, I don't see any additional information
5 that would lead me to believe that a K was added.

6 Do you?

7 A No.

8 Q I hand you Exhibit 176, and I'll
9 represent to you that when I went to that domain
10 name, `express.net`, I was redirected to this
11 Website.

12 (Whereupon `womansclothingz.net`
13 Website Information is received and marked
14 as Exhibit 176 for identification.)

15 Q Does this look like a Website?

16 A Yes.

17 Q That's parked by Firstlook?

18 A It appears so, yes.

19 Q If you had to tell me what the
20 keywords on this Website are, what would they be?

21 A Women's clothing catalog, fashion apparel,
22 women's shoes.

23 Q Now, are you telling me that those
24 three keywords that you just read would have had to
25 have been manually selected by keyword optimizers?

1 Q Did you review this document with Mr.
2 Delgado?

3 A We briefly went over it.

4 Q In your personal knowledge, what do
5 you think "actual Website" is referring to?

6 A Probably to whatever is similar to the domain
7 name, maybe as a typo.

8 Q So let's look at the first one,
9 wwwgamepapa.com, what would the actual Website be?

10 A Probably www.gamepappa.com.

11 Q What would be the point of going to
12 www.gamepapa.com to determine keywords for a domain
13 wwwgamepappa.com?

14 A If it exists, then to see what's out there.
15 To see if there was actually any type of existing
16 template or Website out there.

17 Q Why would you want to know that?

18 A I don't know, just to see if it's registered.

19 Q How would somebody have chosen as a
20 keyword "online games" for wwwgamepapa if it wasn't
21 registered somewhere?

22 A That, I don't know.

23 I personally don't know what gamepapa is.

24 Q What about the second one,
25 wwwgeonline.com?