

EXHIBIT A

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

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.

Enrico Schaefer (P43506)
Brian A. Hall (P70865)
TRAVERSE LEGAL, PLC
810 Cottageview Drive, Unit G-20
Traverse City, MI 49686
231-932-0411
enrico.schaefer@traverselegal.com
brianhall@traverselegal.com
Lead Attorneys for Plaintiff

Anthony P. Patti (P43729)
HOOPER HATHAWAY, PC
126 South Main Street
Ann Arbor, MI 48104
734-662-4426
apatti@hooperhathaway.com
Attorneys for Plaintiff

Nicholas J. Stasevich (P41896)
Benjamin K. Steffans (P69712)
J. Michael Huget (P39150)
BUTZEL LONG, PC
150 West Jefferson, Suite 100
Detroit, MI 48226
(313) 225-7000
stasevich@butzel.com
steffans@butzel.com
Local Counsel for Defendants

William A. Delgado (admitted pro hac vice)
WILLENKEN WILSON LOH & LIEB LLP
707 Wilshire Boulevard, Suite 3850
Los Angeles, CA 90017
(213) 955-9240
williamdelgado@willenken.com
Lead Counsel for Defendants

PLAINTIFF'S ANSWERS TO DEFENDANT'S FIRST SET OF INTERROGATORIES

Response: Plaintiff has not computed its damages at this time. Nor has Defendant provided any discovery responses to date. By way of example only, Defendant has provided no information as to how much web traffic was diverted from Plaintiff's web site to typo-domains at issue as a result of its cybersquatting and trademark infringement. Plaintiff will supplement this Response as discovery continues and damages become capable of calculation.

Interrogatory No. 5.: If You contend that any alleged infringement by NCS was intentional, state all facts which would support or tend to support that contention.

Response: Defendant has provided no discovery to date. By way of example, Defendant has not provided its registration or parking page software for review and analysis. Without waiving the right to supplement, Defendant designed software to specifically target high traffic web sites and register typographical variations of those domains which they know will be trademark protected in many instances. Given the large volume of cybersquatted domains which have already been identified and disclosed in pleadings of other third party trademark holders, it is clear that the registration and monetization scheme to register typographical variations of trademark protected domains is intentional. See also the allegations in the pleadings to date, all discovery responses concerning Defendant's business model and supporting documentation.

Interrogatory No. 6.: For purposes of analyzing likelihood of confusion in this Action, describe in as much detail as possible what You contend to be the characteristics of the relevant consumer.

Dated: 3.5.10

By: _____
Jeff Ferguson



Respectfully submitted this 22nd day of February, 2010.

Enrico Schaefer (P43506)
Brian A. Hall (P70865)
TRAVERSE LEGAL, PLC

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Traverse City, MI 49686

231-932-0411
enrico.schaefer@traverselegal.com

Lead Counsel for Plaintiff

Anthony P. Patti (P43729)
HOOPER HATHAWAY, PC
126 South Main Street
Ann Arbor, MI 48104
734-662-4426
apatti@hooperhathaway.com

Attorneys for Plaintiff