

# EXHIBIT B

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

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.

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DEPOSITION OF ALAN STEREMBERG

Wednesday, July 28, 2010

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SHEILA CHASE & ASSOCIATES  
REPORTING FOR:  
Westlaw Deposition Services  
221 Main Street, Suite 1250  
San Francisco, California 94105  
Phone: (415) 321-2300  
Fax: (415) 321-2301

Reported by:  
LORRIE L. MARCHANT, CSR, RPR, CRR, CLR, CCRR  
CSR No. 10523

1 A. No.

2 Q. No one at the company?

3 A. I've spoken to other people at the company and  
4 communicated to the company that I was going to be in a  
5 deposition, because it's on the public calendar, but not  
6 details of the case.

7 Q. Okay. Is Weather Underground presently  
8 involved in any other litigation?

9 A. Not to my knowledge.

10 Q. Okay. I'm going to ask some of these  
11 questions. I know what the answers are, but for the  
12 purposes of the record, it's just easier if I ask them  
13 and you answer them.

14 Are you currently employed?

15 A. Yes.

16 Q. Where?

17 A. Weather Underground.

18 Q. What is your position there?

19 A. President.

20 Q. And as president, what does your job entail?

21 A. I oversee the management of day-to-day  
22 operations and the staff at the company. I also work on  
23 implementing the plans of the board and reporting back  
24 results to them, to the board.

25 Q. Are there any business units that you're

1 case have been to the sites.

2 Q. Have you had any conversations, though, with  
3 someone who told you, I also visited these domain names?

4 A. No, I have not.

5 MR. DELGADO: Let's take another break.

6 (Recess taken, from 12:12 to 12:19.)

7 MR. DELGADO: Back on the record.

8 BY MR. DELGADO:

9 Q. Is it your belief that NCS knew about Weather  
10 Underground prior to registering any domain name that is  
11 the subject of this action?

12 A. Yes.

13 Q. What do you base that belief on?

14 A. We -- I believe that NCS is affiliated with an  
15 advertising network that we received revenue from.

16 Q. And what advertising network is that?

17 A. I don't recall. I think it's Traffic  
18 Marketplace. All the advertising networks have similar  
19 sounding names.

20 Q. Okay. Any other reason?

21 A. No.

22 Q. Ever had a conversation with someone who told  
23 you that NCS knew about Weather Underground before  
24 registering a domain name that is the subject of this  
25 action?

1 A. No.

2 Q. Ever seen a document of any sort, other than  
3 one provided to you from your attorney, wherein the  
4 document stated that NCS knew about Weather Underground  
5 prior to registering a domain name that is the subject  
6 of this action?

7 A. I don't believe so.

8 Q. Have you ever had any communications with  
9 anyone at the companies that I talked about earlier,  
10 NCS, Connexus, Basic Fusion or FirstLook?

11 A. No, I haven't.

12 Q. Have you ever had a conversation with anyone at  
13 Traffic Marketplace?

14 A. No.

15 Q. When did you first become aware that NCS was,  
16 in your opinion, affiliated with Traffic Marketplace?

17 A. I was told that they were affiliated by  
18 Jeff Ferguson.

19 Q. When?

20 A. After we started to get our domains back. I  
21 don't know the exact time.

22 Q. You mean after the UDRP arbitration had been  
23 completed?

24 A. I believe during or after the UDRP arbitration  
25 process.

# ERRATA SHEET

Westlaw Deposition Services

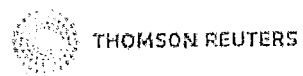
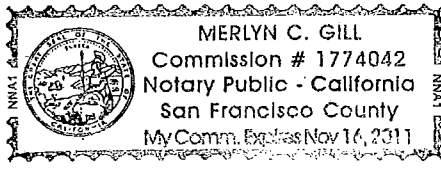
Deposition of: Alan Stern<sup>em</sup>berg

I wish to make the following changes for the following reasons:

Page	Line	Change	Reason
35	9	Allen to Alan	Spelling
37	21	updated to outdated	Wrong word
38	22	It to That	Wrong word
64	11	medium to most	Wrong word

Witness Signature/Date Alan Sternberg 8/18/2010

Notary Stamp and Signature [Signature]  
 (As may be required in certain jurisdictions)



Page 35 Line 9: Alan Steremberg were recruited to help build a system

Page 37 Line 21: Have they become outdated?

Page 38 Line 22: A. I don't recall the exact date. That seems

Page 64 Line 11: most popular weather stickers. I believe it's

CERTIFICATE OF WITNESS

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I, the undersigned, declare under penalty of perjury that I have read the foregoing transcript, and I have made any corrections, additions, or deletions that I was desirous of making; that the foregoing is a true and correct transcript of my testimony contained therein.

EXECUTED this 18 day of August,  
2010, at San Francisco, CALIFORNIA.  
(City) (State)

Alan Steremberg  
ALAN STEREMBERG



# CALIFORNIA JURAT WITH AFFIANT STATEMENT

- See Attached Document (Notary to cross out lines 1-6 below)  
 See Statement Below (Lines 1-5 to be completed only by document signer[s], *not* Notary)

1 \_\_\_\_\_  
2 \_\_\_\_\_  
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Signature of Document Signer No. 1 \_\_\_\_\_ Signature of Document Signer No. 2 (If any) \_\_\_\_\_

State of California

County of San Francisco

Subscribed and sworn to (or affirmed) before me on this

18 day of August, 2010, by  
Date Month Year

(1) Alan Sterenberg,  
Name of Signer

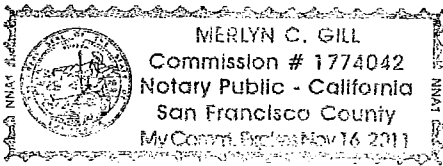
proved to me on the basis of satisfactory evidence to be the person who appeared before me (.) (,)

(and

(2) N/A,  
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature [Signature]  
Signature of Notary Public



Place Notary Seal Above

## OPTIONAL

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

### Further Description of Any Attached Document

Title or Type of Document: \_\_\_\_\_

Document Date: \_\_\_\_\_ Number of Pages: \_\_\_\_\_

Signer(s) Other Than Named Above: \_\_\_\_\_

**RIGHT THUMBPRINT OF SIGNER #1**  
Top of thumb here

**RIGHT THUMBPRINT OF SIGNER #2**  
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