

# EXHIBIT D

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

THE WEATHER UNDERGROUND,  
INC., a Michigan  
corporation,

Plaintiff,

vs.

Case No. 2:09-CV-10756

Hon. Marianne O. Battani

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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The Confidential Deposition of JEFFREY MASTERS, Ph.D.,  
Taken at 126 South Main Street,  
Ann Arbor, Michigan,  
Commencing at 9:42 a.m.,  
Tuesday, August 3, 2010,  
Before Kathy Adkins, CSR-4697, RMR, RPR, B.A.

1 Q. Do you recall visiting wundergorund.com intentionally  
2 prior to February 27, 2009?

3 A. Intentionally. No, not intentionally I do not recall.

4 Q. Do you recall visiting any of the domain names that  
5 are the subject of this lawsuit intentionally prior to  
6 February of 2009?

7 A. Yes. Maybe we need to qualify. I intentionally  
8 visited in the late 1990s wundergorund.com when the  
9 Bank of Latvia owned it. That's the only time I  
10 intentionally visited a misspelling to my knowledge  
11 prior to that date in 2009.

12 Q. Do you believe that NCS knew about Weather Underground  
13 before it registered the domain names that are the  
14 subject of this lawsuit?

15 A. When you mean NCS, do you mean the people at NCS or  
16 the software at NCS?

17 Q. I'm happy to break it up for you.

18 Do you believe that the people of NCS knew  
19 about Weather Underground before NCS registered any of  
20 the domain names that are the subject of the lawsuit?

21 MR. SCHAEFER: Let me just object to  
22 foundation.

23 A. I would say not necessarily. I mean, could be, could  
24 be not.

25 BY MR. DELGADO:

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THE WEATHER UNDERGROUND, INC.,

Plaintiff,

vs.

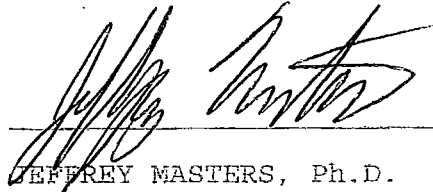
Case No. 2:09-CV-10756

NAVIGATION CATALYST SYSTEMS, INC., et al.,

Defendants.

VERIFICATION OF DEPONENT

I, having read the foregoing deposition consisting of my testimony at the aforementioned time and place, do hereby attest to the correctness and truthfulness of the transcript.



JEFFREY MASTERS, Ph.D.

Dated: 8/30/10

Subscribed to before me on 8/30/2010.



JAMIE M. CLAFFEY  
Notary Public, State of Michigan  
County of Washtenaw  
My Commission Expires Mar. 23, 2015  
Acting in the County of Washtenaw

Westlaw Deposition Services

Deposition of: Jeffrey Masters PhD

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

| Page | Line | Change                              | Reason         |
|------|------|-------------------------------------|----------------|
|      |      |                                     | All Misspelled |
| 9    | 17   | "Sterenburg" should be "Sterenberg" | }              |
| 16   | 9    | "Sampson" should be "Samson"        |                |
| 16   | 16   | " " " "                             |                |
| 16   | 24   | " " " "                             |                |
| 18   | 3    | "Sterenburg" should be "Sterenberg" |                |
| 18   | 13   | "Sampson" misspelled                |                |
| 20   | 9    | "UN" should be "UM"                 |                |
| 41   | 2    | "Sampson" misspelled                |                |
|      |      |                                     |                |
|      |      |                                     |                |
|      |      |                                     |                |
|      |      |                                     |                |

Witness Signature/Date

*Jeff Masters*

Notary Stamp and Signature

(As may be required in certain jurisdictions)

*Jamie M. Claffey*