

# EXHIBIT M

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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**EPIC MEDIA GROUP, INC.'S OBJECTIONS AND RESPONSES TO FIRST SET OF  
INTERROGATORIES**

Pursuant to Federal Rule of Civil Procedure 33, Defendant Epic Media Group, Inc. (“Epic Media Group”) hereby objects and responds to Plaintiff The Weather Underground, Inc.’s (“Weather Underground”) First Set of Interrogatories (“Interrogatories”) as follows:

### **General Objections**

The following general objections to Plaintiff’s Interrogatories are incorporated by reference into each and every response to each individual Interrogatory as though fully set forth therein:

1. Epic Media objects to the Interrogatory to the extent it seeks to impose obligations on it greater than or more extensive than those required by the Federal Rules of Civil Procedure.
2. Epic Media objects to the definitions set forth in the Instructions and Definitions as overly broad, unduly burdensome, and intrusive of the attorney-client privilege and attorney work product doctrine.
3. Epic Media objects to the Interrogatory to the extent it calls for the provision of information subject to the attorney-client privilege, the attorney work-product doctrine, or any other applicable privileges. Epic Media will not provide such privileged information. The inadvertent provision of privileged information by Epic Media shall not constitute a waiver of any applicable privilege nor shall the provision of any information be construed as a waiver of any objection to the admissibility of such information.
4. Epic Media objects to the Interrogatory to the extent it is vague and ambiguous.
5. Epic Media objects to the Interrogatory to the extent it is overly broad, unduly burdensome and oppressive.

6. Epic Media objects to the Interrogatory to the extent it seeks information which is not relevant to the subject matter of this action nor reasonably calculated to lead to the discovery of admissible evidence.

7. Epic Media objects to the Interrogatory to the extent it seeks information equally or more available to, or already in the possession, custody or control of Plaintiff.

8. Epic Media objects to the Interrogatory on the ground and to the extent it seeks trade secret, proprietary or otherwise confidential information.

9. Epic Media objects to the Interrogatories to the extent individual interrogatories are duplicative of each other.

10. Epic Media objects to the Interrogatory to the extent it seeks information not in its possession, custody or control.

11. Epic Media objects to the Interrogatory on the ground that discovery is continuing in this action, and Epic Media has not completed its factual investigation. These responses are made in good faith and after diligent inquiry into the facts and information now known to Epic Media. However, information that may be responsive to the Interrogatory may not yet have been discovered. Accordingly, without asserting an obligation to do so, and without waiving the objections asserted herein, Epic Media reserves the right to amend and/or supplement its responses as and when additional information and/or documents are discovered. Additionally, because Epic Media's responses are based upon information which they have identified to date, they do not preclude Epic Media from relying on facts or documents discovered or generated pursuant to subsequent investigation and discovery.

12. In providing responses and objections to the Interrogatories, Epic Media expressly reserves all of its objections to the use of the responses herein, including but not limited to objections as to the competency, relevance, materiality, and admissibility thereof.

## **Specific Objections and Responses**

**INTERROGATORY NO. 1:** Please identify all domain name registrars utilized for domain name registration of any domain name owned by any Defendant in the last 48 months.

**ANSWER:**

In addition to the foregoing general objections which are expressly incorporated herein, Epic Media objects to this interrogatory on the ground and to the extent that it is overly broad, unduly burdensome and harassing in both scope and time.

Subject to and without waiving any of the foregoing objections, Epic Media responds as follows: On information and belief, over the last 48 months, Defendants have utilized the following domain name registrars: Basic Fusion, Name.com, GoDaddy, Register.com, Enom, Network Solutions, Mark Monitor, and Tucows.

**INTERROGATORY NO. 2:** Please identify all domain name registrant information utilized for the registration of any domain name registered by any of any Defendant in the last 48 months, including any privacy services.

**ANSWER:**

In addition to the foregoing general objections which are expressly incorporated herein, Epic Media objects to this interrogatory on the ground and to the extent that it is overly broad, unduly burdensome and harassing, and it is vague and ambiguous.

Subject to and without waiving any of the foregoing objections, Epic Media responds as follows: NCS has utilized the following registrant information: Navigation Catalyst Systems,

Inc., Domain Admin, 2141 Rosecrans Ave., Suite 2020, El Segundo, CA 90245. NCS has also utilized the privacy services of Domain Name Proxy, LLC which has the following registrant information: Domain Name Proxy, LLC, 3370 N. Hayden Road, #726, Scottsdale, AZ 85251. On information and belief, Connexus and Firstlook have used the following registrant information for their corporate domain names: Connexus, 2141 Rosecrans Blvd., Suite 2020, El Segundo, CA 90245. Epic Media uses the following registrant information for its corporate names: Epic Media Group, Domain Admin, 512 Seventh Avenue, 12<sup>th</sup> Floor, NY, NY 10018.

**INTERROGATORY NO. 3:** Please identify by name all officers, directors, and stockholders of (a) Connexus Corporation; (b) Epic Media Group, Inc.; (c) FirstLook, Inc; (d) Emerald Acquisition One Corporation; (e) Basic Fusion; (f) Navigation Catalyst Systems and (g) Epic Advertising during the past 24 months, and for each shareholder the number and classification of shares owned, and the dates of transfer for any shares during that time.

**ANSWER:**

In addition to the foregoing general objections which are expressly incorporated herein, Epic Media objects to this interrogatory on the ground and to the extent that it is overly broad, unduly burdensome and harassing, and it is vague and ambiguous.

Subject to and without waiving any of the foregoing objections, Epic Media responds as follows:

- (a) On information and belief, prior to the acquisition of Connexus, the officers of Connexus Corporation were as follows: Art Shaw (CEO), Sandeep Chopra (Controller), Chris Pirrone (CAO).

On information and belief, prior to the acquisition of Connexus, the directors of Connexus Corporation were as follows: Art Shaw, Devin Parekh, Marcia Goodstein, Linda Fayne Levinson, Mark Flynn, Fred Harman, Douglas McPherson.

On information and belief, subsequent to the acquisition of Connexus, the officers of Connexus Corporation are Don Matthis and David Graff.

On information and belief, subsequent to the acquisition of Connexus, the directors of Connexus Corporation are Don Matthis and David Graff.

Pursuant to Fed. R. Civ. P. 33(d), stockholder information has been provided in the document production which accompanies this response. *See* EPIC000001-3.

- (b) On information and belief, subsequent to the acquisition of Connexus, the officers of Epic Media Group are: Don Matthis (CEO), Young Kim (CFO), Charlie Nowaczek (COO), Brett Lofgren (CRO), Rick Orkin (CIO), Michael Sprouse (CMO), and David Graff (GC). Art Shaw was Co-CEO between May 2010 and May 2011.

On information and belief, subsequent to the acquisition of Connexus, the directors of Epic Media Group are: Brian Conway, Kenneth Fox, Marcia Goodstein, Don Mathis, Deven Parekh, Vivian Wu. Art Shaw was a director between May 2010 and May 2011.

Pursuant to Fed. R. Civ. P. 33(d), stockholder information has been provided in the document production which accompanies this response. *See* EPIC000001-3.

- (c) On information and belief, prior to the acquisition of Connexus, the officers of Firstlook were as follows: Art Shaw, Chris Pirrone, and Mark Lambert.
- On information and belief, prior to the acquisition of Connexus, the director of Firstlook was Art Shaw.
- On information and belief, subsequent to the acquisition of Connexus, the officers of Firstlook are Don Matthis and David Graff.
- On information and belief, subsequent to the acquisition of Connexus, the directors of Firstlook are Don Matthis and David Graff.
- At all times, Firstlook has been a 100% wholly-owned subsidiary of Connexus.
- (d) On information and belief, prior to the acquisition of Connexus, the officers of Emerald Acquisition One Corporation were as follows: Don Matthis and David Graff.
- On information and belief, prior to the acquisition of Connexus, the directors of Emerald Acquisition One Corporation were as follows: Don Matthis and David Graff.
- On information and belief, prior to the acquisition of Connexus, Emerald Acquisition One Corporation was a 100% wholly-owned subsidiary of Epic Advertising.
- (e) On information and belief, prior to the acquisition of Connexus, the officers of Basic Fusion were as follows: Art Shaw and Chris Pirrone.
- On information and belief, prior to the acquisition of Connexus, the director of Basic Fusion was Art Shaw.



On information and belief, subsequent to the acquisition of Connexus, the officers of Basic Fusion are Don Matthis and David Graff.

On information and belief, subsequent to the acquisition of Connexus, the directors of Basic Fusion are Don Matthis and David Graff.

On information and belief, at all times, Basic Fusion has been a 100% wholly-owned subsidiary of Firstlook.

- (f) On information and belief, prior to the acquisition of Connexus, the officers of Navigation Catalyst Systems, Inc. were as follows: Art Shaw, Chris Pirrone, and Mark Lambert.

On information and belief, prior to the acquisition of Connexus, the directors of Navigation Catalyst Systems, Inc. was Art Shaw.

On information and belief, subsequent to the acquisition of Connexus, the officers of Navigation Catalyst Systems, Inc. are Don Matthis and David Graff.

On information and belief, subsequent to the acquisition of Connexus, the directors of Navigation Catalyst Systems, Inc. are Don Matthis and David Graff.

On information and belief, at all times, Navigation Catalyst Systems has been a 100% wholly-owned subsidiary of Firstlook.

- (g) On information and belief, prior to the acquisition of Connexus, the officers of Epic Advertising were as follows: Don Matthis (CEO), Young Kim (CFO), Charlie Nowaczek (COO), Brett Lofgren (CRO), Rick Orkin (CIO), Michael Sprouse (CMO), and David Graff (GC).

On information and belief, prior to the acquisition of Connexus, the directors of

Basic Fusion were as follows: Brian Conway, Kenneth Fox, Don Mathis, Vivian Wu, Mark Jung, Alex Zhardanovsky, and Joe Spiser.

Pursuant to Fed. R. Civ. P. 33(d), stockholder information has been provided in the document production which accompanies this response. *See* EPIC000001-3.

**INTERROGATORY NO. 4:** Please state in detail the specific relationship each Defendant has with Epic Advertising.

**ANSWER:**

In addition to the foregoing general objections which are expressly incorporated herein, Epic Media objects to this interrogatory on the ground and to the extent that it is vague and ambiguous.

Subject to and without waiving the foregoing objections, Epic Media responds as follows: Connexus Corporation is a 100% wholly-owned subsidiary of Epic Media. Firstlook is a 100% wholly-owned subsidiary of Connexus. Navigation Catalyst Systems and Basic Fusion are 100% wholly-owned subsidiaries of Firstlook.

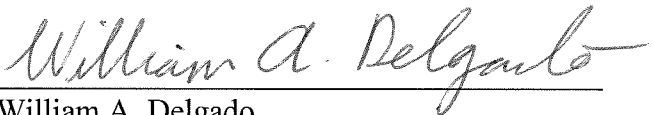
**INTERROGATORY NO. 5:** Please state whether Epic Media Group, Inc. is authorized by either corporate documents or other authority to exercise any degree of control or authority over any of the Defendants, and if so, please identify the specific documents provisions which provide for such exercise of authority or control and attach such documents to your response.

**ANSWER:**

In addition to the foregoing general objections which are expressly incorporated herein, Epic Media objects to this interrogatory on the ground and to the extent that it is vague and ambiguous.

Subject to and without waiving the foregoing objections, Epic Media responds as follows: Epic Media can control its wholly-owned subsidiaries by virtue of its exclusive ownership of said subsidiaries and operation of law.

May 16, 2011



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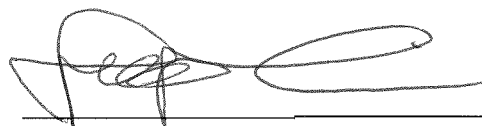
**CERTIFICATE OF SERVICE**

I hereby certify that on the 16<sup>th</sup> day of May 2011, I served Defendant Epic Media Group, Inc.'s Objections and Responses to First Set of Interrogatories via U.S. Mail, first class, postage pre-paid to the following:

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