

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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Local Counsel for Defendants

PLAINTIFF’S RULE 26(a) INITIAL DISCLOSURES

Plaintiff, The Weather Underground, Inc., submits this disclosure statement pursuant to Rule 26 of the Federal Rules of Civil Procedure. Pursuant to Fed. R. Civ. P. 26(e), Plaintiff reserves its right to supplement the disclosures made herein as discovery and Plaintiff’s investigation progress.

I. POTENTIAL WITNESSES [Fed. R. Civ. P. 26(a)(1)(A)]

The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

Each of these individuals, unless otherwise noted, may be contacted through lead counsel for the Plaintiffs.

NUMBER	NAME	SUBJECT MATTER
1	Alan Steremberg President The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff’s Complaint, specifically including without limitation Plaintiff, Plaintiff’s business, Plaintiff’s trademarks, and Plaintiff’s marketing and advertising.
2	Chris Schwerzler Director The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff’s Complaint, specifically including without limitation Plaintiff, Plaintiff’s business, Plaintiff’s trademarks, and Plaintiff’s website advertisement traffic.
3	Jeff Ferguson Director of Communications The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff’s Complaint, specifically including without limitation Plaintiff, Plaintiff’s business, Plaintiff’s trademarks, Plaintiff’s marketing and advertising, and Plaintiff’s finances.

NUMBER	NAME	SUBJECT MATTER
4	Jeffrey Masters Ph.D. Director of Meteorology The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff, Plaintiff's business, Plaintiff's trademarks, and Plaintiff's blog and related online offerings.
5	Richard Lowden Vice President of Sales and Advertising The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff, Plaintiff's business, and Plaintiff's sales.
6	Chuck Prewitt Vice President of Business Development The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff, Plaintiff's business, and Plaintiff's business development efforts.
7	Brendan Hayes Ad Traffic Manager The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff, Plaintiff's business, Plaintiff's trademarks, website advertisement traffic, and Plaintiff's AUTOBRAND product and service offerings.
8	Dan Schneider Sales The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's sales and related efforts.
9	Derek Rigaud Sales The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's sales and related efforts.
10	Eric Strong Sales Director The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's sales and related efforts.

NUMBER	NAME	SUBJECT MATTER
11	Jennifer Mak Account Manager The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's prospective and existing accounts.
12	Matt Coy Sales The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's sales and related efforts.
13	Megan O'Rourke Sales The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's sales and related efforts.
14	Toby Skinner Marketing The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's marketing, advertising, and promotional efforts.
15	Aaron Cowdin Director of Development The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's software development matters.
16	Elaine Yang Senior Meteorologist The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's forecasting and use of Plaintiff's meteorological offerings.
17	Helen Tseng Autobrand Developer The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's AUTOBRAND product and service offerings.
18	Jessica Parker Meteorologist The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's meteorological offerings.

NUMBER	NAME	SUBJECT MATTER
19	Christine Stowe	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation customer support, management of photo approvers, and monitoring of Plaintiff's blogs.
20	Lori Kilburg	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation customer support, management of photo approvers, and monitoring of Plaintiff's blogs.
21	Matt Kallio Software Developer The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff, Plaintiff's business, Plaintiff's trademarks, Plaintiff's software development, and Plaintiff's website advertisement traffic.
22	Robert Carver Ph.D. Research & Development The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint.
23	Shaun Tanner Senior Meteorologist The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's meteorological offerings.
24	Tim Roche Meteorological Developer The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's meteorological offerings.
25	Todd Henry Design / Development The Weather Underground, Inc.	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation the design and development of Plaintiff's websites.
26	Yaniv Zimet Software Developer	To provide information and evidence concerning the allegations made in Plaintiff's Complaint, specifically including without limitation Plaintiff's various software offerings.

NUMBER	NAME	SUBJECT MATTER
27	James A. Thomas Parker, Poe, Adams & Bernstein LLP representing The Royal Bank of Scotland Group plc Three Wachovia Center 401 South Tryon Street Suite 3000 Charlotte, NC 28202 704-372-9000	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
28	Thomas A. Canova Baker & Hostetler LLP representing Kid Glove Enterprises, Inc. 666 Fifth Avenue, New York, NY 10103 212-589-4200	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
29	Mark D. Schneider Gifford, Krass, Sprinkle, Anderson & Citkowski P.C. representing Happy's Pizza Company P.O. Box 7021 Troy, MI 48007 248-647-6000	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
30	Foley & Lardner representing mVisible Technologies, Inc. One Biscayne Tower 2 South Biscayne Boulevard Suite 1900 Miami, FL 33131 305-482-8400	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
31	Maury M. Tepper Womble Carlyle Sandridge & Rice, PLLC representing Talecris Biotherapeutics, Inc. 150 Fayetteville Street Suite 2100 Raleigh, NC27601 9190755-2100	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
32	Yoann Fouquet representing The Carphone Warehouse Limited and The Phone House B.V.	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.

NUMBER	NAME	SUBJECT MATTER
33	Peter R. Afrasiabi Turner Green Afrasiabi & Arledge LLP representing Dwight Esnard 535 Anton Boulevard Suite 850 Costa Mesa, CA 92626 714-434-8750	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
34	Jacobson, Russell, Saltz & Fingerman LLP representing Russell Peters 10866 Wilshire Blvd Ste 1550 Los Angeles, CA 90024 310-446-9900	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
35	CitizenHawk, Inc. representing Cabela's, Inc. 27068 La Paz Road Suite 104 Aliso Viejo, CA 92656 949-525-9320	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
36	Joel D. Leviton Fish & Richardson P.C., P.A. representing Ho-Chunk Nation 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 612-335-5070	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
37	Anthony F. LoCicero Amster Rothstein & Ebenstein representing Federated Western Properties Inc. 90 Park Avenue New York, NY 10016 212-336-8000	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
38	Kathleen O Peterson K&L Gates LLP representing Kaplan, Inc. 1900 Main Street Suite 600 Irvine, CA 92614 949-253-0900	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.

NUMBER	NAME	SUBJECT MATTER
39	John Tehranian Turn Green Afrasiabi and Arledge representing Mesa Garage Doors 535 Anton Blvd Suite 850 Costa Mesa, CA 92626 714-434-8756	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
40	Brian B. Darville Merchant and Gould PC representing Rodman & Renshaw, LLC 255 Reinekers Lane Suite 560 Alexandria, VA 22314 202-326-0300	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
41	Laraine M I Burrell Greenberg Traurig, LLP representing Station Casinos, Inc. 3773 Howard Hughes Parkway Suite 400 North Las Vegas, NV 89169 702-792-3773	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
42	Darcy Marie Goddard Fried, Frank, Harris, Shriver & Jacobson representing Virgin Enterprises Limited One New York Plaza New York, NY 10004 212-859-8106	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
43	Alice Carmichael Richey Kennedy Covington Lobdell & Hickman representing Wachovia Corporation 214 North Tryon Street, 47 th Floor Charlotte, NC 28202 704-331-7500	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
44	Andrew Sedlock Greenberg Traurig LLP representing Wynn Resorts Holdings, LLC 3773 Howard Hughes Pkwy Suite 500 North Las Vegas, NV 89109 702-792-9002	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.

NUMBER	NAME	SUBJECT MATTER
45	Beau Ryan Dasher Lewis Tein representing The Miccosukee Tribe of Indians of Florida 3059 Grand Avenue Suite 340 Coconut Grove, FL 33133 305-442-1101	To provide information and evidence regarding Defendant NCS's unauthorized registration and use of domain names.
46	John DiGiacomo Traverse Legal, PLC 810 Cottageview Drive Suite G-20 Traverse City, MI 49684 231-932-0411	To provide information and evidence regarding domain name registration and website use for those domain name registrations, including without limitation WHOIS records, archived web pages, source code, page rank, hyperlinks, search engine results, and related information.
47	Pizza Hut, Inc. 14841 Dallas Parkway Dallas, TX 75254 972-338-7700	To provide information and evidence regarding trademark rights in PIZZA HUT and whether Defendants had permission to register domain(s) that is(are) the same or similar to the PIZZA HUT.
48	The Coca-Cola Company P.O. Box 1734 Atlanta, GA 30301 800-438-2653	To provide information and evidence regarding trademark rights in COCA-COLA and whether Defendants had permission to register domain(s) that is(are) the same or similar to COCA-COLA.
49	University of Notre Dame Notre Dame, Indiana 46556 574-631-5000	To provide information and evidence regarding trademark rights in NOTRE DAME and whether Defendants had permission to register domain(s) that is(are) the same or similar to NOTRE DAME.
50	Lucasfilm Ltd. P.O. Box 29901 San Francisco, CA 94129	To provide information and evidence regarding trademark rights in STAR WARS and whether Defendants had permission to register domain(s) that is(are) the same or similar to STAR WARS.
51	Apple Inc. 1 Infinite Loop Cupertino, CA 95014 408-996-1010	To provide information and evidence regarding trademark rights in APPLE and whether Defendants had permission to register domain(s) that is(are) the same or similar to APPLE.

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52	The Goodyear Tire & Rubber Co. 1144 East Market Street Akron, OH 44316 330-796-2121	To provide information and evidence regarding trademark rights in GOODYEAR and whether Defendants had permission to register domain(s) that is(are) the same or similar to GOODYEAR.
53	Toyota Motor Sales, U.S.A., Inc. 19001 South Western Ave. Dept. WC11 Torrance, CA 90501 800-331-4331	To provide information and evidence regarding trademark rights in TOYOTA and whether Defendants had permission to register domain(s) that is(are) the same or similar to TOYOTA.
54	Facebook, Inc. 1601 South California Avenue Palo Alto, CA 94304 650-853-1300	To provide information and evidence regarding trademark rights in FACEBOOK and whether Defendants had permission to register domain(s) that is(are) the same or similar to FACEBOOK.
55	MySpace, Inc. 8391 Beverly Boulevard Suite 349 Los Angeles, CA 90048	To provide information and evidence regarding trademark rights in MYSPACE and whether Defendants had permission to register domain(s) that is(are) the same or similar to MYSPACE.
56	LinkedIn Corporation 2029 Stierlin Court Mountain View, CA 94043	To provide information and evidence regarding trademark rights in LINKEDIN and whether Defendants had permission to register domain(s) that is(are) the same or similar to LINKEDIN.
57	Rich "Lowtax" Kyanka & Something Awful LLC PO Box 997 Lee's Summit, MO 64063	To provide information and evidence regarding trademark rights in SOMETHING AWFUL and whether Defendants had permission to register domain(s) that is(are) the same or similar to SOMETHING AWFUL.
58	Fark.com, Inc. c/o Drew Curtis 149 Chestnut Lane Versailles, KY 40383	To provide information and evidence regarding trademark rights in FARK and whether Defendants had permission to register domain(s) that is(are) the same or similar to FARK.
59	Gawker Media 76 Crosby Street New York,, NY 10012 212-65-9524	To provide information and evidence regarding trademark rights in GAWKER and KOTAKU and whether Defendants had permission to register domain(s) that is(are) the same or similar to GAWKER and KOTAKU.

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60	IGN Entertainment, Inc. 8000 Marina Boulevard 4 th Floor Brisbane, CA 94005	To provide information and evidence regarding trademark rights in IGN and ASKMEN.COM and whether Defendants had permission to register domain(s) that is(are) the same or similar to IGN and ASKMEN.COM.
61	Center for American Progress Action Fund Debbie Fine, General Counsel 1333 H Street NW, 10 th Floor Washington, DC 20005 202-682-1611	To provide information and evidence regarding trademark rights in THINK PROGRESS and whether Defendants had permission to register domain(s) that is(are) the same or similar to THINK PROGRESS.
62	Washington Post.Newsweek Interactive Co. LLC 1350 Connecticut Ave. NW Suite 400 Washington, D.C. 20036 202-261-1310	To provide information and evidence regarding trademark rights in SLATE and whether Defendants had permission to register domain(s) that is(are) the same or similar to SLATE.
63	Capitol News Company LLC 1100 Wilson Blvd. 6 th Floor Arlington, VA 22209	To provide information and evidence regarding trademark rights in POLITICO and whether Defendants had permission to register domain(s) that is(are) the same or similar to POLITICO.
64	Bestofmedia Group Antoine Boulin 10559 Jefferson Boulevard, #A Culver City, CA 90232-3513 310-279-5500	To provide information and evidence regarding trademark rights in TOM'S HARDWARE and whether Defendants had permission to register domain(s) that is(are) the same or similar to TOM'S HARDWARE.
65	Onion, Inc. 900 Broadway Suite 203 New York, NY 10003 212-777-3700	To provide information and evidence regarding trademark rights in THE ONION and whether Defendants had permission to register domain(s) that is(are) the same or similar to THE ONION.
66	Thomson Reuters 3 Times Square New York, NY 10036 646-223-4000	To provide information and evidence regarding trademark rights in REUTERS and whether Defendants had permission to register domain(s) that is(are) the same or similar to REUTERS.

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67	Geoffrey, LLC One Geoffrey Way Wayne, NJ 07470 973-617-3500	To provide information and evidence regarding trademark rights in TOYSRUS and whether Defendants had permission to register domain(s) that is(are) the same or similar to TOYSRUS.
68	TMZ Productions, Inc. 8033 West Sunset Boulevard, Suite 875 Los Angeles, CA 90046 818-972-8000	To provide information and evidence regarding trademark rights in TMZ and whether Defendants had permission to register domain(s) that is(are) the same or similar to TMZ.
69	Buzz Media Network Van Leeuwenhoekstraat 44 1221 AH Hilversum The Netherlands +31-35-772-5225	To provide information and evidence regarding trademark rights in WWTDD and whether Defendants had permission to register domain(s) that is(are) the same or similar to WWTDD.
70	Playboy Enterprises, Inc. and Playboy.com, Inc. 680 North Lake Shore Drive Chicago, IL 60611 312-751-8000	To provide information and evidence regarding trademark rights in PLAYBOY and whether Defendants had permission to register domain(s) that is(are) the same or similar to PLAYBOY.
71	Match.com, L.L.C. 8300 Douglas Avenue Dallas, TX 75225 214-576-9352	To provide information and evidence regarding trademark rights in MATCH.COM and whether Defendants had permission to register domain(s) that is(are) the same or similar to MATCH.COM.
72	Humor Rainbow, Inc. 45 West 21 st Street, Suite 6D New York, NY 10010 212-255-7104	To provide information and evidence regarding trademark rights in OKCUPID and whether Defendants had permission to register domain(s) that is(are) the same or similar to OKCUPID.
73	Taco Bell Corp. 17901 Von Karman Irvine, CA 92614 949-863-4500	To provide information and evidence regarding trademark rights in TACO BELL and whether Defendants had permission to register domain(s) that is(are) the same or similar to TACO BELL.
74	Tesco PLC New Tesco House Delamare Road Cheshunt Hertfordshire England EN8 9SL +44 0 800 505555	To provide information and evidence regarding trademark rights in TESCO and whether Defendants had permission to register domain(s) that is(are) the same or similar to TESCO.

NUMBER	NAME	SUBJECT MATTER
75	Samsung Group 105 Challenger Road Ridgefield Park, NJ 07660 800-726-7864	To provide information and evidence regarding trademark rights in SAMSUNG and whether Defendants had permission to register domain(s) that is(are) the same or similar to SAMSUNG.
76	Morgan Stanley 1585 Broadway New York, NY 10036	To provide information and evidence regarding trademark rights in MORGAN STANLEY and whether Defendants had permission to register domain(s) that is(are) the same or similar to MORGAN STANLEY.
77	HSBC North America Inc. and HSBC Holdings plc 26525 North Riverwood Boulevard 4 North East Mettawa, IL 60045	To provide information and evidence regarding trademark rights in HSBC and whether Defendants had permission to register domain(s) that is(are) the same or similar to HSBC.
78	Inter IKEA Systems B.V. Olof Pamestraat 1 2616 Delft, The Netherlands +31-15-215-0750	To provide information and evidence regarding trademark rights in IKEA and whether Defendants had permission to register domain(s) that is(are) the same or similar to IKEA.
79	Enterprise Holdings, Inc. 600 Corporate Park Drive St. Louis, MO 63105 314-512-1000	To provide information and evidence regarding trademark rights in ENTERPRISE and whether Defendants had permission to register domain(s) that is(are) the same or similar to ENTERPRISE.
80	Southwest Airlines Co. PO Box 36647 Dallas, TX 75235 800-435-9792	To provide information and evidence regarding trademark rights in SOUTHWEST.COM and whether Defendants had permission to register domain(s) that is(are) the same or similar to SOUTHWEST.COM.
81	Meijer Inc. 2929 Walker Ave., NW Grand Rapids, MI 49544 877-363-4537	To provide information and evidence regarding trademark rights in MEIJER and whether Defendants had permission to register domain(s) that is(are) the same or similar to MEIJER.

NUMBER	NAME	SUBJECT MATTER
82	The Kroger Co. 1014 Vine Street Cincinnati, OH 45202 866-221-4141	To provide information and evidence regarding trademark rights in KROGER and whether Defendants had permission to register domain(s) that is(are) the same or similar to KROGER.
83	Michigan Online, LLC 339 East Liberty Street, Suite 210 Ann Arbor, MI 48104	To provide information and evidence regarding trademark rights in GRAND RAPIDS PRESS and whether Defendants had permission to register domain(s) that is(are) the same or similar to GRAND RAPIDS PRESS.
84	Battle Creek Enquirer 155 West Van Buren Street Battle Creek, MI 49017 800-333-4139	To provide information and evidence regarding trademark rights in BATTLE CREEK ENQUIRER and whether Defendants had permission to register domain(s) that is(are) the same or similar to BATTLE CREEK ENQUIRER.
85	Michigan Online, LLC 339 East Liberty Street, Suite 210 Ann Arbor, MI 48104	To provide information and evidence regarding trademark rights in KALAMAZOO GAZETTE and whether Defendants had permission to register domain(s) that is(are) the same or similar to KALAMAZOO GAZETTE.
86	The Daily Mining Gazette PO Box 368 Houghton, MI 49931 906-482-1500	To provide information and evidence regarding trademark rights in MINING GAZETTE and whether Defendants had permission to register domain(s) that is(are) the same or similar to MINING GAZETTE.
87	Classmates Online, Inc. PO Box 1269 Renton, WA 98057 206-301-5700	To provide information and evidence regarding trademark rights in CLASSMATES and whether Defendants had permission to register domain(s) that is(are) the same or similar to CLASSMATES.
88	YouTube, LLC 901 Cherry Ave. San Bruno, CA 94066 650-253-0000	To provide information and evidence regarding trademark rights in YOUTUBE and whether Defendants had permission to register domain(s) that is(are) the same or similar to YOUTUBE.

NUMBER	NAME	SUBJECT MATTER
89	Heritage Broadcasting Group PO Box 627 Cadillac, MI 49601 231-775-3478	To provide information and evidence regarding trademark rights in 9AND10NEWS.COM and whether Defendants had permission to register domain(s) that is(are) the same or similar to 9AND10NEWS.COM.
90	Mint Software 280 Hope Street Mountain View CA 94041 650-469-1302	To provide information and evidence regarding trademark rights in MINT and whether Defendants had permission to register domain(s) that is(are) the same or similar to MINT.
91	Wikimedia Foundation, Inc. PO Box 78350 San Francisco, CA 94107-8350 415-839-6885	To provide information and evidence regarding trademark rights in WIKIPEDIA and whether Defendants had permission to register domain(s) that is(are) the same or similar to WIKIPEDIA.
92	Google, Inc. 1600 Amphitheatre Parkway Mountain View, CA 94043 650-253-0000	To provide information and evidence regarding trademark rights in BLOGGER and ORKUT and whether Defendants had permission to register domain(s) that is(are) the same or similar to BLOGGER and ORKUT.
93	Matt Mullenweg PO Box 5446 Redwood City, CA 94063 877-273-8550	To provide information and evidence regarding trademark rights in WORDPRESS and whether Defendants had permission to register domain(s) that is(are) the same or similar to WORDPRESS.
94	Mininova BV NJ van der Maas Wethouder Teselingenlean 10A Driebergen-Rijsenburg, Netherlands 3972 GB +31-877-843-530	To provide information and evidence regarding trademark rights in MININOVA and whether Defendants had permission to register domain(s) that is(are) the same or similar to MININOVA.
95	Yahoo!, Inc. 701 First Avenue Sunnyvale, CA 94089 408-349-3300	To provide information and evidence regarding trademark rights in FLICKR and whether Defendants had permission to register domain(s) that is(are) the same or similar to FLICKR.

NUMBER	NAME	SUBJECT MATTER
96	Netflix, Inc. 100 Winchester Circle Los Gatos, CA 95032 408-540-3700	To provide information and evidence regarding trademark rights in NETFLIX and whether Defendants had permission to register domain(s) that is(are) the same or similar to NETFLIX.
97	U.S. Bank, N.A. 2751 Shepard, Road St. Paul, MN 55116 651-205-0265	To provide information and evidence regarding trademark rights in US BANK and whether Defendants had permission to register domain(s) that is(are) the same or similar to US BANK.
98	Chrysler Group, LLC 1000 Crysler Drive Auburn Hills, MI 48326 800-992-1997	To provide information and evidence regarding trademark rights in DODGE and whether Defendants had permission to register domain(s) that is(are) the same or similar to DODGE.
99	Google, Inc. 1600 Amphitheatre Parkway Mountain View, CA 94043 650-253-0000	To provide information and evidence regarding trademark rights in BLOGSPOT and whether Defendants had permission to register domain(s) that is(are) the same or similar to BLOGSPOT.
100	Disney Enterprises, Inc. 500 South Buena Vista Street Burbank, CA 91521 6818-623-3523	To provide information and evidence regarding trademark rights in DISNEY and whether Defendants had permission to register domain(s) that is(are) the same or similar to DISNEY.
101	Photobucket, Inc. James Goss PO Box 13003 Denver, CO 80201 720-381-4095	To provide information and evidence regarding trademark rights in PHOTOBUCKET and whether Defendants had permission to register domain(s) that is(are) the same or similar to PHOTOBUCKET.
102	Hi5 Networks, Inc. 55 Second Street, Suite 300 San Francisco, CA 94105 415-979-0300	To provide information and evidence regarding trademark rights in HI5 and whether Defendants had permission to register domain(s) that is(are) the same or similar to HI5.
103	Conduit Ltd. 400 South El Camino Real, Suite 375 San Mateo, CA 94402 866-338-1306	To provide information and evidence regarding trademark rights in CONDUIT and whether Defendants had permission to register domain(s) that is(are) the same or similar to CONDUIT.

NUMBER	NAME	SUBJECT MATTER
104	Ask.com 555 12 th Street, Suite 500 Oakland, CA 94607 510-985-7400	To provide information and evidence regarding trademark rights in ASK.COM and whether Defendants had permission to register domain(s) that is(are) the same or similar to ASK.COM.
105	ESPN, Inc. 935 Middle Street Bristol, CN 06010-1001 860-766-0230	To provide information and evidence regarding trademark rights in ESPN and whether Defendants had permission to register domain(s) that is(are) the same or similar to ESPN.
106	Radioshack 300 Radio Shack Circle Ft. Worth, TX 76102 817-415-0874	To provide information and evidence regarding trademark rights in RADIO SHACK and whether Defendants had permission to register domain(s) that is(are) the same or similar to RADIO SHACK.
107	Discovery Communications, Inc. One Discovery Place Silver Spring, MD 20910 240-662-7562	To provide information and evidence regarding trademark rights in DISCOVERY CHANNEL and whether Defendants had permission to register domain(s) that is(are) the same or similar to DISCOVERY CHANNEL.
108	Mozilla Corporation 650 Castro Street, Suite 300 Mountain View, CA 94041 650-903-0800	To provide information and evidence regarding trademark rights in MOZILLA and whether Defendants had permission to register domain(s) that is(are) the same or similar to MOZILLA.
109	Integrated Marketing Solutions, Inc. 1112 Seventh Avenue Monroe, WI 53566 608-328-8471	To provide information and evidence regarding trademark rights in SWISS COLONY and whether Defendants had permission to register domain(s) that is(are) the same or similar to SWISS COLONY.
110	ImageShack Corporation 236 North Santa Cruz Avenue, #100 Los Gatos, CA 95030 408-612-3954	To provide information and evidence regarding trademark rights in IMAGE SHACK and whether Defendants had permission to register domain(s) that is(are) the same or similar to IMAGE SHACK.

NUMBER	NAME	SUBJECT MATTER
111	deviantART, Inc. 7095 Hollywood Boulevard, #788 Hollywood, CA 90028 323-645-6000	To provide information and evidence regarding trademark rights in DEVIANT ART and whether Defendants had permission to register domain(s) that is(are) the same or similar to DEVIANT ART.
112	Intellectual Reserve, Inc. 50 East North Temple Street Salt Lake City, UT 84150-3011 801-240-3959	To provide information and evidence regarding trademark rights in LDS CHURCH and whether Defendants had permission to register domain(s) that is(are) the same or similar to LDS CHURCH.
113	GEICO 4608 Willard Avenue, 4CE Chevy Chase, MD 20815-4606 301-986-3880	To provide information and evidence regarding trademark rights in GEICO and whether Defendants had permission to register domain(s) that is(are) the same or similar to GEICO.
114	Rose City Motors 3450 Ann Arbor Road Jackson, MI 49202 517-764-0930	To provide information and evidence regarding trademark rights in ROSE CITY MOTORS and whether Defendants had permission to register domain(s) that is(are) the same or similar to ROSE CITY MOTORS.
115	American Farm Bureau 600 Maryland Avenue SW, Suite 1000W Washington, DC 20024	To provide information and evidence regarding trademark rights in FARM BUREAU and whether Defendants had permission to register domain(s) that is(are) the same or similar to FARM BUREAU.
116	Frankenmuth Insurance Company 1 Mutual Avenue Frankenmuth, MI 48787 989-652-6121	To provide information and evidence regarding trademark rights in FRANKENMUTH INSURANCE and whether Defendants had permission to register domain(s) that is(are) the same or similar to FRANKENMUTH INSURANCE.
117	United Services Automobile Association 9800 Fredericksburg Road San Antonio, TX 78288 210-913-1733	To provide information and evidence regarding trademark rights in USAA and whether Defendants had permission to register domain(s) that is(are) the same or similar to USAA.

NUMBER	NAME	SUBJECT MATTER
118	Echostar Statellite, LLC 9601 South Meridian Boulevard Englewood, CO 80112 303-723-1000	To provide information and evidence regarding trademark rights in DISH NETWORK and whether Defendants had permission to register domain(s) that is(are) the same or similar to DISH NETWORK.
119	Charter Communications Operating, LLC 12405 Powers Court Drive St. Louis, MO 63131 314-965-0555	To provide information and evidence regarding trademark rights in CHARTER COMMUNICATIONS and whether Defendants had permission to register domain(s) that is(are) the same or similar to CHARTER COMMUNICATIONS.
120	Comcast Corporation 1 Comcast Center Philadelphia, PA 19103 215-286-1700	To provide information and evidence regarding trademark rights in COMCAST and FANCAST and whether Defendants had permission to register domain(s) that is(are) the same or similar to COMCAST and FANCAST.
121	Bresnan Communications 1 Manhattanville Road Purchase, NY 10577 914-641-3300	To provide information and evidence regarding trademark rights in BRESNAN COMMUNICATIONS and whether Defendants had permission to register domain(s) that is(are) the same or similar to BRESNAN COMMUNICATIONS.
122	Sony Computer Entertainment America, Inc. 919 East Hillsdale Boulevard Foster City, CA 94404-4247 650-655-8000	To provide information and evidence regarding trademark rights in PLAYSTATION and whether Defendants had permission to register domain(s) that is(are) the same or similar to PLAYSTATION.
123	Answers Corporation 237 West 35 th Street, Suite 1101 New York, NY 10001-1905 646-502-4777	To provide information and evidence regarding trademark rights in ANSWERS and whether Defendants had permission to register domain(s) that is(are) the same or similar to ANSWERS.
124	Tagged.com PO Box 2863 San Francisco, CA 94126 415-462-5531	To provide information and evidence regarding trademark rights in TAGGED and whether Defendants had permission to register domain(s) that is(are) the same or similar to TAGGED.

NUMBER	NAME	SUBJECT MATTER
125	ADT Security Services, Inc. 10550 Deerwood Park Boulevard, Suite 400 Jacksonville, FL 32256 877-238-4357	To provide information and evidence regarding trademark rights in ADT SECURITY and whether Defendants had permission to register domain(s) that is(are) the same or similar to ADT SECURITY.
126	WebMD, LLC 111 Eighth Avenue New York, NY 10014 212-624-3700	To provide information and evidence regarding trademark rights in MEDSCAPE and whether Defendants had permission to register domain(s) that is(are) the same or similar to MEDSCAPE.
127	AT&T Internet Services 1701 Alma Drive Plano, TX 75075 800-348-1626	To provide information and evidence regarding trademark rights in PRODIGY and whether Defendants had permission to register domain(s) that is(are) the same or similar to PRODIGY.
128	AT&T Services, Inc. 240 North Meridian, Room 280 Indianapolis, IN 46204 317-265-2859	To provide information and evidence regarding trademark rights in AT&T and whether Defendants had permission to register domain(s) that is(are) the same or similar to AT&T.
129	WebMD, Inc. 1175 Peachtree Street, Suite 2400 Atlanta, GA 30361 404-266-8500	To provide information and evidence regarding trademark rights in WEBMD and whether Defendants had permission to register domain(s) that is(are) the same or similar to WEBMD.
130	eBay, Inc. 2145 Hamilton Avenue San Jose, CA 95125 408-376-7400	To provide information and evidence regarding trademark rights in PAYPAL and whether Defendants had permission to register domain(s) that is(are) the same or similar to PAYPAL.
131	Electronic Arts 209 Redwood Shores Parkway Redwood City, CA 94065 650-628-1500	To provide information and evidence regarding trademark rights in POGO and whether Defendants had permission to register domain(s) that is(are) the same or similar to POGO.
132	Friendster, Inc. 1380 Villa Street Mountain View, CA 94041 650-237-1400	To provide information and evidence regarding trademark rights in FRIENDSTER and whether Defendants had permission to register domain(s) that is(are) the same or similar to FRIENDSTER.

NUMBER	NAME	SUBJECT MATTER
133	Menard, Inc. 4777 Menard Drive Eau Claire, WI 54703 715-876-2000	To provide information and evidence regarding trademark rights in MENDARDS and whether Defendants had permission to register domain(s) that is(are) the same or similar to MENARDS.
134	Lowe's Companies, Inc. 1000 Lowe's Boulevard Mooresville, NC 28115	To provide information and evidence regarding trademark rights in LOWE'S and whether Defendants had permission to register domain(s) that is(are) the same or similar to LOWE'S.
135	Traverse City Area Public Schools 1180 Cass Road Operations Center Traverse City, MI 49684 231-933-1905	To provide information and evidence regarding trademark rights in TCAPS and whether Defendants had permission to register domain(s) that is(are) the same or similar to TCAPS.
136	AVG Technologies CY, Ltd. 2-4 Capital Center, 9 th Floor Nicosia Cyprus 1505 +35722410032	To provide information and evidence regarding trademark rights in AVG and whether Defendants had permission to register domain(s) that is(are) the same or similar to AVG.
137	Fotolog, Inc. 1010 Fifth Avenue New York, NY 10003 212-620-6001	To provide information and evidence regarding trademark rights in FOTOLOG and whether Defendants had permission to register domain(s) that is(are) the same or similar to FOTOLOG.
138	National Basketball Association 100 Plaza Drive, 3 rd Floor Secaucus, NJ 07094 201-974-6996	To provide information and evidence regarding trademark rights in NBA and whether Defendants had permission to register domain(s) that is(are) the same or similar to NBA.
139	National Hockey League 1185 Avenue of the Americas, 15 th Floor New York, NY 10036 212-789-2000	To provide information and evidence regarding trademark rights in NHL and whether Defendants had permission to register domain(s) that is(are) the same or similar to NHL.
140	Thomson Reuters 3 Times Square, 17 th Floor New York, NY 10036 646-223-4131	To provide information and evidence regarding trademark rights in REUTERS and whether Defendants had permission to register domain(s) that is(are) the same or similar to REUTERS.

NUMBER	NAME	SUBJECT MATTER
141	Road Runner HoldCo, LLC 13241 Woodland Park Road Herndon, VA 20171 703-345-3416	To provide information and evidence regarding trademark rights in ROAD RUNNER and whether Defendants had permission to register domain(s) that is(are) the same or similar to ROAD RUNNER.
142	Constant Contact, Inc. 1601 Trapelo Road, Suite 329 Waltham, MA 02451 781-472-8100	To provide information and evidence regarding trademark rights in CONSTANT CONTACT and whether Defendants had permission to register domain(s) that is(are) the same or similar to CONSTANT CONTACT.
143	Click Sales, Inc. 917 South Lusk Street Boise, ID 83706 208-345-4245	To provide information and evidence regarding trademark rights in CLICKBANK and whether Defendants had permission to register domain(s) that is(are) the same or similar to CLICKBANK.
144	Tribune Technology 433 North Michigan Avenue Chicago, IL 60611 312-222-9100	To provide information and evidence regarding trademark rights in LA TIMES and whether Defendants had permission to register domain(s) that is(are) the same or similar to LA TIMES.
145	Pandora Media, Inc. 2101 Webster Street, Suite 1650 Oakland, CA 94612 510-451-4100	To provide information and evidence regarding trademark rights in PANDORA and whether Defendants had permission to register domain(s) that is(are) the same or similar to PANDORA.
146	CMS Energy Corporation One Energy Plaza Jackson, MI 49201 517-788-2416	To provide information and evidence regarding trademark rights in CONSUMERS ENERGY and whether Defendants had permission to register domain(s) that is(are) the same or similar to CONSUMERS ENERGY.
147	Team Health 1900 Winston Road, Suite 300 Knoxville, TN 37919 865-693-1000	To provide information and evidence regarding trademark rights in SPECTRUM HEALTH and whether Defendants had permission to register domain(s) that is(are) the same or similar to SPECTRUM HEALTH.

NUMBER	NAME	SUBJECT MATTER
148	Grand Valley State University 207 Manitou Hall Allendale, MI 49401 616-331-2101	To provide information and evidence regarding trademark rights in GRAND VALLEY STATE UNIVERSITY and whether Defendants had permission to register domain(s) that is(are) the same or similar to GRAND VALLEY STATE UNIVERSITY.
149	Eastern Michigan University Administrative Office, First Floor, 127 Pray-Harrold Ypsilanti, MI 48197 734-487-3145	To provide information and evidence regarding trademark rights in EASTERN MICHIGAN UNIVERSITY and whether Defendants had permission to register domain(s) that is(are) the same or similar to EASTERN MICHIGAN UNIVERSITY.
150	Knape & Vogt Manufacturing Co. 2700 Oak Industrial Drive NE Grand Rapids, MI 49505 616-459-3311	To provide information and evidence regarding trademark rights in KNAPE & VOGT and whether Defendants had permission to register domain(s) that is(are) the same or similar to KNAPE & VOGT.
151	Williams-Sonoma, Inc. 151 Union Street San Francisco, CA 94111	To provide information and evidence regarding trademark rights in WILLIAMS-SONOMA and whether Defendants had permission to register domain(s) that is(are) the same or similar to WILLIAMS-SONOMA.
152	WGBH Educational Foundation One Guest Street Boston, MA 02135 617-300-2000	To provide information and evidence regarding trademark rights in WGBH PUBLIC TELEVISION and whether Defendants had permission to register domain(s) that is(are) the same or similar to WGBH PUBLIC TELEVISION.
153	Albertson's, Inc. 250 Park Center Boulevard, Box 20 Boise, ID 83726 208-395-5320	To provide information and evidence regarding trademark rights in ALBERTSON'S and whether Defendants had permission to register domain(s) that is(are) the same or similar to ALBERTSON'S.

NUMBER	NAME	SUBJECT MATTER
154	MGM Mirage Operations, Inc. 3260 Industrial Road Las Vegas, NV 89109	To provide information and evidence regarding trademark rights in CIRCUS CIRCUS and whether Defendants had permission to register domain(s) that is(are) the same or similar to CIRCUS CIRCUS.
155	Macy's Department Stores, Inc. 7 West Seventh Street Cincinnati, OH 45202 678-474-2518	To provide information and evidence regarding trademark rights in MACY'S and whether Defendants had permission to register domain(s) that is(are) the same or similar to MACY'S.
156	The Pampered Chef, Ltd. One Pampered Chef Lane Addison, IL 60101 630-792-7614	To provide information and evidence regarding trademark rights in PAMPERED CHEF and whether Defendants had permission to register domain(s) that is(are) the same or similar to PAMPERED CHEF.
157	Hungry Howie's Pizza, Inc. 30300 Stephenson Highway Madison Heights, MI 48071 248-414-3300	To provide information and evidence regarding trademark rights in HUNGRY HOWIES and whether Defendants had permission to register domain(s) that is(are) the same or similar to HUNGRY HOWIES.
158	Taco John's International, Inc. 808 West 20 th Street Box 1589 Cheyenne, WY 82001	To provide information and evidence regarding trademark rights in TACO JOHNS and whether Defendants had permission to register domain(s) that is(are) the same or similar to TACO JOHNS.
159	Pulte Homes, Inc. 100 Bloomfield Hills Parkway, Suite 300 Bloomfield Hills, MI 48304	To provide information and evidence regarding trademark rights in PULTE HOMES and whether Defendants had permission to register domain(s) that is(are) the same or similar to PULTE HOMES.
160	The Dow Chemical Company 2020 Dow Center Midland, MI 48674 989-636-0108	To provide information and evidence regarding trademark rights in DOW CHEMICAL and whether Defendants had permission to register domain(s) that is(are) the same or similar to DOW CHEMICAL.

NUMBER	NAME	SUBJECT MATTER
161	DTE Energy 2000 Second Avenue, 749G0 Detroit, MI 48226 313-235-8620	To provide information and evidence regarding trademark rights in DTE ENERGY and whether Defendants had permission to register domain(s) that is(are) the same or similar to DTE ENERGY.
162	Kelly Services, Inc. 999 West Big Beaver Road Troy, MI 48084 248-822-9354	To provide information and evidence regarding trademark rights in KELLY SERVICES and whether Defendants had permission to register domain(s) that is(are) the same or similar to KELLY SERVICES.
163	BorgWarner, Inc. 3850 Hamlin Road Auburn Hills, MI 48326 248-754-9600	To provide information and evidence regarding trademark rights in BORGWARNER and whether Defendants had permission to register domain(s) that is(are) the same or similar to BORGWARNER.
164	Borders Properties, Inc. 100 Phoenix Drive Ann Arbor, MI 48108 734-477-1717	To provide information and evidence regarding trademark rights in BORDERS and whether Defendants had permission to register domain(s) that is(are) the same or similar to BORDERS.
165	La-Z-Boy Incorporated 1284 North Telegraph Road Monroe, MI 48161 734-241-2758	To provide information and evidence regarding trademark rights in LA-Z-BOY and whether Defendants had permission to register domain(s) that is(are) the same or similar to LA-Z-BOY.
166	Ziebart International Corporation 1290 East Maple Road Troy, MI 48007 248-588-4100	To provide information and evidence regarding trademark rights in ZIEBART and whether Defendants had permission to register domain(s) that is(are) the same or similar to ZIEBART.
167	Penske Corporation 13400 West Outer Drive Detroit, MI 48239	To provide information and evidence regarding trademark rights in PENSKE and whether Defendants had permission to register domain(s) that is(are) the same or similar to PENSKE.

NUMBER	NAME	SUBJECT MATTER
168	HoMedics – USA, Inc. 3000 Pontiac Trail Commerce Township, MI 48390 248-863-3000	To provide information and evidence regarding trademark rights in HOMEDICS and whether Defendants had permission to register domain(s) that is(are) the same or similar to HOMEDICS.
169	Flagstar Bank 5151 Corporate Drive Troy, MI 48098 800-945-7711	To provide information and evidence regarding trademark rights in FLAGSTAR BANK and whether Defendants had permission to register domain(s) that is(are) the same or similar to FLAGSTAR BANK.
170	Faygo Beverages, Inc. 3579 Gratiot Avenue Detroit, MI 48207 313-925-1600	To provide information and evidence regarding trademark rights in FAYGO and whether Defendants had permission to register domain(s) that is(are) the same or similar to FAYGO.
171	Domino's Pizza, LLC 30 Frank Lloyd Wright Drive Ann Arbor, MI 48105 734-930-3030	To provide information and evidence regarding trademark rights in DOMINO'S and whether Defendants had permission to register domain(s) that is(are) the same or similar to DOMINO'S.
172	Carhartt, Inc. 5750 Mercury Drive PO Box 600 Dearborn, MI 48126 313-271-8460	To provide information and evidence regarding trademark rights in CARHARTT and whether Defendants had permission to register domain(s) that is(are) the same or similar to CARHARTT.
173	Bissell, Inc. 2345 Walker NW Grand Rapids, MI 48544 616-453-4451	To provide information and evidence regarding trademark rights in BISSELL and whether Defendants had permission to register domain(s) that is(are) the same or similar to BISSELL.
174	Auto-Owners Insurance Company 6101 Anacapi Boulevard Lansing, MI 48917 517-323-1200	To provide information and evidence regarding trademark rights in AUTO-OWNERS INSURANCE and whether Defendants had permission to register domain(s) that is(are) the same or similar to AUTO-OWNERS INSURANCE.
175	Art Van Furniture 6500 14 Mile Road Warren, MI 48092 810-983-3014	To provide information and evidence regarding trademark rights in ART VAN and whether Defendants had permission to register domain(s) that is(are) the same or similar to ART VAN.

NUMBER	NAME	SUBJECT MATTER
176	Stardock Systems, Inc. 15090 North Beck Road, Suite 300 Plymouth, MI 48170 734-927-0677	To provide information and evidence regarding trademark rights in STARDOCK and whether Defendants had permission to register domain(s) that is(are) the same or similar to STARDOCK.
177	Alticor Investments, Inc. 7575 Fulton Street East Ada, MI 49355 616-787-7000	To provide information and evidence regarding trademark rights in QUIXTAR and whether Defendants had permission to register domain(s) that is(are) the same or similar to QUIXTAR (AMWAY).
178	Michigan State University 220 Computer Center East Lansing, MI 48824 517-355-3600	To provide information and evidence regarding trademark rights in MICHIGAN STATE UNIVERSITY and whether Defendants had permission to register domain(s) that is(are) the same or similar to MICHIGAN STATE UNIVERSITY.
179	HuffingtonPost.com, Inc. 560 Broadway, Suite 308 New York, NY 10012 212-245-7844	To provide information and evidence regarding trademark rights in HUFFINGTONPOST and whether Defendants had permission to register domain(s) that is(are) the same or similar to HUFFINGTONPOST.
180	AOL LLC Attn: Regina Thomas 22000 AOL Way Dulles, VA 20166 703-265-0094	To provide information and evidence regarding trademark rights in BEBO and whether Defendants had permission to register domain(s) that is(are) the same or similar to BEBO.

Plaintiff reserves the right to supplement these initial disclosures of potential witnesses, especially as it pertains to third party trademark holder witnesses, consistent with Fed. R. Civ. P. 26(e).

II. DOCUMENTS [Fed. R. Civ. P. 26(a)(1)(B)]

A copy of, or a description by category and location of, all documents, electronically stored information, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses, unless solely for impeachment

All documents listed below are located at the following locations:

Traverse Legal, PLC
810 Cottageview Drive, Suite G-20
Traverse City, MI 49684

Hooper, Hathaway, Price, Beuche & Wallace, P.C.
126 S. Main Street
Ann Arbor, MI 48104

The Weather Underground, Inc.
300 N. Fifth Ave #240
Ann Arbor, MI 48104

The Weather Underground, Inc.
185 Berry St. Suite #5501
San Francisco, CA 94107

Plaintiff will rely upon those non-privileged, non-work product, relevant documents that are in its possession, custody or control, and that tend to support Plaintiff's position in this case, including:

1. All documents attached as exhibits to the Complaint in this action.
2. Depositions, court filings and other docket materials in this lawsuit.
3. All documents attached as exhibits to Plaintiff's Response to Defendants' Motion to Dismiss for Lack of Personal Jurisdiction in this action.
4. Documents identified in Defendants' 26(a) disclosures.
5. Documents requested in Plaintiff's discovery requests.
6. Documents regarding Plaintiff's offering of online weather services.
7. Documents regarding Plaintiff's offering of blogs in connection with its online weather service offerings.

8. Documents regarding Plaintiff's programming and software development capabilities and offerings.
9. Documents regarding the location of, deployment of, and use of personal weather stations.
10. Documents regarding the demographics of members and/or users of Plaintiff's services.
11. Documents evidencing Plaintiff's clients and the services those clients utilize.
12. Documents regarding Plaintiff's advertisement agreements and revenue model.
13. Documents demonstrating the nature and extent of advertising and promotion for the Plaintiff's business, including volume of sales and money spent on advertising.
14. Sales data regarding Plaintiff's products and service offerings.
15. Documents relating to the use of Plaintiff's services by third party web sites, including placement of Plaintiff's WEATHER STICKER.
16. Documents evidencing press, recognition, or awards related to Plaintiff and its products and or service offerings.
17. Documents evidencing search engine results as it pertains to Plaintiff, Defendants, and/or third parties.
18. U.S. Patent and Trademark Office files for the following Serial and/or Registration numbers and any related proceedings:

- a. 2281088
- b. 2297683
- c. 2308658
- d. 2324272
- e. 2318973
- f. 2447954
- g. 3527030
- h. 3647301
- i. 77755078
- j. 77755212
- k. 77755229

19. Documents demonstrating use in commerce of Plaintiff's trademarks and service marks, including those identified in paragraph 18.

20. Documents demonstrating the distinctiveness of Plaintiff's trademarks and service marks, including those identified in paragraph 18.

21. Documents demonstrating the famousness of Plaintiff's trademarks and service marks, including those identified in paragraph 18.

22. Documents demonstrating the public's association of Plaintiff's trademarks and service marks with its respective goods or services.

23. Documents demonstrating the length and manner of Plaintiff's use of its trademarks and service marks.

24. Documents evidencing Plaintiff's promotion of its Marks.

25. Documents evidencing Plaintiff's registration and use of domain names.
26. Documents regarding marketing material, web-based or otherwise, by Plaintiff.
27. Documents regarding advertising material, web-based or otherwise, by Plaintiff, including without limitation landing page, banner, and keyword advertisements.
28. Documents regarding Plaintiff's websites, including without limitation its official websites wunderground.com, weatherunderground.com, and wund.com, archives of the same, and web traffic related thereto.
29. Documents relating to the ranking of Plaintiff's websites.
30. Documents regarding third party trademark and service mark rights, including U.S. Patent and Trademark Office files for the trademarks and service marks identified as subject matter for third party trademark and service mark owners above.
31. Communications, in whatever form, with and regarding Defendants.
32. Documents regarding *The Weather Underground, Inc. v. Navigation Catalyst Systems, Inc.*, FA1221002 (Nat. Arb. Forum Oct. 13, 2008) arbitration pursuant to the Uniform Dispute Resolution Policy (UDRP).
33. Documents pertaining to any action in which Defendant Navigation Catalyst Systems, Inc. has been involved, including both UDRP actions and lawsuits in a court of law.

34. Documents evidencing the relationship between Defendant Navigation Catalyst Systems, Inc. and each of Basic Fusion, Inc., Connexus Corp., and Firstlook, Inc., including ownership, subsidiaries, and joint ventures.

35. Documents relating to the Internet Corporation for Assigned Names and Numbers (ICANN) Uniform Domain Name Dispute Resolution Policy (UDRP) and its governance of domain name registrars.

Plaintiff reserves the right to supplement these initial disclosures of documents consistent with Fed. R. Civ. P. 26(e).

III. DAMAGES [Fed. R. Civ. P. 26(a)(1)(C)]

A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

The damages suffered by Plaintiff include lost sales, lost profits, lost goodwill, damage to the value of Plaintiff's marks, including without limitation THE WEATHER UNDERGROUND, WUNDERGROUND.COM, WEATHER STICKER, AUTOBRAND, WUNDERSEARCH, WUNDERMAP, WUNDERRADIO, WUNDER, WUNDERBLOG, WUNDERPHOTOS, WUND, and WUNDER Family of Marks, and may also be measured by Defendants' profits or a disgorgement of earnings related to infringement and other tortious actions. It is too early to provide a calculation of these categories until the extent of use, and the number of customers is fully discovered, which information is in the possession of Defendants.

Plaintiff, at its election, may also choose statutory damages of \$100,000 per domain name pursuant to 15 U.S.C. § 1117 for violation of the Anti-Cybersquatting Consumer Protection Act (ACPA), 15 U.S.C. § 1125(d). At present, Plaintiff has identified 42 domains, which would total \$4,200,000.00 in statutory damages plus attorney fees.

IV. INSURANCE AGREEMENT [Fed. R. Civ. P. 26(a)(1)(D)]

For inspection and copying as under Rule 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Plaintiff has not identified any such insurance applicable to the claims in this matter.

Respectfully submitted this 29th day of December, 2009,



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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on 29th day of December, 2009, I served , I served a copy of in the above-referenced matter, by first class mail, with postage fully prepaid thereon, addressed to:

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Brian A. Hall (P70865)
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Local Counsel for Defendants

I certify the foregoing to be true and accurate to the best of my knowledge, information and belief.



Catherine Dittrich
Traverse Legal, PLC