

Defendants' Second Supplemental  
Disclosures Pursuant to Rule 26(a)(1)

Exhibit C

to

TimeBase's Response to the Defendants'  
Motion for Protective Order  
Regarding Mark Stignani  
(FILED UNDER SEAL)

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

TIMEBASE PTY LTD.,

Plaintiff,

vs.

THE THOMSON CORPORATION, WEST  
PUBLISHING CORPORATION, and  
WEST SERVICES, INC.,

Defendants.

**Civil No. 07-CV-1687 (JNE/JJG)**

**DEFENDANTS' SECOND  
SUPPLEMENTAL DISCLOSURES  
PURSUANT TO RULE 26(a)(1)**

Pursuant to Federal Rule of Civil Procedure 26(a)(1), defendants The Thomson Corporation, West Publishing Corporation, and West Services, Inc. (collectively "Defendants"), through their attorneys, submit the following supplemental disclosures. These disclosures represent a good faith effort to identify information that Defendants reasonably believe at this time may be used to support their claims or defenses, as required by Rule 26(a)(1). Defendants reserve the right, pursuant to the Federal Rules of Civil Procedure, to supplement these disclosures as discovery progresses in this action.

Defendants' supplemental disclosures are made without in any way waiving: (1) the right to object on the grounds of competency, privilege, relevancy and materiality, hearsay or any other proper ground, to the use of any such information, for any purpose, in whole or in part, in any subsequent proceeding in this action or any other action; (2) the right to object on any and all grounds, at any time, to any other discovery request or proceeding involving or relating to the subject matter of these disclosures; and (3) the right to seek protection under a

suitable protective order agreed to by the parties or issued by the Court pursuant to Rule 26(c) of any information to be provided in discovery in this case.

All of the disclosures set forth below are made subject to the above objections and qualifications. For purposes of these disclosures, Defendants adopt the following definitions:

- A. The phrase “the ‘228 patent” means U.S. Patent No. 7,293,228.
- B. The phrase “the ‘592 patent” means U.S. Patent No. 6,233,592.
- C. The phrase “Related Patents” means any United States or foreign counterpart or counterparts to the ‘228 and ‘592 patents, including, without limitation, AU P04892 and PCT/AU98/00050, or any patent or patent applications (including applications now abandoned) deriving from or relying on the priority date of AU P04892.
- D. The phrase “Accused Products” means PastStat Locator, RegulationsPlus, and Graphical Statutes products.

#### **DISCLOSURE OF WITNESSES**

**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.**

For many of the subjects listed below, there may be a number of people who have some knowledge of discoverable information. Defendants have identified those persons that Defendants currently believe may be the most knowledgeable about the listed subjects, but Defendants reserve their right to supplement these disclosures as discovery progresses.

#### **Conception and Reduction to Practice of the ‘228 and ‘592 patents and any Related Patents**

- 1. Paul William Leslie, Address Unknown
- 2. Abha Lessing, 280 Burringbar Road, Burringbar, Australia

3. Peter Mariani, c/o TimeBase Pty Limited, 362 Kent Street, Sydney, Australia
4. Geoffrey John Nolan, Address Unknown
5. Christoph Schnelle, 280 Burringbar Road, Burringbar, Australia
6. Clifford W. Browning, formerly of Woodard Emhardt Naughton Moriarty & McNett LLP, currently with Krieg DeVault LLP, One Indiana Square, Suite 2800, Indianapolis, IN 46204-2079 (Telephone: 317-636-4341)
7. Vishal V. Khatri, Jones Day, 51 Louisiana Avenue, N.W. Washington, D.C. 20001-2113 (Telephone: 1-202-879-3607)
8. Mark G. Paulson, Jones Day, 51 Louisiana Avenue, N.W. Washington, D.C. 20001-2113 (Telephone: 1-202-879-5489)

Prosecution of the '228 and '592 patents and any Related Patents

9. Australian Patent Prosecutor, Spruson & Ferguson; G.P.O. Box 3898, Sydney, Australia
10. Paul William Leslie, Address Unknown
11. Abha Lessing, 280 Burringbar Road, Burringbar, Australia
12. Peter Mariani, c/o TimeBase Pty Limited, 362 Kent Street, Sydney, Australia
13. Geoffrey John Nolan, Address Unknown
14. Christoph Schnelle, 280 Burringbar Road, Burringbar, Australia
15. Leonie Muldoon, c/o TimeBase Pty Limited, 362 Kent Street, Sydney, Australia
16. Clifford W. Browning, formerly of Woodard Emhardt Naughton Moriarty & McNett LLP, currently with Krieg DeVault LLP, One Indiana Square, Suite 2800, Indianapolis, IN 46204-2079 (Telephone: 317-636-4341)
17. Vishal V. Khatri, Jones Day, 51 Louisiana Avenue, N.W. Washington, D.C. 20001-2113 (Telephone: 1-202-879-3607)
18. Mark G. Paulson, Jones Day, 51 Louisiana Avenue, N.W. Washington, D.C. 20001-2113 (Telephone: 1-202-879-5489)

TimeBase's Electronic Publishing Products

19. Paul William Leslie, Address Unknown
20. Abha Lessing, 280 Burringbar Road, Burringbar, Australia

21. Peter Mariani, TimeBase, c/o TimeBase Pty Limited, 362 Kent Street, Sydney, Australia
22. Geoffrey John Nolan, Address Unknown
23. Christoph Schnelle, 280 Burringbar Road, Burringbar, Australia
24. Leonie Muldoon, c/o TimeBase Pty Limited, 362 Kent Street, Sydney, Australia
25. Unknown individuals at TimeBase

TimeBase's Intellectual Property Licensing Attempts

26. Leonie Muldoon, c/o TimeBase Pty Limited, 362 Kent Street, Sydney, Australia
27. Peter Dowding, Propel Investments Pty Limited, Level 12, Kent Street, Sydney, Australia
28. Abha Lessing, 280 Burringbar Road, Burringbar, Australia
29. Christoph Schnelle, 280 Burringbar Road, Burringbar, Australia
30. Roger Gerdes, formerly of BMG, P.O. Box 1417, Maple Valley, WA
31. Rob Nichols, Tasman Capital Partners, Level 34 Chifley Tower, 2 Chifley Square, Sydney, Australia
32. Gene Lorenz, Tasman Capital Partners, Level 34 Chifley Tower, 2 Chifley Square, Sydney, Australia
33. David Shields, Accede Capital Venture Partners, Level 11, 1 Chifley Square, Sydney, Australia
34. Unknown individuals at TimeBase

Value of the '228 and '592 patent

35. Leonie Muldoon, c/o TimeBase Pty Limited, 362 Kent Street, Sydney, Australia
36. Paul William Leslie, address unknown
37. Peter Dowding, Propel Investments Pty Limited, Level 12, Kent Street, Sydney, Australia
38. Albin Kurti, Propel Investments Pty Limited, Level 12, Kent Street, Sydney, Australia
39. Lilli Miller Gladstone, Propel Investments Pty Limited, Level 12, Kent Street, Sydney, Australia

40. Abha Lessing, 280 Burringbar Road, Burringbar, Australia
41. Christoph Schnelle, 280 Burringbar Road, Burringbar, Australia
42. Roger Gerdes, formerly of BMG, P.O. Box 1417, Maple Valley, WA
43. Rob Nichols, Tasman Capital Partners, Level 34 Chifley Tower, 2 Chifley Square, Sydney, Australia
44. Gene Lorenz, Tasman Capital Partners, Level 34 Chifley Tower, 2 Chifley Square, Sydney, Australia
45. David Shields, Accede Capital Venture Partners, Level 11, 1 Chifley Square, Sydney, Australia

Prior Art to the '228 and '592 patents

46. Persons identified in the prior art references listed in:
  - (a) the '228 and '592 patents and/or any Related Patents; and
  - (b) the file histories of the '228 and '592 patents and any Related Patents, including any reexaminations and EPO proceedings; including, but not limited to:
  - (c) Tim Arnold-Moore, SAIC, 1710 SAIC Drive, McLean, VA
  - (d) Ron Sacks-Davis, SAIC, 91 William Street, Melbourne, Australia
  - (e) Ross Wilkinson, Royal Melbourne Institute of Technology, Melbourne, Australia
  - (f) Justin Zobel, Melbourne Consulting and Customs Programs, 442 Auburn Road, Hawthorne, Australia
  - (g) Eve Wilson, Kent, England
  - (h) Charles Goldfarb, 13075 Paramount Court, Saratoga, CA
  - (i) Philip Anderson, SAIC, 1710 SAIC Drive, McLean, VA
47. Steven Anderson, West Services, Inc., Eagan, MN
48. Peter Blissenbach, Thomson International Legal & Regulatory, Eagan, MN
49. Bill Odean, West Services, Inc., Eagan, MN
50. Rick Brown, West Services, Inc., Eagan, MN
51. Elinor Cheung, West Services, Inc., Eagan, MN

52. David Spencer, West Services, Inc., Eagan, MN
53. Richard Shrake, West Services, Inc., Eagan, MN
54. Forrest Rhoads, Thomson Global Resources, Eagan, MN
55. Dave Hendricksen, West Services, Inc., Eagan, MN
56. Darla Agard, West Services, Inc., Eagan, MN
57. Elizabeth Psihos, West Services, Inc., Eagan, MN
58. Jon Verreaux, West Services, Inc., Eagan, MN

#### West General Background

59. Gretchen DeSutter, West Services, Inc., Eagan, MN
60. Fred Gordon, West Services, Inc., Eagan, MN

#### Development of the Accused Products

61. Erwing Barbre, formerly of West Services, Inc., Address Unknown
62. Shelly Albaum, formerly of West Services, Inc., Sebastopol, CA
63. Andrew Martens, West Services, Inc., Eagan, MN
64. David Spencer, West Services, Inc., Eagan, MN
65. Darla Agard, West Services, Inc., Eagan, MN
66. Margaret Wanstall, formerly of West Services, Inc., Minneapolis, MN
67. Forrest Rhoads, Thomson Global Resources, Eagan, MN
68. Dave Hendricksen, West Services, Inc., Eagan, MN
69. Jon Verreaux, West Services, Inc., Eagan, MN

#### Technology of the Accused Products

70. Elizabeth Psihos, West Services, Inc., Eagan, MN
71. Wendy Odeen, West Services, Inc., Minneapolis, MN
72. Duane Torborg, The Thomson Corporation, Eagan, MN
73. Dave Hendricksen, West Services, Inc., Eagan, MN

74. Todd Billings, West Services, Inc., Eagan, MN
75. Jon Verreaux, West Services, Inc., Eagan, MN
76. Jill Janvrin, West Services, Inc., Eagan, MN
77. Jon Verreaux, West Services, Inc., Eagan, MN
78. Carrie Koppen, West Services, Inc., Eagan, MN
79. Karen Super, West Services, Inc., Eagan, MN

Content and Editorial Operations of the Accused Products

80. Rick Brown, West Services, Inc., Eagan, MN
81. John Elstad, West Services, Inc., Eagan, MN
82. Darla Agard, West Services, Inc., Eagan, MN
83. Lynn Jenn, West Services, Inc., Eagan, MN
84. Carrie Koppen, West Services, Inc., Eagan, MN
85. Karen Super, West Services, Inc., Eagan, MN
86. Kurt Sames, West Services, Inc., Eagan, MN
87. Dave Hendricksen, West Services, Inc., Eagan, MN

Revenues, Costs and Expenses Relating to the Accused Products

88. Craig Eiter, West Services, Inc., Eagan, MN
89. Mark Hoffman, West Services, Inc., Eagan, MN
90. Andrew Martens, West Services, Inc., Eagan, MN

Defendants' Intellectual Property Licensing

91. Mark Stignani, The Thomson Corporation, Eagan, MN
92. Kurt Sames, formerly of West Services, Inc., Hudson, WI
93. Andrew Martens, West Services, Inc., Eagan, MN

Defendants' Knowledge of TimeBase Regarding the '228 and '592 patents

94. Thomas Trenker, formerly of West Services, Inc., Eagan, MN



95. Kevin Ritchey, West Services, Inc., Eagan, MN
96. John Lindstrom, Thomson Global Resources, Eagan, MN
97. Daniel Dabney, Thomson Global Resources, Eagan, MN
98. Forrest Rhoads, Thomson Global Resources, Eagan, MN
99. Bruce Atkinson, formerly of The Thomson Corporation, Eagan, MN
100. Reid Meyer, West Services, Inc., Eagan, MN
101. David Spencer, West Services, Inc., Eagan, MN
102. Andrew Martens, West Services, Inc., Eagan, MN
103. Mark Stignani, The Thomson Corporation, Eagan, MN

Defendants' Sales of the Accused Products

104. Victoria August, West Publishing, Washington, DC
105. Catherine Baroco, West Publishing, New York, NY
106. Timothy Crane, West Publishing, Eagan, MN
107. Joao Granja, West Publishing, Washington, DC
108. Steven Hamagiwa, West Publishing, Cerritos, TX
109. Hasnain Jetha, West Publishing, Chicago, IL
110. Darin Karpel, West Publishing, Los Angeles, CA
111. Brett Klees, West Publishing, Alexandria, VA
112. Mark Martin, West Publishing, San Francisco, CA
113. Steven Reynolds, formerly of West Publishing
114. Robert Ricker, West Publishing, Washington, DC
115. Darren Schleicher, West Publishing, San Francisco, CA
116. Sharon Szostak, West Publishing, Eagan, MN
117. Jarvis Tait, West Publishing, Washington, DC
118. Jay Veith, West Publishing, Bear, DE

119. Brian Whalen, West Publishing, Miami, FL  
120. Andrew Wilcox, West Publishing, Eagan, MN

The Relationship Between Thomson and Peter Mariani

121. Michael Horton, Thomson, Sydney, Australia

Please contact counsel for Defendants before contacting any employees or former employees of Defendants, including those identified above.

In addition to the above-identified persons, Defendants identify all persons identified in TimeBase's initial or supplemental disclosures pursuant to Rule 26(a)(1), all persons identified in any documents produced by the parties or third parties in this case, and all persons identified in any discovery responses.

**DISCLOSURE OF CATEGORIES OF DOCUMENTS**

**B. A copy of, or a description by category and location of, all documents, data compilations, 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.**

Defendants believe that the following categories of documents in their possession, custody, or control may be used to support its claims or defenses:

1. Research and development documents relating to the accused products.
2. Documents relating to the operation of the accused products.
3. Documents relating to the marketing of the accused products.
4. Documents relating to the market research for the accused products.
5. Documents relating to the costs of the accused products.
6. Documents relating to sales of the accused products.

7. Documents relating to Defendants' intellectual property/technology licenses and associated practices.
8. Documents relating to Defendants' knowledge of and negotiations with TimeBase regarding the '228 and '592 patents.
9. Prior art.

These documents are primarily located at Defendants' facilities at 610 Opperman Drive, Eagan, MN 55123.

### DAMAGES

**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.**

This category of disclosure is not presently applicable to Defendants.

### INSURANCE AGREEMENTS

**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.**

Defendants are not aware of any applicable insurance agreement.

Dated: September 29, 2010

**FAEGRE & BENSON LLP**

*Kath. Razavi*

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