

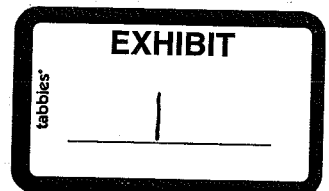
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION

TODD JANSON, et al.,
Plaintiffs,
vs.
LEGALZOOM.COM, INC.,
Defendant.

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) Case No.
) 10-04018-CV-C-NKL
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)
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Deposition of BRIAN P.Y. LIU
Wednesday, February 16, 2011

Reported by: Vicki A. Saber
CSR No. 6212, RPR, CRR, CCRR



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90	Certificate of Incorporation (Bates-stamped LZ 000533-000536)	90

1 Deposition of BRIAN P.Y. LIU, taken on behalf of the
2 Plaintiffs, at 120 Broadway, Suite 300, Santa Monica,
3 California, on Wednesday, February 16, 2011, at 9:30
4 a.m., before Vicki A. Saber, CSR No. 6212, RPR, CRR,
5 CCRR.
6
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35

1 Q. Did you know him at all prior to you
2 co-founding LegalZoom?

3 A. I did not know Mr. Shapiro personally prior
4 to -- prior to my involvement with LegalZoom.

5 Q. All right. I'm going to hand you what's
6 marked as Exhibit Number 96. And this is a C.D. that
7 your lawyers produced to us titled "Online Banner Ads.
8 Print. TV Ads," I believe.

9 (Exhibit 96 was marked for
10 identification.)

11 BY MR. CLEMENT:

12 Q. Is that right?

13 A. Yes.

14 Q. Do you know what's contained on that C.D.?

15 A. I do not.

16 Q. So you can't tell me whether or not the ads
17 that appear on that C.D. are all of the TV ads that ran
18 over any certain time period?

19 A. If they're TV ads I can tell you -- I can tell
20 you whether they were TV ads that we had run over a
21 certain time period, yes.

22 Q. Okay. Well, here's what I'm trying to
23 accomplish, and I welcome any suggestions from your
24 lawyer as to how to do that, but there's a lot of TV
25 ads, and probably ten times as many radio ads, and I

1 A. Yes.

2 Q. And then there are two subfiles that say
3 "creative video files" and "online air sponsorships."
4 Okay? Let's look at creative video files first.

5 A. Okay.

6 Q. There are two subfiles above that say "2010
7 final H.D. spots without slates" and "2010 revised price
8 spots," and there's some other ads in those files which
9 we'll look at.

10 A. Okay.

11 Q. But there are several ads listed under this
12 subfile, and I take it those do not include 2010 ads
13 because of these subfiles. Is that a fair statement?

14 A. Yes.

15 Q. Are the ads that are listed here under "TV ads
16 2007-2011 creative video files" all of the television
17 ads that ran from 2007 until 2010?

18 A. They do appear to be with the caveat that I
19 don't know if the 2010 revised spots took their place in
20 2010, and I -- I can go through the ads and let you
21 know, you know, what played and whatnot. I recognize
22 the ads from that file.

23 I don't see anything anymore right now, but...

24 Q. Okay. I don't know that we want to spend the
25 time to go through each and every ad. Are there any ads

1 don't want to have to play every ad for you to say,
2 "Yes, this ad ran."

3 Is there any way to -- and I'm going to show
4 you some of the ads and ask you questions about them,
5 but is there any way for you to look at the file names,
6 for example, and tell me whether or not this encompasses
7 all of the television advertising that LegalZoom did
8 over a certain time period?

9 A. We probably have run only -- no more than ten
10 main types of ads, so I believe I should be able to tell
11 you whether those ads was something that we had run or
12 not.

13 Q. Okay. I'm going to put Exhibit Number 96 into
14 the computer, and maybe we'll look at the files before
15 we play some ads, and we'll see what you can tell us.

16 A. Okay.

17 MR. CLEMENT: I don't think you need to film
18 this. When we play the video perhaps we can see if it
19 shows up on the video camera.

20 Q. Okay. As you see, Mr. Liu, there are three
21 subfiles, online banner ads, print which only contain
22 one ad, and then TV ads 2007 to 2011, correct?

23 A. Correct.

24 Q. And then if we click on that, there's another
25 subfile that says "TV ads 2007 to 2011," correct?

1 that you think ran that are not included?

2 A. No.

3 Q. Okay. Now, if we click on "2010 final H.D.
4 spots without slates" there are nine or so additional
5 ads that appear; is that correct?

6 A. Yes.

7 Q. Can you tell without -- by the file names
8 whether those are ads that ran in 2010?

9 A. No, because I can't tell if these are
10 completed ads or not. These may not be completed ads.
11 These may be incomplete creative parts of ads but not
12 the complete ad so I would have to look at one of these
13 ads.

14 Q. All right. Well, let's just look at --

15 A. Because it says "without slates" so I don't
16 know what that means, "without slates."

17 Q. Let's look at the third one down which is --
18 has some letters and numbers and it says "general 30
19 original," correct?

20 A. Okay.

21 Q. I'm going to -- if you don't mind, if you can
22 maybe walk over here so --

23 (Discussion held off the record.)

24 (Video transcription:

25 "I'm Robert Shapiro. Over a million

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1 people have discovered how easy it is to
 2 use LegalZoom for important legal
 3 documents, and LegalZoom will help you
 4 incorporate your business, file a patent,
 5 make a will and more. You can complete
 6 our online questions in minutes. Then
 7 we'll prepare your legal documents and
 8 deliver them directly to you. So start
 9 your business, protect your family,
 10 launch your dreams. At LegalZoom.com we
 11 put the law on your side.")
 12 BY MR. CLEMENT:
 13 Q. Okay. We'll play it again so you can see it
 14 and tell us if this ad ran.
 15 (Video transcription:
 16 "I'm Robert Shapiro. Over a million
 17 people have discovered how easy it is to
 18 use LegalZoom for important legal
 19 documents, and LegalZoom will help you
 20 incorporate your business, file a patent,
 21 make a will and more. You can complete
 22 our online questions in minutes. Then
 23 we'll prepare your legal documents and
 24 deliver them directly to you. So start
 25 your business, protect your family,

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1 launch your dreams. At LegalZoom.com we
 2 put the law on your side.")
 3 THE WITNESS: That appears to be an ad that
 4 ran, yes.
 5 BY MR. CLEMENT:
 6 Q. In 2010?
 7 A. It appears to be an ad that ran in 2010, yes.
 8 Why it was in a folder called "without slates" I do not
 9 know.
 10 Q. Okay.
 11 A. And I don't know the meaning of "without
 12 slates."
 13 Q. Okay. That particular ad -- I'm going to show
 14 you another version here that is labeled "LegalZoom '08
 15 legal ads general."
 16 A. Right.
 17 Q. And I believe it's going to be the same ad.
 18 but let's verify that. Okay?
 19 A. Okay.
 20 MR. BUTSCH: Why don't we -- do you want to
 21 get that back on?
 22 THE VIDEOGRAPHER: I can shoot it from an
 23 angle if you step back out of the way.
 24 MR. CLEMENT: Okay. I'll get out of here as
 25 soon as we get the full screen.

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1 (Video transcription:
 2 "I'm Robert Shapiro. Over a million
 3 people have discovered how easy it is to
 4 use LegalZoom for important legal
 5 documents, and LegalZoom will help you
 6 incorporate your business, file a patent,
 7 make a will and more. You can complete
 8 our online questions in minutes. Then
 9 we'll prepare your legal documents and
 10 deliver them directly to you. So start
 11 your business, protect your family,
 12 launch your dreams. At LegalZoom.com we
 13 put the law on your side.")
 14 BY MR. CLEMENT:
 15 Q. Does that appear to be the same ad we looked
 16 at?
 17 A. It appears to be the same ad, but there must
 18 be something different because it's in a folder called
 19 "without slates," so I -- maybe there's something very
 20 subtle that I did not catch, and I don't know what that
 21 would be, but...
 22 Q. Has that ad or a similar ad run from 2007 to
 23 the present?
 24 A. That ad or a similar ad has run, I believe,
 25 from 2008 until -- I don't know if that ad is currently

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1 on rotation right now.
 2 Q. I'll tell you I think I saw it Sunday night
 3 when I was watching ESPN, perhaps with the prices maybe
 4 a little bit different, but you can't tell me, as you
 5 sit here today, whether that ad is running right now?
 6 A. Today I don't know.
 7 Q. Who -- would Scott McDonald know?
 8 A. Yes, he would know.
 9 Q. I'm going to hand you what's marked as
 10 LegalZoom Exhibit 97.
 11 (Exhibit 97 was marked for
 12 identification.)
 13 BY MR. CLEMENT:
 14 Q. This is a document titled "Broadcast scripts,"
 15 and it's got a Bates number at the bottom LZ 000223.
 16 Do you see that?
 17 A. Yes, I do.
 18 Q. Does that appear to be the text of the ad that
 19 we just watched with Mr. Shapiro in it?
 20 A. Yes, that does appear to be the text of the
 21 ad.
 22 Q. Does this particular ad accurately describe
 23 what LegalZoom does?
 24 A. When you look at this ad taken as a whole, I
 25 believe that this ad does describe what LegalZoom does.