

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

TODD JANSON, GERALD T. ARDREY, CHAD M.
FERRELL, and C & J REMODELING LLC, on behalf of
themselves and on behalf of all others similarly situated,

Plaintiffs,

v.

LEGALZOOM.COM, INC.,

Defendant.

Case No. 2:10-cv-04018-NKL

**NOTICE TO TAKE DEPOSITION DUCES TECUM
OF RICHARD F. WAIGAND, CPA**

NOTICE IS HEREBY GIVEN that Defendant LegalZoom.com, Inc., will take the deposition upon oral examination of Richard F. Waigand, on July 6, 2011, at the offices of Butsch Simeri Fields LLC, 231 S. Bemiston Ave., Suite 260, Clayton, MO 63105. The deposition will be taken before an officer authorized to administer oaths, and will be stenographically transcribed by a certified court reporter. The deposition will begin at 1:00 p.m., and will continue from day to day until completed or adjourned.

Defendant requests that Mr. Waigand bring with him to the deposition the documents requested in Exhibit A attached to this Notice.

Respectfully submitted,

BRYAN CAVE LLP

s/ James T. Wicks

Robert M. Thompson MO #38156

James T. Wicks MO #60409

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Attorneys for Defendant LegalZoom.com, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on June 29, 2011, I electronically filed the above and foregoing with the clerk of court using the CM/ECF system, which will send notice of electronic filing to all counsel of record.

s/ James T. Wicks

EXHIBIT A

DEFINITIONS

1. The terms “YOU” or “YOUR” means Richard F. Waigand and anyone acting or purporting to act on your behalf, including your agents, employees or representatives.

2. The terms “THIS ACTION” or “THIS MATTER” mean the lawsuit under which this Notice is filed, captioned *Todd Janson, et al., v. LegalZoom.com, Inc.*, Case No. 2:10-cv-04018-NKL, currently pending in the United States District Court for the Western District of Missouri.

3. The term “PLAINTIFFS’ ATTORNEYS” means attorneys for the named plaintiffs and class members in *Todd Janson, et al., v. LegalZoom.com, Inc.*, Case No. 2:10-cv-04018-NKL, currently pending in the United States District Court for the Western District of Missouri.

4. The term “DOCUMENT” is to be interpreted in the broadest sense permitted under the Federal Rules of Civil Procedure and includes tangible things and any media upon which information is recorded, stored or placed, including without limitation paper, audiotape, videotape, film, recordings, computer tape, computer disks or diskettes or internal computer memory, together with programming instructions and notes, and all other instructions needed to understand and use or interpret such tapes, recordings, disks or other materials. The term further includes without limitation originals and duplicates or copies of all correspondence, literature, papers, statements, memoranda, reports, notes, drafts, notebooks, manuals, diaries, work pads or note pads, opinions, electronic (e-mail) or computer generated messages, telegrams, books, letters, ledgers, pamphlets, brochures, financial statements, accounts, circulars, releases, prospectuses, contracts, orders, punch cards, invoices, receipts, agreements, drawings, printouts, graphs, charts, photographs, negatives, films, microfiche, microfilm, printed or graphic or

pictorial representations, catalogs, minutes, records, files, transcripts, communications, labels, or any other writings or tangible objects, whether produced or reproduced mechanically, electronically, electrically, photographically, or chemically.

5. The term “COMMUNICATION” means any disclosure, transfer, or exchange of information by any means or manner, including without limitation any correspondence, writing, memorandum, facsimile transmission, telephone conversation, oral conversation, electronic mail (e mail) or computer messages or other electronic transmission.

6. The terms “AND” and “OR” are to be construed disjunctively or conjunctively as necessary in order to bring within the scope of each request all documents that might otherwise be construed to be outside its scope.

DOCUMENTS TO BE PRODUCED AT DEPOSITION

1. Your report in this action, if any.
2. All documents or materials provided to you relating to or regarding this action.
3. All documents or materials you reviewed relating to or regarding this action.
4. All documents or materials on which you relied in creating your report or forming your opinions in this action.
5. All correspondence, emails and communications sent by you to anyone other than Plaintiffs’ attorneys regarding this matter.
6. All correspondence, emails and communications sent to you from anyone other than Plaintiffs’ attorneys regarding this matter.
7. All documents or materials in your possession relating to or regarding this matter.
8. Your current curriculum vitae.
9. Any engagement letter relating to or regarding this matter.

10. A list of all matters or actions for which you have provided an opinion in the last ten (10) years.