

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

TODD JANSON, et al., on behalf of )  
themselves and on behalf of all others )  
similarly situated, )  
)  
)  
)  
Plaintiffs, )  
)  
v. )  
)  
LEGALZOOM.COM, INC. )  
)  
)  
Defendant. )

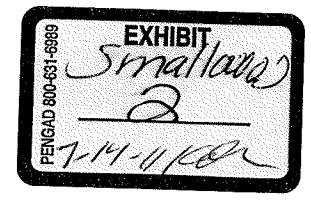
Case No. 2:10-cv-04018-NKL

DECLARATION OF JOHN E. SMALLWOOD

John E. Smallwood, being sworn, states:

1. My name is John E. Smallwood. I am over the age of 18 years, am of sound mind, and am otherwise competent to make this declaration. I am making this declaration based on my personal knowledge.
2. I am the principal of Smallwood Technologies, a computer technology services company in Jefferson City, Missouri.
3. In February of 2011, I was asked to purchase four documents from LegalZoom and to record my experience. I logged onto the LegalZoom website to make these purchases on March 3, 9 and 10, 2011. The four legal documents I purchased, the dates of purchase and the purchase prices I paid are as follows:

**EXHIBIT 3**



Ex. 4, Dec. of J. Smallwood and attachments, pg. 1 of 180

<b>Legal Document</b>	<b>Purchase Date</b>	<b>Price</b>
Last Will and Testament	March 3, 2011	\$71.95
LLC Formation Documents	March 3, 2011	\$213.95
General Warranty Deed	March 10, 2011	\$289.00
Trademark Registration	March 9, 2011	\$494.00

4. The process for obtaining each of the LegalZoom documents I purchased was very similar. I recorded each step of the process by taking a screenshot or visual image of each screen I was presented with during my interface with the LegalZoom website. I followed this procedure for each of the four legal documents I purchased from LegalZoom.

5. Attached to this declaration are copies of the screen-shots taken by me in connection with my purchase of the four legal documents from LegalZoom. The screen-shots for each document I purchased are labeled as follows:

<b>Document Screen Shots</b>	<b>Bates Numbers</b>
Last Will and Testament	Smallwood 000001 – 000045
LLC Formation Documents	Smallwood 000046 – 000094
General Warranty Deed	Smallwood 000095 – 000121
Trademark Registration	Smallwood 000122 – 000154

6. With regard to the purchase of the last will and testament, as shown by the screen-shots, I clicked on or selected last will and testament. I was asked to sign-in by entering my e-mail address and selecting a password. I then proceeded to answer a series of questions on a succession of screens that were presented to me. Those questions, as shown on the screen-shots, included my name, address, whether I was married, did I have any children, was I free of mental illness, the name of my spouse and children, who I would like to name as my personal representative, who I would like to act as alternate personal representatives, whether I would like to

protect my personal representative from liability, and how I would like to distribute my estate. I was also asked if my spouse passed away before me, who would be the beneficiaries of my estate. I was asked to list their names, the percentage of my estate I would like to leave to them. The questions and answers I provided are identified in the screen-shots.

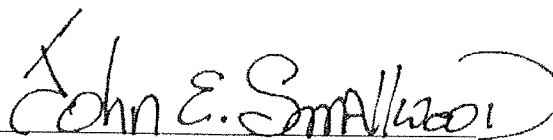
7. My experience of my purchases of other legal documents from LegalZoom was very similar to my experience in purchasing the last will and testament. I entered my e-mail address and password, selected the type of document I wished to purchase from LegalZoom, and proceeded to answer a series of questions.


8. At no time was I presented with or did I see a form or template for any of the legal documents I purchased. I did not select any form. At no time were any choices or alternatives for the legal language contained in the documents or the provisions in the documents presented to me. I did not review any legal language. All the language was selected and provided by LegalZoom. I simply answered the questions.

9. As shown in the screen-shots, I did not complete a fillable or blank form for any of the documents I purchased. I never saw any of the documents I purchased in a preliminary or draft form. I saw them in final form for the first time when I received them by mail from LegalZoom. (I have not yet received the LLC formation documents I purchased). A copy of the last will and testament and general warranty deed that I purchased from LegalZoom are labeled as follows:

Legal Document	Bates Numbers
Last Will and Testament	Smallwood 000155 – 000172
General Warranty Deed	Smallwood 000173 – 000176

As provided by 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
John E. Smallwood

  
\_\_\_\_\_  
Date