

# **EXHIBIT D**

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ENTRAL GROUP INTERNATIONAL, LLC,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	CV-05-1912
	)	
YHCL VISION CORP., and JEFF	)	
CHEN,	)	
	)	
Defendants.	)	
-----	)	

(CONTAINS ATTORNEY'S EYES ONLY PORTIONS)

VIDEOTAPED DEPOSITION OF SAM CHAN  
New York, New York  
Thursday, May 25, 2006

Reported by:  
Philip Rizzuti  
JOB NO. 7393

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1 Chan  
 2 you guys have the right, that what Cheng's  
 3 work is for playing in public. That is what I  
 4 relate Cheng's work, that is -- but, okay,  
 5 make sure go out to find, okay, go out to find  
 6 out if any license that have to be complied  
 7 before you guys play commercially.  
 8 **Q. Did you tell them that they needed**  
 9 **a separate license for Cheng's work?**  
 10 A. Yes. ASCAP.  
 11 **Q. Did you tell them that ASCAP was**  
 12 **the only license that they needed for Cheng's**  
 13 **work?**  
 14 A. No. I said you guys -- besides  
 15 ASCAP you guys have to go out to find any  
 16 other license compliance, to comply to play  
 17 the video in the public.  
 18 **Q. Did you make copies of the hard**  
 19 **drives to give to members?**  
 20 A. Yes, based on their request, yes.  
 21 **Q. How many members did you make**  
 22 **copies for?**  
 23 A. I believe 100 Fun, Melody and what  
 24 is it, I believe there is one more. What is  
 25 this guy's name. I have to look at the  
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1 Chan  
 2 our club just like a repository. We just  
 3 collect it, put it in the basement and sit  
 4 there. We never use it.  
 5 **Q. Do you copy it?**  
 6 A. What?  
 7 **Q. Have you copied it?**  
 8 MR. HOFFMAN: Objection.  
 9 A. We have one master copy.  
 10 **Q. Have you ever made copies from**  
 11 **that master copy?**  
 12 A. Yes. We copy it to, as I said, A  
 13 100 Fun, YHLC and Melody.  
 14 **Q. So you made copies and you**  
 15 **distributed it to these three companies?**  
 16 A. Based on the request, yes.  
 17 **Q. But you have never, you meaning**  
 18 **you, Sam Chan, nor NAKWTA has ever obtained a**  
 19 **license from any other source authorizing you**  
 20 **to make copies or distribute these works; is**  
 21 **that correct?**  
 22 A. Yes. You are correct.  
 23 **Q. When did you give YHCL copies of**  
 24 **the work?**  
 25 A. I believe it is beginning of--  
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1 Chan  
 2 record.  
 3 **Q. Was it YHLC?**  
 4 A. Yes.  
 5 **Q. Black Swan?**  
 6 A. Yes, thanks for reminding me.  
 7 **Q. Is there another club beyond those**  
 8 **three?**  
 9 A. I believe that is it.  
 10 **Q. Did you install Cheng's content --**  
 11 **A. We never installed --**  
 12 **Q. Let me finish the question. Did**  
 13 **you install Cheng's content in Galaxy 45?**  
 14 A. No.  
 15 **Q. Do you believe that these clubs**  
 16 **needed additional licenses from other sources**  
 17 **aside from ASCAP to use Cheng's work?**  
 18 MR. HOFFMAN: Objection.  
 19 A. I am still in the discovery period  
 20 for my club -- for this non-profit  
 21 organization. And I am -- that is why I have  
 22 Mr. Hoffman, our legal consultant to see, you  
 23 know, if any license right that we need  
 24 besides ASCAP to play in public. But for our  
 25 club we never using it for any public use. In  
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1 Chan  
 2 beginning of this year.  
 3 **Q. Mr. Chan, I missed something, let**  
 4 **me back up. I want to make sure we are not**  
 5 **confused about the time. This trip that you**  
 6 **made to Hong Kong and then to meet Mr. Cheng,**  
 7 **when was that trip?**  
 8 A. I think it was mid December to end  
 9 of December, in that timeframe.  
 10 **Q. Did you come back during that**  
 11 **period as well, back to the United States?**  
 12 A. Yes.  
 13 **Q. And when did you tell the club**  
 14 **members -- the NAKWTA members that you now**  
 15 **have these works for distribution?**  
 16 A. I am not saying that we have for  
 17 distribution. I said we obtained this -- we  
 18 have this four hard drive on hand. I said it  
 19 was after I come back, I think a couple of  
 20 days later I called a meeting. Usually a  
 21 response to my members when I have new news, I  
 22 call a meeting to say I have the hard drive.  
 23 I told them I have not looked at  
 24 the quality yet, but I believe based on the  
 25 demo that that may be good, that is it. Next  
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