

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

VIACOM INTERNATIONAL INC.,)	
Plaintiffs,)	
vs.)	No. 07-cv-02103 (LLS)
)	
YOUTUBE, INC., et al.)	
)	
Defendants.)	
_____)	
)	
THE FOOTBALL ASSOCIATION PREMIER)	
LEAGUE LIMITED, et al.)	
)	
Plaintiffs,)	
vs.)	No. 07-cv-03532 (LLS)
)	
YOUTUBE, INC., YOUTUBE, LLC, and)	
GOOGLE, INC.,)	
)	
Defendants.)	
_____)	

HIGHLY CONFIDENTIAL BUSINESS INFORMATION
PURSUANT TO THE PROTECTIVE ORDER

DEPOSITION OF DAVID ALEXANDER LAMOND

SAN FRANCISCO, CALIFORNIA

WEDNESDAY, April 15, 2009

JOB NO. 16792

DAVID FELDMAN WORLDWIDE, INC.

805 Third Avenue, New York, New York 10022 (212) 705-8585

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April 15, 2009

8:00 a.m.

VIDEOTAPED DEPOSITION OF DAVID ALEXANDER LAMOND,
held at the offices of SHEARMAN & STERLING,
525 Market Street, San Francisco, California,
pursuant to notice, before YVONNE FENNELLY, CCRR,
CSR License No. 5495.

A P P E A R A N C E S

FOR THE LEAD PLAINTIFF AND PROSPECTIVE CLASS:

PROSKAUER ROSE, LLP

By: GIL N. PELES, Esq.

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gpeles@proskauer.com

FOR THE PLAINTIFF VIACOM INTERNATIONAL, INC.:

SHEARMAN & STERLING, LLP

BY: KIRSTEN NELSON CUNHA, Esq.

599 Lexington Avenue

New York, NY 10022-6069

(212) 848-4000

kirsten.cunha@shearman.com

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1 APPEARANCES (Continued):

2

3 FOR THE DEFENDANTS YOUTUBE, INC., YOUTUBE, LLC and
4 GOOGLE, INC.:

5

6 WILSON SONSINI GOODRICH & ROSATI

7 By: MAURA L. REES, Esq.

8 650 Page Mill Road

9 Palo Alto, California 94304-1050

10 (650) 493-9300

11 mrees@wsgr.com

12

13 FOR THE WITNESS:

14

15 KEKER & VAN NEST, LLP

16 BY: ASHOK RAMANI, Esq.

17 710 Sansome Street

18 San Francisco, California 94111-1704

19 (415) 391-5400

20 aramani@kvn.com

21

22

23 ALSO PRESENT: Stuart Pettigrew, Videographer

24

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--oOo--

1 LAMOND

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3 SAN FRANCISCO, CALIFORNIA; WEDS, APRIL 15, 2009

4 8:00 A.M.

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07:57 6 THE VIDEOGRAPHER: Today's videotape
07:59 7 deposition of David Lamond is taken on April 15th,
07:59 8 2009, at Shearman & Sterling, at 525 Market
07:59 9 Street, Suite 1500, in San Francisco, California
07:59 10 in the matter of Viacom International,
07:59 11 Incorporated and others vs. YouTube, Incorporated,
07:59 12 and others, Case No. 3:08-MC-80129-S1, in the
07:59 13 United States District Court, Northern District of
07:59 14 California, San Francisco, California.

07:59 15 My name is Stuart Pettigrew. I represent
07:59 16 David Feldman Worldwide, located at 600 Anton
07:59 17 Boulevard, Suite 1100, at Costa Mesa, California.

07:59 18 We are now commencing at 8:00 a.m.

07:59 19 Will all present please identify
07:59 20 themselves beginning with the witness?

07:59 21 MS. CUNHA: That's not the right caption.

07:59 22 MR. RAMANI: Actually, that wasn't our
07:59 23 caption.

07:59 24 MS. CUNHA: What I gave you was from a
08:00 25 subpoena, but that was all I had.

1 LAMOND

08:00 2 THE VIDEOGRAPHER: Okay, then off the

08:00 3 record, please.

08:00 4 MS. CUNHA: Yes, let's go off the record.

08:00 5 THE VIDEOGRAPHER: The time is

08:00 6 8:00 o'clock. Off the record.

08:02 7 (Discussion off the record.)

08:02 8 THE VIDEOGRAPHER: Today's videotaped

08:02 9 deposition of David Lamond is taken on April 15,

08:02 10 2009, at Shearman & Sterling, at 525 Market

08:02 11 Street, Suite 1500, San Francisco, California, in

08:02 12 the matter of Viacom International, Incorporated,

08:02 13 and others versus YouTube, Incorporated, and

08:02 14 others. The case is numbered, is 07-cv-02103

08:02 15 (LLS) and 07-cv-03532 (LLS), in the United States

08:02 16 District Court, Southern District of New York.

08:02 17 My name is Stuart Pettigrew. I represent

08:02 18 David Feldman Worldwide, located at 600 Anton

08:03 19 Boulevard, Suite 1100, in Costa Mesa, California.

08:03 20 We're now commencing at 8:03 a.m.

08:03 21 Will all present please identify

08:03 22 themselves, beginning with the witness?

08:03 23 THE WITNESS: Present, David Lamond.

08:03 24 MS. CUNHA: Kirsten Cunha of Shearman &

08:03 25 Sterling on behalf of the Viacom plaintiffs.

1 LAMOND

08:03 2 MR. PELES: Gil Peles, Proskauer Rose, on
08:03 3 behalf of the plaintiffs.

08:03 4 MR. RAMANI: Ashok Ramani, Keker & Van
08:03 5 Nest on behalf of the witness.

08:03 6 MS. REES: Maura Rees, Wilson Sonsini, on
08:03 7 behalf of defendants.

08:03 8 THE VIDEOGRAPHER: Thank you.

08:03 9 Please swear in the witness.

10

11 DAVID LAMOND,

12 having been first duly sworn, was

13 examined and testified as follows:

14

15 EXAMINATION

16 BY MS. CUNHA:

08:03 17 Q. Good morning, Mr. Lamond.

08:03 18 A. Good morning.

08:03 19 Q. Would you please state your full name for
08:03 20 the the record?

08:03 21 A. David Alexander Lamond.

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08:03 23

08:03 24 Q. And what is your business address?

08:03 25 A. One Market Plaza, Stuart Street Tower,

DAVID FELDMAN WORLDWIDE, INC.

805 Third Avenue, New York, New York 10022 (212) 705-8585

1 LAMOND

11:14 2 for identification.)

11:14 3 BY MS. CUNHA:

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11:15 14 Q. Taking a look at what's been marked as

11:15 15 Exhibit 22, do you recognize that document?

11:15 16 A. It's an e-mail from me to my partners on
11:15 17 how much money we made.

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11:15 24

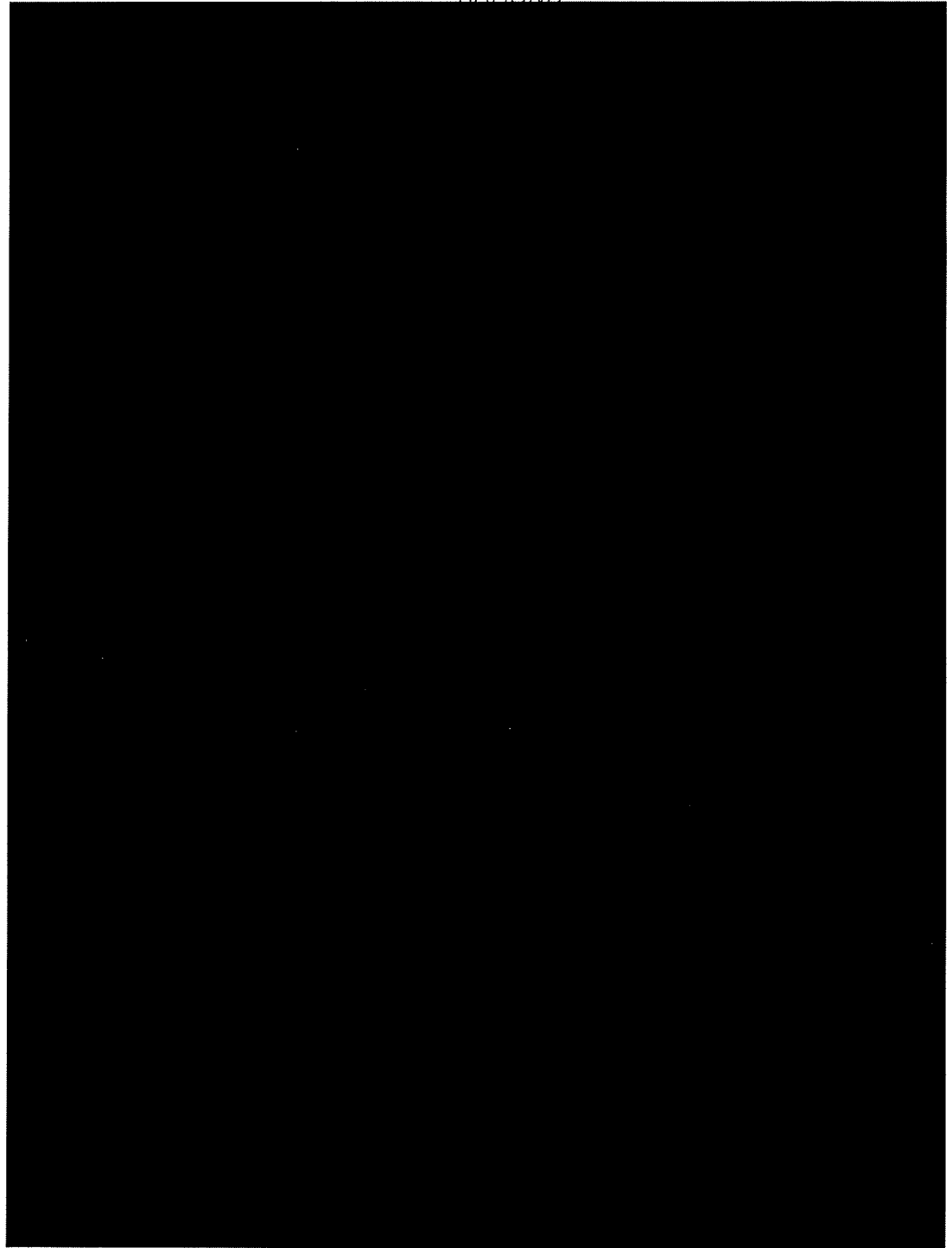
11:15 25

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LAMOND

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Q. Do you know if Artis sold the shares that
it received in the transaction or did it hold onto
them?