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15:53:29 2 marketplace, for example, during an analyst call, of  
15:53:31 3 certain distribution contracts that YouTube has to  
15:53:34 4 distribute its content over other platforms?

15:53:36 5 MR. MANCINI: Same objections. Clearly this  
15:53:40 6 question is intended to do nothing other than to  
15:53:43 7 harass the witness.

15:53:44 8 THE WITNESS: I don't recall.

15:53:44 9 MR. BASKIN: Q. Does YouTube have  
15:53:46 10 distribution contracts to distribute its videos with  
15:53:52 11 Apple over iPhone and iTV?

15:53:55 12 MR. MANCINI: Same continuing objections.

15:53:57 13 THE WITNESS: YouTube is a distribution  
15:53:59 14 vehicle.

15:54:02 15 MR. BASKIN: Q. And what my question is, do  
15:54:03 16 they have distribution contracts with Apple to  
15:54:06 17 distribute YouTube's product over iPhone and iTV?

15:54:11 18 MR. MANCINI: Same continuing objections.

15:54:19 19 THE WITNESS: I believe that there are deals  
15:54:21 20 with those companies around YouTube. I don't know the  
15:54:25 21 exact deals.

15:54:25 22 MR. BASKIN: Q. What about Motorola?

15:54:27 23 MR. MANCINI: Same continuing objections.

15:54:29 24 THE WITNESS: I don't recall.

15:54:30 25 MR. BASKIN: Q. What about Sony, Panasonic,

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15:54:34 2 and Tivo?

15:54:35 3 MR. MANCINI: Same continuing objections.

15:54:37 4 THE WITNESS: Sorry. What's the question?

15:54:38 5 MR. BASKIN: Q. Does YouTube have contracts

15:54:40 6 with all of these companies to distribute YouTube's

15:54:45 7 product over those -- over their platforms?

15:54:47 8 A So you mean Google?

15:54:49 9 MR. MANCINI: Same continuing objections.

15:54:51 10 MR. BASKIN: Well, I can phrase it that way.

15:54:52 11 Q Does Google have contracts with all of those

15:54:55 12 companies to distribute YouTube's content over

15:54:59 13 their -- over their platforms?

15:55:01 14 MR. MANCINI: Same continuing objections.

15:55:03 15 THE WITNESS: I'm not the expert on the

15:55:05 16 topic. I mean, we have people who would know

15:55:08 17 accurately.

15:55:08 18 MR. BASKIN: Q. What about phone companies,

15:55:10 19 like Cingular, Verizon, Vodaphone, and Telefon Italia?

15:55:15 20 MR. MANCINI: Same continuing objections.

15:55:17 21 THE WITNESS: Same answer.

15:55:19 22 MR. BASKIN: Q. Has the senior management of

15:55:23 23 Google discussed distribution contracts with all of

15:55:28 24 these major companies in the past?

15:55:30 25 MR. MANCINI: Objection; vague and ambiguous,

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15:55:31 2 and lacks foundation.

15:55:33 3 THE WITNESS: You're asking if we've

15:55:35 4 discussed all of a long series of maybe 10 or 12

15:55:39 5 companies you just named? Would you like to restate

15:55:42 6 them?

15:55:43 7 MR. BASKIN: Q. You want me to do them one

15:55:46 8 by one?

15:55:46 9 Do the senior management of Google, in your

15:55:49 10 presence, discuss YouTube's distribution contracts

15:55:51 11 with Apple?

15:55:53 12 MR. MANCINI: Objection; lacks foundation;

15:55:54 13 vague and ambiguous.

15:55:55 14 THE WITNESS: I don't recall.

15:55:56 15 MR. BASKIN: Q. How about with Sony?

15:55:59 16 MR. MANCINI: Same objection.

15:56:03 17 THE WITNESS: Again, I'm not sure what a

15:56:05 18 "distribution contract" is either so.

15:56:07 19 MR. BASKIN: Q. But --

15:56:08 20 A I have no in-depth knowledge of these things,

15:56:10 21 so I don't --

15:56:12 22 Q I understand.

15:56:14 23 The question is whether these were -- whether

15:56:16 24 these distribution contracts which by -- by which I

15:56:20 25 mean contracts to distribute YouTube's videos over

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15:56:22 2 these other platforms, whether that was discussed with  
15:56:27 3 senior management at Google?

15:56:30 4 MR. MANCINI: Objection; vague and ambiguous;  
15:56:31 5 lacks foundation, and continuing objection to the  
15:56:34 6 disavowance of this Court's order.

15:56:37 7 THE WITNESS: I'm sorry. YouTube could be  
15:56:40 8 accessed to all those things, whether or not we make a  
15:56:41 9 deal, so it's kind of a strange question also.

15:56:43 10 MR. BASKIN: Q. Well --

15:56:44 11 THE WITNESS: I mean.

15:56:46 12 MR. BASKIN: Q. -- do you recall whether the  
15:56:47 13 senior management of the company, including you and  
15:56:49 14 Mr. Brin and Mr. Schmidt, have had discussions  
15:56:54 15 regarding contracts between YouTube or Google and such  
15:57:01 16 companies as Apple, Sony, Panasonic, Cingular,  
15:57:05 17 Verizon, Vodaphone, pick any one of them, do you  
15:57:11 18 remember discussing distribution contracts with any of  
15:57:14 19 those companies?

15:57:15 20 MR. MANCINI: Same objections.

15:57:16 21 THE WITNESS: I don't recall any specific  
15:57:17 22 discussions, no.

15:57:18 23 MR. BASKIN: Q. Do you recall discussions  
15:57:31 24 among senior management that YouTube is involved in  
15:57:41 25 promoting videos?

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15:57:42 2 MR. MANCINI: Objection; vague and ambiguous;  
15:57:44 3 lacks foundation.

15:57:46 4 THE WITNESS: I don't understand the  
15:57:47 5 question.

15:57:49 6 MR. BASKIN: Q. Well, does YouTube --

15:57:57 7 MR. MANCINI: So, Stu, once again, we're  
15:57:59 8 going to operational issues --

15:58:01 9 MR. BASKIN: Okay.

15:58:02 10 MR. MANCINI: -- that go way beyond the  
15:58:04 11 Court's order.

15:58:05 12 MR. BASKIN: Let's -- let's mark exhibit --  
15:58:06 13 let me show you actually some e-mails that not only  
15:58:12 14 you received but you wrote, Mr. Page.

15:58:15 15 MR. MANCINI: Please, let's do that.

15:58:18 16 MR. BASKIN: What number is this?

15:58:19 17 THE REPORTER: 19.

15:58:20 18 (Document marked Page Exhibit 19  
15:58:21 19 for identification.)

15:58:48 20 MR. BASKIN: Q. Again, sir, to save time,  
16:00:32 21 I'm going to ask about this document, but you're  
16:00:34 22 welcome to look at it as much as you want.

16:00:37 23 A Okay.

16:00:37 24 Q But first, with respect to Exhibit 19, can  
16:00:39 25 you identify that, sir, as an e-mail chain of which

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16:00:46 2 was sent to you by David Eun?

16:00:55 3 A It appears that way, yes.

16:00:58 4 Q Do you remember this at all?

16:01:06 5 A It's triggered my recollection a little bit.

16:01:07 6 Q Does it trigger your recollection enough to  
16:01:10 7 tell us whether you now remember that YouTube is in  
16:01:16 8 the business of entering into promotional contracts  
16:01:20 9 with big companies to promote their videos?

16:01:24 10 MR. MANCINI: Objection; mischaracterizes the  
16:01:26 11 document.

16:01:26 12 THE WITNESS: Sorry. Do you want me to read  
16:01:30 13 the whole document?

16:01:31 14 MR. BASKIN: No.

16:01:34 15 Q If you -- you have to answer my question.  
16:01:35 16 You can read the whole document. But is YouTube, to  
16:01:38 17 your recollection, in the business of promoting  
16:01:42 18 videos?

16:01:42 19 MR. MANCINI: Objection; mischaracterizes the  
16:01:44 20 document.

16:01:45 21 MR. BASKIN: Q. Is that one of the functions  
16:01:46 22 that YouTube engages in?

16:01:48 23 MR. MANCINI: Objection; mischaracterizes the  
16:01:49 24 document; vague and ambiguous; lacks foundation.

16:01:52 25 THE WITNESS: I don't understand the question

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16:01:53 2 or the relevance to the document.

16:01:55 3 MR. BASKIN: Okay. Thank you.

16:02:17 4 Q Does the YouTube -- does YouTube drive

16:02:23 5 additional monetizeable traffic to Google's search

16:02:28 6 engine?

16:02:29 7 MR. MANCINI: Objection; vague and ambiguous.

16:02:30 8 THE WITNESS: Yeah, I'm not sure what that

16:02:34 9 means. Google owns YouTube.

16:02:38 10 MR. BASKIN: Q. And when someone -- if

16:02:41 11 someone is going to search over YouTube, does that

16:02:45 12 drive additional traffic that you can monetize to the

16:02:50 13 Google search engine?

16:02:52 14 MR. MANCINI: Objection; vague and ambiguous.

16:02:57 15 THE WITNESS: I'm not sure.

16:03:01 16 MR. BASKIN: Q. If you just go to a

16:03:14 17 second -- maybe this will refresh your memory -- go

16:03:17 18 back to, I don't know what exhibit this is, board

16:03:20 19 book, sorry, this is Exhibit 1. If you go to

16:03:24 20 page eight of Exhibit 1.

16:03:42 21 A Is there a particular part of this?

16:03:43 22 Q Yeah. There's one sentence I want to direct

16:03:46 23 your attention to. Two-thirds down the page, it says

16:03:49 24 "Yellow can drive additional monetizeable traffic

16:03:54 25 through green's search engine (not currently included

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16:03:58 2 in financial model)."

16:04:01 3 Do you see that?

16:04:03 4 MR. MANCINI: Objection; document speaks for  
16:04:04 5 itself.

16:04:05 6 THE WITNESS: I'm reading the document, yes.

16:04:07 7 MR. BASKIN: Q. Do you recall what Credit  
16:04:12 8 Suisse told the Google board in that sentence?

16:04:14 9 MR. MANCINI: So objection; lacks foundation,  
16:04:15 10 and continuing objection to reliance on this document  
16:04:15 11 to which the witness testified previously he did not  
16:04:20 12 recall.

16:04:20 13 THE WITNESS: Yeah, I don't recall. I state,  
16:04:27 14 too, there's a lot of such presentations to the board  
16:04:30 15 which I assume I don't read all of.

16:04:33 16 MR. BASKIN: Q. Has the senior management of  
16:04:34 17 Google discussed, meaning you and Mr. Brin and  
16:04:38 18 Mr. Schmidt, the economic value to YouTube to --  
16:04:45 19 strike that. Strike that.

16:04:46 20 Have you and Mr. Brin and Mr. Schmidt  
16:04:48 21 discussed the economic value to Google of having  
16:05:04 22 searches for content over YouTube pass through  
16:05:08 23 Google's search engine?

16:05:09 24 MR. MANCINI: Objection; vague and ambiguous.

16:05:10 25 THE WITNESS: I still don't understand the

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16:05:12 2 question.

16:05:12 3 MR. BASKIN: Maybe it had been a lousy

16:05:16 4 question.

16:05:18 5 Q Has anyone quantified, to your knowledge, for

16:05:23 6 senior management, the benefit set forth by Credit

16:05:26 7 Suisse on Exhibit 1, set forth on that line about

16:05:31 8 additional monetizeable traffic?

16:05:33 9 Have you seen a quantification of the value

16:05:35 10 to Google of that phenomenon?

16:05:41 11 MR. MANCINI: Objection; lacks foundation;

16:05:43 12 vague and ambiguous.

16:05:43 13 THE WITNESS: I don't recall.

16:05:44 14 MR. BASKIN: Q. Now, the Google search

16:06:00 15 engine provides search services on the YouTube site;

16:06:07 16 isn't that right?

16:06:08 17 MR. MANCINI: Objection; vague and ambiguous.

16:06:11 18 THE WITNESS: Yeah, I'm not sure what the

16:06:12 19 definition of the "Google search engine" is given that

16:06:16 20 Google also owns YouTube.

16:06:17 21 MR. BASKIN: Q. Well, let me put it this

16:06:21 22 way: Has the -- has the Google search engine been

16:06:24 23 customized for YouTube?

16:06:25 24 MR. MANCINI: Objection; vague and ambiguous.

16:06:27 25 THE WITNESS: So again I don't know what you

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16:06:29 2 mean by "the Google search engine."

16:06:32 3 MR. BASKIN: Q. Well, has -- when someone

16:06:35 4 goes to Google.com and types in something in the box

16:06:39 5 to search the Internet, has that search engine been

16:06:46 6 customized for YouTube?

16:06:47 7 MR. MANCINI: Objection; vague and ambiguous.

16:06:48 8 THE WITNESS: I'm still not sure what that

16:06:53 9 means.

16:06:53 10 MR. BASKIN: Q. Does -- does YouTube get

16:07:07 11 search -- get searching preference on Google -- on

16:07:11 12 Google?

16:07:12 13 MR. MANCINI: Objection; vague and ambiguous.

16:07:14 14 THE WITNESS: I'm not aware of the details.

16:07:19 15 MR. BASKIN: Okay.

16:07:20 16 Q What about does Google's search engine direct

16:07:26 17 video queries first to YouTube?

16:07:28 18 MR. MANCINI: Okay. So continuing objections

16:07:30 19 to the lack of precision, which is why I'm claiming

16:07:32 20 them to be vague and ambiguous, but we're clearly

16:07:35 21 going way beyond this Court's order with respect to

16:07:37 22 this line of questioning. This is not an area of this

16:07:45 23 witness's unique knowledge, clearly.

16:07:47 24 THE WITNESS: We have people who are

16:07:49 25 operational on these issues who would know exact

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16:07:52 2 answers.

16:07:53 3 MR. BASKIN: Q. Now, you helped design  
16:07:59 4 Google's search engine; didn't you? Isn't that why  
16:08:02 5 you're the founder?

16:08:04 6 A In -- before 1998, I wrote some of the code  
16:08:06 7 that was the Google search engine, which probably has  
16:08:10 8 all been deleted by now, hopefully, over 11 years ago  
16:08:14 9 now.

16:08:18 10 Q Well, even 11 years ago, if Viacom had given  
16:08:27 11 Google a white list of authorized clips to be shown on  
16:08:32 12 the YouTube site, could that have been built into the  
16:08:36 13 search function?

16:08:37 14 MR. MANCINI: Objection; calls for  
16:08:39 15 speculation; hypothetical; clearly beyond this Court's  
16:08:42 16 order; vague and ambiguous.

16:08:43 17 THE WITNESS: I'm also not a lawyer.

16:08:45 18 MR. BASKIN: Q. Sorry?

16:08:46 19 A I'm also not an attorney.

16:08:50 20 Q I was aware of that. I'm asking you a  
16:08:52 21 question for a computer engineer like yourself.

16:08:54 22 MR. MANCINI: And objection to the extent it  
16:08:56 23 seeks a legal conclusion by the term "authorized  
16:09:00 24 clips."

16:09:01 25 MR. BASKIN: So let me say it again.

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16:09:02 2 Q If Viacom were to give Google a white list of  
16:09:05 3 authorized clips, clips that Viacom is authorized to  
16:09:08 4 be put on the YouTube website, could that be built  
16:09:14 5 into the search engine?

16:09:15 6 MR. MANCINI: Objection; calls for  
16:09:16 7 speculation; vague and ambiguous; calls for a legal  
16:09:19 8 conclusion; well beyond this Court's order.

16:09:23 9 THE WITNESS: On that, I just don't  
16:09:25 10 understand the question.

16:09:27 11 MR. BASKIN: Q. Does the Google search  
16:10:04 12 engine block certain searches because it violated the  
16:10:10 13 laws of particular countries?

16:10:12 14 MR. MANCINI: Objection; lacks foundation;  
16:10:13 15 vague and ambiguous; calls for a legal conclusion, and  
16:10:15 16 well beyond this Court's order.

16:10:20 17 THE WITNESS: You're asking a very general  
16:10:22 18 question. There's very many laws around the world  
16:10:26 19 which Google is required to follow, which there's  
16:10:30 20 tremendous amount of detail and I'm not an expert on.

16:10:33 21 MR. BASKIN: Q. Well, could Google's search  
16:10:37 22 engine block searches of pirated sites like Bit  
16:10:42 23 Torrent, a site like that?

16:10:44 24 MR. MANCINI: Same exact objections.

16:10:47 25 THE WITNESS: It's a hypothetical question.

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16:10:58 2 I don't know the answer to that.

16:10:59 3 MR. BASKIN: Q. I take it that there's been  
16:11:12 4 no discussion among the other founder and you and  
16:11:15 5 Mr. Schmidt as to whether the Google search engine  
16:11:23 6 should be adjusted or modified to block pirated  
16:11:27 7 search -- sites of pirate -- searches of pirated  
16:11:30 8 sites?

16:11:30 9 MR. MANCINI: Objection; lacks foundation;  
16:11:32 10 vague and ambiguous; calls for speculation and  
16:11:34 11 violates this Court's order.

16:11:36 12 THE WITNESS: I don't recall any such  
16:11:37 13 discussion.

16:11:38 14 MR. BASKIN: Let's take a break for a second.  
16:11:46 15 How much time is left?

16:11:48 16 THE VIDEOGRAPHER: We've got --

16:11:49 17 MR. BASKIN: Well, let's go off the record.

16:11:51 18 THE VIDEOGRAPHER: We're now going off the  
16:11:52 19 record. The time is 4:07 p.m.

16:11:56 20 (Recess taken.)

16:20:31 21 THE VIDEOGRAPHER: We're now going back on  
16:20:32 22 the record. The time is 4:16 p.m.

16:20:35 23 MR. BASKIN: We are now a little short of  
16:20:37 24 three hours. I'm through with my questioning of  
16:20:40 25 Mr. Page.

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16:20:41 2 I'm going to pass the baton to counsel for

16:20:44 3 The Class, and with everyone's permission, my

16:20:47 4 colleague is going to be leaving us to catch an

16:20:49 5 airplane. So I assume you got -- he means no

16:20:53 6 disrespect. It's just he's attending a conference, I

16:20:56 7 believe, and I promised him we would try to get him

16:20:58 8 out of here by 4:00.

16:20:59 9 MR. MANCINI: Safe travels.

16:21:01 10 MR. DEIXLER: Should I switch with you?

16:21:03 11 MR. BASKIN: Yeah, I think you should.

16:21:05 12 MR. DEIXLER: Okay.

16:21:16 13 MR. MANCINI: What is the time we have on the

16:21:18 14 record?

16:21:18 15 THE VIDEOGRAPHER: Right now we've got

16:21:24 16 176 minutes right now. 176 minutes.

16:21:27 17 MR. DEIXLER: I'm sorry. How much?

16:21:30 18 THE VIDEOGRAPHER: 176 right now. 177.

16:21:35 19 MR. MANCINI: We have one hour left.

16:21:40 20 MR. DEIXLER: One hour and three minutes.

16:21:44 21 MR. MANCINI: Hopefully much less.

16:21:46 22 MR. DEIXLER: We share the same goal.

16:21:51 23 MR. MANCINI: What's your time?

16:21:54 24 THE WITNESS: I wasn't figuring in the

16:21:57 25 30-minute delay to begin with or hour delay.

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16:22:01 2 MR. MANCINI: An hour.

16:22:20 3 MR. DEIXLER: If you can hear over the

16:22:21 4 packing up, I'll happily get started.

16:22:24 5 Is that okay with you Mr. Page?

16:22:25 6 THE WITNESS: Uh-huh.

16:22:27 7 MR. STRAUSS: I'm all done.

16:22:28 8 MR. BASKIN: Okay.

16:22:33 9 MR. DEIXLER: Are we on the record?

16:22:35 10 THE VIDEOGRAPHER: We're on the record.

16:22:36 11 EXAMINATION BY MR. DEIXLER

16:22:36 12 MR. DEIXLER: Okay.

16:22:37 13 Q Good afternoon, Mr. Page.

16:22:38 14 A Good afternoon.

16:22:39 15 Q My name is Bert Deixler. I'm a partner at

16:22:45 16 Proskauer Rose, and I'm a lawyer representing The

16:22:48 17 Class. Do you understand that?

16:22:50 18 A Yes.

16:22:50 19 Q And you understand your testimony continues

16:22:52 20 to be under oath and subject to the penalty of

16:22:52 21 perjury?

16:22:53 22 A Of course.

16:22:53 23 Q Did you favor the acquisition of YouTube by

16:22:58 24 Google?

16:23:02 25 A I don't remember my exact thinking around the

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16:23:04 2 time. I don't think I was tremendously upset by it.

16:23:13 3 Q Can you recall whether you favored the  
16:23:16 4 acquisition of YouTube by Google, sir?

16:23:19 5 MR. MANCINI: Objection; asked and answered.

16:23:24 6 THE WITNESS: I mean the -- you know, there's  
16:23:27 7 many such issues around doing deals. I -- like I  
16:23:31 8 said, I don't think I was upset by it.

16:23:33 9 MR. DEIXLER: Yeah, my question was a  
16:23:35 10 different one and a precise one.

16:23:37 11 Q Were you in favor of the acquisition of  
16:23:39 12 YouTube by Google, sir?

16:23:42 13 MR. MANCINI: Objection; asked and answered  
16:23:43 14 twice now.

16:23:44 15 THE WITNESS: You're implying, I guess, we  
16:23:47 16 have some sort of strict voting process. I'm not sure  
16:23:50 17 that's normally how we would do it.

16:23:52 18 MR. DEIXLER: Q. Do you recall whether there  
16:23:53 19 was a vote which you participated in on whether Google  
16:23:56 20 should acquire YouTube?

16:23:57 21 A I don't recall a vote. I think -- I mean, I  
16:24:09 22 think most people were for it, but it was done  
16:24:11 23 informally and that's probably why we did the deal.

16:24:14 24 Q I see.

16:24:14 25 Most people were for. Were you one of those

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16:24:16 2 people who was for it?

16:24:17 3 MR. MANCINI: Objection; asked and answered.

16:24:18 4 THE WITNESS: I said I don't remember being  
16:24:20 5 upset about it, so my guess is I was more positive  
16:24:23 6 than negative.

16:24:24 7 MR. DEIXLER: Q. It's only a guess. You  
16:24:25 8 have no memory at all as to whether you were for it or  
16:24:28 9 against it. Is that your testimony under oath; sir?

16:24:32 10 MR. MANCINI: Objection; asked and answered  
16:24:33 11 four times, and now just seeking to harass this  
16:24:36 12 witness. The witness's memory is what it is,  
16:24:38 13 Counselor.

16:24:38 14 THE WITNESS: Yeah, and there's also a  
16:24:40 15 question of, you know, different times. I mean, these  
16:24:42 16 things don't happen in one day. They go on and on and  
16:24:45 17 on.

16:24:45 18 MR. DEIXLER: Q. Do you recall, sir, that  
16:24:47 19 your being in favor or opposed to the acquisition of  
16:24:50 20 YouTube by Google changed from one point to another  
16:24:54 21 prior to the closing of the transaction?

16:24:56 22 MR. MANCINI: Objection; asked and answered.

16:24:58 23 THE WITNESS: I don't recall.

16:24:59 24 MR. DEIXLER: Q. Can you recall on any  
16:25:00 25 occasion discussing with Mr. Brin whether you favored

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16:25:03 2 or opposed the acquisition of YouTube by Google?

16:25:07 3 MR. MANCINI: Objection; asked and answered  
16:25:09 4 in an only slightly different variant.

16:25:13 5 THE WITNESS: I don't recall such a  
16:25:14 6 situation, but I'd be surprised if I didn't.

16:25:17 7 MR. DEIXLER: Okay.

16:25:17 8 Q If you wanted to refresh your memory about  
16:25:20 9 the content of any conversation you had with Mr. Brin,  
16:25:23 10 on whether the YouTube acquisition should go forward,  
16:25:30 11 to what would you refer?

16:25:35 12 A I'm not sure what I would use.

16:25:37 13 Q Well, do you have a practice of making notes?

16:25:40 14 A No.

16:25:41 15 Q Do you have a videotape or an audiotape of  
16:25:44 16 conversations that you had with Mr. Brin on that  
16:25:46 17 subject matter?

16:25:49 18 A Not that I can recall, and I assume if there  
16:25:52 19 was, it would be -- if it were relevant, it would be  
16:25:57 20 produced to counsel.

16:25:58 21 Q We have the best of your memory with regards  
16:26:00 22 to the topics you discussed with Mr. Brin regarding  
16:26:03 23 whether you were for or against the acquisition of  
16:26:05 24 YouTube; is that true?

16:26:07 25 MR. MANCINI: Objection.

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16:26:07 2 Is that a question?

16:26:11 3 THE WITNESS: You're asking if I answered  
16:26:13 4 your previous question?

16:26:14 5 MR. DEIXLER: No.

16:26:15 6 Q I'm asking if there's anything else that  
16:26:17 7 could enhance your memory from what you just testified  
16:26:19 8 to that you know of.

16:26:20 9 MR. MANCINI: Objection; asked and answered.

16:26:22 10 THE WITNESS: I can't think of anything  
16:26:24 11 offhand.

16:26:25 12 MR. DEIXLER: Q. How about Mr. Schmidt?  
16:26:27 13 Prior to the closure of the acquisition of YouTube,  
16:26:31 14 did you and Mr. Schmidt discuss whether you were in  
16:26:33 15 favor of it?

16:26:35 16 A Like I said, I don't recall any specific  
16:26:38 17 discussions around it. Again, I'd be surprised if I  
16:26:42 18 didn't.

16:26:43 19 Q Can you recall in general any conversation  
16:26:45 20 you and Mr. Schmidt had about the wisdom of Google  
16:26:48 21 acquiring YouTube --

16:26:50 22 MR. MANCINI: Objection.

16:26:51 23 MR. DEIXLER: Q. -- prior to its  
16:26:52 24 acquisition?

16:26:53 25 MR. MANCINI: Objection; vague and ambiguous.

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16:26:54 2 THE WITNESS: I don't recall.

16:26:55 3 MR. DEIXLER: Q. You have no memory, general

16:26:58 4 or specific, of any conversation you had with Mr. Brin

16:27:01 5 or with Mr. Schmidt on the topic of the acquisition

16:27:05 6 of -- of YouTube by Google prior to the acquisition

16:27:08 7 closing; is that your testimony, sir?

16:27:10 8 MR. MANCINI: Objection; asked and answered.

16:27:13 9 THE WITNESS: I already answered that

16:27:16 10 question.

16:27:16 11 MR. DEIXLER: Q. Is that your testimony,

16:27:17 12 sir?

16:27:17 13 A Of course. I just said that.

16:27:18 14 MR. MANCINI: Objection; asked and answered.

16:27:19 15 THE WITNESS: I just said that.

16:27:21 16 MR. DEIXLER: Okay.

16:27:22 17 Q You have no way of refreshing your memory,

16:27:24 18 that you know of, with regard to the conversations, if

16:27:27 19 any, that you had with Mr. Brin or Mr. Schmidt on the

16:27:30 20 wisdom of Google's acquiring YouTube prior to the

16:27:34 21 closure; is that also true?

16:27:36 22 MR. MANCINI: Objection; asked and answered

16:27:37 23 and vague and ambiguous.

16:27:38 24 THE WITNESS: I already answered.

16:27:39 25 MR. DEIXLER: I'm sorry.

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16:27:40 2 Q Will you answer my question, sir?

16:27:41 3 A I said I already answered it.

16:27:43 4 MR. MANCINI: Objection.

16:27:44 5 MR. DEIXLER: I'm sorry.

16:27:45 6 Q You didn't answer the question. Would you  
16:27:46 7 please do so now?

16:27:47 8 MR. MANCINI: Sir, you are just harassing  
16:27:49 9 this witness now, and you are wasting all of our time.

16:27:51 10 MR. DEIXLER: All right.

16:27:52 11 Q Answer the question please.

16:27:53 12 MR. MANCINI: And you're directly violating  
16:27:54 13 Judge Stanton's order in this case.

16:27:57 14 MR. DEIXLER: That's not true.

16:27:58 15 Q Answer the question, please, sir, if you  
16:27:58 16 would.

16:28:00 17 A Would you repeat the question?

16:28:01 18 Q Yes.

16:28:02 19 Am I correct that you have nothing to which  
16:28:04 20 you could refer which would refresh your memory with  
16:28:07 21 regard to any conversations you had with Mr. Brin or  
16:28:11 22 Mr. Schmidt on the topic of the wisdom of YouTube  
16:28:13 23 being acquired by Google prior to the closure of that  
16:28:16 24 transaction?

16:28:17 25 MR. MANCINI: Objection; vague and ambiguous

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16:28:19 2 to be specific as to the term "wisdom," and asked and  
16:28:22 3 answered numerous times.

16:28:23 4 MR. BASKIN: Hold on one second, guys.

16:28:25 5 Keep the questions going. My bag is in my  
16:28:27 6 colleague's car.

16:28:29 7 MR. MANCINI: Go ahead.

16:28:30 8 MR. BASKIN: I've got to get it, so.

16:28:33 9 MR. MANCINI: Is the question, Counselor,  
16:28:35 10 designed to do anything other than harass this  
16:28:37 11 witness, because he's answered it numerous times?

16:28:39 12 MR. DEIXLER: Q. Please answer the question.

16:28:40 13 MR. MANCINI: You're aware, Counselor --

16:28:41 14 MR. DEIXLER: Q. Please answer the question.

16:28:43 15 MR. MANCINI: You're aware, Counselor,  
16:28:46 16 harassment is sanctionable in the Southern District of  
16:28:48 17 New York.

16:28:48 18 MR. DEIXLER: Q. Please answer the question.

16:28:50 19 A Like I said --

16:28:50 20 MR. MANCINI: Asked and answered --

16:28:51 21 THE WITNESS: -- anything.

16:28:51 22 MR. MANCINI: -- numerous times?

16:28:52 23 THE WITNESS: Same answer.

16:28:54 24 MR. DEIXLER: Q. You can't think of anything

16:28:56 25 that you could refer to that would refresh your memory

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16:29:00 2 with regard to the conversation; is that true?

16:29:02 3 MR. MANCINI: So that's now been asked and  
16:29:04 4 answered about seven times, Counselor.

16:29:06 5 MR. DEIXLER: Q. Is that true?

16:29:07 6 A I can't think of anything offhand. I already  
16:29:09 7 said multiple times.

16:29:12 8 Q Why were you, in general, in favor of the  
16:29:15 9 acquisition of YouTube by Google?

16:29:19 10 MR. MANCINI: Objection; asked and answered;  
16:29:20 11 mischaracterizes testimony.

16:29:21 12 THE WITNESS: I said I don't remember being  
16:29:31 13 against it.

16:29:35 14 MR. BASKIN: I'm not trying to be rude, guys.  
16:29:40 15 I just got to get my bag.

16:29:40 16 THE WITNESS: You say what were my reasons?

16:29:45 17 MR. DEIXLER: Yes, sir.

16:29:48 18 THE WITNESS: Let me see. I have to think  
16:29:50 19 about that.

16:29:53 20 I mean, we do lots of different acquisitions.  
16:29:57 21 I think there's always a balance of very many things.  
16:30:00 22 I don't know that I remember my specific reasons, but  
16:30:03 23 I can -- obviously it's a big site. It has very good  
16:30:12 24 functionality for -- or even did, at that time.

16:30:15 25 It has very good functionality for

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16:30:17 2 discovering related videos for allowing anybody to

16:30:24 3 upload something, for those people to distribute those

16:30:27 4 and so on, which the community features on that were

16:30:34 5 very, very well-developed.

16:30:37 6 MR. DEIXLER: Q. Any other reason why you

16:30:38 7 favored the acquisition of YouTube by Google?

16:30:42 8 A That I do now?

16:30:43 9 MR. MANCINI: Objection; mischaracterizes his

16:30:45 10 testimony.

16:30:45 11 MR. DEIXLER: Q. Prior to the closing of the

16:30:47 12 acquisition.

16:30:48 13 MR. MANCINI: Same objection.

16:30:48 14 THE WITNESS: Like I said, I don't remember

16:30:49 15 my exact thinking around it. I gave you some of

16:30:52 16 the -- some of the general things. I think we were

16:30:55 17 very positive.

16:30:57 18 MR. DEIXLER: Q. Is there anything else,

16:30:58 19 other than the fact that it was a big site and the

16:31:01 20 functionality, which caused you to be in favor of the

16:31:04 21 acquisition of YouTube by Google prior to the closing

16:31:07 22 of the transaction?

16:31:09 23 MR. MANCINI: Objection.

16:31:09 24 That intentionally misstates testimony, and

16:31:13 25 objection to the extent that, once again, we're going

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16:31:15 2 far afield of this Court's order.

16:31:19 3 MR. DEIXLER: Q. Please answer the question.

16:31:22 4 MR. MANCINI: Same objections.

16:31:23 5 THE WITNESS: Like I said, I don't recall,

16:31:24 6 like, any specifics or anything.

16:31:27 7 MR. DEIXLER: Q. If you wanted to refresh

16:31:29 8 your memory with regard to the reasons you favored the

16:31:32 9 acquisition of YouTube by Google prior to the closure

16:31:36 10 of that transaction, to what, if anything, would you

16:31:40 11 refer?

16:31:40 12 MR. MANCINI: Counselor, do you intend on

16:31:42 13 misrepresenting his testimony that he favored

16:31:45 14 something when he specifically told you his precise --

16:31:49 15 MR. DEIXLER: Please, no speaking objections.

16:31:51 16 MR. MANCINI: You're intentionally --

16:31:52 17 MR. DEIXLER: No speaking objections.

16:31:53 18 MR. MANCINI: But you're --

16:31:55 19 MR. DEIXLER: If you have an objection, make

16:31:57 20 your objection, a legal objection. Stop talking.

16:32:00 21 Please don't try to intimidate me.

16:32:01 22 MR. MANCINI: Objection; misrepresenting the

16:32:03 23 witness's testimony.

16:32:03 24 MR. DEIXLER: Okay.

16:32:05 25 MR. MANCINI: Asked and answered and clearly

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16:32:06 2 violating this Court's order.

16:32:06 3 MR. BASKIN: Q. Would you answer the  
16:32:06 4 question now, sir?

16:32:13 5 A Sorry. You've got to repeat it now.

16:32:17 6 Q If you wanted to refresh your memory with  
16:32:19 7 regard to the reasons you favor the acquisition of  
16:32:20 8 YouTube by Google prior to the closure of that  
16:32:21 9 transaction, to what, if anything, would you refer?

16:32:23 10 MR. MANCINI: Same objections.

16:32:25 11 THE WITNESS: Again, I would disagree with  
16:32:26 12 the premise.

16:32:27 13 MR. DEIXLER: Q. Which premise?

16:32:30 14 A The premise of your question.

16:32:32 15 Q Which one?

16:32:34 16 A At least one.

16:32:34 17 Q Which is the one you disagree with, sir?

16:32:38 18 A Well, you are stating that I was for it,  
16:32:41 19 which I don't remember saying.

16:32:42 20 Q Were you against it?

16:32:44 21 A I don't --

16:32:45 22 MR. MANCINI: Objection; asked and answered.

16:32:46 23 THE WITNESS: I didn't say that either.

16:32:48 24 MR. DEIXLER: Q. You were neither for it nor  
16:32:51 25 against it?

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16:32:51 2 MR. MANCINI: Objection; asked and answered  
16:32:53 3 numerous times now.

16:32:54 4 Counselor, maybe we should just read back  
16:32:59 5 what he said.

16:32:59 6 MR. DEIXLER: Q. Were you for it or against  
16:33:00 7 it?

16:33:01 8 MR. MANCINI: Objection; Counselor. He's  
16:33:03 9 answered this question numerous times. Maybe we  
16:33:06 10 should just read it back.

16:33:06 11 MR. DEIXLER: Q. Were you for it or against  
16:33:08 12 it?

16:33:08 13 MR. MANCINI: Same objections.

16:33:09 14 THE WITNESS: I believe what I stated was  
16:33:10 15 that I wasn't -- I don't remember being against it.

16:33:13 16 MR. DEIXLER: Q. And if you weren't against  
16:33:14 17 it, does that mean you were for it?

16:33:16 18 A No.

16:33:16 19 Q Did you abstain?

16:33:19 20 A Like I said, I --

16:33:20 21 MR. MANCINI: Objection; lacks foundation.

16:33:22 22 THE WITNESS: Like I already explained, there  
16:33:24 23 wasn't -- I don't think it's really, like, a formal  
16:33:26 24 process, and it also persists over time.

16:33:28 25 MR. DEIXLER: Q. Prior to the closure of the

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16:33:30 2 acquisition of YouTube by Google, had you learned from  
16:33:34 3 anybody that there were allegations that YouTube had  
16:33:38 4 engaged in copyright infringements?

16:33:40 5 MR. MANCINI: Objection to the extent it  
16:33:42 6 seeks communications with counsel to which I instruct  
16:33:45 7 the witness not to answer.

16:33:46 8 THE WITNESS: I'll take advice of counsel.

16:33:48 9 MR. DEIXLER: Q. So except from your answer,  
16:33:53 10 any -- any information you received from counsel,  
16:33:56 11 other than from a lawyer conveying confidential  
16:34:00 12 information for the purpose of rendering or receiving  
16:34:03 13 legal advice, did you have any familiarity with the  
16:34:08 14 fact of any allegations of copyright infringement made  
16:34:12 15 with regard to YouTube prior to the closure of the  
16:34:15 16 Google acquisition of YouTube?

16:34:16 17 MR. MANCINI: Objection; vague and ambiguous;  
16:34:18 18 calls for a legal conclusion.

16:34:19 19 THE WITNESS: I don't recall.

16:34:23 20 MR. DEIXLER: Q. You don't recall, meaning,  
16:34:29 21 you might have and you've forgotten?

16:34:32 22 MR. MANCINI: Objection; that's nothing other  
16:34:33 23 than harassing this witness.

16:34:36 24 THE WITNESS: I don't recall.

16:34:37 25 MR. DEIXLER: Q. What does that mean?

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16:34:38 2 MR. MANCINI: That speaks for itself,

16:34:40 3 Counselor. He doesn't recall.

16:34:43 4 MR. DEIXLER: Q. What does it mean, sir? To

16:34:45 5 not recall, is it something you think you once knew

16:34:48 6 and you had forgotten, or is it something you believe?

16:34:53 7 You never knew.

16:34:54 8 MR. MANCINI: You don't have to answer that.

16:34:55 9 MR. DEIXLER: Q. Please answer that

16:34:58 10 question.

16:34:58 11 MR. MANCINI: The witness does not have to

16:34:58 12 answer that, Counselor, and you know it.

16:34:58 13 MR. DEIXLER: He has to answer.

16:34:59 14 MR. MANCINI: He doesn't recall an answer to

16:35:00 15 a question.

16:35:00 16 Do we need a definition -- a dictionary in

16:35:03 17 this room for what the term "recall" means?

16:35:03 18 MR. DEIXLER: Q. Would you answer my

16:35:04 19 question?

16:35:05 20 MR. MANCINI: He doesn't have to answer the

16:35:06 21 question.

16:35:07 22 MR. DEIXLER: You're instructing him not to

16:35:09 23 answer the question?

16:35:09 24 MR. MANCINI: I'm not instructing him not to

16:35:09 25 answer a --

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16:35:09 2 MR. DEIXLER: Then answer the question.

16:35:10 3 MR. MANCINI: -- harassing question.

16:35:10 4 MR. DEIXLER: Then answer the question.

16:35:13 5 MR. MANCINI: What -- what is the definition

16:35:13 6 of the word "recall" says?

16:35:16 7 MR. DEIXLER: Yes.

16:35:17 8 Q When you say "recall," "you do not recall,"  
16:35:17 9 does it mean that you once knew something, and you've  
16:35:20 10 forgotten it, or that you don't believe you --

16:35:21 11 MR. MANCINI: How in the world could you ever  
16:35:22 12 parse it that way, Counselor?

16:35:24 13 MR. DEIXLER: Q. Could you answer my  
16:35:25 14 question?

16:35:26 15 A I think I have responsibility for a great  
16:35:29 16 number of people and a huge amount of stuff, and I  
16:35:32 17 have -- there's a huge amount of detail that I can't  
16:35:35 18 remember.

16:35:38 19 Q With regard to the -- your awareness of  
16:35:41 20 allegations of copyright infringement before the  
16:35:44 21 acquisition of YouTube by Google, do you believe that  
16:35:49 22 you once had received information about that and  
16:35:51 23 you've forgotten it?

16:35:54 24 MR. MANCINI: Objection; lacks foundation;  
16:35:55 25 intentionally mischaracterizes testimony, and calls

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16:35:58 2 for a legal conclusion.

16:35:59 3 THE WITNESS: Like I said, I don't recall.

16:36:02 4 MR. DEIXLER: Q. If you wanted to refresh  
16:36:05 5 your memory about whether you had received information  
16:36:08 6 about allegations of copyright infringement by YouTube  
16:36:12 7 prior to Google's acquisition, to what, if anything,  
16:36:15 8 would you refer?

16:36:17 9 MR. MANCINI: Same objections.

16:36:19 10 THE WITNESS: Again, I can't think of  
16:36:20 11 anything offhand.

16:36:21 12 MR. DEIXLER: Q. Can you recall having had  
16:36:23 13 any conversation with Mr. Schmidt, either before or  
16:36:26 14 after the acquisition of YouTube, in which the topic  
16:36:30 15 of copyright infringement was discussed by you?

16:36:33 16 MR. MANCINI: Same objection, and to the  
16:36:34 17 extent it seeks communications either communicated by  
16:36:38 18 counsel or relayed from counsel, instruct the witness  
16:36:40 19 not to answer.

16:36:41 20 THE WITNESS: I don't recall.

16:36:42 21 MR. DEIXLER: Q. You don't recall any  
16:36:43 22 conversation that you had with Mr. Schmidt on any  
16:36:46 23 occasion on the topic of copyright infringements; is  
16:36:49 24 that correct?

16:36:49 25 MR. MANCINI: Counselor, do you hope to get a

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16:36:51 2 different answer by asking the same exact question  
16:36:53 3 twice?

16:36:53 4 MR. DEIXLER: If you would stop talking and  
16:36:55 5 only make legal objections, this would go much faster.

16:36:57 6 MR. MANCINI: You are violating the Court's  
16:36:59 7 order where he specifically asked you, specifically  
16:37:03 8 instructed counsel, how to conduct this deposition.  
16:37:05 9 You're repeating questions which is clearly in  
16:37:09 10 violation --

16:37:09 11 MR. DEIXLER: Please, stop wasting my time.  
16:37:09 12 Make legal objections and not speaking objections.

16:37:10 13 Q Would you answer my question?

16:37:10 14 MR. MANCINI: Objection; asked and answered.

16:37:12 15 MR. BASKIN: Q. Would you answer my  
16:37:13 16 question?

16:37:15 17 A I don't recall.

16:37:16 18 Q Can you recall having had any conversation  
16:37:17 19 with Mr. Schmidt, either before or after the  
16:37:20 20 acquisition of YouTube, in which the topic of  
16:37:23 21 copyright infringement was discussed by either you or  
16:37:25 22 by him?

16:37:26 23 MR. MANCINI: Objection; asked and answered;  
16:37:27 24 same reservation with respect to the communication of  
16:37:30 25 privileged information.

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16:37:31 2 THE WITNESS: Again, I don't recall.

16:37:31 3 MR. DEIXLER: Okay.

16:37:32 4 Q How about Mr. Brin? Do you recall on any  
16:37:34 5 occasion ever discussing with Mr. Brin allegations of  
16:37:38 6 copyright infringement as to YouTube either before or  
16:37:42 7 after Google's acquisition of YouTube?

16:37:43 8 MR. MANCINI: Objection to the extent it  
16:37:45 9 seeks communications either with or from counsel to  
16:37:49 10 which the witness is instructed not to answer.

16:37:52 11 THE WITNESS: I don't recall.

16:37:53 12 MR. DEIXLER: Q. If you wanted to refresh  
16:37:55 13 your memory about whether you and Mr. Brin or you and  
16:37:58 14 Mr. Schmidt had ever discussed that topic, to what, if  
16:38:02 15 anything, would you refer?

16:38:04 16 MR. MANCINI: Objection; lacks foundation.

16:38:07 17 THE WITNESS: Same answer.

16:38:08 18 MR. DEIXLER: Q. You can't think of anything  
16:38:09 19 to which you could refer; correct?

16:38:11 20 A No.

16:38:11 21 Q You know of no document; true?

16:38:14 22 MR. MANCINI: Objection, Counselor. He just  
16:38:15 23 answered that question.

16:38:17 24 THE WITNESS: Again, I can't think of  
16:38:19 25 anything offhand, no.

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16:38:21 2 MR. DEIXLER: Q. Did you ever give

16:38:25 3 consideration to whether there were technologic

16:38:35 4 methods which would make copyright violations by

16:38:40 5 YouTube less likely to occur?

16:38:42 6 MR. MANCINI: Objection; lacks foundation;

16:38:44 7 calls for speculation, and seeks a legal conclusion.

16:38:47 8 THE WITNESS: I guess I'm not -- I feel like

16:38:53 9 I don't understand the premise again.

16:38:55 10 MR. DEIXLER: I see.

16:38:55 11 Q You received a copy, in February of 2007, of

16:39:01 12 a letter from Mr. Fricklas, who was the -- is the

16:39:05 13 general counsel of Viacom, in which he made

16:39:09 14 suggestions and allegations about copyright

16:39:13 15 infringement and said there would be a large takedown

16:39:17 16 of Viacom-owned material.

16:39:19 17 Do you recall learning about that some time

16:39:22 18 in 2007?

16:39:23 19 MR. MANCINI: Objection; lacks foundation;

16:39:25 20 vague and ambiguous; asked and answered.

16:39:27 21 THE WITNESS: Hold on one second.

16:39:29 22 You're referring to the document that was

16:39:32 23 already discussed.

16:39:33 24 MR. DEIXLER: I believe it's Exhibit 15, if

16:39:38 25 my memory serves.

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16:39:39 2 Q Do you recall that document?

16:39:40 3 MR. MANCINI: Same objections; asked and  
16:39:41 4 answered.

16:39:41 5 THE WITNESS: I already said I don't recall  
16:39:43 6 that document.

16:39:43 7 MR. DEIXLER: Q. Do you recall any  
16:39:44 8 discussion about the fact of that document having been  
16:39:46 9 received?

16:39:46 10 MR. MANCINI: Same objections; asked and  
16:39:48 11 answered.

16:39:48 12 THE WITNESS: Again, I don't recall, and I  
16:39:49 13 also don't think it was delivered to me. I think it  
16:39:51 14 was delivered to the company.

16:39:52 15 MR. DEIXLER: Q. It was delivered to  
16:39:53 16 Mr. Drummond?

16:39:54 17 A Yes.

16:39:54 18 Q And is Mr. Drummond a lawyer?

16:39:59 19 A Yes.

16:39:59 20 Q Okay. And is it your best memory that when  
16:40:03 21 Mr. Fricklas's letter to Viacom was delivered to the  
16:40:07 22 company, you did not become aware of it?

16:40:10 23 MR. MANCINI: Objection; asked and answered  
16:40:11 24 numerous times.

16:40:12 25 THE WITNESS: I said I don't recollect it.

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16:40:14 2 MR. DEIXLER: Q. Do you recall the issue  
16:40:16 3 being presented, whether you recall the letter itself  
16:40:19 4 or not --

16:40:20 5 MR. MANCINI: Counselor --

16:40:21 6 MR. DEIXLER: Q. -- that is that Viacom was  
16:40:22 7 going to take down programming?

16:40:25 8 MR. MANCINI: Counselor, objection; asked and  
16:40:27 9 answered by Mr. Baskin no more than about 30 minutes  
16:40:30 10 ago.

16:40:31 11 THE WITNESS: Yeah. Like I said, I don't  
16:40:32 12 recall.

16:40:33 13 MR. DEIXLER: Q. Was there ever a time that  
16:40:38 14 you in your position as president of product and  
16:40:45 15 cofounder directed anybody to determine whether there  
16:40:48 16 were violations of the copyrights of any copyright  
16:40:51 17 holder --

16:40:52 18 MR. MANCINI: Objection.

16:40:53 19 MR. DEIXLER: Q. -- by the operation of  
16:40:54 20 YouTube?

16:40:55 21 MR. MANCINI: Objection; lacks foundation;  
16:40:56 22 calls for a legal conclusion.

16:40:59 23 THE WITNESS: Again, I'm not an expert on the  
16:41:01 24 operation of YouTube, but I don't recall any such  
16:41:02 25 thing.

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16:41:03 2 MR. DEIXLER: Q. You don't recall giving an  
16:41:04 3 instruction to anybody to find out whether there was a  
16:41:09 4 basis for allegations of copyright infringement by  
16:41:11 5 YouTube; correct?

16:41:12 6 MR. MANCINI: Same objections; asked and just  
16:41:15 7 answered.

16:41:15 8 THE WITNESS: There were a lot of assumptions  
16:41:17 9 in that question, and I don't recall.

16:41:18 10 MR. DEIXLER: Q. You don't recall whether  
16:41:19 11 you gave such an instruction?

16:41:21 12 MR. MANCINI: Objection; asked and answered.

16:41:23 13 THE WITNESS: I don't recall.

16:41:24 14 MR. DEIXLER: Q. Was there ever a time when  
16:41:29 15 you said to somebody, "There seemed to be a lot of  
16:41:33 16 allegations that YouTube may be infringing copyright."  
16:41:38 17 I'd like you to find out about it and report to me,"  
16:41:41 18 or words to that effect?

16:41:42 19 MR. MANCINI: Objection; lacks foundation;  
16:41:44 20 calls for speculation.

16:41:45 21 THE WITNESS: I don't recall doing that, no.

16:41:50 22 MR. DEIXLER: Q. Can you recall from the  
16:41:53 23 time when you first -- well, let me go back.

16:41:55 24 When is the first time you can recall logging  
16:41:57 25 in and seeing YouTube?

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16:42:05 2 A I don't know. I assume some time around the  
16:42:07 3 acquisition, but I don't recall that.

16:42:08 4 Q Shortly before the acquisition or months  
16:42:10 5 before the acquisition?

16:42:12 6 A That was quite a while ago. I don't -- you  
16:42:14 7 know, I visit a lot of websites. I don't remember.

16:42:17 8 Q I'm focused on YouTube.

16:42:18 9 Can you recall approximately the first time  
16:42:20 10 when you went to the YouTube website?

16:42:23 11 A I mean, no, I can't recall that.

16:42:26 12 Q Can you recall what caused you to go to the  
16:42:29 13 YouTube website for the first time?

16:42:30 14 A No.

16:42:30 15 Q Can you recall discussing with anybody what  
16:42:33 16 you saw on the YouTube website when you first went  
16:42:36 17 there?

16:42:36 18 A No.

16:42:36 19 Q Can you recall on any occasion discussing  
16:42:38 20 with Mr. Brin or Mr. Schmidt what you saw on the  
16:42:41 21 YouTube website?

16:42:46 22 A I can't recall any specific instance, no.

16:42:47 23 Q Can you recall on any occasion of viewing  
16:42:49 24 something on the YouTube website which cautioned you  
16:42:53 25 to be concerned about whether it was properly on the

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16:42:58 2 website?

16:42:59 3 MR. MANCINI: Objection; vague and ambiguous.

16:43:00 4 THE WITNESS: I can't recall that, no.

16:43:02 5 MR. DEIXLER: Q. When's the last time you

16:43:04 6 looked at the YouTube website?

16:43:10 7 A Probably pretty recently, but I can't

16:43:15 8 remember exactly.

16:43:16 9 Q Would it be fair to say that from the time

16:43:19 10 you first looked at the YouTube website until the last

16:43:21 11 time you looked at the YouTube website, on no occasion

16:43:24 12 did you observe anything which caused you to think

16:43:27 13 about whether there were copyright infringements

16:43:29 14 viewable on those -- on that website?

16:43:31 15 MR. MANCINI: Objection; vague and ambiguous;

16:43:34 16 calls for a legal conclusion.

16:43:35 17 THE WITNESS: I don't recall that, no.

16:43:37 18 MR. DEIXLER: Q. Can you recall being

16:43:39 19 involved in a discussion about the value of The

16:43:43 20 Football Association Premier League's broadcast?

16:43:48 21 A No.

16:43:48 22 Q Can you recall participating in any written

16:43:51 23 communications on the topic of The Football

16:43:56 24 Association Premier League?

16:43:58 25 A Like I said, I don't recall.

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16:44:00 2 Q Do you know what the Premier League is?

16:44:02 3 A I assume it's something related to sports.

16:44:04 4 Q That's all you know about it? Can you think  
16:44:06 5 of any particular sport it's associated with or --

16:44:10 6 A Well, you said football. I'm not really a  
16:44:11 7 big follower of sports.

16:44:11 8 Q So as you sit here today, you have really no  
16:44:14 9 idea what particular sport The Football Association  
16:44:18 10 Premier League is affiliated with?

16:44:18 11 A I'm guessing.

16:44:22 12 MR. MANCINI: Objection; asked and answered.

16:44:23 13 THE WITNESS: I'm guessing football. It  
16:44:24 14 doesn't seem like --

16:44:25 15 MR. DEIXLER: Q. You're guessing. You don't  
16:44:27 16 know; correct?

16:44:28 17 A Football is in the name.

16:44:30 18 Q Okay. You're guessing that it's football,  
16:44:32 19 but you don't know for sure; is that your testimony?

16:44:34 20 MR. MANCINI: Objection; asked and answered.

16:44:35 21 THE WITNESS: Yeah, I'm not sure.

16:44:36 22 MR. DEIXLER: Q. Let me -- who is Omid  
16:44:48 23 Kordestani?

16:44:51 24 MR. MANCINI: Continuing objections to the  
16:44:55 25 violations of this Court's order.

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16:44:56 2 THE WITNESS: Yeah, that's actually on our  
16:45:00 3 website, but he's, you know, a business development  
16:45:03 4 VP.

16:45:04 5 MR. DEIXLER: Q. And he works for Google;  
16:45:08 6 does he?

16:45:09 7 A Yes, he does.

16:45:10 8 MR. MANCINI: Same objection.

16:45:11 9 MR. DEIXLER: Q. And --

16:45:15 10 A You certainly don't need me to answer that;  
16:45:17 11 no?

16:45:17 12 Q I'm sorry?

16:45:18 13 A You don't need me to answer that; no?

16:45:21 14 Q I'm going to show you a -- he and you were in  
16:45:24 15 communications, is that correct, with regard to work  
16:45:27 16 that he was doing for Google?

16:45:30 17 A I remember talking to Omid from time to time.

16:45:39 18 Q You recall having communications with him  
16:45:41 19 about The English Premier Football (Soccer)  
16:45:50 20 opportunity?

16:45:50 21 MR. MANCINI: Objection; lacks foundation.

16:45:51 22 THE WITNESS: I don't recall.

16:45:53 23 MR. DEIXLER: I'd like to find this at a  
16:46:11 24 break.

16:46:12 25 Q Can you recall having a discussion in writing

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16:46:13 2 with Mr. Kordestani on the topic of whether content of  
16:46:18 3 The English Premier League Football should be paid for  
16:46:22 4 or not?

16:46:23 5 MR. MANCINI: Objection; lacks foundation.

16:46:25 6 THE WITNESS: I don't recall.

16:46:28 7 MR. DEIXLER: Q. Can you recall having any  
16:46:32 8 conversations with Mr. Brin or Mr. Schmidt on the  
16:46:36 9 topic of The English Premier Football League?

16:46:41 10 A I don't recall.

16:46:42 11 Q Can you recall having had any conversations  
16:46:44 12 with anybody about the desirability of English Premier  
16:46:51 13 League Football content being licensed for YouTube  
16:46:56 14 viewing?

16:46:56 15 MR. MANCINI: Objection; vague and ambiguous;  
16:46:57 16 lacks foundation.

16:46:58 17 THE WITNESS: I don't recall and, you know,  
16:47:00 18 there's lot of these kinds of things. I mean, there's  
16:47:05 19 probably -- I would imagine Google is probably  
16:47:08 20 negotiating with every content owner there is.

16:47:11 21 MR. DEIXLER: Yeah. I'm focused on any  
16:47:13 22 memory you have of any kind of discussion on that  
16:47:17 23 topic, that is, licensing, with The English Premier  
16:47:20 24 League.

16:47:21 25 Do you have any memory of that at all?

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16:47:23 2 A No.

16:47:23 3 Q You don't deny that you had such  
16:47:25 4 communications; do you?

16:47:26 5 MR. MANCINI: Objection.

16:47:28 6 THE WITNESS: I mean, like I said, I don't  
16:47:30 7 recall.

16:47:30 8 MR. DEIXLER: Q. Can you recall learning, in  
16:47:35 9 advance of a content licensing arrangement with the  
16:47:41 10 Walt Disney Company, that that agreement was going to  
16:47:44 11 be entered into?

16:47:46 12 MR. MANCINI: Objection; asked and answered  
16:47:47 13 numerous times.

16:47:50 14 THE WITNESS: Yeah, I don't recall specifics  
16:47:52 15 there.

16:47:52 16 MR. DEIXLER: Q. Can you recall discussing  
16:47:54 17 the topic with Mr. Brin prior to the entry into the  
16:47:59 18 agreement with the Walt Disney Company?

16:48:01 19 MR. MANCINI: Objection, Counselor. We have  
16:48:03 20 spent enumerable time with Mr. Baskin on this precise  
16:48:08 21 subject.

16:48:08 22 MR. DEIXLER: Please, Counsel.

16:48:09 23 MR. MANCINI: Objection; asked and answered.

16:48:12 24 MR. DEIXLER: Q. Answer the question now.

16:48:13 25 A I don't recall.

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16:48:13 2 Q How about Mr. Schmidt? Do you recall  
16:48:15 3 discussing with Mr. Schmidt entering into the Walt  
16:48:17 4 Disney Company arrangement?

16:48:18 5 MR. MANCINI: So, Counselor, we -- we are  
16:48:20 6 clearly now -- you are clearly now in violation of  
16:48:23 7 this Court's order.

16:48:24 8 MR. DEIXLER: Okay.

16:48:24 9 MR. MANCINI: Clearly, and at some point  
16:48:25 10 we're going to --

16:48:27 11 MR. DEIXLER: Even if you keep saying it, it  
16:48:28 12 doesn't make it true, and it's improper objection --

16:48:29 13 MR. MANCINI: It is actually true, and I can  
16:48:31 14 read back the transcript to the judge if you want. It  
16:48:33 15 is clearly in violation of the Court's order.

16:48:33 16 MR. DEIXLER: It is an improper -- it is an  
16:48:35 17 improper objection on top of that, so it is not --

16:48:37 18 MR. MANCINI: It is no such thing.

16:48:38 19 MR. DEIXLER: I don't want to engage with you  
16:48:39 20 further.

16:48:39 21 Q Did you have conversations with Mr. Schmidt  
16:48:41 22 in advance of the entry into the arrangement with the  
16:48:43 23 Walt Disney Company? Yes or no?

16:48:45 24 MR. MANCINI: Objection; lacks foundation;  
16:48:47 25 asked and answered numerous times; continuing

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16:48:49 2 objection to the violation of this Court's order.

16:48:51 3 THE WITNESS: I don't recall.

16:48:52 4 MR. DEIXLER: Q. If you wanted to refresh

16:48:54 5 your memory on the topics that you had with Mr. Brin

16:48:57 6 or Mr. Schmidt with regard to the terms of an

16:48:59 7 arrangement with the Walt Disney Company, to what, if

16:49:03 8 anything, would you refer?

16:49:04 9 MR. MANCINI: Same objections.

16:49:05 10 THE WITNESS: Again, I can't think of

16:49:06 11 anything offhand.

16:49:10 12 MR. DEIXLER: Q. In your not remembering

16:49:12 13 that you were opposed to the acquisition of YouTube by

16:49:17 14 Google, can you recall participating in any discussion

16:49:20 15 with anybody on the topic of the financial value to

16:49:25 16 Google of the acquisition of YouTube?

16:49:28 17 MR. MANCINI: Objection; intentionally

16:49:30 18 mischaracterizes his prior testimony; vague and

16:49:32 19 ambiguous.

16:49:32 20 MR. DEIXLER: Q. Can you answer the

16:49:33 21 question, please?

16:49:44 22 A I don't recall much of any real financial

16:49:47 23 analysis. In general, for startups, it's a pretty

16:49:54 24 difficult thing.

16:49:55 25 Q Can you recall participating in any

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16:49:57 2 conversation with Mr. Schmidt or Mr. Brin on the

16:50:00 3 economic value to Google of acquiring YouTube?

16:50:06 4 MR. MANCINI: Objection; asked and answered;  
16:50:09 5 vague and ambiguous.

16:50:09 6 THE WITNESS: Again, I don't recall the  
16:50:10 7 specifics around those discussions.

16:50:12 8 MR. DEIXLER: Q. Can you recall in general  
16:50:13 9 that you had such conversations?

16:50:15 10 MR. MANCINI: Same objections.

16:50:17 11 THE WITNESS: I can't recall conversations.  
16:50:19 12 I'd be surprised if there weren't some.

16:50:21 13 MR. DEIXLER: Q. If you wanted to refresh  
16:50:23 14 your memory on the topic of any conversation that you  
16:50:25 15 had with Mr. Schmidt or Mr. Brin on the topic of the  
16:50:28 16 economic value to Google of acquiring YouTube, to  
16:50:32 17 what, if anything, would you refer?

16:50:33 18 MR. MANCINI: Objection; vague and ambiguous.

16:50:35 19 THE WITNESS: Like I said, I can't think of  
16:50:37 20 anything offhand.

16:50:38 21 MR. DEIXLER: Q. Can you recall having had  
16:50:53 22 any conversations with Mr. Schmidt or Mr. Brin on the  
16:50:59 23 topic of the competitive advantage to Google in  
16:51:02 24 acquiring YouTube?

16:51:04 25 MR. MANCINI: Objection; vague and ambiguous;

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16:51:06 2 lacks foundation.

16:51:08 3 THE WITNESS: I mean, I already said I can't  
16:51:12 4 remember specifics. I can't remember anything about  
16:51:14 5 the competitive issues.

16:51:15 6 MR. DEIXLER: Q. Can you recall having  
16:51:16 7 conversations with Mr. Brin or Mr. Schmidt on the  
16:51:22 8 disadvantages Google Video had compared to YouTube  
16:51:26 9 prior to the acquisition?

16:51:29 10 MR. MANCINI: Objection; lacks foundation.  
16:51:31 11 Objection; vague and ambiguous. Objection; asked and  
16:51:33 12 answered.

16:51:34 13 THE WITNESS: I can't remember any specifics  
16:51:36 14 about discussions with them and about Google Video,  
16:51:41 15 no.

16:51:41 16 MR. DEIXLER: Q. Can you recall anything in  
16:51:42 17 general that you discussed with them on that topic?

16:51:45 18 MR. MANCINI: Same objections.

16:51:47 19 THE WITNESS: Sorry. Same thing. I can't  
16:51:49 20 remember.

16:51:49 21 MR. DEIXLER: Q. So you can't recall  
16:51:50 22 generally or specifically a conversation with Mr. Brin  
16:51:53 23 or Mr. Schmidt on the relative competitive advantages  
16:51:56 24 of YouTube versus Google Video; is that fair?

16:52:00 25 MR. MANCINI: Counsel, do you like restating

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16:52:02 2 his testimony, because that's exactly what you just  
16:52:05 3 did?

16:52:06 4 MR. DEIXLER: Please, stop.

16:52:06 5 Q Would you answer the question?

16:52:07 6 MR. MANCINI: Objection; asked and just  
16:52:09 7 answered. You're just rephrasing his answer as a  
16:52:12 8 question.

16:52:12 9 MR. DEIXLER: Q. Would you answer the  
16:52:13 10 question, please?

16:52:14 11 MR. MANCINI: Again, asked and answered.

16:52:15 12 THE WITNESS: Like I said, I don't recall.

16:52:17 13 MR. DEIXLER: Q. If you wanted to refresh  
16:52:19 14 your memory on that topic, to what, if anything, would  
16:52:22 15 you refer?

16:52:23 16 A Well, like I said --

16:52:24 17 MR. MANCINI: Objection; lacks foundation.

16:52:25 18 THE WITNESS: -- nothing comes to mind.

16:52:28 19 MR. DEIXLER: Q. During the period in  
16:52:29 20 advance within the first, I'll say, 60 days before the  
16:52:32 21 acquisition of YouTube by Google, how frequently did  
16:52:35 22 you and Mr. Schmidt speak?

16:52:37 23 MR. MANCINI: Objection; asked and answered.

16:52:40 24 THE WITNESS: Like I've already stated, we  
16:52:44 25 talk fairly frequently. But, you know, three -- this

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16:52:47 2 is about three years ago, I guess. I don't remember

16:52:49 3 how often we talked.

16:52:50 4 MR. DEIXLER: Q. What's your best estimate?

16:52:54 5 MR. MANCINI: Objection; asked and answered.

16:52:55 6 Counselor, I think it's time that I remind

16:52:59 7 you what Judge Stanton said about this conference.

16:52:59 8 Perhaps you're not aware of the history that

16:53:03 9 lead to this deposition.

16:53:03 10 MR. DEIXLER: Please stop wasting my time.

16:53:05 11 Don't interfere any further or --

16:53:06 12 MR. MANCINI: Counselor, you're clearly now

16:53:09 13 violating --

16:53:09 14 MR. DEIXLER: All right.

16:53:10 15 I'll adjourn the deposition.

16:53:13 16 MR. MANCINI: Call the judge.

16:53:14 17 MR. DEIXLER: We are going to call the judge.

16:53:16 18 I've had it with this.

16:53:16 19 MR. MANCINI: Let's call the judge now.

16:53:18 20 MR. DEIXLER: I'm happy to do that.

16:53:18 21 MR. MANCINI: Shall we do that now?

16:53:18 22 MR. DEIXLER: Sure. Let's do that.

16:53:18 23 MR. MANCINI: Okay. Let's do it.

16:53:18 24 MR. DEIXLER: I want to make sure that the

16:53:19 25 judge has the full benefit of -- of the behavior

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16:53:20 2 engaged in by you because it's nothing short of

16:53:20 3 shocking and it's certainly unnecessary.

16:53:20 4 MR. MANCINI: Okay.

16:53:23 5 MR. DEIXLER: So I'd like the benefit of the

16:53:25 6 transcript of the time from when I began the

16:53:28 7 examination of the witness, through and including now,

16:53:30 8 which is about 4:55 California time.

16:53:34 9 MR. MANCINI: Okay. And do we want to call

16:53:36 10 the judge right now, because I'm happy to do that? I

16:53:39 11 am happy to call him.

16:53:40 12 MR. DEIXLER: I'm thinking it's probably 8:00

16:53:42 13 in New York City. If you think he's there, I'm happy

16:53:45 14 to do it.

16:53:46 15 MR. MANCINI: I doubt he's there.

16:53:46 16 MR. DEIXLER: If you prefer to arrange a call

16:53:46 17 tomorrow --

16:53:47 18 MR. MANCINI: Counselor --

16:53:47 19 MR. DEIXLER: -- I'm happy to do that. I'm

16:53:48 20 not going to let you bully me anymore. I've had it

16:53:51 21 with you.

16:53:52 22 MR. MANCINI: Counselor, you are violating

16:53:54 23 the court order. You are obviously not aware of the

16:53:55 24 court order that led to this deposition.

16:53:55 25 MR. DEIXLER: Okay. I'm going to adjourn my

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16:53:57 2 portion of the deposition right now and take it up  
16:53:58 3 with Judge Stanton.

16:53:58 4 MR. MANCINI: Counselor, this witness -- this  
16:54:02 5 witness is one of the most senior executives of the  
16:54:07 6 company. The judge -- may I read back to you what he  
16:54:08 7 said about this deposition?

16:54:08 8 MR. DEIXLER: I'm fully familiar with the  
16:54:09 9 Court's order. I've adhered strictly to it. Your  
16:54:11 10 behavior has been unprofessional, uncalled for --

16:54:14 11 MR. MANCINI: Not true, Counselor.

16:54:14 12 MR. DEIXLER: -- disruptive.

16:54:16 13 MR. MANCINI: If anything, it's to the  
16:54:18 14 contrary.

16:54:18 15 MR. DEIXLER: Okay. The deposition from my  
16:54:20 16 standpoint is now adjourned, and I will deal --

16:54:22 17 MR. MANCINI: Counselor, you have 25 minutes  
16:54:26 18 left.

16:54:26 19 MR. DEIXLER: I will deal -- I will deal with  
16:54:28 20 the judge, because I do not intend to allow you to  
16:54:29 21 disrupt it any further.

16:54:29 22 MR. MANCINI: You have 25 minutes left.

16:54:30 23 MR. DEIXLER: My best professional estimate  
16:54:32 24 is, is that we will be back here with Mr. Page again  
16:54:36 25 without your disruptions.

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16:54:36 2 MR. MANCINI: Counselor --

16:54:36 3 MR. DEIXLER: We're going to adjourn the  
16:54:38 4 deposition, and let's go off the record now.

16:54:42 5 THE VIDEOGRAPHER: This concludes today's  
16:54:44 6 video deposition of Larry Page in the matter of Viacom  
16:54:47 7 International versus YouTube, Inc., and The Football  
16:54:51 8 Association.

16:54:51 9 We are now off the record.

16:54:52 10 The time is 4:50 p.m.

16:54:56 11 (WHEREUPON, the deposition adjourned at  
12 4:50 p.m.)

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2 J U R A T

3

4 I, LARRY PAGE, do hereby certify under  
5 penalty of perjury that I have read the foregoing  
6 transcript of my deposition taken on October 1, 2009;  
7 that I have made such corrections as appear noted  
8 herein in ink, initialed by me; that my testimony as  
9 contained herein, as corrected, is true and correct.

10

11 DATED this \_\_\_\_ day of \_\_\_\_\_, 2009,  
12 at \_\_\_\_\_, California.

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SIGNATURE OF WITNESS

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E R R A T A

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PAGE LINE

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CERTIFICATE OF REPORTER

I, ANDREA M. IGNACIO HOWARD, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition was taken in shorthand by me, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed into typewriting, and that the foregoing transcript constitutes a full, true and correct report of said deposition and of the proceedings which took place;

That I am a disinterested person to the said action.

IN WITNESS WHEREOF, I have hereunto set my hand this        day of        2009.

\_\_\_\_\_  
ANDREA M. IGNACIO HOWARD, RPR, CCRR, CLR, CSR No. 9830

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1 PAGE, L. - HIGHLY CONFIDENTIAL

2 I N D E X

3 DEPOSITION OF LARRY PAGE

4 EXAMINATION PAGE

5 BY MR. BASKIN 6

6 BY MR. DEIXLER 129

7

8 E X H I B I T S

9 EXHIBIT PAGE

10 Exhibit 1 10/9/06 E-mail w/ Attachments, 27

11 Subject: Green Board Material,

12 Bates Nos. CSSU003560 - 586;

13 27 pgs.

14 Exhibit 2 12/8/05 E-mail, Subject: 35

15 [Harappa-bd] Search Terms, Bates

16 Nos. GOO001-00990640 - 41; 2 pgs.

17 Exhibit 3 5/12/06 E-mail, Subject: Re: Video 44

18 GPS - Content, Bates Nos.

19 GOO001-00496651 - 54; 4 pgs.

20 Exhibit 4 9/7/06 E-mail, Subject: CBS - 58

21 Google Video Deal: Update, Bates

22 Nos. GOO001-01526188 - 89; 2 pgs.

23 Exhibit 5 11/2/06 E-mail, Subject: Re: 60

24 Viacom/MTV proposal, Bates Nos.

25 GOO001-00797166; 1 pg.

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1 PAGE, L. - HIGHLY CONFIDENTIAL  
2 E X H I B I T S (Confidential.)  
3  
4 EXHIBIT PAGE  
5 Exhibit 6 11/14/06 E-mail String, Subject: 62  
6 Re: Content deal terms, Bates  
7 Nos. GOO001-01507063 - 65; 3 pgs.  
8 Exhibit 7 11/29/06 E-mail String, Subject: 67  
9 Fwd: Google's Best and Final  
10 Proposal, Bates Nos.  
11 GOO001-01526800 - 802; 3 pgs.  
12 Exhibit 8 10/31/06 E-mail String, Subject: 68  
13 Re: Viacom Content, Bates Nos.  
14 GOO001-01559968 - 71; 4 pgs.  
15 Exhibit 9 11/16/06 E-mail String, Subject: 73  
16 Fw: Chat with Eric on Media  
17 Deals...next steps, Bates Nos.  
18 GOO001-00792654 - 65; 2 pgs.  
19 Exhibit 10 11/16/06 E-mail String, Subject: 76  
20 Re: Deal review call, Bates Nos.  
21 GOO001-01526638 - 39; 2 pgs.  
22 Exhibit 11 Turner/YouTube (YT) Term Sheet 80  
23 10/11/06, Bates Nos.  
24 GOO001-02826036 - 46; 11 pgs.  
25

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1	PAGE, L. - HIGHLY CONFIDENTIAL	
2	E X H I B I T S (Confidential.)	
3	EXHIBIT	PAGE
4	Exhibit 12 TWDC/Google - Deal Framework,	84
5	Bates Nos. GOO001-02502815 - 819;	
6	5 pgs.	
7	Exhibit 13 MTV Networks Video Term Sheet	88
8	Google Draft 12/14/06, Bates Nos.	
9	GOO001-02892078 - 083; 6 pgs.	
10	Exhibit 14 2/15/07 E-mail String, Subject:	94
11	Iger, Bates Nos. GOO001-01511226	
12	- 27; 2 pgs.	
13	Exhibit 15 2/2/07 Letter To Drummond and	99
14	Walker From Fricklas, Bates Nos.	
15	VIA01475465 - 76; 12 pgs.	
16	Exhibit 16 2/12/07 E-mail Subject: Corporate	100
17	eFax from 12126644733, Bates Nos.	
18	GOO001-02826791 - 98; 8 pgs.	
19	Exhibit 17 6/8/06 E-mail Subject: Fw: Google	102
20	Video Handover deck_v2, Bates Nos.	
21	GOO001-00791569 - 611; 43 pgs.	
22	Exhibit 18 2/2/07 E-mail String, Subject:	110
23	Fwd: What I sent to Viacom...	
24	Bates Nos. GOO001-00973152 - 54;	
25	3 pgs.	

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1 PAGE, L. - HIGHLY CONFIDENTIAL

2 E X H I B I T S (Continued.)

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4 EXHIBIT

PAGE

5 Exhibit 19 10/2/07 E-mail String, Subject: 119

6 Re: Idea on promotion on YouTube,

7 Bates Nos. GOO001-00989006 - 08;

8 3 pgs.

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