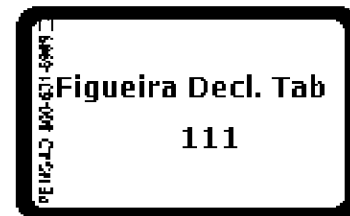


5/6/2009 Schmidt, Eric

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK



VIACOM INTERNATIONAL, INC., COMEDY )  
PARTNERS, COUNTRY MUSIC )  
TELEVISION, INC., PARAMOUNT )  
PICTURES CORPORATION, and BLACK )  
ENTERTAINMENT TELEVISION, LLC, )  
Plaintiffs, )

vs. ) NO. 07-CV-2203

YOUTUBE, INC., YOUTUBE, LLC, )  
and GOOGLE, INC., )  
Defendants. )

THE FOOTBALL ASSOCIATION PREMIER )  
LEAGUE LIMITED, BOURNE CO., et al., )  
on behalf of themselves and all )  
others similarly situated, )  
Plaintiffs, )

vs. ) NO. 07-CV-3582

YOUTUBE, INC., YOUTUBE, LLC, and )  
GOOGLE, INC., )  
Defendants. )

VIDEOTAPED DEPOSITION OF ERIC SCHMIDT  
SAN FRANCISCO, CALIFORNIA  
WEDNESDAY, MAY 6, 2009

JOB NO. 16802

1 SCHMIDT, ERIC 111-0002

2 If you look below it, you see the little  
3 caret? It says "from." Then, "It would be a civil  
4 offense to create," that's from the Wire.com website.

5 Q I see. Okay.

6 A So to be incredibly precise on these e-mails,  
7 the only words that I wrote were "the Digital  
8 Millennium Copyright Act."

9 Q I see. Got it. Okay.

10 Now, when Google purchased YouTube, did you  
11 instruct Mr. Hurley and Mr. Chen that their primary  
12 goal, at least immediate goal, was to grow the user  
13 base and reach one billion views per day?

14 MR. MANCINI: Objection; lacks foundation.

15 THE WITNESS: I don't recall the very  
16 specific goal.

17 MR. BASKIN: Q. Does it sound like generally  
18 something you said to them, that their -- that their  
19 primary objective should be to grow the user base?

20 A Our -- our policy from acquisition was to  
21 grow the user base. That is correct.

22 Q And --

23 A I don't recall the specific numbers.

24 Q You don't recall that they should grow it to  
25 playbacks of one billion a day?