

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VIACOM INTERNATIONAL, INC., COMEDY
PARTNERS, COUNTY 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.

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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.

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HIGHLY CONFIDENTIAL
VIDEOTAPED DEPOSITION OF ZAHAVAH LEVINE
SAN FRANCISCO, CALIFORNIA
THURSDAY, APRIL 2, 2009

BY: KATHERINE E. LAUSTER, CSR 1894, RPR, CRR, CLR

Job No. 16721

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Figueira Decl. Tab
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1 LEVINE

2 MR. KRAMER: Do you want to have it read
3 back?

4 MR. COX: Yes, please.

5 (Record read:

6 Question: So it's your testimony that,
7 notwithstanding the recommendation of this
8 document, YouTube continued to make
9 case-by-case determinations about whether
10 to grant exemptions from the three strikes
11 policy for content partners?)

12 THE WITNESS: Right. That -- yeah. I
13 should say, when you say "the recommendation of this
14 document," I'm not sure that this document is a
15 recommendation, or that this document accurately
16 reflects a, you know, legal recommendation, but it
17 is my understanding that the policy is a
18 case-by-case -- exceptions from the three strikes
19 are determined on a case-by-case basis.

20 BY MR. COX:

21 Q. Without getting into privileged
22 information, what factors are relevant in that
23 case-by-case determination?

24 MR. KRAMER: I think that -- that it's
25 hard for her to answer that question without getting