

EXHIBIT A

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<p>1 2 UNITED STATES DISTRICT COURT 3 SOUTHERN DISTRICT OF NEW YORK 4 -----x 5 EDWARD L. WHITE, P.C., : HIGHLY CONFIDENTIAL - 6 Plaintiff, : OUTSIDE ATTORNEYS' 7 : EYES ONLY 8 -against- : Civil Action No. 9 WEST PUBLISHING CORPORATION : 12-CV-1340 (JSR) 10 d/b/a "West," and : 11 REED ELSEVIER INC. d/b/a : 12 LexisNexis, : 13 Defendants. : 14 -----x 15 August 28, 2012 16 10:15 a.m. 17 18 Deposition of TOM LEIGHTON, held at the law 19 offices of Bragar Eigel & Squire, PC, 885 Third 20 Avenue, Suite 3040, New York, New York, before 21 Susan B. Ratner, a Shorthand Reporter and Notary 22 Public within and for the State of New York. 23 24 25</p>	<p>1 2 A P P E A R A N C E S (Continued): 3 4 For the Defendant Reed Elsevier Inc. 5 d/b/a LexisNexis: 6 MORRISON & FOERSTER LLP 7 1290 Avenue of the Americas 8 New York, New York 10104-0050 9 BY: CINDY P. ABRAMSON, ESQ. 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
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<p>1 2 A P P E A R A N C E S: 3 4 For the Plaintiff: 5 GREGORY A. BLUE, P.C. 6 The Chrysler Building 7 405 Lexington Avenue - Suite 2600 8 New York, New York 10174 9 BY: GREGORY A. BLUE, ESQ. 10 -AND- 11 BRAGAR EAGEL & SQUIRE, PC 12 885 Third Avenue - Suite 3040 13 New York, New York 10022 14 BY: RAYMOND A. BRAGAR, ESQ. 15 16 For the Defendant West Publishing Corporation 17 d/b/a "West": 18 WEIL, GOTSHAL & MANGES LLP 19 767 Fifth Avenue 20 New York, New York 10153-0119 21 BY: BENJAMIN E. MARKS, ESQ. 22 23 24 25</p>	<p>1 2 IT IS HEREBY STIPULATED AND AGREED, by and 3 between the attorneys for the respective parties 4 herein, that filing and sealing be and the same are 5 hereby waived. 6 IT IS FURTHER STIPULATED AND AGREED 7 that all objections, except as to the form of the 8 question, shall be reserved to the time 9 of the trial. 10 IT IS FURTHER STIPULATED AND AGREED that the 11 within deposition may be signed and sworn to before 12 any officer authorized to administer an oath, with 13 the same force and effect as if signed and sworn to 14 before the officer before whom the within deposition 15 was taken. 16 17 18 19 20 21 22 23 24 25</p>

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 2 name, or are the people who acquire this given sort
 3 of an instruction to go out and get certain types of
 4 documents?
 5 MR. MARKS: Objection to the form of the
 6 question.
 7 You can answer, if you understand.
 8 A. Generally speaking, the documents
 9 would -- people would be given lead lists of cases
 10 that meet our criteria, and they would then be going
 11 to look for certain documents within the case type,
 12 since we are not -- we tend not to get all documents
 13 from a given case.
 14 Q. These could include, I would assume,
 15 ongoing cases --
 16 A. There could.
 17 Q. -- in which there would be new files that
 18 are going on?
 19 A. Yes.
 20 Q. What happens in the case of an ongoing
 21 litigation, is that something that is followed by
 22 people who acquire the content on an ongoing basis
 23 to acquire the documents as they are filed?
 24 A. Generally not.
 25 That would generally be -- we have got a

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 2 group of people called content acquisition
 3 specialists on my team in Eagan, in the field, in
 4 places in the country, and they would be responsible
 5 for deciding whether to follow up on individual
 6 cases.
 7 Q. Just so I understand, there is not some
 8 sort of automatic process where every new filing in
 9 the cases that you are following would automatically
 10 be acquired according to the process that you
 11 described?
 12 A. No.
 13 Q. Someone would have to make a decision to
 14 go back and either download or scan those files to
 15 get them into the system, correct?
 16 A. Yes.
 17 Q. In instances in which you have the vendor
 18 acquire the document and put it through the process
 19 to get it into the Westlaw database, what is the
 20 approximate turnaround time between the time that
 21 you, say, acquire a document, and it showing up in
 22 the database?
 23 A. It depends on, again, whether -- there
 24 are some things that are marked as a different
 25 urgency, and if it's a more urgent document, it

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 2 could be on within 24 hours.
 3 For other documents it would generally
 4 take a number of days.
 5 Q. Can you give me a sense of the volume of
 6 documents, in terms of the number of documents, that
 7 are processed by your department, on whatever basis
 8 you might know, maybe an annual basis, or a daily
 9 basis, whatever it is?
 10 MR. MARKS: Objection to the form of the
 11 question.
 12 You can answer.
 13 A. It varies a great deal.
 14 We set certain targets at the beginning
 15 of the year, and it fluctuates by document type, but
 16 we have got approximately 11 million different
 17 documents on-line at this point.
 18 Q. When did West start acquiring these types
 19 of litigation documents to put in the database?
 20 MR. MARKS: Objection to form.
 21 Q. I am not talking about court decisions,
 22 but papers filed by attorneys, briefs, motions, that
 23 sort of thing.
 24 A. We started acquiring appellate briefs in
 25 2003.

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 2 Q. What about district court-level briefs?
 3 A. We started acquiring those documents in
 4 2005.
 5 Q. Is it different for the state court
 6 systems?
 7 MR. MARKS: Objection to form.
 8 Q. When you said appellate-level briefs, I
 9 immediately jumped to the federal courts of appeals,
 10 and I realize that there are appellate-level briefs,
 11 of course, at the state level.
 12 A. Yes.
 13 Q. Were you acquiring appellate-level briefs
 14 at the state level as far back as 2003, or was that
 15 at a different time?
 16 A. That was 2003 as well.
 17 Q. I know you said that there are
 18 approximately 11 million documents in the database
 19 at this point.
 20 A. Yes.
 21 Q. Do you know approximately how many are
 22 being added each year?
 23 A. I don't have a solid number.
 24 Q. Does your department have written
 25 materials that people acquiring the content use as a