Filed 09/10/2007

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

CASE NO. 5:07-CV-347-D

	
LULU ENTERPRISES, INC.,)
Plaintiff,) NOTICE OF DEPOSITION OF DEFENDANT HULU TECH, INC.
v.)
) (PURSUANT TO F.R.C.P. 30(b)(6) AND
N-F NEWSITE, LLC,) COURT ORDER ALLOWING
) EXPEDITED DISCOVERY)
and	ý ,
HULU TECH, INC.,)
, ,)
Defendants.)
)

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure and the Court's Order granting Plaintiff leave to conduct limited discovery on an expedited basis, please take notice that on September 18, 2007, beginning at 10:00 a.m., Plaintiff will conduct the deposition, under oath, of Defendant Hulu Tech, Inc. at the offices of Ellis & Winters LLP, 1100 Crescent Green Dr., Suite 200, Cary, North Carolina 27511 by oral examination of witness(es) designated by Hulu Tech, Inc. to testify on its behalf concerning the following subjects:

(1) The past, current, and intended future use of the names "Hulu", "HULU", and/or "HULU.COM" by any Defendant (including, without limitation, the markets any Defendant has served, is serving, or intends to serve using any such names and the goods or services any Defendant has offered, is offering, or intends to offer using any such names);

(2) Hulu Tech, Inc.'s decision to do business under the names "Hulu", "HULU", and/or "HULU.COM";

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- (3) The decision of any other individual or entity to do business under the names "Hulu", "HULU", and/or "HULU.COM";
- (4) the organization and ownership structure of Hulu Tech, Inc. and its affiliates;
- (5) Hulu Tech, Inc.'s relationships and/or dealings with any branding, marketing, public relations or similar firm or agency regarding the use of the names "Hulu", "HULU", and/or "HULU.COM";
- (6) The Defendants' interests in and/or rights to the domain www.hulu.com; and
- (7) Hulu Tech, Inc.'s relationships and/or dealings with N-F NewSite, LLC, Network Solutions, Eugene Wei, and/or Hulu Consulting.

Pursuant to the Court's Order granting Plaintiff leave to conduct limited discovery on an expedited basis, the deposition shall be limited in time to one hour and shall be limited to examination relating to the above-listed subjects. Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, the person(s) designated by Hulu Tech, Inc. under Rule 30(b)(6) should be prepared to testify as to such matters known or reasonably available to Hulu Tech, Inc. Hulu Tech, Inc. is requested to provide plaintiff's counsel a written designation of the names and positions of the persons designated to testify concerning the matters set forth above, and, for each person, the matter on which he or she will testify.

The deposition will be taken before a Notary Public or some other officer duly authorized by law to administer oaths and will be used for all purposes allowed by law. The deposition will

be recorded by stenographic and/or videotaped means. The oral examination will continue from day to day until its completion. The taking of this limited and expedited deposition shall not affect the plaintiff's ability to conduct another, full deposition of this witness during discovery on the merits.

ELLIS & WINTERS LLP

By: _____

Leslie C. O'Toole N.C. Bar No. 13640 Thomas H. Segars N.C. Bar No. 29433 Ellis & Winters LLP P.O. Box 33550 Raleigh, North Carolina 27636 (919) 865-7000 Counsel for the Plaintiff Lulu Enterprises, Inc.