

COPY OF TRANSCRIPT

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DAVID RUDOVSKY and
LEONARD SOSNOV,
Plaintiffs,

No. 09-CV-727

v.

WEST PUBLISHING CORPORATION,
WEST SERVICES INC., AND
THOMSON LEGAL AND REGULATORY
INC., t/a THOMSON WEST,
Defendants.

Video-recorded Deposition Upon Oral Examination of:

Location: Sarah Redzic
Thomson West
.50 Broad Street East
Rochester, New York 14614
Date: March 3, 2010
Time: 9:09 a.m.
Reported By: LYNN A. MULLEN, RPR



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1 A. That's correct.

2 Q. Okay. So, what did happen with
3 respect to that supplement?

4 A. I worked on the supplement.

5 Q. And so that brings us back to
6 my original question, which is: Had you
7 ever done that on your own?

8 A. On my own independently?

9 Q. At West before that time.

10 A. From what I understand what
11 you're asking me, then no.

12 Q. And so what did you do to
13 prepare the update, the 2008 pocket part?

14 A. I undertook the process of
15 research for an update, for that update.

16 Q. And how did you do that?

17 A. I -- I believe that I -- we
18 had the previous update provided by the
19 authors. It was the material that was
20 provided the year before, and I used that
21 material, and I -- I KeyCited those cases
22 that were in that material, and from
23 there -- from there I believe the KeyCite
24 can lead you to other -- other links,



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1 other research, other -- other research
2 treatises, other encyclopedias and other
3 links that can point you to research, and
4 I looked up some of those. And I also
5 completed -- I also looked up all the
6 Rules of Criminal Procedure, I believe.

7 Q. When you say you looked up all
8 the Rules of Criminal Procedure --

9 A. Yes.

10 Q. -- what do you mean you looked
11 them up?

12 A. I mean I went through every
13 single rule in Criminal Procedure to check
14 for the validity of the rule.

15 Q. Did you look for new rules that
16 had been added or amended?

17 A. As I said, I went through every
18 single rule, so I looked for newer rules
19 as well.

20 Q. And I take it that any changes
21 that you had -- that you found would have
22 been reflected -- you would have made
23 sure were reflected in the pocket part?

24 A. Well, it was -- again, it was



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1 Q. Okay. When you -- when you
2 completed the 2008 supplement, was it
3 reviewed by anybody?

4 A. No.

5 Q. So as far as you know, it just
6 went straight to Manufacturing?

7 A. It went straight to be
8 processed, yes, for...

9 Q. When you were working on the
10 December 2008 supplement, what was your
11 understanding of what it is you were
12 trying to accomplish?

13 A. My understanding was that I was
14 supposed to provide the -- provide an
15 update, provide an update in a certain
16 amount of time that in our judgment would
17 be sufficient and -- I don't know what
18 else -- what else do you want me to do,
19 say?

20 Q. I want you to answer my
21 question.

22 MR. ZEISLER: Listen to his
23 question and answer his question. You
24 don't have to guess what he's trying to



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1 means that the submitted information
2 discusses applicable law. West has an
3 obligation to its customers to provide
4 them with coverage that is as up-to-date
5 and accurate as possible with each
6 release."

7 Do you see that?

8 A. Yes.

9 Q. Do you agree that that is part
10 of West's publishability standard, in your
11 understanding?

12 A. Well, according to this
13 document, as far as general understanding,
14 yes.

15 Q. And was -- was providing
16 current and accurate coverage of the
17 law one of your goals in preparing the
18 2008-2009 supplement?

19 A. I believe so, yes.

20 Q. The second bullet point is, "Is
21 the coverage complete from the perspective
22 of the publication and its intended
23 customers? In other words, does the
24 submission cover material that the



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1 customer could reasonably expect to find
2 covered?"

3 Was that one of your goals in
4 preparing the 2008-2009 supplement?

5 A. I believe so, yes.

6 Q. You do recall your testimony
7 earlier that you were not aware who the
8 anticipated readership of the treatise
9 was, right?

10 MR. ZEISLER: Objection.

11 A. Well, I don't remember
12 specifically what you asked or what I --
13 what I said. Can you --

14 Q. Were you aware of who the
15 intended customers were while you were
16 working on the 2008-2009 supplement?

17 A. I have an understanding, my
18 general understanding of the -- who the
19 customers are. But again, with the
20 specifics, I don't know who buys the
21 books, I don't know who uses them, so I
22 can't really give you the specific
23 details.

24 Q. If you -- if you look at the



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