

1 A. As far as I can tell, yes.

2 Q. Does the report, which primarily
3 consists of pages 1 through 20, 20 pages, that
4 is your report in this case; true?

5 A. Page 1 through 21. That is my
6 report, yes.

7 Q. Pages 1 through 21, you're
8 correct. That is your report; true?

9 A. That is correct, yes.

10 Q. Is there anything in that report
11 as you sit here today that you believe to be in
12 error or incorrect?

13 A. No, I don't think so.

14 Q. Do you have any intentions today
15 or in the future to make any changes with
16 respect to your report?

17 A. No, I do not.

18 Q. Or do you have any intentions of
19 making any changes to any of the materials in
20 Exhibit Number 2?

21 A. No, I do not.

22 MR. MORAN: David, this is David
23 Moran and Carl Butzer on behalf of the
24 Defendants. How are you doing?

25 MR. PRIDHAM: I apologize to

1 you know.

2 THE WITNESS: I don't know.

3 BY MR. MORAN:

4 Q. How many times have you purchased
5 an airline ticket on-line?

6 A. 30 times, 40 times. Whenever I
7 fly.

8 Q. Three or four times?

9 A. 30 or 40 times, whenever I fly.

10 Q. 30 or 40 times. All right, sir.
11 Have you ever purchased a ticket
12 on Southwest Airlines?

13 A. Yes.

14 Q. How often have you done that?

15 A. Six or eight times. Baltimore is
16 a major hub for Southwest, so that's clearly one
17 I'll fly when I'm going places where Southwest
18 goes.

19 Q. Walk me through the steps that
20 you've taken to purchase a ticket on Southwest
21 Airlines?

22 A. I would simply go to Southwest
23 Airlines' website and then one of the links is
24 to tickets and reservations and I would click on
25 that and then I would walk through the -- you

1 know, you know, what city are you leaving from,
2 there's a drop down menu, I put Baltimore in
3 and, for example, Chicago, then what city do you
4 want to go to and when do you want to go and how
5 many people are going with you and times. Just
6 the standard process of making a reservation.

7 Q. All right. So would you have --
8 when you've made a reservation on Southwest
9 Airlines would you have gone directly to
10 Southwest Airlines' website?

11 A. Yes.

12 Q. Would you have utilized a search
13 engine to do that or do you bypass that?

14 A. I'm familiar enough with Southwest
15 Airlines to be able to go directly to Southwest
16 Airlines' website.

17 Q. How do you go to Southwest
18 Airlines' website?

19 A. Whatever the line,
20 www.southwestair.com, go to that it way.

21 Q. Then you press enter?

22 A. Yes.

23 Q. And what comes up?

24 A. The Southwest Airlines' website
25 and, again, as I said, with their menus of

1 tickets and reservations, tracking flights or
2 whatever.

3 Q. How many times have you flown
4 Southwest Airlines say in the last five to ten
5 years?

6 A. I'm going to say four or five.
7 Five times, maybe.

8 Q. Have you ever made a reservation
9 for Southwest Airlines by going to a sponsored
10 link?

11 A. No, not that I can recall.

12 Q. Why not?

13 A. Again, I can go directly. I can
14 go to Southwest Airlines and get it and go
15 directly to them.

16 Q. Could you get it going through a
17 sponsored link?

18 MR. FENSTER: Object to form.

19 BY MR. MORAN:

20 Q. If you know?

21 A. I don't believe you can. It's my
22 understanding that Southwest, they're not on
23 Expedia or any of those travel sites, and it's
24 my understanding that if I want a Southwest
25 ticket I have to go to Southwest Airlines.

1 Q. How did you come to that
2 understanding, Professor?

3 A. I don't recall when I first
4 learned that or how I learned it, but I learned
5 it probably one time when I was looking for a
6 flight and I found one on say United or Delta
7 and then someone said, hey, did you check out
8 Southwest, they go there. I didn't see them on
9 Expedia or Travelocity, so I said I better check
10 out Southwest.

11 Q. When would you have acquired this
12 understanding?

13 A. Again, I don't recall.

14 Q. Approximately?

15 A. Again, I don't recall. Four or
16 five years ago, certainly.

17 Q. All right, sir. Have you ever --
18 strike that.

19 So from time to time you've gone
20 and utilized Google and other search engines as
21 part of the Internet searches you've done; true?

22 A. That's correct.

23 Q. And you know from time to time
24 various sponsored links may come up in response
25 to a search term; true?