

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

THE RODNEY A. HAMILTON LIVING TRUST and JOHN BECK AMAZING PROFITS, LLC, Individually and on Behalf of All Others Similarly Situated,	§	
	§	
	§	Civil Action No. 2:09-cv-00151-TJW-CE
	§	
	§	
Plaintiffs,	§	CLASS ACTION COMPLAINT
	§	
v.	§	
	§	
(1) GOOGLE INC.; AND	§	JURY TRIAL REQUESTED
(2) AOL LLC,	§	
	§	
Defendants.	§	

DEFENDANTS’ WITNESS DESIGNATIONS

Defendants Google Inc. (“Google”), and AOL Inc. (the “Defendants”) respectfully submit this Witness List. Defendants may call the following witnesses:

I. FACT WITNESS LIST:

Kerry Barker
Team Leader for the Legal Advertising Support Team
Google Inc.
c/o Charles L. Babcock
Jackson Walker, L.L.P.
901 Main Street, Suite 6000
Dallas, Texas 75202
(214) 953-6000

Ms. Barker will testify via declaration regarding matters made the basis of this lawsuit.

II. EXPERT WITNESS LIST:

Dr. Itamar Simonson
Sebastian S. Kresge Professor of Marketing
Graduate School of Business
Stanford University

Stanford, CA 94305-5015
(650) 725-8981

Professor Simonson will testify via declaration, supplemental declaration and expert report regarding matters made the basis of this lawsuit.

Dr. Thomas J. Maronick
Professor of Marketing
Towson University
Towson, Maryland 21252

Subject to a ruling on Defendants' Motion to Exclude the Expert Report and Opinion of Thomas J. Maronick, and without waiver of Defendants' objections, Defendants may offer portions of Professor Maronick's expert report and deposition testimony.

III. ATTORNEY DECLARANTS

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Defendants' attorneys will testify via declaration as previously set forth in Defendants' briefing relating to Defendants' Motion to Exclude the Expert Report and Opinion of Thomas J. Maronick and Plaintiffs' Motions for Class Certification.

Respectfully submitted,

/s/ Charles L. Babcock

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ATTORNEYS FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that on November 17, 2010, I electronically submitted the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, using the electronic case files system of the court. The electronic case files system sent a “Notice of Electronic Filing” to individuals who have consented in writing to accept this Notice as service of this document by electronic means. All other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by first class mail today, November 17, 2010.

/s/ Charles L. Babcock

Charles L. Babcock