

# Exhibit E

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**BEDROCK COMPUTER  
TECHNOLOGIES LLC,**

**Plaintiff,**

**v.**

**SOFTLAYER TECHNOLOGIES, INC.,  
CITIWARE TECHNOLOGY  
SOLUTIONS, LLC, GOOGLE INC.,  
YAHOO! INC., MYSPACE INC.,  
AMAZON.COM INC., PAYPAL INC.,  
MATCH.COM, INC., AOL INC., AND  
CME GROUP INC.,**

**Defendants.**

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**CASE NO. 6:09-cv-269-LED**

**Jury Trial Demanded**

**PLAINTIFF BEDROCK COMPUTER TECHNOLOGIES LLC'S  
OBJECTIONS TO GOOGLE INC.'S DEPOSITION DESIGNATIONS**

Plaintiff Bedrock Computer Technologies LLC (“Bedrock”), pursuant to the Court’s Docket Control Order and Orders amending Docket Control Order entered in this case, provides this list of objections to Google’s depositions designations. Bedrock expressly reserves the right to supplement, augment, or otherwise modify the exchanged designations based on circumstances as they may evolve prior to the commencement of trial. Bedrock’s objections to Google’s deposition designations are made in reliance on the Defendants’ trial witness lists and the labeling of those witnesses as will call. At this time, Bedrock objects to Google’s deposition designations testimony as follows:

<b>Deposition of Joseph D'Avanzo - December 7, 2010</b>		
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<b>Deposition of Jeffrey Schiller - January 7, 2011</b>		
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## OBJECTION KEY TO DEPOSITION DESIGNATIONS

<u>Code</u>	<u>Objection</u>
106	This testimony is objectionable because it is incomplete and the introduction of the remaining portions ought, in fairness, to be considered contemporaneously with it (see F.R.E. 106).
402	This testimony is objectionable because it is not relevant (see F.R.E. 402).
403	Misleading. Confusion of issues. This testimony is objectionable because its probative value is substantially outweighed by the danger of unfair prejudice.
408	Compromise and offer to compromise (FRE 408).
602	This testimony is objectionable because it constitutes testimony on a matter as to which the witness lacks personal knowledge (see F.R.E. 602).
701	This testimony is objectionable because it is opinion testimony by a lay witness that is not reasonably based on perception and helpful to a clear understanding of the witness' testimony or the determination of a fact in dispute (see F.R.E. 701).
801	Hearsay. This testimony is objectionable because it is a statement made by one other than the declarant while testifying at trial, offered into evidence to prove the truth of the matter asserted and not subject to any hearsay exception (see F.R.E. 801 and 802).
A	This testimony is objectionable because it concerns a document for which authentication is lacking (see F.R.E. 901).
A/C	Attorney Client Privilege and/or Work Product Immunity
AA	Asked and Answered
AF	This testimony is objectionable because it assumes a fact not in evidence.
AR	Argumentative (see FRCP 611(a)).
B	Bolstering. This testimony is objectionable because it is improper to bolster the credibility of a witness before credibility is attacked (see FRCP 608(a)).
BER	Not best evidence (FRE 1002)
CQ	Compound Question
CS	Calls for Speculation

E	This testimony is objectionable because it constitutes attempted expert testimony from a person who was not designated as an expert and who did not submit an expert report (see FRCP 26).
F	This testimony is objectionable because it lacks foundation.
H	This testimony is objectionable because it constitutes harrassment or it is unduly embarrassing to the witness (see F.R.E. 611(f)).
IA	This testimony is objectionable because it is an incomplete answer.
IC	This testimony is objectionable because it has characterized a person or conduct with unwarranted suggestive, argumentative, or impertinent language (see FRCP 103(c); 404-405).
IE	Improper opinion testimony by expert witness (FRE 702)
INC	Incomplete question/answer.
IQ	This testimony is objectionable because it is an incomplete question.
MC	Mischaracterizes witness's testimony
NR	Nonresponsive
OS	Outside the scope of Rule 30(b)(6) topics.
V	Vague.
WC	Waste of time/Cumulative evidence (FRE 403)
L	Leading the Witness (F.R.E. 611(c)).



Dated: March 18, 2011.

Respectfully submitted,

**McKOOL SMITH, P.C.**

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**CERTIFICATE OF SERVICE**

The undersigned certifies that, on March 18, 2010, the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A).

*/s/ Jason D. Cassady*  
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Jason D. Cassady