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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

FILED
U.S. DISTRICT COURT
NORTHERN DIST. OF TX.
FT. WORTH DIVISION

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CLERK OF COURT

AMERICAN AIRLINES, INC.,

Plaintiff,

-v.-

Case No. 4:08-CV-626-A


YAHOO! INC. and OVERTURE SERVICES,
INC. d/b/a YAHOO! SEARCH
MARKETING,

Defendants.

**DEFENDANTS' SUMMARY OF DEPOSITION OF CARMEN ARENAL FOR
NOVEMBER 30, 2009 HEARING**

In accordance with the Court's November 19, 2009 Order, Defendants Yahoo! Inc. and Overture Services, Inc. d/b/a Yahoo! Search Marketing (collectively, "Yahoo!") submit the attached summary of the deposition of Carmen Arenal (taken on April 28, 2009) for use at the November 30, 2009 hearing in this case.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served on Plaintiff's counsel on the 25th day of November, 2009 as follows:

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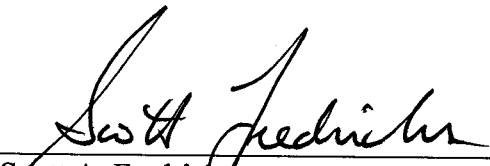
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Scott A. Fredricks

American Airlines, Inc. v. Yahoo! Inc.

Deposition Summary: Carmen Arenal

American Airlines, Inc. ("American") took the deposition of Ms. Carmen Arenal on April 28, 2009, pursuant to a Rule 30(b)(6) notice. Ms. Arenal is a Director of Legal Services at Yahoo!, Inc. ("Yahoo!"). (5:13-14.) In that capacity, she oversees the trademark complaint process and policy for Yahoo! Search Marketing, copyright, counterfeit, false and misleading, and right of publicity. (5:15-21.) Ms. Arenal has been employed by Yahoo! since January 1, 2004. (8:23-9:1.) Since joining Yahoo!, she has served as Senior Manager and Director (her current position). (9:2-4.) Previously, she worked at Overture Services. (9:8-10.)

Ms. Arenal helped coordinate the document preservation and collection efforts in connection with this lawsuit. (13:21-14:1, 14:25-16:14, 17:19-22, 24:10-25:8, 45:17-46:18, 48:3-7.) After this lawsuit was filed, Ms. Arenal was asked by Lisa McFall, an in-house attorney at Yahoo!, to help identify those Yahoo! employees who may have documents relevant to this case. (17:19-22.) Ms. Arenal spoke with Don Aydon, a Yahoo! account executive or account manager who worked on the American Airlines account to have him identify Yahoo! sales people who may have information relevant to this case. (14:25-16:14.) Ms. Arenal also reviewed the complaint to determine who else might have documents related to this case. (14:25-15:5.) From mid-March or early-April 2009 through April 28, 2009 (the date of this deposition), Ms. Arenal spent between 60-100% of her time each day on American Airlines document data collection related issues. (69:4-18.) ~~In addition, paralegals, IT employees, and in-house attorneys of Yahoo! spent a lot of time helping with the data and document collection.~~ (69:19-70:5.)

On November 13, 2008, Ms. Arenal or Ms. McFall sent the first of several litigation hold notices to various Yahoo! employees identified in a letter that was marked as an exhibit to her deposition. (24:10-25:8, 67:8-69:2.) (A copy of that letter is included among Defendants' exhibits for this hearing.) In addition to the individuals identified in the letter, litigation hold notices were sent to the Yahoo! employees who report to Michael Wehn and John Cathey-Roberts. (67:8-69:2.) Between approximately December and April 2009, Ms. Arenal began working with others to collect data for this case and set up meetings to collect from employees who may have relevant information. (46:6-15, 74:4-75:11, 76-19-25.) She worked with a lot of people on the project. (48:3-7.) Yahoo! engaged an outside vendor to assist with the document collection process. (53:17-54:10.)