

## **EXHIBIT U**

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMES S. GORDON, Jr., a married individual, d/b/a 'GORDONWORKS.COM'; OMNI INNOVATIONS, LLC, a Washington limited liability company;

**Plaintiffs,**

v.

VIRTUMUNDO, INC., a Delaware corporation d/b/a ADKNOWLEDGEMAIL.COM; ADKNOWLEDGE, INC., a Delaware corporation, d/b/a ADKNOWLEDGEMAIL.COM; SCOTT LYNN and individual and his marital community; and JOHN DOES I-X,

**Defendants.**

NO. CV06-0204JCC

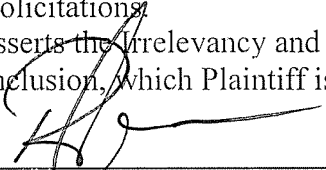
**PLAINTIFF OMNI'S ANSWERS AND RESPONSES TO DEFENDANT VIRTUMUNDO'S FIRST INTERROGATORIES AND REQUESTS FOR PRODUCTION OF DOCUMENTS TO OMNI**

Plaintiff Gordon answers Defendant Virtumundo's First Interrogatories and Requests For Production of Documents as follows:

**GENERAL OBJECTIONS**

1. Plaintiff objects to each interrogatory to the extent that it seeks material or information that is privileged as an attorney-client communication. This objection hereinafter will be referred to as the "**Attorney-Client Privilege Objection.**"
2. Plaintiff objects to each interrogatory to the extent that it seeks material or information prepared by or developed at the direction of counsel insofar as it is

- 1 16. Steps included unsubscribing via emails, sending complaints to emails in Whois  
2 databases, sending complaints to network service providers, sending complaints to  
3 government agencies/offices, setting up an auto-responder to send reply to spammer to  
4 cease and desist (plus contract to receive email), send certified and certified return receipt  
5 letter to spammers.  
6 17. Unwanted and offending emails use up bandwidth on Omni's server; interfere with  
7 Omni's interactive service business; clog associated computers; require wasted time to  
8 deal with; are unlawful; and violate Omni's right to privacy, and right to be free from  
9 intrusive solicitations.  
10 18. Plaintiff asserts the irrelevancy and Ambiguity objections. Further, this question calls for  
11 a legal conclusion, which Plaintiff is not competent to make.

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13 \_\_\_\_\_  
14 Robert J. Siegel, WSBA #17312

- 15 19. July 22, 1999 registered gordonworks@gordonworks.com. I do not know the IP address.  
16 I do not know which email addresses may have been registered by Omni's clients.  
17 20. The offending emails as to Omni were sent to email addresses and domains hosted on  
18 Omni's server, and received by Omni's server, and computers owned by those whose  
19 email addresses and domains are hosted by Omni.  
20 21. Omni did not register 'GORDONWORKS.COM'.  
21 22. May 2005 and on-going...Bonnie, Jamila, Jay, Jonathan, and Emily Abbey. Griffin  
22 Online Domain, and Anthony Potts. There are other clients who do not want to be  
23 identified in lawsuits with spammers, as they are concerned that they will become targets  
24 of unlawful spam, and harassed by spammers. These accounts were free for the first year,  
25 subject to data collection by me for research purposes. The local market value of the  
26 account is about \$35.00 per month depending on capacity, services, etc. Addresses will  
be provided subject to a protective order.  
23. See response to No. 13.  
24. Omni has preserved the offending emails on discs (copy of which has been provided to  
defendants); Omni has preserved the original emails in an email program Eudora on cds.  
Omni routinely "deep" cleans (and occasionally replaces its hard drive, runs virus checks,  
removes malware, defragments, and other maintenance due to continued attacks by  
spammers. Many thousands of emails and files are routinely weekly scrubbed from  
Omni's server.  
25. The emails, which have defendant's name in the email or a domain it owns or controls,  
comprise the bulk of the emails in this complaint.