

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
Northern District of California

CIVIL MINUTES

Date: October 7, 2013 **Time:** 5 hrs, 2 mins. **Judge:** WILLIAM H. ORRICK
8:01 a.m. to 1:03 p.m.
Case No.: [13-cv-00133-WHO](#) **Case Name:** United States Of America v. Bazaarvoice, Inc.

Attorneys for Plaintiff: Peter Huston, Michael Bonanno, Aaron Comenetz, John Tierney, Adam Severt, Lisa Scanlon, and Robert Lepore

Attorneys for Defendant: Jonathan Jacobson, Dominique Alepin, Dylan Liddiard, Chul Pak, Andrea Murino, Scott Sher, Boris Feldman, Roisin Comerford, and Franklin M. Rubenstein

Deputy Clerk: Jean Davis

Court Reporters: Jo Ann Bryce and Kathy Sullivan

PROCEEDINGS

Ninth day of bench trial, Monday, October 7, 2013

8:01 a.m. Court in session
 Witness **Tom Meredith** sworn; Defense direct examination (Boris Feldman)
 GX0429 identified - deemed admitted per prior stipulation
 GX1095 identified - deemed admitted per prior stipulation
8:22 a.m. Government redirect of witness Tom Meredith (Peter Huston)
 GX1202 identified and offered into evidence; Defense objection as to foundation,
 overruled; exhibit admitted
 GX0518 and GX1175 reviewed (previously admitted)
8:50 a.m. Defense redirect of witness Tom Meredith (Boris Feldman)
 GX0518 reviewed (previously admitted)
8:53 a.m. Government follow up (Peter Huston)
 GX0424 reviewed (previously admitted)

8:54 a.m. Defense follow up (Boris Feldman)
8:55 a.m. Court queries witness
8:58 a.m. Witness excused
8:59 a.m. Witness **Jason Goldberg** sworn; Defense direct examination (Scott Sher)
Witness offered as an expert in the field of ecommerce - Government objection
Objection taken under advisement and Motion in Limine
9:29 a.m. Court in recess
9:40 a.m. Court in session
Defense direct examination of Jason Goldberg continues (Scott Sher)
Exhibit DX1882 reviewed (previously admitted)
11:15 a.m. Court in recess
11:26 a.m. Court in session
Parties discuss objections: Government withdraws objection to Goldberg's testimony as to Reevoo. Defense agrees to withdraw Mr. Goldberg's opinion as to Amazon Webstore. Parties remain at odds as to the testimony regarding in-house development of ratings and review services, direct comparisons between Power Reviews and other vendors, and the opinion offered as to Amazon.
11:30 a.m. Defense direct examination of Jason Goldberg continues (Scott Sher)
11:53 a.m. Government cross examination of Jason Goldberg (Adam Severt)
12:48 p.m. Defense redirect (Scott Sher)
1:01 p.m. Government follow up (Adam Severt)
GX1248 admitted without objection
DX1859 (redacted) admitted without objection
Government renews objection to witness Jason Goldberg as to content, qualifications, and opinions as to economic matters. Objections are noted and will be considered in the Court's evaluation of testimony.
1:03 p.m. Parties discuss the week's testimony schedule
1:03 p.m. Court in recess
Trial to resume Tuesday, October 8, 2013 at 8:00 a.m.