

# ORIGINAL

UNITED STATES OF AMERICA  
BEFORE THE FEDERAL TRADE COMMISSION

231985  
530468

In the Matter of  
**REALCOMP II LTD.,**  
a corporation.

Docket No. 9320

Public

**COMPLAINT COUNSEL'S OBJECTIONS TO RESPONDENT'S  
COUNTER DEPOSITION DESIGNATIONS**

In accordance with Section 3.33 of the Commission's Rules of Practice (16 C.F.R. §3.33) and the Scheduling Order in this matter, Complaint Counsel provide the following list of specific objections to Respondent's counter deposition designations. In addition, Complaint Counsel reserves the right to use any part of a transcript for the purposes of contradicting or impeaching the testimony of the deponent as a witness, in accordance with Rule 3.33(g)(1).

**Kage, Karen**  
**Investigational Hearing In the Matter of Realcomp II Ltd., Docket No. 9320 (8/23/06)**

**Objections**

13:13-17	Rule 3.33(g)(1)(iv)	81:10-82:5	Rule 3.33(g)(1)(iv)
17:18-18:5	Rule 3.33(g)(1)(iv)	82:15-18	Rule 3.33(g)(1)(iv)
30:19-31:14	Rule 3.33(g)(1)(iv)	83:4-8	Rule 3.33(g)(1)(iv)
31:19-23	Rule 3.33(g)(1)(iv)	92:6-19	Rule 3.33(g)(1)(iv)
37:12-38:5	Rule 3.33(g)(1)(iv)	94:22-24	Rule 3.33(g)(1)(iv)
46:8-14	Rule 3.33(g)(1)(iv)		
60:3-4	Rule 3.33(g)(1)(iv)		
63:9-15	Rule 3.33(g)(1)(iv)		
63:22-25	Rule 3.33(g)(1)(iv)		
72:18-22	Rule 3.33(g)(1)(iv); Partial Answer		
78:9-23	Rule 3.33(g)(1)(iv)		

**Kage, Karen**  
**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (2/20/07)**

**Objections**

28:19-23                      Rule 3.33(g)(1)(iv)

**Bowers, Darralyn**  
**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (2/21/07)**

**Objections**

27:4-20                      Rule 3.33(g)(1)(iv)

**Gleason, Robert**  
**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (2/23/07)**

**Objections**

39:17-40:22                Rule 3.33(g)(1)(iv)  
42:16-44:1                 Rule 3.33(g)(1)(iv)

**Taylor, Robert**  
**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (3/14/07)**

**Objections**

6:23-24                      Rule 3.33(g)(1)(iv)  
33:2-8                        Rule 3.33(g)(1)(iv)  
47:5-12                      Rule 3.33(g)(1)(iv)  
47:16-20                     Rule 3.33(g)(1)(iv)  
88:19-89:2                 Rule 3.33(g)(1)(iv)  
141:24-142:4               Rule 3.33(g)(1)(iv)  
142:16-21                    Rule 3.33(g)(1)(iv)

**Williams, Carl**  
**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (1/17/07)**

**Objections**

7:11-18                      Rule 3.33(g)(1)(iv)  
9:7-12                        Rule 3.33(g)(1)(iv)  
43:16-44:25                Rule 3.33(g)(1)(iv)  
61:4-63:1                    Rule 3.33(g)(1)(iv)

**Elya, David**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (1/2/07)**

**Objections**

33:9-23	Rule 3.33(g)(1)(iv)
76:22-79:24	Rule 3.33(g)(1)(iv)
80:18-81:1	Rule 3.33(g)(1)(iv)

**Mulvihill, Daniel**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (1/31/07)**

**Objections**

35:13-23	Rule 3.33(g)(1)(iv)
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**Nead, Alissa**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (1/2/07)**

**Objections**

5:16-18	Rule 3.33(g)(1)(iv); Incomplete Designation
6:3-6	Rule 3.33(g)(1)(iv); Incomplete Designation
26:10-13	Rule 3.33(g)(1)(iv); Incomplete Designation
64:4-10	Rule 3.33(g)(1)(iv)
79:25-80:4	Incomplete Designation
87:13-14	Incomplete Designation
94:18-19	Incomplete Designation
137:8-23	Rule 3.33(g)(1)(iv)

**Hardy, Douglas**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (2/21/07)**

**Objections**

45:14-47:13	Rule 3.33(g)(1)(iv)
103:23-104:12	Rule 3.33(g)(1)(iv)
106:19-110:4	Rule 3.33(g)(1)(iv)
111:6-115:9	Rule 3.33(g)(1)(iv)
116:5-25	Rule 3.33(g)(1)(iv)
122:3-9	Rule 3.33(g)(1)(iv)
126:24-128:1	Rule 3.33(g)(1)(iv)
132:3-14	Rule 3.33(g)(1)(iv)

**Bratt, Virginia**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (2/27/07)**

**Objections**

92:15-22                      Rule 3.33(g)(1)(iv)

**Nowak, Martin**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (1/30/07)**

**Objections**

None

**Burke, Gerald**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (1/30/07)**

**Objections**

10:4-11:3	Rule 3.33(g)(1)(iv)
14:24-15:24	Rule 3.33(g)(1)(iv)
18:1-8	Rule 3.33(g)(1)(iv)
43:10-16	Rule 3.33(g)(1)(iv)
53:3-13	Rule 3.33(g)(1)(iv)
59:11-60:1	Rule 3.33(g)(1)(iv)
62:8-63:13	Rule 3.33(g)(1)(iv)
70:19-71:20	Rule 3.33(g)(1)(iv)

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10:04-10:05	Page 2
14:14-14:15	Page 3
18:1-18:2	Page 4
43:10-43:11	Page 5
53:3-53:4	Page 6
59:11-59:12	Page 7
62:8-62:9	Page 8
70:19-70:20	Page 9

**Rademacher, Thomas**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (1/31/07)**

**Objections**

33:7-21	Rule 3.33(g)(1)(iv); Incomplete Designation
42:25-44:15	Rule 3.33(g)(1)(iv)
46:12-23	Rule 3.33(g)(1)(iv)

**Baczkowski, Walt**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (1/29/07)**

**Objections**

None

**Cooper, John**  
**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (1/3/07)**

**Objections**

26:18-27:11            Rule 3.33(g)(1)(iv)  
31:17-18                Rule 3.33(g)(1)(iv); Incomplete Designation

**Brant, Michelle**  
**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (1/17/07)**

**Objections**

59:22-60:4            Rule 3.33(g)(1)(iv)

**Tucholski, Ryan**  
**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (1/3/07)**

**Objections**

33:10-35:4            Rule 3.33(g)(1)(iv)

**Niersbach, Clifford**  
**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (3/9/07)**

**Objections**

55:8 - 55:21           Rule 3.33(g)(1)(iv)  
88:4 - 88:11           Rule 3.33(g)(1)(iv); Speculation; Lacks Foundation  
88:15 - 88:23           Rule 3.33(g)(1)(iv); Speculation; Lacks Foundation  
117:4 - 118:19        Rule 3.33(g)(1)(iv)

**Goldberg, Robert**  
**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (3/8/07)**

**Objections**

29:15 - 18             Incomplete designation  
115:1 - 115:23        Rule 3.33(g)(1)(iv)  
133:4 - 133:11        Rule 3.33(g)(1)(iv); Hearsay; Mischaracterizes prior testimony  
137:23 - 139:4        Rule 3.33(g)(1)(iv)

**Dawley, Philip**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (3/20/07)**

**Objections**

68:15 - 68:22 Rule 3.33(g)(1)(iv)  
80:24 - 81:17 Rule 3.33(g)(1)(iv); Hearsay  
83:14 - 84:2 Rule 3.33(g)(1)(iv)  
90:8 - 91:16 Rule 3.33(g)(1)(iv)  
94:6 - 94:22 Rule 3.33(g)(1)(iv)

**Bishop, Paul**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (3/8/07)**

**Objections**

113:16 - 126:2 Rule 3.33(g)(1)(iv)  
127: 23 - 128:25 Rule 3.33(g)(1)(iv)  
119:21 - 121:17 Lacks Foundation; Best Evidence Rule  
121:18 - 123:6 Lacks Foundation; Best Evidence Rule; Hearsay  
123:7 - 123:25 Lacks Foundation; Hearsay  
124:1 - 124:18 Lacks Foundation; Hearsay  
125:22 - 126:2 Lacks Foundation

**Simos, Paul**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (3/20/07)**

**Objections**

30:2 - 30:8 Rule 3.33(g)(1)(iv); Misleading; Speculation  
83:14 - 86:10 Rule 3.33(g)(1)(iv); Misleading; Speculation  
89:23 - 94:2 Rule 3.33(g)(1)(iv)

**Greenspan, Robert**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (3/20/07)**

**Objections**

32:24 - 34:3 Rule 3.33(g)(1)(iv)

**Aronson, Wayne**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (2/16/07)**

**Objections**

18:24-19:22	Speculation; Lacks Foundation
70:14-71:11	Rule 3.33(g)(1)(iv)
85:2-13	Rule 3.33(g)(1)(iv)
87:3-91:25	Rule 3.33(g)(1)(iv)
96:25-98:2	Rule 3.33(g)(1)(iv)
119:20-25	Rule 3.33(g)(1)(iv)

**Groggins, Anita**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (2/7/07)**

**Objections**

24:9-25:18	Rule 3.33(g)(1)(iv)
35:8-36:19	Rule 3.33(g)(1)(iv)
37:9-19	Rule 3.33(g)(1)(iv)
51:14-17	Rule 3.33(g)(1)(iv)

**Kermath, Jeff**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (2/6/07)**

**Objections**

None

**Adams, Dreu**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (2/7/07)**

**Objections**

43:7-13	Incomplete Designation
66:22-67:4	Rule 3.33(g)(1)(iv)
68:7-69:8	Rule 3.33(g)(1)(iv)
84:22-85:5	Rule 3.33(g)(1)(iv)

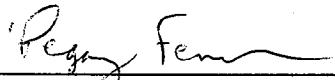
**Kersten, John**

**Deposition In the Matter of Realcomp II Ltd., Docket No. 9320 (3/1/07)**

**Objections**

41:9-42:8	Rule 3.33(g)(1)(iv)
47:13-48:9	Rule 3.33(g)(1)(iv)
49:6-50:20	Rule 3.33(g)(1)(iv)
50:24-54:3	Rule 3.33(g)(1)(iv)

Respectfully submitted,



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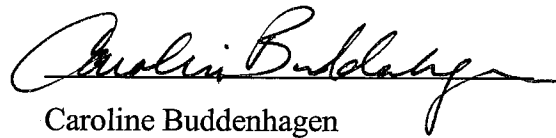


**CERTIFICATE OF SERVICE**

This is to certify that on June 11, 2007, I caused a copy of Complaint Counsel's Objections to Respondent's Counter Deposition Designations to be served upon the following person:

by electronic transmission and overnight courier to:

Scott Mandel, Esq.  
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