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6

7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 FOR THE COUNTY OF LOS ANGELES – WEST DISTRICT

9 ADAM PICK, an individual doing business as) Case No. SC089798
10 Idol Go Home,)
Plaintiff,)
11 vs.) PLAINTIFF’S FIRST SET OF SPECIAL
INTERROGATORIES PROPOUNDED TO
12) DEFENDANT AMERICAN IDOL
13) PRODUCTIONS, INC.
FREMANTLE MEDIA NORTH AMERICA,)
14)
INC., a Delaware corporation; AMERICAN)
15)
IDOL PRODUCTIONS, INC., a California)
16)
corporation; FOX TELEVISION STATIONS,)
17)
INC., a Delaware corporation; and Does 1)
18)
through 10, inclusive,)
Defendants.)
AND RELATED CROSS-ACTION)

19
20 PROPOUNDING PARTY: Plaintiff Adam Pick

21 RESPONDING PARTY: Defendant American Idol Productions, Inc.

22 SET NO.: One
23
24
25

1 TO DEFENDANT AMERICAN IDOL PRODUCTIONS, INC. AND TO ITS ATTORNEYS OF
2 RECORD:

3 Pursuant to section 2030.010 *et seq.* of the California Code of Civil Procedure, Plaintiff
4 Adam Pick hereby requests Defendant American Idol Productions, Inc. to respond, separately
5 and in full, in writing and under oath, to each of the following Special Interrogatories within
6 thirty (30) days after service hereof.

7 DEFINITIONS

8 A. "AMERICAN IDOL" shall mean the television series "American Idol" produced
9 by Defendant AIP in conjunction with 19 TV, Ltd.

10 B. "AMERICAN IDOL BLOG" shall mean any and all of the web pages related to
11 blogs located on the "Blogs" section of "MyIDOL" within the AMERICAN IDOL WEBSITE.

12 C. "AMERICAN IDOL WEBSITE" shall mean any of the official websites for
13 "American Idol" that are operated and run by Defendants or their affiliates, including but not
14 limited to www.americanidol.com and www.idolonfox.com.

15 D. "COMMUNICATIONS" shall mean any act, action, oral speech, written
16 correspondence, contact, expression of words, thoughts, ideas, transmission or exchange of data
17 or other information to another person, whether orally, person-to-person, in a group, by
18 telephone, letter, personal delivery, telex, e-mail, facsimile, recorded message, or any other
19 process – electric, electronic or otherwise. All such communications in writing shall include,
20 without limitation, printed, typed, handwritten, electronic, or other readable documents.

21 E. "COMPLAINT" shall mean the Complaint for Breach of Implied Contract;
22 Interference with Contract; Interference with Prospective Economic Advantage; Fraud;
23 Negligent Misrepresentation; Promissory Estoppel; Declaratory Relief; Injunctive Relief; and
24 Accounting filed on or about May 22, 2006 by Plaintiff Adam Pick entitled *Adam Pick v.*
25 *FremantleMedia North America, Inc., et al.* in the Santa Monica Superior Court, Case No.
SC089798.

1 F. "CROSS-COMPLAINT" shall mean the Cross-Complaint for Trademark
2 Infringement; Federal Unfair Competition; Common Law Unfair Competition; Interference with
3 Contract; and Interference with Prospective Economic Advantage filed on or about July 26, 2006
4 by Defendants/Cross-Complainants FremantleMedia North America, Inc. and American Idol
5 Productions, Inc.

6 G. "DEFENDANTS" shall mean defendants American Idol Productions, Inc.,
7 FremantleMedia North America, Inc. and Fox Television Stations, Inc.

8 H. "DOCUMENT" or "DOCUMENTS" shall have the broadest meaning possible
9 and shall mean and refer to all writings, recordings or photographs, within the scope of
10 California Evidence Code Section 250 and shall include all such material of every kind prepared
11 by, on behalf of, or for, or in AIP'S actual or constructive possession, custody, or control and/or
12 each of AIP'S agents, employees, affiliates, attorneys, accountants, and/or other PERSONS
13 acting on AIP'S behalf or in concert with AIP, or which you can locate or discover by reasonably
14 diligent efforts. "DOCUMENTS" shall mean, without limitation, all correspondence, records,
15 tables, charts, analyses, graphs, schedules, reports, memoranda, notes, lists, calendar and diary
16 entries, letters (sent or received), telegrams, telexes, e-mails, messages, studies, books, circulars,
17 bulletins, instructions, papers, files, minutes, questionnaires, contracts, DRAFTS, agreements,
18 assignments, licenses, ledgers, books of accounts, invoices, statements, bills, checks, vouchers,
19 notebooks, receipts, acknowledgements, data processing cards, photographs, photographic
20 negatives, phonographic records, tape recordings, wire recordings, disc recordings, other
21 electronic or mechanical recordings, transcripts or logs of any such recordings, all other data
22 compilations from which information can be obtained or translated, including but not limited to,
23 any information contained in computers, computer discs, computer drivers, tapes, or otherwise
24 generated and/or stored electronically, and any other tangible things of a similar nature.
25

1 I. "DRAFTS" shall mean any earlier, preliminary, preparatory or tentative version
2 of all or any part of a DOCUMENT, whether or not such draft was superseded by a later draft
3 and whether or not the terms of the draft are the same as or different from the terms of the final
4 DOCUMENT.

5 J. "FANTASY IDOL" shall mean any and all of the web pages relating to fantasy
6 idol games located on the "Fantasy Idol" section of "MyIDOL" within the AMERICAN IDOL
7 WEBSITE.

8 K. "IDENTIFY" shall mean:

9 a. as to a PERSON, stating:

- 10 1. his or her full and customarily used names;
- 11 2. if the PERSON is other than a natural person, a description of the
12 nature of the entity; and
- 13 3. his or her present home and business addresses, including
14 telephone numbers.

15 b. as to a fact or facts, stating:

- 16 1. the full names of any PERSONS involved;
- 17 2. the dates of any events, acts, omissions, or occurrences; and
- 18 3. a detailed recounting of the events.

19 c. as to a DOCUMENT, stating:

- 20 1. the date of its creation, execution and receipt;
- 21 2. its author or signatory;
- 22 3. its addressee and every other recipient or PERSON having
23 knowledge of its contents or whereabouts;
- 24 4. its type or nature (e.g., letter or memorandum, etc.);
- 25

- 1 5. the name and the business and home address of the custodian of
2 the DOCUMENT or its Bates number; and
3 6. the present location of the DOCUMENT.

4 L. “PERSON” shall mean any natural person, corporation, partnership, agency,
5 organization, association, joint venture, government, firm, public entity or any other business
6 enterprise or legal entity, whether or not formally incorporated.

7 M. “PLAINTIFF” and “PICK” shall mean Plaintiff Adam Pick and anyone acting on
8 his behalf.

9 N. “RELATE”, “RELATED”, or “RELATING TO” shall mean all DOCUMENTS
10 which refer to, reflect, record, document, describe, memorialize, embody, show, support, discuss,
11 comprise, evidence, evaluate, consider, verify, refute, identify, review, abstract, transcribe, report
12 on, concern, constitute, or otherwise pertain to, in whole or in part, the subject matter of the
particular request for production of documents.

13 O. “SCAVETTA” shall mean Joseph F. Scavetta, Esq., Director, Legal and Business
14 Affairs of American Idol Productions, Inc.

15 P. “STATE ALL FACTS,” when used in reference to facts, an action, event or
16 occurrence, including a COMMUNICATION, meeting or statement, shall mean: (1) state the
17 date of the action, event or occurrence; (2) state the nature of the action, event or occurrence
18 (e.g., telephone call, meeting, etc.); (3) specify the place where the action, event or occurrence
19 took place; (4) identify every participant and every non-participating witness to the action, event
20 or occurrence; and (5) describe the action, event or occurrence and, if it was a meeting,
21 COMMUNICATION, or statement, state the substance of the matter communicated or discussed.

22 Q. “YOU,” “YOUR” and “AIP” shall mean defendant American Idol Productions,
23 Inc., a California company, and/or any of its past or present parents, subsidiaries, affiliates,
24 related entities, predecessors, segments or divisions thereof, and/or any of their past or present
25 officers, directors, board members, partners, managers, employees, agents, attorneys,

1 accountants and representatives, and/or any other PERSONS acting or purporting to act on its
2 behalf or for its benefit.

3 INSTRUCTIONS

4 1. Please answer these interrogatories as fully and completely as YOU can, and do
5 not construe any interrogatory to limit the scope of any other unless specifically requested.

6 2. If an interrogatory cannot be answered in full after exercising due diligence to
7 secure the information to do so, please so state and answer the interrogatory to the extent
8 possible, specify an inability to answer the remainder of the interrogatory and state whatever
9 information or knowledge is presently available to you concerning the unanswered portion of the
10 interrogatory.

11 3. If it is claimed that the attorney-client privilege or any other privilege is
12 applicable to any DOCUMENT, the identification of which is sought by these interrogatories,
13 the substance of that DOCUMENT need not be disclosed, but with respect to that DOCUMENT
14 state: (1) the nature of the privilege claimed; and (2) a description of the DOCUMENT withheld,
15 including its date, general subject matter contained therein, and the names of the document's
16 author(s) and recipient(s).

17 4. If it is claimed that the attorney-client privilege or any other privilege is
18 applicable to any meeting or other COMMUNICATION, the identification of which is sought by
19 these interrogatories, the substance of that meeting or COMMUNICATION need not be
20 disclosed, but with respect to that meeting or COMMUNICATION state: (1) the nature of the
21 privilege claimed; (2) the date and place of the meeting or COMMUNICATION; and (3) each
22 and every PERSON present for all or any portion of the meeting or COMMUNICATION.
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1 SPECIAL INTERROGATORIES

2 SPECIAL INTERROGATORY NO. 1:

3 STATE ALL FACTS that support YOUR contention that “defendants created every
4 feature of their website independently” as set forth in YOUR attorney’s letter dated August 17,
5 2006 to Jeffrey Valle.

6 SPECIAL INTERROGATORY NO. 2:

7 IDENTIFY all PERSONS with knowledge of the facts set forth in YOUR response to the
8 Interrogatory No. 1.

9 SPECIAL INTERROGATORY NO. 3:

10 IDENTIFY all DOCUMENTS which support, pertain or in any other manner relate to the
11 facts set forth in YOUR response to Interrogatory No. 1.

12 SPECIAL INTERROGATORY NO. 4:

13 STATE ALL FACTS that support YOUR contention that “all features of [defendants’]
14 website . . . were not copied from [plaintiff’s] alleged concepts” as set forth in YOUR attorney’s
15 letter dated August 17, 2006 to Jeffrey Valle.

16 SPECIAL INTERROGATORY NO. 5:

17 IDENTIFY all PERSONS with knowledge of the facts set forth in YOUR response to the
18 Interrogatory No. 4.

19 SPECIAL INTERROGATORY NO. 6:

20 IDENTIFY all DOCUMENTS which support, pertain or in any other manner relate to the
21 facts set forth in YOUR response to Interrogatory No. 4.

22 SPECIAL INTERROGATORY NO. 7:

23 STATE ALL FACTS that support YOUR contention that “IdolGoHome also has a
24 number of other features that directly mimic the ‘look and feel’ and functionality of the
25 American Idol Site” as stated in Thomas A. Guida’s February 16, 2006 letter to PLAINTIFF.

1 SPECIAL INTERROGATORY NO. 8:

2 IDENTIFY all PERSONS with knowledge of the facts set forth in YOUR response to the
3 Interrogatory No. 7.

4 SPECIAL INTERROGATORY NO. 9:

5 IDENTIFY all DOCUMENTS which support, pertain or in any other manner relate to the
6 facts set forth in YOUR response to Interrogatory No. 7.

7 SPECIAL INTERROGATORY NO. 10:

8 STATE ALL FACTS that support YOUR contention that FANTASY IDOL was
9 independently developed and/or created by DEFENDANTS.

10 SPECIAL INTERROGATORY NO. 11:

11 IDENTIFY all PERSONS with knowledge of the facts set forth in YOUR response to the
12 Interrogatory No. 10.

13 SPECIAL INTERROGATORY NO. 12:

14 IDENTIFY all DOCUMENTS which support, pertain or in any other manner relate to the
15 facts set forth in YOUR response to Interrogatory No. 10.

16 SPECIAL INTERROGATORY NO. 13:

17 IDENTIFY all PERSONS who participated in or contributed to the creation and/or
18 development of FANTASY IDOL.

19 SPECIAL INTERROGATORY NO. 14:

20 Does the AMERICAN IDOL WEBSITE incorporate any of the ideas that Adam Pick
21 presented to YOU?

22 SPECIAL INTERROGATORY NO. 15:

23 If YOUR response to Interrogatory No. 14 is yes, IDENTIFY each such idea.
24
25

1 SPECIAL INTERROGATORY NO. 16:

2 If YOUR response to Interrogatory No. 14 is no, STATE ALL FACTS that support
3 YOUR contention.

4 SPECIAL INTERROGATORY NO. 17:

5 IDENTIFY all PERSONS with knowledge of the facts set forth in YOUR response to the
6 Interrogatory No. 14.

7 SPECIAL INTERROGATORY NO. 18:

8 IDENTIFY all DOCUMENTS that support, pertain or in any other manner relate to the
9 facts set forth in YOUR response to Interrogatory No. 14.

10 SPECIAL INTERROGATORY NO. 19:

11 STATE ALL FACTS that support YOUR contention that the “Elimination Play” game on
12 the AMERICAN IDOL WEBSITE was independently developed and/or created by
13 DEFENDANTS.

14 SPECIAL INTERROGATORY NO. 20:

15 IDENTIFY all PERSONS with knowledge of the facts set forth in YOUR response to the
16 Interrogatory No. 19.

17 SPECIAL INTERROGATORY NO. 21:

18 IDENTIFY all DOCUMENTS that support, pertain or in any other manner relate to the
19 facts set forth in YOUR response to Interrogatory No. 19.

20 SPECIAL INTERROGATORY NO. 22:

21 IDENTIFY all PERSONS who participated in or contributed to the creation and/or
22 development of the “Elimination Play” game on the AMERICAN IDOL WEBSITE.

23 SPECIAL INTERROGATORY NO. 23:

24 STATE ALL FACTS that support YOUR contention that the AMERICAN IDOL BLOG
25 was independently developed and/or created by DEFENDANTS.

1 SPECIAL INTERROGATORY NO. 24:

2 IDENTIFY all PERSONS with knowledge of the facts set forth in YOUR response to the
3 Interrogatory No. 23.

4 SPECIAL INTERROGATORY NO. 25:

5 IDENTIFY all DOCUMENTS that support, pertain or in any other manner relate to the
6 facts set forth in YOUR response to Interrogatory No. 23.

7 SPECIAL INTERROGATORY NO. 26:

8 IDENTIFY all PERSONS who participated in or contributed to the creation and/or
9 development of AMERICAN IDOL BLOG.

10 SPECIAL INTERROGATORY NO. 27:

11 STATE ALL FACTS that support YOUR contention in Paragraph 25 of the CROSS-
12 COMPLAINT that “‘IdolGoHome.com’ has features, including a fantasy game, that may be
13 perceived by the public as similar to the independently developed features of Cross-
14 Complainants’ official ‘American Idol’ websites.”

15 SPECIAL INTERROGATORY NO. 28:

16 IDENTIFY each and every PERSON responsible for the origination, creation and/or
17 development of each of the features found on the AMERICAN IDOL WEBSITE that were added
18 to or incorporated into the website after August 19, 2005.

19 SPECIAL INTERROGATORY NO. 29:

20 IDENTIFY each and every PERSON who participated and/or contributed to the design
21 and layout of FANTASY IDOL.

22 SPECIAL INTERROGATORY NO. 30:

23 IDENTIFY each and every PERSON who participated and/or contributed to the design
24 and layout of the “Elimination Play” game on the AMERICAN IDOL WEBSITE.

1 SPECIAL INTERROGATORY NO. 31:

2 IDENTIFY each and every PERSON who participated and/or contributed to the design
3 and layout of AMERICAN IDOL BLOG.

4 SPECIAL INTERROGATORY NO. 32:

5 IDENTIFY all COMMUNICATIONS between AIP, its employees, contractors and/or
6 agents and any PERSON RELATING TO IdolGoHome.Com and/or Adam Pick.

7 SPECIAL INTERROGATORY NO. 33:

8 Describe in detail what SCAVETTA said or communicated to PLAINTIFF during the
9 telephone call that took place on or about August 19, 2005.

10 SPECIAL INTERROGATORY NO. 34:

11 Describe in detail what PLAINTIFF said during the August 19, 2005 telephone call with
12 SCAVETTA.

13 SPECIAL INTERROGATORY NO. 35:

14 With respect to the August 19, 2005 telephone call between PLAINTIFF and
15 SCAVETTA, IDENTIFY any PERSON with whom SCAVETTA spoke about the telephone call.

16 SPECIAL INTERROGATORY NO. 36:

17 Describe in detail what SCAVETTA said or communicated to PLAINTIFF during the
18 telephone call that took place on or about November 14, 2005.

19 SPECIAL INTERROGATORY NO. 37:

20 Describe in detail what PLAINTIFF said during the November 14, 2005 telephone call
21 with SCAVETTA.

22 SPECIAL INTERROGATORY NO. 38:

23 With respect to the November 14, 2005 telephone call between PLAINTIFF and
24 SCAVETTA, IDENTIFY any PERSON with whom SCAVETTA spoke about the telephone call.

1 SPECIAL INTERROGATORY NO. 39:

2 Describe in detail what Jason Turner said or communicated to PLAINTIFF during the
3 telephone call that took place on or about November 15, 2005.

4 SPECIAL INTERROGATORY NO. 40:

5 Describe in detail what PLAINTIFF said during the November 15, 2005 telephone call
6 with Jason Turner.

7 SPECIAL INTERROGATORY NO. 41:

8 With respect to the November 15, 2005 telephone call between PLAINTIFF and Jason
9 Turner, IDENTIFY any PERSON with whom Jason Turner spoke about the telephone call.

10 SPECIAL INTERROGATORY NO. 42:

11 IDENTIFY all COMMUNICATIONS between Thomas A. Guida of Baker Hostetler and
12 PLAINTIFF.

13 SPECIAL INTERROGATORY NO. 43:

14 Describe in detail the substance of each COMMUNICATION identified in YOUR
15 response to the prior interrogatory.

16 SPECIAL INTERROGATORY NO. 44:

17 IDENTIFY all employees, independent contractors, and/or agents of AIP who accessed
18 IdolGoHome.com, including any prototype or beta site, at any time.

19 SPECIAL INTERROGATORY NO. 45:

20 IDENTIFY each COMMUNICATION between YOU and Mike Dreckman RELATING
21 TO IdolGoHome.com and/or PLAINTIFF.

22 SPECIAL INTERROGATORY NO. 46:

23 Describe in detail any and all contributions made and/or services provided by Mike
24 Dreckman to the AMERICAN IDOL WEBSITE.

1 SPECIAL INTERROGATORY NO. 47:

2 State the total pageviews on AMERICAN IDOL BLOG on a daily, weekly and monthly
3 basis from its launch on the AMERICAN IDOL WEBSITE to the present.

4 SPECIAL INTERROGATORY NO. 48:

5 State the number of unique visitors to AMERICAN IDOL BLOG on a daily, weekly and
6 monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

7 SPECIAL INTERROGATORY NO. 49:

8 State the average time spent per user on AMERICAN IDOL BLOG on a daily, weekly
9 and monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

10 SPECIAL INTERROGATORY NO. 50:

11 State the average pageviews per user on AMERICAN IDOL BLOG on a daily, weekly
12 and monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

13 SPECIAL INTERROGATORY NO. 51:

14 State the average advertising impression per user on AMERICAN IDOL BLOG on a
15 daily, weekly and monthly basis from its launch on the AMERICAN IDOL WEBSITE to the
16 present.

17 SPECIAL INTERROGATORY NO. 52:

18 State the total number of advertising impressions on AMERICAN IDOL BLOG on a
19 daily, weekly and monthly basis from its launch on the AMERICAN IDOL WEBSITE to the
20 present.

21 SPECIAL INTERROGATORY NO. 53:

22 State the average cost per thousand of AMERICAN IDOL BLOG on a daily, weekly and
23 monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

1 SPECIAL INTERROGATORY NO. 54:

2 State the average return rate per user on AMERICAN IDOL BLOG on a daily, weekly
3 and monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

4 SPECIAL INTERROGATORY NO. 55:

5 State the blog creation rate per thousand on AMERICAN IDOL BLOG on a daily,
6 weekly and monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

7 SPECIAL INTERROGATORY NO. 56:

8 State the total number of blogs created on AMERICAN IDOL BLOG on a daily, weekly
9 and monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

10 SPECIAL INTERROGATORY NO. 57:

11 State the total number of blogs posted on AMERICAN IDOL BLOG on a daily, weekly
12 and monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

13 SPECIAL INTERROGATORY NO. 58:

14 State the total pageviews on FANTASY IDOL on a daily, weekly and monthly basis
15 from its launch on the AMERICAN IDOL WEBSITE to the present.

16 SPECIAL INTERROGATORY NO. 59:

17 State the number of unique visitors to FANTASY IDOL on a daily, weekly and monthly
18 basis from its launch on the AMERICAN IDOL WEBSITE to the present.

19 SPECIAL INTERROGATORY NO. 60:

20 State the average time spent per user on FANTASY IDOL on a daily, weekly and
21 monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

22 SPECIAL INTERROGATORY NO. 61:

23 State the average pageviews per user on FANTASY IDOL on a daily, weekly and
24 monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

1 SPECIAL INTERROGATORY NO. 62:

2 State the average advertising impression per user on FANTASY IDOL on a daily, weekly
3 and monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

4 SPECIAL INTERROGATORY NO. 63:

5 State the total number of advertising impressions on FANTASY IDOL on a daily, weekly
6 and monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

7 SPECIAL INTERROGATORY NO. 64:

8 State the average cost per thousand of FANTASY IDOL on a daily, weekly and monthly
9 basis from its launch on the AMERICAN IDOL WEBSITE to the present.

10 SPECIAL INTERROGATORY NO. 65:

11 State the average return rate per user on FANTASY IDOL on a daily, weekly and
12 monthly basis from its launch on the AMERICAN IDOL WEBSITE to the present.

13 SPECIAL INTERROGATORY NO. 66:

14 State the total pageviews on the AMERICAN IDOL WEBSITE on a monthly basis from
15 its launch to the present.

16 SPECIAL INTERROGATORY NO. 67:

17 State the number of unique visitors on the AMERICAN IDOL WEBSITE on a monthly
18 basis from its launch to the present.

19 SPECIAL INTERROGATORY NO. 68:

20 State the average time spent per user on the AMERICAN IDOL WEBSITE on a monthly
21 basis from its launch to the present.

22 SPECIAL INTERROGATORY NO. 69:

23 State the average pageviews per user on the AMERICAN IDOL WEBSITE on a monthly
24 basis from its launch to the present.

1 SPECIAL INTERROGATORY NO. 70:

2 State the average advertising impression per user on the AMERICAN IDOL WEBSITE
3 on a monthly basis from its launch to the present.

4 SPECIAL INTERROGATORY NO. 71:

5 State the total number of advertising impressions on the AMERICAN IDOL WEBSITE
6 on a monthly basis from its launch to the present.

7 SPECIAL INTERROGATORY NO. 72:

8 State the average cost per thousand of the AMERICAN IDOL WEBSITE on a monthly
9 basis from its launch to the present.

10 SPECIAL INTERROGATORY NO. 73:

11 State the average return rate per user on the AMERICAN IDOL WEBSITE on a monthly
12 basis from its launch to the present.

13 SPECIAL INTERROGATORY NO. 74:

14 Describe in detail all revenue generated by FANTASY IDOL from its launch to the
15 present.

16 SPECIAL INTERROGATORY NO. 75:

17 Describe in detail all revenue generated by the "Elimination Play" game found on the
18 AMERICAN IDOL WEBSITE from its launch to the present.

19 SPECIAL INTERROGATORY NO. 76:

20 Describe in detail all revenue generated by AMERICAN IDOL BLOG from its launch to
21 the present.

22 SPECIAL INTERROGATORY NO. 77:

23 STATE ALL FACTS which support YOUR contention in paragraph 9 of the CROSS-
24 COMPLAINT that "[S]tarting in or about December 15, 2005, Cross-Defendants infringed the
25 Mark by, *inter alia*, using it as part of the domain name for Pick's website 'IdolGoHome.com.'"

1 SPECIAL INTERROGATORY NO. 78:

2 IDENTIFY all witnesses who have knowledge of YOUR contention in paragraph 9 of the
3 CROSS-COMPLAINT that “[S]tarting in or about December 15, 2005, Cross-Defendants
4 infringed the Mark by, inter alia, using it as part of the domain name for Pick’s website
5 ‘IdolGoHome.com.’”

6 SPECIAL INTERROGATORY NO. 79:

7 STATE ALL FACTS which support YOUR contention in Paragraph 9 of the CROSS-
8 COMPLAINT that PLAINTIFF’s “website improperly offered prizes that included tickets to the
9 taping of the finale of the ‘American Idol’ television show.”

10 SPECIAL INTERROGATORY NO. 80:

11 STATE ALL FACTS which support YOUR contention in paragraph 9 of the CROSS-
12 COMPLAINT that “Cross-Defendants further capitalized on their infringing activities by
13 entering into commercial relationships with numerous third-party advertisers.”

14 SPECIAL INTERROGATORY NO. 81:

15 IDENTIFY all witnesses who have knowledge of YOUR contention in paragraph 9 of the
16 CROSS-COMPLAINT that “Cross-Defendants further capitalized on their infringing activities
17 by entering into commercial relationships with numerous third-party advertisers.”

18 SPECIAL INTERROGATORY NO. 82:

19 STATE ALL FACTS which support YOUR contention in paragraph 10 of the CROSS-
20 COMPLAINT that “Cross-Defendants also infringed the Mark by featuring it prominently on
21 Pick’s website, which, upon information and belief, attracted people interested in the show to
22 that website.”

23 SPECIAL INTERROGATORY NO. 83:

24 IDENTIFY all witnesses who have knowledge of YOUR contention in paragraph 10 of
25 the CROSS-COMPLAINT that “Cross-Defendants also infringed the Mark by featuring it

1 prominently on Pick’s website, which, upon information and belief, attracted people interested in
2 the show to that website.”

3 SPECIAL INTERROGATORY NO. 84:

4 STATE ALL FACTS which support YOUR contention in Paragraph 9 of the CROSS-
5 COMPLAINT that “Pick’s website is not simply a ‘fan’ website, but a commercial venture that
6 Cross-Defendants intentionally created and designed to capitalize on the goodwill of the Mark
7 and profit from its improper and unauthorized use.”

8 SPECIAL INTERROGATORY NO. 85:

9 IDENTIFY all witnesses who have knowledge of YOUR contention in paragraph 9 of the
10 CROSS-COMPLAINT that “Pick’s website is not simply a ‘fan’ website, but a commercial
11 venture that Cross-Defendants intentionally created and designed to capitalize on the goodwill of
12 the Mark and profit from its improper and unauthorized use.”

13 SPECIAL INTERROGATORY NO. 86:

14 STATE ALL FACTS which support YOUR contention in paragraph 10 of the CROSS-
15 COMPLAINT that “Cross-Defendants’ use of the Mark caused and/or is likely to cause
16 confusion, mistake, or deception among consumers as to the source, quality, and nature of Cross-
17 Defendants’ website.”

18 SPECIAL INTERROGATORY NO. 87:

19 IDENTIFY all DOCUMENTS which refer to, reflect, or pertain to YOUR contention in
20 paragraph 10 of the CROSS-COMPLAINT that “Cross-Defendants’ use of the Mark caused
21 and/or is likely to cause confusion, mistake, or deception among consumers as to the source,
22 quality, and nature of Cross-Defendants’ website.”

23 SPECIAL INTERROGATORY NO. 88:

24 IDENTIFY all witnesses who have knowledge of YOUR contention in paragraph 10 of
25 the CROSS-COMPLAINT that “Cross-Defendants’ use of the Mark caused and/or is likely to

1 cause confusion, mistake, or deception among consumers as to the source, quality, and nature of
2 Cross-Defendants' website.”

3 SPECIAL INTERROGATORY NO. 89:

4 STATE ALL FACTS which support YOUR contention in paragraph 10 of the CROSS-
5 COMPLAINT that “Pick’s website also diverted and/or is likely to divert valuable commercial
6 traffic from Cross-Complainants’ official websites for ‘American Idol.’”

7 SPECIAL INTERROGATORY NO. 90:

8 IDENTIFY all DOCUMENTS which refer to, reflect, or pertain to YOUR contention in
9 paragraph 10 of the CROSS-COMPLAINT that “Pick’s website also diverted and/or is likely to
10 divert valuable commercial traffic from Cross-Complainants’ official websites for ‘American
11 Idol.’”

12 SPECIAL INTERROGATORY NO. 91:

13 IDENTIFY all witnesses who have knowledge of YOUR contention in paragraph 10 of
14 the CROSS-COMPLAINT that “Pick’s website also diverted and/or is likely to divert valuable
15 commercial traffic from Cross-Complainants’ official websites for ‘American Idol.’”

16 SPECIAL INTERROGATORY NO. 92:

17 STATE ALL FACTS which support YOUR contention in paragraph 12 of the CROSS-
18 COMPLAINT that “Pick’s infringing use of the Mark with respect to ‘IdolGoHome.com’ is
19 merely part of a pattern and practice of his business strategy, which is based upon capitalizing on
20 the goodwill and commercial value of the ‘American Idol’ franchise and related marks.”

21 SPECIAL INTERROGATORY NO. 93:

22 IDENTIFY all DOCUMENTS which refer to, reflect, or pertain to YOUR contention in
23 paragraph 12 of the CROSS-COMPLAINT that “Pick’s infringing use of the Mark with respect
24 to ‘IdolGoHome.com’ is merely part of a pattern and practice of his business strategy, which is
25

1 based upon capitalizing on the goodwill and commercial value of the ‘American Idol’ franchise
2 and related marks.”

3 SPECIAL INTERROGATORY NO. 94:

4 IDENTIFY all witnesses who have knowledge of YOUR contention in paragraph 12 of
5 the CROSS-COMPLAINT that “Pick’s infringing use of the Mark with respect to
6 ‘IdolGoHome.com’ is merely part of a pattern and practice of his business strategy, which is
7 based upon capitalizing on the goodwill and commercial value of the ‘American Idol’ franchise
8 and related marks.”

9 SPECIAL INTERROGATORY NO. 95:

10 STATE ALL FACTS which support YOUR contention in paragraph 15 of the CROSS-
11 COMPLAINT that “Cross-Complainants are the legal owners of federally registered ‘American
12 Idol’ marks and related intellectual property rights and interests.”

13 SPECIAL INTERROGATORY NO. 96:

14 IDENTIFY all DOCUMENTS which refer to, reflect, or pertain to YOUR contention in
15 paragraph 15 of the CROSS-COMPLAINT that “Cross-Complainants are the legal owners of
16 federally registered ‘American Idol’ marks and related intellectual property rights and interests.”

17 SPECIAL INTERROGATORY NO. 97:

18 STATE ALL FACTS which support YOUR contention in paragraph 17 of the CROSS-
19 COMPLAINT that “Cross-Defendants willfully, intentionally, and with knowledge of Cross-
20 Complainants’ rights, misappropriated the Mark for unauthorized commercial use in interstate
21 commerce.”

22 SPECIAL INTERROGATORY NO. 98:

23 IDENTIFY all DOCUMENTS which refer to, reflect, or pertain to YOUR contention in
24 paragraph 17 of the CROSS-COMPLAINT that “Cross-Defendants willfully, intentionally, and
25

1 with knowledge of Cross-Complainants' rights, misappropriated the Mark for unauthorized
2 commercial use in interstate commerce.”

3 SPECIAL INTERROGATORY NO. 99:

4 IDENTIFY all witnesses who have knowledge of YOUR contention in paragraph 17 of
5 the CROSS-COMPLAINT that “Cross-Defendants willfully, intentionally, and with knowledge
6 of Cross-Complainants' rights, misappropriated the Mark for unauthorized commercial use in
7 interstate commerce.”

8 SPECIAL INTERROGATORY NO. 100:

9 STATE ALL FACTS which support YOUR contention in paragraph 18 of the CROSS-
10 COMPLAINT that “Cross-Defendants' conduct has and will continue to confuse, mislead, and
11 deceive the public into believing that Pick's website is created and/or authorized by Cross-
12 Complainants.”

13 SPECIAL INTERROGATORY NO. 101:

14 IDENTIFY all DOCUMENTS which refer to, reflect or pertain to YOUR contention in
15 paragraph 18 of the CROSS-COMPLAINT that “Cross-Defendants' conduct has and will
16 continue to confuse, mislead, and deceive the public into believing that Pick's website is created
17 and/or authorized by Cross-Complainants.”

18 SPECIAL INTERROGATORY NO. 102:

19 IDENTIFY all witnesses who have knowledge of YOUR contention in paragraph 18 of
20 the CROSS-COMPLAINT that “Cross-Defendants' conduct has and will continue to confuse,
21 mislead, and deceive the public into believing that Pick's website is created and/or authorized by
22 Cross-Complainants.”

23 SPECIAL INTERROGATORY NO. 103:

24 STATE ALL FACTS which support YOUR contention in paragraph 18 of the CROSS-
25 COMPLAINT that “Cross-Defendants' unauthorized conduct and use of the Mark has caused,

1 and continues to cause, Cross-Complainants irreparable harm by trading upon their intellectual
2 property rights and the Mark's goodwill."

3 SPECIAL INTERROGATORY NO. 104:

4 IDENTIFY all DOCUMENTS which refer to, reflect or pertain to YOUR contention in
5 paragraph 18 of the CROSS-COMPLAINT that "Cross-Defendants' unauthorized conduct and
6 use of the Mark has caused, and continues to cause, Cross-Complainants irreparable harm by
7 trading upon their intellectual property rights and the Mark's goodwill."

8 SPECIAL INTERROGATORY NO. 105:

9 IDENTIFY all witnesses who have knowledge of YOUR contention in paragraph 18 of
10 the CROSS-COMPLAINT that "Cross-Defendants' unauthorized conduct and use of the Mark
11 has caused, and continues to cause, Cross-Complainants irreparable harm by trading upon their
12 intellectual property rights and the Mark's goodwill."

13 SPECIAL INTERROGATORY NO. 106:

14 Describe in detail how "[i]t...c[a]me to [y]our attention that [Plaintiff] has registered
15 and/or sponsor a website called 'IdolGoHome.com'" as stated in Mr. Scavetta's January 17,
16 2006 letter to PLAINTIFF.

17 SPECIAL INTERROGATORY NO. 107:

18 STATE ALL FACTS which support YOUR contention in Paragraph 41 of the CROSS-
19 COMPLAINT that "Cross-Defendants interfered with the contractual relationship between
20 Cross-Complainants and their advertisers, sponsors and/or other third parties with respect to the
21 official 'American Idol' websites through actions that resulted in making these contracts more
22 expensive and burdensome."

23 SPECIAL INTERROGATORY NO. 108:

24 IDENTIFY each and every contractual relationship that YOU contend PLAINTIFF
25 interfered with as alleged in Paragraph 41 of the CROSS-COMPLAINT.

1 SPECIAL INTERROGATORY NO. 109:

2 For each contractual relationship identified in YOUR response to Interrogatory No. 108,
3 state the cost of each contract both prior to PLAINTIFF'S alleged interference and after
4 PLAINTIFF'S alleged interference.

5 SPECIAL INTERROGATORY NO. 110:

6 State the amount of the damages YOU claim YOU suffered as a result of PLAINTIFF'S
7 alleged interference with contractual relationships and describe how that amount was calculated.

8 SPECIAL INTERROGATORY NO. 111:

9 STATE ALL FACTS that support YOUR response to Interrogatory No. 110.

10 SPECIAL INTERROGATORY NO. 112:

11 IDENTIFY all DOCUMENTS that support, pertain or in any other manner relate to the
12 facts set forth in YOUR response to Interrogatory No. 111.

13 SPECIAL INTERROGATORY NO. 113:

14 IDENTIFY each and every contractual relationship that YOU contend PLAINTIFF
15 disrupted as alleged in Paragraph 47 of the CROSS-COMPLAINT.

16 SPECIAL INTERROGATORY NO. 114:

17 State the amount of the damages YOU claim YOU suffered as a result of PLAINTIFF'S
18 alleged interference with prospective economic advantage and describe how that amount was
19 calculated.

20 SPECIAL INTERROGATORY NO. 115:

21 STATE ALL FACTS that support YOUR response to Interrogatory No. 114.

22 SPECIAL INTERROGATORY NO. 116:

23 IDENTIFY all DOCUMENTS that support, pertain or in any other manner relate to the
24 facts set forth in YOUR response to Interrogatory No. 114.

1 SPECIAL INTERROGATORY NO. 117:

2 IDENTIFY each and every lawsuit YOU have filed against any PERSON for their
3 alleged unauthorized use of any of the American Idol trademarks and copyrights on an internet
4 website.

5 SPECIAL INTERROGATORY NO. 118:

6 IDENTIFY each and every PERSON to whom YOU have sent a letter demanding that
7 such PERSON cease and desist from using the American Idol trademarks and copyrights on an
8 internet website.

9 SPECIAL INTERROGATORY NO. 119:

10 IDENTIFY each and every website of which YOU are aware, other than the
11 AMERICAN IDOL WEBSITE, that uses “Idol” to refer to AMERICAN IDOL.

12 SPECIAL INTERROGATORY NO. 120:

13 IDENTIFY each and every website of which YOU are aware, other than the
14 AMERICAN IDOL WEBSITE, that features a fantasy game relating to a reality television show.

15 SPECIAL INTERROGATORY NO. 121:

16 IDENTIFY each and every PERSON who supplied information to YOU that YOU used
17 in responding to these interrogatories.

18
19 DATED: August 18, 2006

VALLE & ASSOCIATES

20
21 By: _____
22 Katherine M. Pratt
23 Attorneys for Plaintiff Adam Pick
24
25