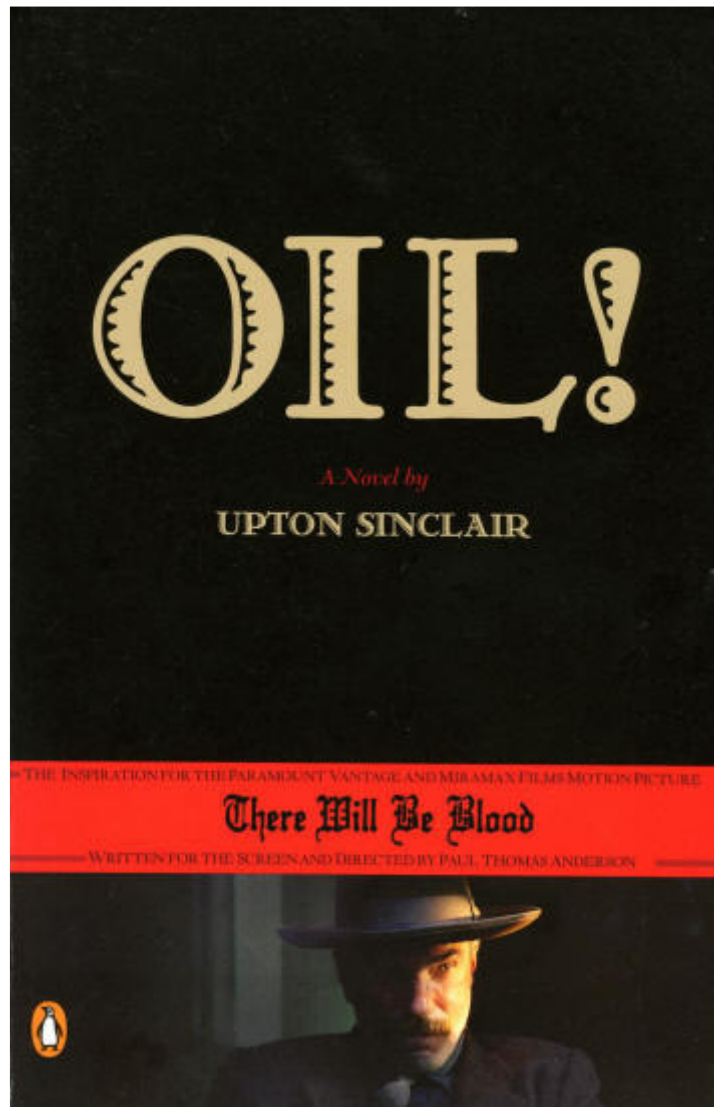


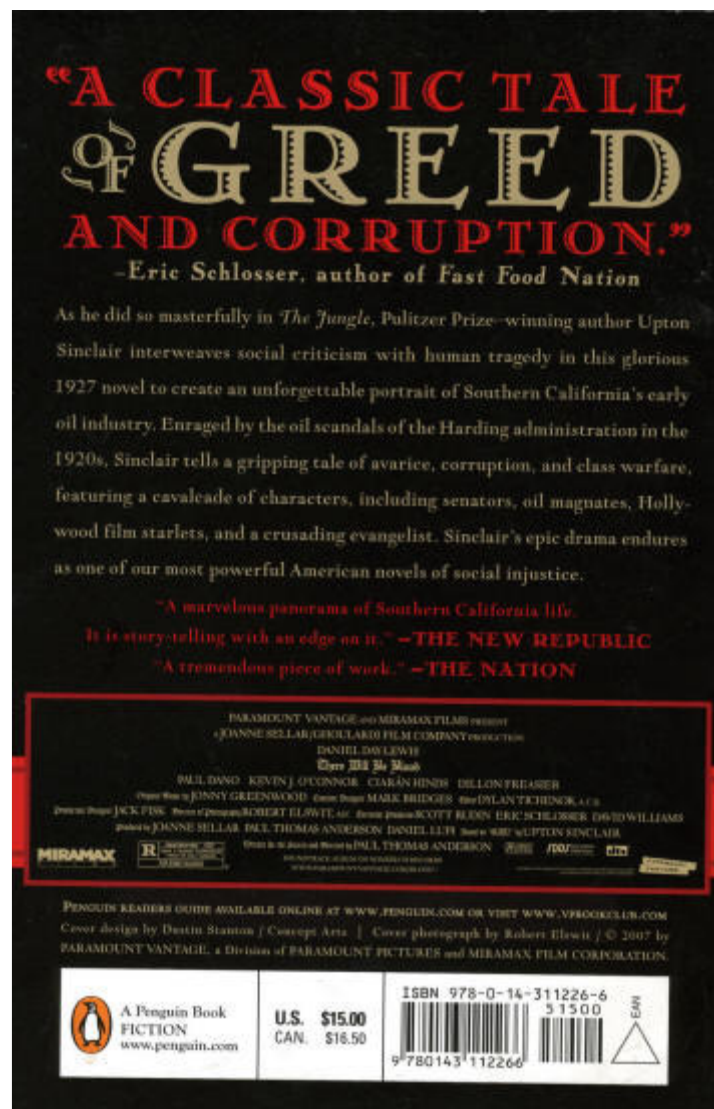
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OIL

© 1926, 1927 Upton Sinclair, 1954 David Sinclair





13 From Interior Dept. Linked to Sex, Payoff Scandal Over U.S. Oil, by Dina Cappiello, 9/11/08

The news affected Beach City as if an angel had appeared in a shining cloud and scattered twenty-dollar gold pieces over the streets. You see, Ross-Bankside No. 1 "proved up" the whole north slope; to tens of thousands of investors, big and little, it meant that a hope was turned into glorious certainty. You couldn't keep such news quiet, it just didn't lie in the possibility of human nature not to tell; the newspapers bulletined the details -- Ross-Bankside was flowing sixteen thousand barrels a day, and the gravity was 32, and as soon as the pipeline was

completed -- which would be by the end of the week -- its owner would be in possession of an income of something over twenty thousand dollars every twenty-four hours. Would you need to be told that the crowds stared at Dad and at Bunny, everywhere they went about the streets of the city? There goes the great J. Arnold Ross, owner of the new well! And that little chap is his son! Say, he's got thirteen dollars coming to him every minute of the day or night, whether he's awake or asleep. By God, a fellow would feel he could afford to order his lunch, if he was to have an income like that!

Bunny couldn't help but get a sense of importance, and think that he was something special and wonderful. Little thrills ran over him; he felt as if he could run up into the air and fly. And then Dad would say: "Take it easy, son! Keep your mouth shut, and don't go a-gettin' your head swelled.

Remember, you didn't make this here money, and you can lose it in no time, if you're a light-weight."

Dad was a sensible fellow, you see; he had been through all this before, first at Antelope, and then at Lobos River. He had felt the temptation of grandeur, and knew what it must be to a boy. It was pleasant to have a lot of money; but you must set up a skeleton at the feast, and while you quaffed the wine of success, you must hear a voice behind you whispering, "Memento mori!"

Oil, by Upton Sinclair

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UPTON SINCLAIR was born into an impoverished Baltimore family on September 20, 1878. At fifteen, he began writing a series of dime novels in order to pay for his education at the City College of New York. He was later accepted to do graduate work at Columbia, and while there he published a number of novels, including *The Journal of Arthur Stirling* (1903) and *Manassas* (1904).

Sinclair's breakthrough came in 1906 with the publication of *The Jungle*, a scathing indictment of the vile health and working conditions of the Chicago meatpacking industry. The work, which won him great literary praise, helped in the passage of the pure food laws during the Progressive Era. He also joined the company of several writers and journalists of the time who were branded as "muckrakers" by President Theodore Roosevelt.

Sinclair used the money from *The Jungle* to begin a utopian experiment, the Helicon Hall Colony of Englewood, New Jersey. In 1915 he moved to California where he unsuccessfully ran for public office on four occasions. He wrote several politically progressive pamphlets and became a powerful figure in California's Democratic party, almost winning the governorship in 1934. After his defeat he continued to write books. Other works include *King Coal* (1917); *Jimmie Higgins* (1919); *The Goose-Step* (1923); *Oil!* (1927); *Boston* (1928); *World's End* (1940); *Dragon's Teeth* (1942), which won him a Pulitzer Prize; *O Shepherd, Speak!* (1949); and *Another Pamela* (1950).

Shuffle the cards, and deal a new round of poker hands: they differ in every way from the previous round, and yet it is the same pack of cards, and the same game, with the same spirit, the players grim-faced and silent, surrounded by a haze of tobacco-smoke.

So with this novel, a picture of civilization in Southern California, as the writer has observed it during eleven years' residence. The picture is the truth, and the great mass of detail actually exists. But the cards have been shuffled; names, places, dates, details of character, episodes -- everything has been dealt over again. The only personalities to be recognized in this book are three presidents of the United States who have held office during the past fifteen years. Manifestly, one could not "shuffle" these, without destroying all sense of reality. But the reader who spends his time seeking to identify oil magnates and moving picture stars will be wasting time, and perhaps doing injustice to some individual, who may happen to have shot off his toe to collect accident insurance, but may not happen to be keeping a mistress or to have bribed a cabinet official.

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IT CAN'T HAPPEN HERE

by Sinclair Lewis
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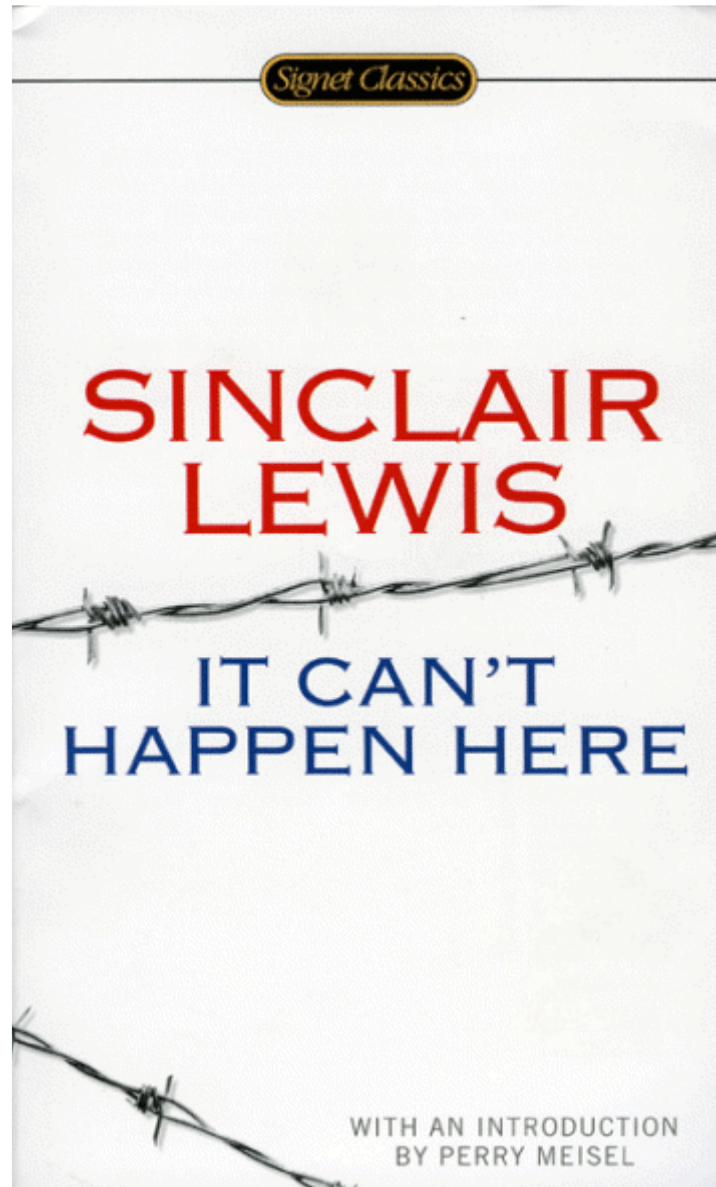


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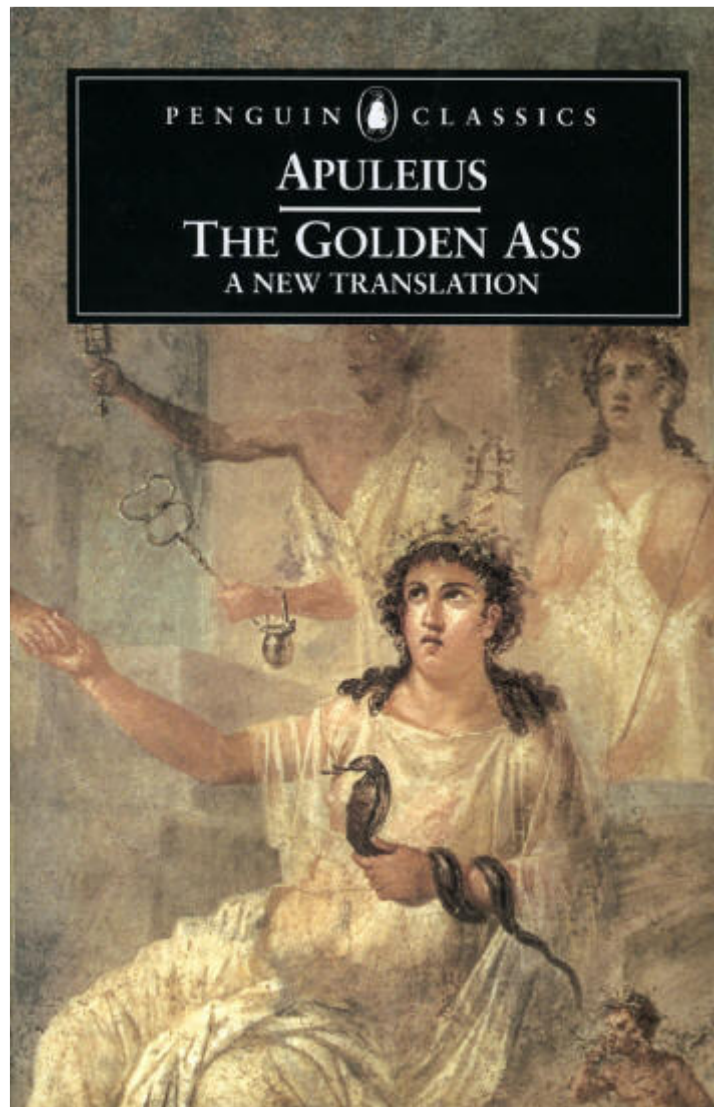
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THE GOLDEN ASS, OR METAMORPHOSES

by Apuleius, translated by E. J. Kenney
© 1998 by E. J. Kenney



[American-Buddha Librarian's Note: You're an ass if you read this book with anything but scorn for the rampant sadism, misogyny, pornography, homosexuality and superstitious ideas presented herein under the guise of "amusing gossip." This is terrorism in literature, a story of female sacrifice and hell on earth made into a "classic." You want to know what magic is?

It's the "art" of making women into witches, and the world into
a charnel ground.]

"At that moment, I remember, I saw the earth opening
and the depths of Hell, and Cerberus hungering for me;
and I realized that it wasn't in pity that dear old Meroe
had spared my life, but in a spirit of sadism, saving me
for the cross."

"There was nothing I looked at in the city that I didn't
believe to be other than what it was: I imagined that
everything everywhere had been changed by some
infernal spell into a different shape -- I thought the very
stones I stumbled against must be petrified human
beings. I thought the birds I heard singing and the trees
growing around the city walls had acquired their
feathers and leaves in the same way, and I thought the
fountains were liquefied human bodies. I expected
statues and pictures to start walking, walls to speak,
oxen and other cattle to utter prophecies, and oracles to
issue suddenly from the very sky or from the bright
sun."

"While they were voraciously dispatching everything
in sight they started to deliberate about our punishment
and their revenge. As usual in such an unruly crowd
there was lively disagreement. One wanted the girl to
be burned alive, another said she should be thrown to
the beasts, a third thought she should be crucified, and
a fourth was all for torturing her to death; the one point
on which they were unanimous was that die she must.

Then, when the hubbub had died down, one quietly
took up the running. 'It is repugnant,' he said, 'both to
our principles as professionals and our humanity as
individuals, not to mention my own ideas of
moderation, to allow you to punish this crime more
savagely than it merits. Rather than invoking the beasts
or the cross or fire or torture, or even giving her a quick
death, if you will be guided by me you will grant the
girl her life -- but in the form that she deserves. You
won't, I'm sure, have forgotten what you've already
decided to do with that bone-idle ass that does nothing
but eat; deceitful too, shamming lame and aiding and
abetting the girl's escape. My proposal therefore is that

tomorrow we slaughter him, remove his insides, and sew the girl up in his belly naked -- since he prefers her company to ours -- with just her head showing and the rest of her hugged tight in his bestial embrace. Then we'll leave this dainty dish of stuffed donkey on some rocky crag to cook in the heat of the sun. In that way both of them will undergo all the punishments to which you have so justly sentenced them. The ass will die as he richly deserves; the girl will be torn by beasts when the worms gnaw her, she will be roasted when the blazing sun scorches the ass's belly, and she will be gibbeted when the dogs and vultures drag out her entrails. And think of all her other sufferings and torments: to dwell alive in the belly of a dead animal, to suffocate in an intolerable stench, to waste away and die of prolonged fasting, and not even to have her hands free to compass her own death."

"In the hall of my house I shall dedicate a picture of this flight of ours. People will come to see it, and the artless story of 'The Princess who escaped from Captivity on the back of an Ass' will be told around the world and immortalized in the pages of the learned. You too will join the catalogue of the Wonders of Old, and your true example will lead us to believe that Phrixus really did make his crossing on the ram, that Arion rode the dolphin, and that Europa perched on the bull."

-- "The Golden Ass," by Apeleius





[Fat Cowboy] Did you ever see a catfish riding on a yellow jackass before?
[Toothless Cowboy] Not that I can remember.
[Dr. Lao] No touch. Him Golden Ass of Apuleius. Him very mean.
-- Seven Faces of Dr. Lao -- Illustrated Screenplay & Screencap Gallery, directed by George Pal

"The true name of Satan, the Kabalists say, is that of Yahveh reversed; for Satan is not a black god, but the

negation of God. The Devil is the personification of Atheism or Idolatry.

For the Initiates, this is not a Person, but a Force, created for good, but which may serve for evil. It is the instrument of Liberty or Free Will. They represent this Force, which presides over the physical generation, under the mythologic and horned form of the God PAN; thence came the he-goat of the Sabbat, brother of the Ancient Serpent, and the Light-bearer or Phosphor, of which the poets have made the false Lucifer of the legend.

Gold, to the eyes of the Initiates, is Light condensed. They style the sacred numbers of the Kabalah "golden numbers," and the moral teachings of Pythagoras his "golden verses." For the same reason, a mysterious book of Apuleius, in which an ass figures largely, was called "The Golden Ass."

The Pagans accused the Christians of worshipping an ass, and they did not invent this reproach, but it came from the Samaritan Jews, who, figuring the data of the Kabalah in regard to the Divinity by Egyptian symbols, also represented the Intelligence by the figure of the Magical Star adored under the name of Remphan, Science under the emblem of Anubis, whose name they changed to Nibbas, and the vulgar faith or credulity under the figure of Thartac, a god represented with a book, a cloak, and the head of an ass. According to the Samaritan Doctors, Christianity was the reign of Thartac, blind Faith and vulgar credulity erected into a universal oracle, and preferred to Intelligence and Science.

"Morals and Dogma," by Albert Pike

Female Sacrifice, by Tara Carreon
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APULEIUS was born about AD 125 in Madaura or Madauros (modern Mdaurus), a Roman colony in the North African province of Numidia. His father, from whom he inherited a substantial fortune, was one of the two chief magistrates

(duouiri) of the city. For his education Apuleius was sent first to Carthage, the capital of Roman North Africa, and then to Athens. During his time abroad he traveled widely, spending some time in Rome, where he practised as a pleader in the courts. While detained by illness on his way home at Oea in Tripoli, he met and married the wealthy widow Pudentilla. This was at the instance of one of her sons, whom he had known at Rome; but other members of her family objected and prosecuted Apuleius on various charges, principally that of winning Pudentilla's affections by magic. Their accusations were brilliantly and it would seem successfully rebutted by Apuleius in his *Apology*, delivered in or shortly, before AD 160. He appears to have spent the rest of his life in Carthage, where he became a notable public figure, holding the chief priesthood of the province and honoured with a statue. His contemporary reputation rested on his neo-Platonic philosophical writings, of which the most important that survive are *On the God of Socrates* (*De deo Socratis*) and *On Plato and His Doctrine* (*De Platone et eius dogmate*), and on his oratory, of which we have excerpted specimens in his *Florida*. The modern world knows him best as the author of the great serio-comic novel *The Golden Ass* or *Transformations* (*Metamorphoses*), which he is generally thought to have written after his return to Carthage. He probably died about AD 180.

E. J. KENNEY is Emeritus Kennedy Professor of Latin in the University of Cambridge. He was born in 1924 and was educated at Christ's Hospital and Trinity College, Cambridge, of which he was Scholar and Fellow. In the Second World War he served in the Royal Signals in the United Kingdom and India, being commissioned in 1944. From 1953 to 1991 he was a Fellow of Peterhouse, Cambridge, where at various times he held the offices of Director of Studies in Classics, Senior Tutor, Librarian and Domestic Bursar. His publications include a critical edition of Ovid's amatory works (1961; second edition, 1995) and editions with commentary of Lucretius' *De rerum natura* III (1971), Apuleius' *Cupid and Psyche* (1990) and Ovid's *Heroides* XVI-XXI (1996); and he is currently preparing a commentary on Books VII-IX of Ovid's *Metamorphoses*. In 1968 he was Sather Professor of Classical Literature at the University of California at Berkeley; his lectures were published in 1974 as *The Classical Text* (Italian translation, 1995). He is a Fellow of the British Academy and a Foreign Member of the Royal Netherlands Academy of Arts and Sciences.

Acknowledgements

For various advice and information generously given I am indebted to Dr James Carleton Paget, Dr Gillian Clark, Professor John Crook and Dr Emily Gowers.

My most fundamental debt, however, is a very old one, to the framers of the Cambridge Classical Tripos as it was in 1946-8. In those days Part I had no syllabus of prescribed texts, and its unstructured character encouraged the discursive exploration of Greek and Latin literature. Unprompted, I then first read *The Golden Ass*, as its author intended, for pleasure; a pleasure which, half a century later, it has been a delight to renew, and which I hope this translation may help a new generation of readers to share.

Abbreviations

OCD S. Hornblower and A. Spawforth (eds.), *The Oxford Classical Dictionary*, 3rd edn. (Oxford, 1996).

OLD P. G. W. Glare (ed.), *Oxford Latin Dictionary* (Oxford, 1982).

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ON THE NATURE OF THE UNIVERSE

by Lucretius

Translated by R. E. Latham

© 1951 by R. E. Latham

Revision, introduction and notes © John Godwin, 1994

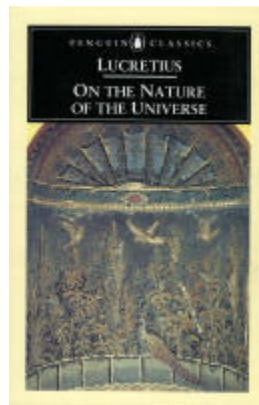


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TITUS LUCRETIUS CARUS must have been born soon after 100 BC and was probably already dead when his poem was given to the world in 11 BC. Almost nothing is known about his life. He was a Roman citizen and a friend of Gaius Memmius, an eminent Roman statesman, and his poem was read and admired by Cicero. It is doubtful if there is any truth in the story preserved by St Jerome and immortalized by Tennyson that he died at his own hand after being driven mad by a love philtre.

RONALD LATHAM also translated *The Travels of Marco Polo* for the Penguin Classics. Born in Northumberland in 1907, he graduated from Balliol College, Oxford, being appointed Lecturer in Latin at Queen's University, Belfast. From 1934 until 1967, with the exception of the war years, he was an Assistant Keeper of Public Records. Ronald Latham was an OBE and a Fellow of the Society of Antiquaries. His other publications include *In Quest of Civilization, Finding out About the Normans*, and he edited the *Revised Medieval Latin Word List from British and Irish Sources*, in the British Academy Series. He was also the original editor of the *Oxford Dictionary of Medieval Latin from British Sources*. He died in 1992.

JOHN GODWIN is Head of the Classics Faculty at Shrewsbury School. He was born in 1911 and educated at St Bede's College, Manchester, University College, Oxford, and the University of Kent at Canterbury. He wrote his Ph.D. thesis on 'Aesthetic Ethics in the *de rerum natura* of Lucretius' and has published separate editions of books four and six of the poems, as well as a full edition, translation and commentary on all the surviving poetry of Catullus.

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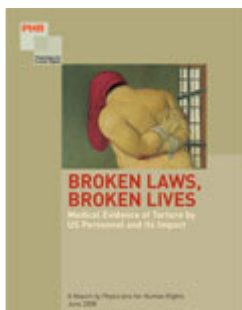
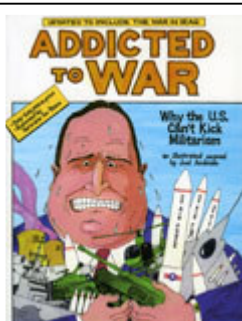
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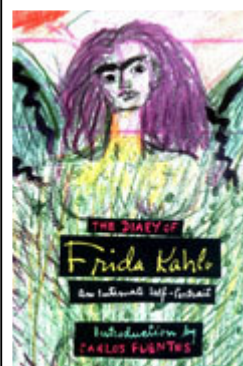
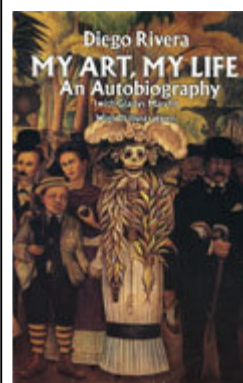
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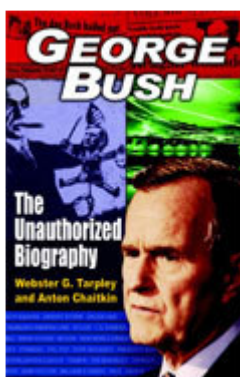
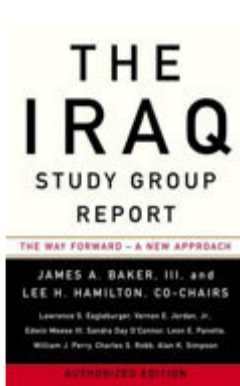
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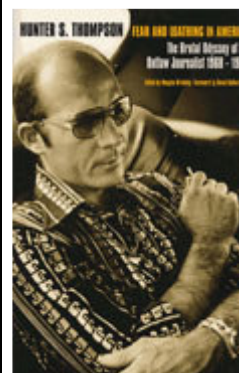
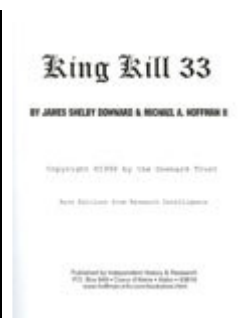
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Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we

are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. In a political system grounded in an informed citizenry, we are members of a profession explicitly committed to intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

- I. We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.
- II. We uphold the

- principles of intellectual freedom and resist all efforts to censor library resources.
- III. We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.
 - IV. We respect intellectual property rights and advocate balance between the interests of information users and rights holders.
 - V. We treat co-workers and other colleagues with respect, fairness, and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.
 - VI. We do not advance private interests at the expense of library users, colleagues, or our employing institutions.
 - VII. We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their

information resources.

VIII. We strive for excellence in the profession by maintaining and enhancing our own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

Adopted at the 1939 Midwinter Meeting by the ALA Council; amended June 30, 1981; June 28, 1995; and January 22, 2008.

Legal
Representation for
American Buddha
provided by
Online Media
Law, PLLC

Charles' Primer of
Online Media Law

American Buddha
Online Library

Raging Blog

Exhibit 6

Cowan, Liebowitz & Latman, P.C.

LAW OFFICES

1133 Avenue of the Americas • New York, NY 10036-6799

(212) 790-9200 • www.cll.com • Fax (212) 575-0671

Richard Dannay
Direct (212) 790-9256
rxd@cll.com

December 18, 2008

By Email: chas@charlescarreon.com

Charles Carreon, Esq.
Online Media Law, PLLC
Tucson, Arizona

Re: American Buddha
The Ralph Nader Library

Dear Mr. Carreon:

I represent Penguin Group (USA) Inc., publisher under its imprint, Penguin Classics, of the new translation of *The Golden Ass* by Apuleius.

Your client, the online Ralph Nader Library, a project of American Buddha, has posted the entire text of this new translation online, without permission or license from Penguin, the copyright owner of the translation. While the underlying work is in the public domain, the translation is fully protected by copyright as a derivative work.

The reproduction and distribution online of the translation are violations of Penguin's copyright. The reproduction and distribution of an entire copyrighted work in these circumstances is not fair use under Section 107 of the Copyright Act. Nor is there any privilege or exemption available under Section 108 of the Copyright Act. Section 108 permits libraries and archives to reproduce and distribute copies under certain circumstances. However, Section 108 does not apply to virtual-only libraries and archives, those that do not conduct their operations through physical premises. The online Nader Library is thus not eligible to take advantage of the Section 108 exceptions. The Section 108 Study Group Report (March 2008), sponsored by the United States Copyright Office and the Library of Congress, made no recommendation that Section 108 be amended to cover virtual-only libraries and archives.

Cowan, Liebowitz & Latman, P.C.

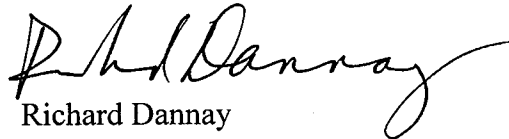
Charles Carreon, Esq.

December 18, 2008

Page 2

On behalf of Penguin, I request that your client immediately remove the Penguin work from its online library and confirm that in writing. We look forward to your client's prompt cooperation so that any legal action may be avoided.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Richard Dannay", with a stylized, flowing script.

Richard Dannay

cc: Alexander Gigante, Esq.
Vice President for Legal Affairs
& Corporate Counsel
Penguin Group

Exhibit 7



ONLINE MEDIA LAW, PLLC

Charles Carreon, Attorney at Law
2165 S. Avenida Planeta
Tucson, Arizona 85710
chas@charlescarreon.com
Telephone: 520-841-0835

December 18, 2008

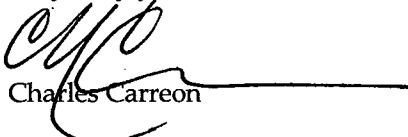
Richard Dannay
Cowan, Liebowitz & Latman, P.C.
1133 Avenue of the Americas
New York, NY 10036-6799

Re: *The Golden Ass*

Dear Mr. Dannay:

Responding to your letter of today's date received as PDF via email, according to the volume in question, the copyright on the 1998 translation of the ancient classic *The Golden Ass* of Apuleius, is held by the author, E.J. Kenney. According to the U.S. Copyright Office, Mr. Kenney does not appear to have registered his copyright. I have printed the relevant search page into the PDF that is sent herewith. Accordingly, I would respectfully request that you clarify your standing as counsel pertinent to this title before we proceed to discuss it further.

Very truly yours,


Charles Carreon

CC:tlc

Copyright

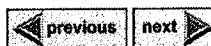
United States Copyright Office

[Help](#)[Search](#)[History](#)[Titles](#)[Start Over](#)**Public Catalog**

Copyright Catalog (1978 to present)

Search Request: Left Anchored Name = apuleius

Search Results: Displaying 1 through 7 of 7 entries.



Resort results by:

[Set Search Limits](#)

#	Name (NALL) <	Full Title	Copyright Number	Date
<input type="checkbox"/> [1]	Apuleius	Amor and Psyche: the psychic development of the feminine; a commentary on the tale by Apuleius. By Erich Neumann, translator: Princeton University Press, employer for hire of Ralph Manheim.	RE0000202506	1956
<input type="checkbox"/> [2]	Apuleius	Apuleius : Metamorphoses : vol. 1-2 / edited and translated by J. Arthur Hanson.	TX0003432928	1990
<input type="checkbox"/> [3]	Apuleius	Apuleius: The Golden ass. By Robert Ranke Graves.	RE0000007741	1950
<input type="checkbox"/> [4]	Apuleius	Golden ass. By Apuleius, translated by William Adlington, edited, with an introd., by Crowell-Collier Publishing Company, employer for hire of Harry C. Schnur.	RE0000500998	1962
<input type="checkbox"/> [5]	Apuleius	I am an ass! / by Boris Imas.	PAu001140400	1988
<input type="checkbox"/> [6]	Apuleius, Lucius	Tale of Cupid and Psyche / Lucius Apuleius ; translated by Robert Graves ; illustrated by Roberta Arenson ; introd. by Marion Woodman.	TX0003549554	1993
<input type="checkbox"/> [7]	Apuleius, Lucius	Tale of Cupid and Psyche / Lucius Apuleius ; translated by Robert Graves ; illustrated by Roberta Arenson ; introd. by Marion Woodman.	TX0003926852	1993

[Set Search Limits](#)

Resort results by:

[Clear Selected](#)[Retain Selected](#)

Save, Print and Email (Help Page)	
Records	Select Format: Full Record Format for Print/Save
<input type="radio"/> All on Page <input checked="" type="radio"/> Selected On Page <input type="radio"/> Selected all Pages	Enter your email address: <input type="text"/> Email

Search for: apuleius

Search by: Name (Crichton Michael; Walt Disney Company)

Item type: None

25 records per page

[Submit](#)[Reset](#)
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[Titles](#)
[Start Over](#)

Exhibit 8

Cowan, Liebowitz & Latman, P.C.

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Richard Dannay
Direct (212) 790-9256
rxl@cll.com

December 23, 2008

By Email: chas@charlescarreon.com

Charles Carreon, Esq.
Online Media Law, PLLC
2165 S. Avenida Planeta
Tucson, Arizona 85710

Re: American Buddha
The Ralph Nader Library

Dear Mr. Carreon:

This replies to your December 18 letter, which I received by ordinary mail today, responding to my letter of the same date sent by email.

I believe your letter confuses copyright registration and copyright ownership. My client, Penguin Group (USA) Inc., is the publisher of the E.J. Kenney translation of *The Golden Ass* by Apuleius. Penguin holds the exclusive publishing rights in the translation under contract with the translator. Penguin is, therefore, the copyright owner with respect to the rights exclusively licensed, 17 U.S.C. § 101 (“copyright owner” definition) and § 106, and has standing to sue for their infringement, 17 U.S.C. § 501(a), (b). Registration of copyright is not a condition of copyright protection, 17 U.S.C. § 408(a), and may be made at any time before suit is filed, 17 U.S.C. § 411(a).

In short, Penguin is the copyright owner of the rights your client, the online Ralph Nader Library (project of American Buddha), has infringed. Your client has reproduced and distributed the entire translation online, violating Penguin’s exclusive rights of copyright. Reproduction and distribution of an entire copyrighted work is not fair use under Section 107 of the Copyright Act. And your client is not qualified for the Section 108 exception, which does not apply to virtual-only libraries and archives, i.e., those that do not conduct their operations through physical premises.

Cowan, Liebowitz & Latman, P.C.

Charles Carreon, Esq.

December 23, 2008

Page 2

As the Senate Report accompanying the DMCA states:

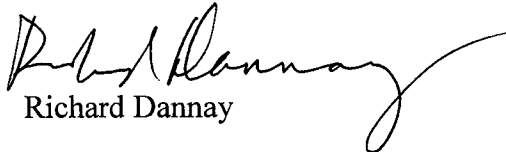
[T]he Committee wants to make clear that, just as when section 108 of the Copyright Act was first enacted, the term “libraries” and “archives” as used and described in this provision still refer to such institutions only in the conventional sense of entities that are established as, and conduct their operations through, physical premises in which collections of information may be used by researchers and other members of the public. Although online interactive digital networks have since given birth to online digital “libraries” and “archives” that exist only in the virtual (rather than physical) sense on websites, bulletin boards and homepages across the Internet, it is not the Committee’s intent that section 108 as revised apply to such collections of information. The ease with which such sites are established online literally allows anyone to create his or her own digital “library” or “archives.” The extension of the application of section 108 to all such sites would be tantamount to creating an exception to the exclusive rights of copyright holders that would permit any person who has an online website, bulletin board or a homepage to freely reproduce and distribute copyrighted works. Such an exemption would swallow the general rule and severely impair the copyright owners’ right and ability to commercially exploit their copyrighted works. Consequently, the Committee intends that references to “the premises of the library or archives” in amended sections 108(b)(2) and (c)(2) mean only physical premises.

S. Rep. No. 105-190, at 62.

On behalf of Penguin, I again request that your client immediately remove the Penguin work from its online library and confirm that in writing to me. And we again request your client’s prompt compliance so that legal action may be avoided.

Please send your response (or a copy) by email.

Sincerely yours,


Richard Dannay

cc: Alexander Gigante, Esq.
Vice President for Legal Affairs
& Corporate Counsel
Penguin Group

Exhibit 9



ONLINE MEDIA LAW, PLLC

Charles Carreon, Attorney at Law
2165 S. Avenida Planeta
Tucson, Arizona 85710
chas@charlescarreon.com
Telephone: 520-841-0835

December 23, 2008

Richard Dannay
Cowan, Liebowitz & Latman, P.C.
1133 Avenue of the Americas
New York, NY 10036-6799

Re: *The Golden Ass*

Dear Mr. Dannay:

It has always been American Buddha's policy to adhere to its own reasonably-interpreted understanding of the copyright laws. While conceding nothing in your letter of today's date, either factually or legally, it refers to the DMCA, which establishes a point of potential agreement between us. American Buddha always responds with alacrity to every properly-formed DMCA notice that it receives. Since your letter seems to assert the grounds that would entitle your client, if it were able to make the same statements under oath and with the other requirements set forth in 17 U.S.C. § 512(c)(3), to serve a DMCA notice on American Buddha's designated agent for service of DMCA notices, my client would invite that action. As shown on the form filed with the U.S. Copyright office, a copy of which is enclosed herewith, American Buddha is an OSP, and its agent for service of DMCA notices is Mr. Jacob Hammond, whose email address is as shown on the form, enclosed herewith – jacobhammond@gmail.com. (His street address has changed and needs to be amended, so please use email to send any DMCA notice.) Upon receipt of the DMCA notice, which includes averment of authorization to act on behalf of the copyright-holder, American Buddha will respond to your demand with a prompt takedown.

Very truly yours,


Charles Carreon

CC:tlc

**Interim Designation of Agent to Receive Notification
of Claimed Infringement**

Full Legal Name of Service Provider: American Buddha, an Oregon nonprofit
religious corporation

Alternative Name(s) of Service Provider (including all names under which the service
provider is doing business): American-Buddha.com, American Buddha Online Library,
ABOL

Address of Service Provider: 1131 Barrington Circle, Ashland, Oregon 97520

Name of Agent Designated to Receive
Notification of Claimed Infringement: Pine Creek Hosting, LLC

Full Address of Designated Agent to which Notification Should be Sent (a P.O. Box
or similar designation is not acceptable except where it is the only address that can be used in the geographic
location):
Pine Creek Hosting, LLC, Jacob Hammond, 4930 Lake Catherine Ct., Richmond, TX 77469

Telephone Number of Designated Agent: 713-898-7957

Facsimile Number of Designated Agent: _____

Email Address of Designated Agent: jacobhammond@gmail.com

Signature of Officer or Representative of the Designating Service Provider:

Date: December 26, 2006

Typed or Printed Name and Title: Tara Carreon, President, American Buddha

SCANNED 01 23 - 2006

**Note: This Interim Designation Must be Accompanied by a \$80 Filing Fee
Made Payable to the Register of Copyrights.**



RECEIVED

**NOV 27 2006
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Exhibit 10

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Richard Dannay
Direct (212) 790-9256
rxd@cll.com

January 5, 2009

Via Email: jacobhammond@gmail.com; chas@charlescarreon.com

Jacob Hammond
Pine Creek Hosting, LLC

Re: Notification of Copyright Infringement

Dear Mr. Hammond:

We are intellectual property counsel to Penguin Group (USA) Inc. ("Penguin"), copyright owner of the new translation by E. J. Kenney of *The Golden Ass* by Apuleius (the "Work"). It has come to our attention that the website located at www.naderlibrary.com (the "Website") has, without permission or license from Penguin, posted the entire text of the Work online. This letter is to serve as notification of this infringement pursuant to Section 512(c) of the Copyright Act, 17 U.S.C. § 512(c).

The WHOIS information for the Website indicates that the Administrative Contact for the site is Charles Carreon; and a notice on the Website itself directs that "DMCA Notices [be sent] to The Ralph Nader Library's Legal Representative" via a link to Mr. Carreon's email address, chas@charlescarreon.com. Mr. Carreon, however, has represented to us that the service provider for the Website is American Buddha, an Oregon nonprofit religious corporation, and that you are American Buddha's agent for service of DMCA notices. (You are in fact designated on the Copyright Office's Directory of Service Provider Agents as Agent for American-Buddha.com and for American Buddha Online Library; however, as far as we can determine no designation of an Agent for the Website has been effected in the Copyright Office.)

Accordingly, we provide the following information pursuant to 17 U.S.C. § 512(c)(3)(A):

1. The copyrighted work infringed is the translation by E. J. Kenney of *The Golden Ass* by Apuleius.
2. The infringing material is located at a series of URLs within the Website beginning www.naderlibrary.com/goldenass***.

Cowan, Liebowitz & Latman, P.C.

Jacob Hammond

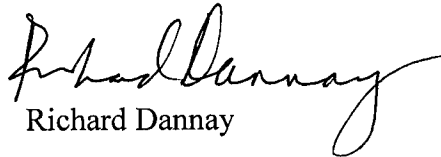
January 5, 2009

Page 2

3. You may contact Penguin Group (USA) Inc. through its undersigned counsel at Cowan, Liebowitz & Latman, P.C., 1133 Avenue of the Americas, New York, New York 10036, telephone (212) 790-9200, email rxl@cjl.com.
4. We believe in good faith that the use of the Work on the Website is not authorized by Penguin, its agent, or the law.
5. The information in this notification is accurate; and, under penalty of perjury, we are authorized to act on behalf of Penguin, the owner of the exclusive rights in the Work infringed by the Website.

We therefore demand that you immediately remove the infringing material from the Website, and confirm such removal to the undersigned within five days of the date hereof. The foregoing is without prejudice to any of our client's rights, remedies and defenses, all of which are expressly reserved.

Sincerely,



Richard Dannay

cc: Charles Carreon, Esq. (chas@charlescarreon.com)
Online Media Law, PLLC
2165 S. Avenida Planeta
Tucson, Arizona 85710

Alexander Gigante, Esq.
Vice President for Legal Affairs
& Corporate Counsel
Penguin Group (USA) Inc.

Exhibit 11



ONLINE MEDIA LAW, PLLC

Charles Carreon, Attorney at Law
2165 S. Avenida Planeta
Tucson, Arizona 85710
chas@charlescarreon.com
Telephone: 520-841-0835

January 13, 2009

Via email: JacobHammond@gmail.com
Jacob Hammond

Re: Counternotice to DMCA Notice of Penguin Books

Dear Mr. Hammond:

Pursuant to 17 U.S.C. 512(g)(3), this is a counternotice in response the notice of Penguin Books alleging that American Buddha has infringed a copyright in The Golden Ass of Apuleius by means of producing a copy of the text of the book on webpages at NaderLibrary.com.

In compliance with subsection (A), this notice bears my electronic signature, acting as the attorney for American Buddha, the subscriber. In compliance with subsection (B), the material that has been removed was located at http://www.naderlibrary.com/goldenass.***.

In compliance with subsection (C), I hereby state under penalty of perjury under the laws of the United States that the subscriber has a good faith belief that the material was removed due mistaken misapplication of the applicable law of copyright, including without limitation: Penguin Books' refusal to accord the American Buddha Online Library the exemption from liability granted by 17 U.S.C. § 108 and the First Amendment, notwithstanding the subscriber's compliance with 37 C.F.R. 201.14; the Constitutional right of fair use under 17 U.S.C. § 107; the first-sale doctrine; and, because of mistakes of fact. No defenses are waived by the foregoing enumeration which does not purport to be exclusive. In compliance with subsection (D), the subscriber's name, address, and telephone number are as follows:

American Buddha, an Oregon nonprofit corporation
2165 S. Avenida Planeta,
Tucson, Arizona 85710
Tel: 520-822-8277

In further compliance with subsection (D), subscriber consents to the jurisdiction of Federal District Court located at 405 W. Congress Street, Suite 1500 Tucson, AZ 85701-5010.

Very truly yours,

s/Charles Carreon

Charles Carreon
cc: American Buddha

Exhibit 12

PENGUIN BOOKS

Published by the Penguin Group

Penguin Group (USA) Inc., 375 Hudson Street, New York, New York 10014, U.S.A.
Penguin Group (Canada), 90 Eglinton Avenue East, Suite 700, Toronto, Ontario, Canada M4P 2Y3
(a division of Pearson Penguin Canada Inc.)

Penguin Books Ltd, 80 Strand, London WC2R 0RL, England

Penguin Ireland, 25 St Stephen's Green, Dublin 2, Ireland (a division of Penguin Books Ltd)

Penguin Group (Australia), 250 Camberwell Road, Camberwell, Victoria 3124, Australia
(a division of Pearson Australia Group Pty Ltd)

Penguin Books India Pvt Ltd, 11 Community Centre, Panchsheel Park, New Delhi - 110 017, India

Penguin Group (NZ), 67 Apollo Drive, Rosedale, North Shore 0632, New Zealand
(a division of Pearson New Zealand Ltd)

Penguin Books (South Africa) (Pty) Ltd, 24 Sturdee Avenue, Rosebank,
Johannesburg 2196, South Africa

Penguin Books Ltd, Registered Offices:
80 Strand, London WC2R 0RL, England

First published in the United States of America by Albert and Charles Boni, Inc. 1927

Published in Penguin Books 2007

5 7 9 10 8 6 4

Copyright Upton Sinclair, 1926, 1927
Copyright renewed David Sinclair, 1954
All right reserved

LIBRARY OF CONGRESS CATALOGING IN PUBLICATION DATA

Sinclair, Upton, 1878-1968.

Oil! : a novel / Upton Sinclair.

p. cm.

ISBN 978-0-14-311226-6

1. Petroleum industry and trade—Fiction. 2. Motion picture industry—Fiction.
3. California, Southern—Fiction. 4. Political fiction. I. Title.

PS3537.I8505 2008

813'.52—DC22 2007042749

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Set in Sabon

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Ontario M4V 3B2, Canada (a division of Pearson Penguin Canada Inc.)
Penguin Books Ltd., 80 Strand, London WC2R 0RL, England
Penguin Ireland, 25 St. Stephen's Green, Dublin 2,
Ireland (a division of Penguin Books Ltd.)

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Australia (a division of Pearson Australia Group Pty. Ltd.)

Penguin Books India Pvt. Ltd., 11 Community Centre, Panchsheel Park,
New Delhi - 110 017, India

Penguin Group (NZ), cnr Airborne and Rosedale Roads, Albany,
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Rosebank, Johannesburg 2196, South Africa

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Published by Signet Classics, an imprint of New American Library,
a division of Penguin Group (USA) Inc.

First Signet Classics Printing, October 1970

First Signet Classics Printing (Meyer Introduction), March 2005

10 9 8 7 6 5 4 3 2

Copyright Sinclair Lewis, 1935

Copyright © renewed Michael Lewis, 1963

Introduction copyright © Michael Meyer, 2005

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PENGUIN BOOKS

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Penguin Putnam Inc., 375 Hudson Street, New York, New York 10014, USA

Penguin Books Australia Ltd, 250 Camberwell Road, Camberwell, Victoria 3124, Australia

Penguin Books Canada Ltd, 10 Alcorn Avenue, Toronto, Ontario, Canada M4V 3B2

Penguin Books India (P) Ltd, 11 Community Centre, Panchsheel Park, New Delhi - 110 017, India

Penguin Books (NZ) Ltd, Cnr Rosedale and Airborne Roads, Albany, Auckland, New Zealand

Penguin Books (South Africa) (Pty) Ltd, 24 Sturdee Avenue, Rosebank 2196, South Africa

Penguin Books Ltd, Registered Offices: 80 Strand, London WC2R 0RL, England

www.penguin.com

First published 1998

Reprinted with revisions 2004

17

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The moral right of the translator has been asserted

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Penguin Books Australia Ltd, 250 Camberwell Road, Camberwell, Victoria 3124, Australia

Penguin Books Canada Ltd, 10 Alcorn Avenue, Toronto, Ontario, Canada M4V 3B2

Penguin Books India (P) Ltd, 11 Community Centre, Panchsheel Park, New Delhi – 110 017, India

Penguin Group (NZ), cnr Airborne and Rosedale Roads, Albany, Auckland 1310, New Zealand

Penguin Books (South Africa) (Pty) Ltd, 24 Sturdee Avenue, Rosebank 2196, South Africa

Penguin Books Ltd, Registered Offices: 80 Strand, London WC2R 0RL, England

www.penguin.com

This translation first published 1951

This revised translation, with a new introduction and notes, published 1994

Reprinted with a revised bibliography 2005

021

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Revisions, introduction and notes copyright © John Godwin, 1994, 2005

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Exhibit 13

1 IN THE UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 _____
4 PENGUIN GROUP (USA) INC.,)
5 Plaintiff,)
6 vs.) No. 09cv528 (JGK)
7 AMERICAN BUDDHA,)
8 Defendant.)
9 _____
10
11
12
13
14
15

16 SKYPE-CONFERENCED DEPOSITION OF TARA CARREON
17

18 Tucson, Arizona
19 June 29, 2012
20 10:10 a.m.

21 MELANIE J. BUILDER
22 Certified Reporter #50143
23 EATON, GREEN & WILLIAMS, INC.
24 549 N. Sixth Avenue
25 Tucson, Arizona 85705
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<p style="text-align: right;">Page 2</p> <p style="text-align: center;">I N D E X</p> <p>1</p> <p>2</p> <p>3 WITNESS: PAGE:</p> <p>4</p> <p>5 TARA CARREON</p> <p>6 Examination by Mr. Kjellberg 6</p> <p>7</p> <p>8 EXHIBITS: INITIALLY REFERRED TO:</p> <p>9</p> <p>10 1 Two-page document entitled "Notice 6 of Deposition of Tara Carreon"</p> <p>11 2 356-page e-mail list 20</p> <p>12 3 One-page e-mail to Thomas Kjellberg 27 from American Buddha, dated 13 Wednesday, September 02, 2009 5:26 PM, with four pages of attachments</p> <p>14</p> <p>15 4 Three-page letter to Kent Walker from 36 Charles Carreon, dated April 13, 2007</p> <p>16 5 Four-page color printout from the 48 Naderlibrary.com home page</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 4</p> <p>1 TARA CARREON,</p> <p>2 having been first duly sworn to state the truth, the</p> <p>3 whole truth, and nothing but the truth, testified as</p> <p>4 follows:</p> <p>5</p> <p>6 MR. KJELLBERG: Very good. I guess we'll do</p> <p>7 the usual stipulations, although I know sometimes there</p> <p>8 are disagreements as to what the usual stipulations are,</p> <p>9 but I would say we won't waive signing but, you know,</p> <p>10 the other usual stipulations.</p> <p>11 MR. CARREON: You know, I'm never really sure</p> <p>12 what they are. I don't do enough depositions lately.</p> <p>13 MR. KJELLBERG: Okay.</p> <p>14 MR. CARREON: We're doing this deposition --</p> <p>15 MR. KJELLBERG: We just waived one, that --</p> <p>16 that, you know, the deposition is going to be sworn and</p> <p>17 signed before an officer authorized to administer an</p> <p>18 oath, so we just already did that.</p> <p>19 MR. CARREON: Okay.</p> <p>20 MR. KJELLBERG: With the same force and effect</p> <p>21 as being signed and sworn before the Court.</p> <p>22 The other one is that all objections, except</p> <p>23 as to form, are reserved. So you don't -- you don't</p> <p>24 need to object and -- other than to form. And filing</p> <p>25 and sealing are hereby waived.</p>
<p style="text-align: right;">Page 3</p> <p>1 APPEARANCES:</p> <p>2 For the PLAINTIFF:</p> <p>3 COWAN, LIEBOWITZ & LATMAN, PC</p> <p>4 BY: THOMAS KJELLBERG, Attorney at Law</p> <p>5 1133 Avenue of the Americas</p> <p>6 New York, New York 10036</p> <p>7 (Appearing via Skype)</p> <p>8 For the DEFENDANT:</p> <p>9 ONLINE MEDIA LAW, PLLC</p> <p>10 BY: CHARLES CARREON, Attorney at Law</p> <p>11 2165 South Avenida Planeta</p> <p>12 Tucson, Arizona 85710</p> <p>13</p> <p>14 * * * *</p> <p>15 BE IT REMEMBERED that the Skype-conferenced</p> <p>16 deposition of TARA CARREON was taken at the offices of</p> <p>17 Eaton, Green & Williams, Inc., 549 North Sixth Avenue,</p> <p>18 in the city of Tucson, county of Pima, state of Arizona,</p> <p>19 before Melanie J. Builder, a certified reporter for the</p> <p>20 State of Arizona, on the 29th day of June, 2012,</p> <p>21 commencing at the hour of 10:10 a.m. on said day, on</p> <p>22 behalf of the Plaintiff, Penguin Group (USA) Inc., in a</p> <p>23 certain cause now pending in the United States District</p> <p>24 Court, Southern District of New York.</p> <p>25 * * * *</p>	<p style="text-align: right;">Page 5</p> <p>1 MR. CARREON: Okay. So stipulated.</p> <p>2 MR. KJELLBERG: All right.</p> <p>3 MR. CARREON: Yeah, I mean, we are going to --</p> <p>4 I will make the usual objections in the usual fashions,</p> <p>5 but --</p> <p>6 MR. KJELLBERG: I think, actually, you're only</p> <p>7 supposed to -- whatever your objection is, you have to</p> <p>8 say: Objection to form.</p> <p>9 MR. CARREON: Okay.</p> <p>10 MR. KJELLBERG: Unless -- You know, unless,</p> <p>11 of course, it's like something gets into privilege or</p> <p>12 something like that, but I promise I will not get into</p> <p>13 privileged areas.</p> <p>14 Okay?</p> <p>15 MR. CARREON: Well, I mean --</p> <p>16 MR. KJELLBERG: You know, one other</p> <p>17 stipulation is that your objections, except as to form,</p> <p>18 are all reserved, so --</p> <p>19 MR. CARREON: Okay. It's nice to have</p> <p>20 objections reserved. What I'm saying is that it's a</p> <p>21 jurisdictional deposition and we'll stay focused on</p> <p>22 jurisdictionally-related topics.</p> <p>23 MR. KJELLBERG: Right. Okay. We'll do our</p> <p>24 best. Okay. So let's get started.</p> <p>25 \\\</p>

<p style="text-align: right;">Page 6</p> <p>1 EXAMINATION</p> <p>2</p> <p>3 BY MR. KJELLBERG:</p> <p>4 Q Ms. Carreon, can you hear me okay?</p> <p>5 A Yes, I can.</p> <p>6 Q Thanks. Okay. My name is Tom Kjellberg and I</p> <p>7 represent Penguin Group (USA), Inc. And your deposition</p> <p>8 is being taken pursuant to notice and court order, which</p> <p>9 I assume the reporter has marked as an exhibit to the</p> <p>10 deposition.</p> <p>11 THE COURT REPORTER: Not yet.</p> <p>12 BY MR. KJELLBERG:</p> <p>13 Q I will be asking you a series of questions.</p> <p>14 If I ask a question that you don't understand, please</p> <p>15 tell me and I'll try and rephrase it. It's important</p> <p>16 that only one of us speak at a time so the reporter can</p> <p>17 get down all of our words. And, of course, especially</p> <p>18 since I'm a couple of thousand miles away, it's</p> <p>19 important that you answer in words, not in gestures, but</p> <p>20 it's also important because we have to get what you say</p> <p>21 into the transcript.</p> <p>22 Now, there may be times, as we just discussed,</p> <p>23 during the course of the deposition, where your</p> <p>24 attorney, Mr. Carreon, may make an objection. And,</p> <p>25 unless he instructs you not to answer the question,</p>	<p style="text-align: right;">Page 8</p> <p>1 A We sued Ashland Fiber Network for taking down</p> <p>2 our Web site in Ashland.</p> <p>3 Q Okay. Was that the NaderLibrary Web site?</p> <p>4 A Yes.</p> <p>5 Q Okay. And when was that?</p> <p>6 A I think it was around 2000. I can't really</p> <p>7 remember.</p> <p>8 Q Got you. Okay. Can you describe briefly --</p> <p>9 you don't have to go into grade school -- describe your</p> <p>10 educational background?</p> <p>11 A I went to college, and I went to the Hebrew</p> <p>12 University. I was there during the Yom Kippur War in</p> <p>13 1974. And I came back and I went to Arizona State</p> <p>14 University and studied biology and agriculture for four</p> <p>15 years. Then I moved to Oregon and finished up at</p> <p>16 Southern Oregon University and got my degree in</p> <p>17 anthropology and sociology.</p> <p>18 Q And is that a BS or a BA?</p> <p>19 A You know, I've never known, really, the</p> <p>20 difference between those two.</p> <p>21 Q And postgraduate education?</p> <p>22 A No, just my own -- on my own study.</p> <p>23 Q I see. Okay. Now, Ms. Carreon, are you</p> <p>24 responsible for the management and operation of the</p> <p>25 defendant, American Buddha?</p>
<p style="text-align: right;">Page 7</p> <p>1 you're still required to answer the question even though</p> <p>2 he's made that objection.</p> <p>3 Break. If you need a break at any point,</p> <p>4 please say so, but it shouldn't be when a question is</p> <p>5 pending.</p> <p>6 Those are the basic instructions, so I'll get</p> <p>7 started now.</p> <p>8 Are you currently taking any medications that</p> <p>9 might affect your ability to provide truthful answers?</p> <p>10 A No.</p> <p>11 Q Is there any other reason you cannot fully</p> <p>12 understand my questions and provide truthful answers?</p> <p>13 A No.</p> <p>14 Q Okay. What, if anything, did you do to</p> <p>15 prepare for your deposition today?</p> <p>16 A I had a meeting with my attorney and I looked</p> <p>17 at documents and looked at records.</p> <p>18 Q What documents did you look at?</p> <p>19 A I, over a period of time when the document</p> <p>20 production request was pending, I looked at some bank</p> <p>21 records and some -- that was basically -- That's it.</p> <p>22 Q Okay. Okay. Have you -- Have you ever been</p> <p>23 deposed before?</p> <p>24 A Yes, I have.</p> <p>25 Q And what was the context?</p>	<p style="text-align: right;">Page 9</p> <p>1 A Yes, I am.</p> <p>2 Q What's your position at American Buddha?</p> <p>3 A I'm librarian.</p> <p>4 Q Is that your only title?</p> <p>5 A I don't know. I suppose I'm the director of</p> <p>6 the corporation.</p> <p>7 Q Uh-huh. Okay. And what are your</p> <p>8 responsibilities?</p> <p>9 A I put up books, I read books, I make comments</p> <p>10 on books, I do artwork. Everything that's involved with</p> <p>11 the site. I do screencap galleries.</p> <p>12 Q Okay. When you put up books -- I'm sorry.</p> <p>13 I'm breaking up. I hear myself breaking up.</p> <p>14 A That's okay.</p> <p>15 Q When you say put up books, you mean post them</p> <p>16 on the ABOL and NaderLibrary Web sites?</p> <p>17 A Yes.</p> <p>18 Q Okay. Do you receive any remuneration for --</p> <p>19 A No.</p> <p>20 Q -- your duties at American Buddha?</p> <p>21 A No.</p> <p>22 Q Okay. Can you describe the history of</p> <p>23 American Buddha? When was it started?</p> <p>24 A It was started in 2000. After I got back from</p> <p>25 Nepal, I decided to start American Buddha Library.</p>

<p style="text-align: right;">Page 10</p> <p>1 Q I see. And who else was involved when you 2 started? 3 A Just me. 4 Q Just you. And do you recall if there were -- 5 you are an officer of the -- Well, you're incorporated, 6 correct? 7 A As far as I know, yes. 8 Q An Oregon nonprofit religious corporation? 9 A Yes. 10 Q Okay. And you -- You don't know what your 11 corporate title is? 12 A I think it's director. 13 Q Okay. Are there any other directors -- 14 A No. 15 Q -- or officers of the corporation? 16 A I don't think so. 17 Q Okay. And describe in general the scope and 18 purpose of the American Buddha Online Library and the 19 NaderLibrary sites. 20 A It's a specialty library that pretty much 21 follows my own course of study. 22 Q Okay. And when did you begin -- When you say 23 "it", do you consider them one unit? 24 A No. Oh, I mean, sort of, sort of not. You 25 know, I started American Buddha as a reaction against my</p>	<p style="text-align: right;">Page 12</p> <p>1 It was after we moved to Tucson, so it had to be around 2 2007, I would imagine. 3 Q When did you move to Tucson? 4 A Around 2007, I think. 5 Q Okay. And you had previously been in Ashland, 6 Oregon? 7 A Yes. 8 Q Okay. And there's some references on the Web 9 site, if I'm not mistaken, to live events that take 10 place? 11 A Yeah. I have -- Well, all last year, every 12 Saturday, we did an open mike at our house, our library 13 house. And also I've had several fundraising events for 14 Ralph Nader. 15 Q Okay. Does American Buddha carry insurance? 16 A No. 17 Q If you're having people in your house -- 18 A Yeah. 19 Q -- that raises the question. 20 A No, I have guns. 21 Q I see. So, essentially, I mean, I guess the 22 questions about the structure are sort of -- the answer 23 is pretty obvious. You know, who makes the decisions, 24 I -- would I be correct in assuming it's you? 25 A Absolutely me. Nobody gets in my way.</p>
<p style="text-align: right;">Page 11</p> <p>1 former Buddhist cult group that I was involved with. 2 And then, from there, branched off into philosophy and 3 politics and got interested in Ralph Nader. 4 Q I see. So American Buddha came first? 5 A Yes. 6 Q And that started in -- Was that -- Did that 7 start right in 2000 right when you started -- 8 A Yes. 9 Q -- the -- when you incorporated, I guess? 10 A Yes. Actually, I had my husband incorporate 11 it when I was in Nepal. I remember writing an e-mail to 12 him from Kathmandu. 13 Q An e-mail from Kathmandu, I like that. 14 A Yeah. 15 Q It almost sounds like a title. 16 And then NaderLibrary? 17 A You know, I started that when Ralph ran for 18 president, you know, not in the last election, I think 19 the one before. I can't remember. A few years back. 20 Q All right. 21 A And I made that specifically to focus mainly 22 on politics. 23 Q Okay. I guess that would be 2000 -- the 2000 24 election, I guess, was when Nader -- 25 A No, I think it was more -- No, it was after.</p>	<p style="text-align: right;">Page 13</p> <p>1 Q I see. You, in consultation with yourself? 2 A That's right. 3 Q Okay. 4 A If I have a split personality, which I don't. 5 Q Okay. Do you keep books? 6 A No. 7 Q Does American Buddha have an accountant? 8 A No. 9 Q Okay. Do you file corporate tax returns? 10 A No. 11 Q Okay. I guess those would be in Oregon, if 12 you did. But, again, I'm not -- I don't know what the 13 requirements are under Oregon law for nonprofits or 14 religious corporations such as yours. 15 At any rate, do you observe any corporate 16 formalities, keep minutes, resolutions, et cetera? 17 A I think we do resolutions occasionally over 18 the years, maybe two or three times, for certain things. 19 I don't remember, really. 20 Q Okay. But you don't have any sort of regular, 21 annual function with your counsel or any sort of 22 corporate formality on an ongoing basis, then? 23 A Well, there's paying the dues, you know. That 24 happens when they send the bill, you know. 25 Q Okay. You mean, maintaining your --</p>

<p style="text-align: right;">Page 14</p> <p>1 A Corporate.</p> <p>2 Q -- corporate registration in Oregon?</p> <p>3 A Yes.</p> <p>4 Q Okay. So that's an ongoing expense.</p> <p>5 How often do you -- How often does that come</p> <p>6 due?</p> <p>7 A I think it's once a year. I think it's around</p> <p>8 50 bucks or something.</p> <p>9 Q Okay. What other ongoing costs are there for</p> <p>10 American Buddha on a monthly or annual basis or --</p> <p>11 A There's -- American Buddha has practically no</p> <p>12 costs at all.</p> <p>13 Q Well, does it pay rent?</p> <p>14 A No.</p> <p>15 Q Or all the usual things in running an office;</p> <p>16 utilities?</p> <p>17 A There's the Internet bill, you know.</p> <p>18 MR. CARREON: Tom, I'm just -- I'm going to</p> <p>19 object that the discovery is focused on revenue, as in</p> <p>20 AR, accounts receivable, not AP, accounts payable. And</p> <p>21 so I'm going to object to inquiries into bills. I mean,</p> <p>22 I think what we need to get to here is the focus on the</p> <p>23 statute, which is revenue from international commerce,</p> <p>24 or commerce in New York.</p> <p>25 MR. KJELLBERG: Okay. Well, your objection is</p>	<p style="text-align: right;">Page 16</p> <p>1 Q Where is that server located?</p> <p>2 A In my closet.</p> <p>3 Q I see. How about the domain name registration</p> <p>4 fees?</p> <p>5 A Yeah. I mean, registration fees, I pay them.</p> <p>6 Q You pay them?</p> <p>7 A With my personal money.</p> <p>8 Q Personally. Okay. Who is Jacob Hammond?</p> <p>9 A Jacob Hammond, that's a good question. I'd</p> <p>10 like to know who Jacob Hammond is. Jacob Hammond is a</p> <p>11 guy who's an absolute genius who just sort of appeared</p> <p>12 on our doorstep one day in Ashland and took over taking</p> <p>13 care of all of the functional details of my site, who</p> <p>14 I've had a very difficult time getting him to work for</p> <p>15 me.</p> <p>16 Q Why is that?</p> <p>17 A Because he seems to be very busy.</p> <p>18 Q I see. And where is he located?</p> <p>19 A I think he's in Oregon now.</p> <p>20 Q Uh-huh. Okay.</p> <p>21 A He was in Oregon, then he went to Texas, then</p> <p>22 he went back to Oregon.</p> <p>23 Q And does he -- Does he donate his services</p> <p>24 when he provides them?</p> <p>25 A I've never seen a bill from him.</p>
<p style="text-align: right;">Page 15</p> <p>1 on the record.</p> <p>2 MR. CARREON: Um-hum. Yeah, and that's right,</p> <p>3 you know, she can go ahead and respond.</p> <p>4 MR. KJELLBERG: Okay. So where was I?</p> <p>5 BY MR. KJELLBERG:</p> <p>6 Q So, office supplies, you know --</p> <p>7 A I don't pay any American Buddha expenses with</p> <p>8 money received from international commerce or commerce</p> <p>9 received from New York.</p> <p>10 Q Okay. That wasn't exactly my question. My</p> <p>11 question was whether, you know, American Buddha has</p> <p>12 ongoing costs for, I guess, the last thing I asked was</p> <p>13 office supplies.</p> <p>14 What about the books that --</p> <p>15 A I pay for those.</p> <p>16 Q Pay for them...?</p> <p>17 A With my own money, yeah, my personal money.</p> <p>18 All of the American Buddha costs are paid for with my</p> <p>19 personal money.</p> <p>20 Q Okay. And you mentioned Web site maintenance.</p> <p>21 You have, I guess, a -- so you have somebody</p> <p>22 who's hosting the Web sites?</p> <p>23 A We host them. We have our own server.</p> <p>24 Q You have your own server?</p> <p>25 A Yes.</p>	<p style="text-align: right;">Page 17</p> <p>1 Q I see. And, again, your Oregon corporate</p> <p>2 registration renewal fees. So all the -- all the</p> <p>3 ongoing costs of American Buddha are paid out of your</p> <p>4 pocket -- or, well, I guess -- I guess you don't pay</p> <p>5 rent; is that correct?</p> <p>6 A That's right.</p> <p>7 Q Or utilities, right?</p> <p>8 A Right.</p> <p>9 Q Okay. But outside of that, any -- it would be</p> <p>10 accurate to say that the ongoing expenses of American</p> <p>11 Buddha you pay out of your pocket?</p> <p>12 A Yes.</p> <p>13 Q Okay. Are you employed?</p> <p>14 A No.</p> <p>15 Q Okay.</p> <p>16 A I work full-time.</p> <p>17 Q Besides by American Buddha?</p> <p>18 A Yes.</p> <p>19 Q Okay. And what is the relationship between</p> <p>20 American Buddha and Online Media Law, LLC, or PLLC?</p> <p>21 A None whatsoever.</p> <p>22 Q You've never heard of -- You've never heard</p> <p>23 of them?</p> <p>24 A The relationship between those two entities,</p> <p>25 there is no relationship.</p>

<p style="text-align: right;">Page 18</p> <p>1 Q It wouldn't be accurate to say that Online 2 Media Law is legal counsel for American Buddha? 3 A Oh, yeah, sure. 4 Q Okay. 5 A I thought you were talking about some other 6 type of relationship. 7 Q Okay. So the relationship between American 8 Buddha and Online Media Law, LLC, is attorney and 9 client? 10 A Yes. 11 Q Okay. And nothing -- but nothing more than 12 that? 13 A Nothing more than that. 14 Q Does American Buddha pay for the services that 15 Online Media Law provides? 16 A No. 17 Q Okay. Is there a retainer -- 18 A No. 19 Q -- arrangement between them? 20 A No. 21 Q Any other -- Any other formalities, you know, 22 the relationship between American Buddha and Online 23 Media Law? 24 A No. 25 Q Okay. Nothing in writing?</p>	<p style="text-align: right;">Page 20</p> <p>1 that in front of you? 2 A Yes, I do. 3 MR. KJELLBERG: Okay. I guess, can we mark 4 that as an exhibit to the deposition, the entire thing 5 as an exhibit? 6 (T. Carreon Deposition Exhibit No. 2 was 7 marked for identification.) 8 (A brief discussion was held off the 9 record, after which the following further 10 proceedings were had herein:) 11 BY MR. KJELLBERG: 12 Q Okay. I would just like to first look at the 13 last page, and if you could look at the final number, I 14 have 63,244. 15 Does that comport with your expectation of 16 what the number of names on this e-mail list would be? 17 A That's the number that's on this list here. 18 Q Okay. That's true. Is that -- Is that 19 consistent with your -- you know, ballpark -- you know, 20 what you believe this e-mail list contains? 21 A I didn't even know that I had this. I mean, I 22 don't even really know what this e-mail list is. 23 Q Okay. I guess that obviates my next question 24 which was: Who compiled this e-mail list? 25 A Well, is this the e-mail that we sent out? Is</p>
<p style="text-align: right;">Page 19</p> <p>1 A No. 2 Q Let me see. Am I correct that American Buddha 3 and Online Media Law, LLC, which I will use to include 4 Online Media Law, PLLC, do they share an address? 5 A Yes. 6 Q Okay. Within that address, do they occupy 7 separate spaces? 8 A Yes. 9 Q They have separate computers? 10 A Yes. 11 Q Separate landlines? 12 A Yes, separate offices. Yes, separate 13 landlines and separate offices. 14 Q I see. Okay. Good. All right. Let's take a 15 look at the ream, as Charles put it, with this big set 16 of e-mail addresses. I will represent to you that this 17 was basically -- it's basically a printout from what you 18 produced in response to the discovery request. It was a 19 file with the title e-mail.list.red., for redacted 20 -txt, a text file, which we simply opened as a Word 21 document and then, you know, had it -- had it numbered, 22 the pages. So, again, what we have here obviously is 23 this mailing list or e-mail list, except that everybody 24 seems to be named redacted. 25 First of all, I will -- if you -- do you have</p>	<p style="text-align: right;">Page 21</p> <p>1 this the list we sent out when we sent out the e-mail? 2 Q This was produced. This you produced in 3 response to our document request for -- I think that, I 4 believe, requested precisely that, any e-mail lists that 5 were used, yeah, to send out -- to send out any e-mail 6 or whatever, any e-mail list? 7 A I never saw the e-mail list when we sent out 8 the e-mail. 9 Q I see. Do you know who saw the e-mail list? 10 A I don't know if anybody saw it. I don't know. 11 It was just automatic, in my opinion. 12 Q So do you know who is responsible for -- or 13 who has -- who has compiled this list of e-mail 14 addresses that are on the -- on the file -- contained in 15 the file that you produced? 16 A I'm sure it was Jacob. 17 Q And do you know how he compiled it? 18 A No. I don't know how he does his thing. He's 19 a genius. 20 Q I see. 21 A Nobody can do what he does. 22 Q Okay. Well, do you know when the compiling of 23 this list started? 24 A I would imagine during the document production 25 request period.</p>

<p style="text-align: right;">Page 22</p> <p>1 Q No, I don't mean when it was, you know, put 2 onto -- into this file in which I received it. I mean 3 when these names -- these names, these e-mail addresses, 4 began to be gathered and how. 5 A I think we had a sign-up system or something. 6 I can't really quite remember, but it must have been 7 compiled when we sent out the e-mail. 8 Q Okay. So you would not know when it began to 9 be compiled? 10 A Well, if I remember right, we had sort of a 11 sign-up system. Then I assume it would have been 12 compiled from that point on. 13 Q Okay. So am I correct -- Am I correct, then, 14 that you don't know who maintains it or if names are 15 being added -- 16 A No. 17 Q -- on a regular basis? 18 A No, I don't think that they are. There's 19 no -- No, this only was put together because of your 20 document request. 21 Q Do you mean -- Well, how would it have been 22 put together in response to the document request, if it 23 didn't already exist? 24 A Yeah. 25 MR. CARREON: Excuse me. Tom, let me try and</p>	<p style="text-align: right;">Page 24</p> <p>1 was compiled from the sign-up page that existed at 2 American Buddha that no longer existed and has not 3 existed at this point, I guess, for a couple of years. 4 MR. KJELLBERG: Okay. Well, let me ask the 5 witness if that comports with her understanding. 6 MR. CARREON: Yeah, you should. 7 BY THE WITNESS: 8 A Yes, it does. We had trouble with Google 9 indexing our site because of the sign-up page so we 10 disabled that. 11 BY MR. KJELLBERG: 12 Q Ah, I see. Okay. I would just like to say 13 it's an impressive e-mail address list, except for the 14 fact that, you know, it's all redacted. One of the 15 impressive aspects about it, if you still have it in 16 front of you, I would like to just go to a couple of 17 random e-mail addresses. If you look at No. -- let's 18 say 112, tell me what No. 112 is. 19 A Yeah, yahoo.co.uk. Oh, wait. 112, did you 20 say? 21 Q 112, yeah. 22 A Yeah, yahoo.com.mx. 23 Q Okay. And .mx, what -- do you know what .mx 24 stands for? 25 A No idea. Mexico? I don't know.</p>
<p style="text-align: right;">Page 23</p> <p>1 help. 2 MR. KJELLBERG: Am I asking the wrong 3 question? 4 MR. CARREON: Let me just try and help. And 5 if it's not helpful, tell me that you don't want my 6 help. That's fine. 7 But as I understand Mrs. Carreon's response, 8 there was a sign-up system which no longer is 9 operational. The e-mail addresses were collected so 10 long as the sign-up system was in operation. It's no 11 longer in operation, and so new addresses are not being 12 collected. That's my understanding. 13 And so -- And, as she has said, Mr. Hammond 14 is the person who administers the list as it exists. 15 But it is static, no longer growing, is my 16 understanding. 17 MR. KJELLBERG: Okay. 18 MR. CARREON: And you can ask for her 19 confirmation because, you know, I'm not the witness 20 here, but that's my understanding. 21 MR. KJELLBERG: Right. Okay. 22 MR. CARREON: I mean, I did help get the list. 23 I can -- I can tell you that, as counsel, I obtained 24 the list from Mr. Hammond and that Mr. Hammond 25 represented to me reliably that this was the list that</p>	<p style="text-align: right;">Page 25</p> <p>1 Q Would it surprise you if I were to tell you 2 that I have a cheat sheet in front of me and that, yes, 3 .mx is Mexico. The one that you actually went to first, 4 111, .uk. 5 I'll ask the obvious question: Do you know 6 what the country level domain .uk refers do? 7 A Great Britain. 8 Q Okay. Let's do a random. Let's see. 9 No. 286. 10 A Zahav.net.il. Wow. What country is .il? I 11 can't imagine. .il, I don't know what .il is. 12 Q It is -- To my knowledge, it is Israel. 13 A Oh, really? Oh, okay. 14 Q Jumping up a few to No. 280, if we see 15 frisurf.no. 16 A No, I don't know what .no is. 17 Q Well, this is like a great trivia quiz but, 18 according to this, would it surprise you if I were to 19 say that that stands for -- Would it surprise you if I 20 were to tell that that's not on my list? I thought it 21 was Norway so -- Well, it's some unknown country. I'm 22 not supposed to ask a question I don't know the answer 23 to. 24 MR. CARREON: You blew it. You blew it, Tom. 25 MR. KJELLBERG: I was certain it was Norway.</p>

<p style="text-align: right;">Page 26</p> <p>1 I'm sorry.</p> <p>2 MR. CARREON: You know, I can't blame you. I</p> <p>3 would have said that.</p> <p>4 THE WITNESS: I know that .de is Denmark.</p> <p>5 MR. KJELLBERG: Is it? Okay. Do you have a</p> <p>6 .de?</p> <p>7 MR. CARREON: No, .d is not Denmark. .d is</p> <p>8 Deutschland.</p> <p>9 MR. KJELLBERG: Deutschland, Germany.</p> <p>10 THE WITNESS: Oh, .de is Deutschland? Oh,</p> <p>11 okay. So much for what I know.</p> <p>12 BY MR. KJELLBERG:</p> <p>13 Q Right. I just want to make the point -- I</p> <p>14 think I've probably belabored it enough. It's</p> <p>15 actually -- I did kind of go over it and it really is a</p> <p>16 phenomenal international reach. For example, No. 437 is</p> <p>17 .uk. The one above it is .sk, which is --</p> <p>18 MR. CARREON: Slovakia.</p> <p>19 MR. KJELLBERG: Give that man a prize. Yes.</p> <p>20 Slovakia.</p> <p>21 MR. CARREON: I've been around.</p> <p>22 BY THE WITNESS:</p> <p>23 A I assume most of these e-mail addresses are,</p> <p>24 you know, hackers trying to take me down.</p> <p>25 \\\</p>	<p style="text-align: right;">Page 28</p> <p>1 Q Did you write it alone or did you have help?</p> <p>2 A I oftentimes get help from my husband.</p> <p>3 Q Um-hum. Do you recall if he helped write</p> <p>4 this?</p> <p>5 A I would imagine that he did because pretty</p> <p>6 much we work on these kinds of things together.</p> <p>7 Q Okay. All right. So it is from American</p> <p>8 Buddha, correct?</p> <p>9 A Yes.</p> <p>10 Q And ambu@american-buddha.com, is that your</p> <p>11 e-mail address?</p> <p>12 A It was. I don't use it anymore.</p> <p>13 Q Got you. So who is Ambu Fortuna?</p> <p>14 A That's -- That was a name that I was using</p> <p>15 for a while.</p> <p>16 Q A nome de plume or...?</p> <p>17 A Yes.</p> <p>18 Q Okay. And you're no longer using it?</p> <p>19 A No, I use my real name, Tara Carreon.</p> <p>20 Q Okay. Who's Lester Coleman?</p> <p>21 A Lester Coleman is a DIA agent who first broke</p> <p>22 the story about the Lockerbie incident.</p> <p>23 Q I see. And it's addressed to -- the e-mail is</p> <p>24 addressed to Dear Friends of American Buddha.</p> <p>25 To whom was this e-mail sent?</p>
<p style="text-align: right;">Page 27</p> <p>1 BY MR. KJELLBERG:</p> <p>2 Q Well, there would be an awful lot of them.</p> <p>3 At any rate, there is a very -- it's a very</p> <p>4 impressive e-mail list, which, I think it's fair to say,</p> <p>5 illustrates that the site certainly had international --</p> <p>6 how would you say -- traffic, visitors, from all over</p> <p>7 the world.</p> <p>8 A It's impressing me.</p> <p>9 Q Good. All right. So let's see. Let us,</p> <p>10 then, if I could, ask the reporter -- No, no. If we</p> <p>11 could look at what I marked for no particular reason PG</p> <p>12 0001, which you also produced in response to the</p> <p>13 document request, which has been around in this</p> <p>14 litigation for some time, I guess if the reporter could</p> <p>15 mark that as Deposition Exhibit No. 3.</p> <p>16 (T. Carreon Deposition Exhibit No. 3 was</p> <p>17 marked for identification.)</p> <p>18 BY MR. KJELLBERG:</p> <p>19 Q Okay. So this is a September 2, 2009, e-mail.</p> <p>20 I printed it out. It's still on my -- on my -- It's</p> <p>21 still in my inbox, so I just printed it out yesterday,</p> <p>22 or the day before for these purposes. I received it on</p> <p>23 September 2, 2009, at least it says this, at 5:26 p.m.</p> <p>24 Ms. Carreon, did you write this e-mail?</p> <p>25 A Yes, I did.</p>	<p style="text-align: right;">Page 29</p> <p>1 A I guess to this list here.</p> <p>2 Q Okay. But you don't know?</p> <p>3 A Well, I knew we had some list. I knew we had</p> <p>4 some names. So, yeah, I assume that they're connected</p> <p>5 here.</p> <p>6 Q Okay. So, of course, the interesting question</p> <p>7 is whether you know how it came to be sent to me.</p> <p>8 A Charles sent it to you, right?</p> <p>9 Q No, no. I received this not in discovery. I</p> <p>10 received this, I assume, when it was -- when it was sent</p> <p>11 out.</p> <p>12 A Oh, so you signed up and broke our law; is</p> <p>13 that it?</p> <p>14 Q Well, I shouldn't be testifying here, but I</p> <p>15 will represent to you that I did not sign up.</p> <p>16 A Okay. Well, then, how did you get it?</p> <p>17 Q When I got it. But I just received it. I</p> <p>18 had, of course, visited your site, but I had not signed</p> <p>19 up for anything.</p> <p>20 A Well, I'm glad you didn't break our agreement.</p> <p>21 Q I see. Okay. I guess my question was --</p> <p>22 MR. KJELLBERG: What was my question? Can you</p> <p>23 read back my last question, please?</p> <p>24 (The record was read.)</p> <p>25 \\\</p>

<p style="text-align: right;">Page 30</p> <p>1 BY MR. KJELLBERG:</p> <p>2 Q Ms. Carreon, do you know that it wasn't -- it</p> <p>3 was not sent? It wasn't produced in discovery. It</p> <p>4 wouldn't have been processed, you know, as an e-mail,</p> <p>5 you know, into my inbox at any rate.</p> <p>6 Do you know how it came to be sent to me?</p> <p>7 A Are you saying that this e-mail was sent to</p> <p>8 you and you didn't sign up?</p> <p>9 Q That is correct.</p> <p>10 A I have no idea how that could have happened.</p> <p>11 Q I see.</p> <p>12 MR. CARREON: Hey, Tom. I need to run down</p> <p>13 the hall to the rest room. Can we take a break?</p> <p>14 MR. KJELLBERG: Take a break.</p> <p>15 MR. CARREON: Yeah.</p> <p>16 MR. KJELLBERG: Shall we reconvene in five?</p> <p>17 MR. CARREON: Five. Perfect.</p> <p>18 MR. KJELLBERG: Okay. Off the record.</p> <p>19 (A recess was thereupon taken, from</p> <p>20 10:49 a.m. to 10:56 a.m., after which the</p> <p>21 following further proceedings were had</p> <p>22 herein:)</p> <p>23 MR. KJELLBERG: Back on the record. Sorry.</p> <p>24 BY MR. KJELLBERG:</p> <p>25 Q So it says: Dear Friends of American Buddha.</p>	<p style="text-align: right;">Page 32</p> <p>1 Q What does -- Can you explain that?</p> <p>2 A I just -- We just -- Charles just helped him</p> <p>3 print the book. Instead of taking it down, we printed</p> <p>4 the book for him.</p> <p>5 Q I see. Now, there's a link on there Click</p> <p>6 here to buy it on Amazon. And I will represent to you</p> <p>7 that that link still works. I tried it this morning.</p> <p>8 Again, this e-mail is still in my inbox. I tried to --</p> <p>9 Did you insert that link?</p> <p>10 A To buy it on Amazon? No, Jacob did.</p> <p>11 Q Okay. And then if you go on, there's another</p> <p>12 one: Or enjoy reading it on-line.</p> <p>13 Do you know where that link takes you?</p> <p>14 A I would assume to the book.</p> <p>15 Q To the book on --</p> <p>16 A On the library.</p> <p>17 Q On the library site? Okay.</p> <p>18 Now, the Amazon page, when you click here to</p> <p>19 buy it on Amazon, lists the publisher as BookSurge</p> <p>20 Publishing with a publication date of August 13, 2009,</p> <p>21 which is sort of consistent with the date of this</p> <p>22 e-mail, September 2nd.</p> <p>23 Who or what is BookSurge Publishing?</p> <p>24 A It's not anything to do with American Buddha</p> <p>25 Online Library.</p>
<p style="text-align: right;">Page 31</p> <p>1 Am I remembering correctly that you said that</p> <p>2 you believe it was sent to the mailing list that Jacob</p> <p>3 Hammond had compiled?</p> <p>4 A Yeah, I don't know what other sources there</p> <p>5 could be.</p> <p>6 Q Right. Right. Okay. Let's look at the</p> <p>7 sentence that begins: Thanks to the interest generated</p> <p>8 through the site -- I'll continue to read -- Lester</p> <p>9 Coleman, the DIA -- there's an ellipsis and then it</p> <p>10 says -- Lester Coleman, the DIA agent who co-authored</p> <p>11 Trail of the Octopus -- From Beirut to Lockerbie --</p> <p>12 Inside the DIA, got in touch with us.</p> <p>13 How did that work?</p> <p>14 A He e-mailed, e-mailed Charles, as our</p> <p>15 attorney, and complained about his book being on-line.</p> <p>16 Q Okay. And how -- and he found you or found</p> <p>17 Charles through the interest generated through the site?</p> <p>18 A He must have found it. We have a DMCA page.</p> <p>19 He must have found it on that page. He has an e-mail</p> <p>20 address there for Charles.</p> <p>21 Q Got you. Okay. Then it goes on to say: We</p> <p>22 have collaborated to help him get this fantastic book</p> <p>23 back into print.</p> <p>24 Did I read that correctly?</p> <p>25 A Yes.</p>	<p style="text-align: right;">Page 33</p> <p>1 Q Okay. Do you know who it is?</p> <p>2 A I think it's -- I think it's -- I don't know</p> <p>3 who it is. It's just some book publishing service that</p> <p>4 does publishing for all kinds of people who just</p> <p>5 self-publish.</p> <p>6 Q Okay. Then it -- Again, it says, click here</p> <p>7 to buy it on Amazon or enjoy reading it on-line as you</p> <p>8 always have.</p> <p>9 Do you know how long it had been on the -- was</p> <p>10 it on the ABOL site?</p> <p>11 A It was one of the very first books that I put</p> <p>12 up on American Buddha.</p> <p>13 Q Okay. So we have sort of a -- We have a</p> <p>14 multiple -- Now, by this e-mail, it's sort of pointing</p> <p>15 people to two places to get it; click here to buy it on</p> <p>16 Amazon, or, you know, here's where you can get it</p> <p>17 on-line.</p> <p>18 Are there, or were there, ever links on either</p> <p>19 the NaderLibrary or American Buddha Online Library</p> <p>20 sites, do you know, to other Amazon-listed books?</p> <p>21 A Not that I know of.</p> <p>22 Q Okay. Okay. And it says, this is the very</p> <p>23 first e-mail we're sending, it begins; is that correct?</p> <p>24 A Yes, it is.</p> <p>25 Q Have you sent any since?</p>

<p style="text-align: right;">Page 34</p> <p>1 A I think we sent out three or four, something 2 like that, and then we stopped doing it. 3 Q So there were -- There were two or three 4 after this one? 5 A (No oral response.) 6 Q I'm sorry. Were you in mid answer or had you 7 completed your answer? 8 A I think that there were just -- We sent out a 9 few e-mails. 10 Q Okay. What was the purpose of those e-mails? 11 A Just to say hi. 12 Q Okay. Well, this one says -- Let me find the 13 last sentence, before closing: Please spread the word 14 about American-buddha.com and NaderLibrary.com. Our 15 dedicated server is fast and eager to provide the fuel 16 for our intellectual uprising. 17 Did I read that correctly? 18 A Yes. 19 Q Is that the dedicated server that's in your 20 closet? 21 A Yes. No, it's a different one. 22 Q Okay. You got a new, faster one? 23 A Yep. 24 Q Was there -- Well, do you track traffic to 25 the sites?</p>	<p style="text-align: right;">Page 36</p> <p>1 Q You're speaking to a New Yorker. Yes, I 2 understand. 3 A You can get crazy, like, you know -- and you 4 don't really know how to interpret what it means. 5 Q Sure. Okay. Let's -- Since you mentioned 6 Google, let's take a look -- and I think that this is 7 something that I sent earlier but, again, we've seen a 8 lot. This was the April 13th, 2007 letter to Kent 9 Walker. 10 MR. CARREON: Is that supposed to be here? 11 MR. KJELLBERG: Melanie, I believe, has it. 12 MR. CARREON: Oh, okay. Great. 13 (A brief discussion was held off the 14 record, after which the following further 15 proceedings were had herein:) 16 (T. Carreon Deposition Exhibit No. 4 was 17 marked for identification.) 18 MR. CARREON: I think I wrote it. Yeah, I 19 wrote it. Let me just take a quick look at it so 20 counsel here remembers what it was about. 21 MR. KJELLBERG: Well, I was going to ask 22 counsel to ask the witness to take a look at it, too, so 23 if you could share. 24 MR. CARREON: I definitely will. The lawyer 25 gets to read it first.</p>
<p style="text-align: right;">Page 35</p> <p>1 A I think we have -- we have a special service 2 that allows us to see our traffic statistics, yes. I 3 don't -- I don't really look at them. 4 Q Who does? 5 A I don't think anybody does. 6 Q Okay. So you wouldn't know if, you know, the 7 exhortation to spread the word and inviting people to 8 your dedicated server, whether it had an effect in the 9 form of an uptake in traffic to the sites? 10 A You know, to tell you the truth, I just don't 11 really care about the traffic. I know that we used to 12 have a whole lot of traffic until Google screwed us and 13 then it's never been the same since. 14 Q Okay. This is the 2007 -- the 2007 incident 15 you're referring to, when you say "Google screwed us"? 16 A It went on for years. They just made sure 17 that we were lost from the search engines. 18 Q I see. Well, please spread the word, and 19 touting your dedicated server, is sort of inconsistent 20 with -- or how do you reconcile it with, you know, not 21 caring about whether there's traffic to the site? 22 A You know, it's just stuff, public relations. 23 Q I see. Okay. 24 A You know, I don't want to get too neurotic 25 about caring too much, you know.</p>	<p style="text-align: right;">Page 37</p> <p>1 Okay. Does this have any relevance to this 2 litigation, Tom? 3 MR. KJELLBERG: I think it does. It's 4 actually -- 5 MR. CARREON: Can you tell how it does? 6 MR. KJELLBERG: Off the record. Can we go off 7 the record a second? 8 MR. CARREON: Yeah, sure. 9 (A brief discussion was held off the 10 record, after which the following further 11 proceedings were had herein:) 12 MR. KJELLBERG: Can we go back on? 13 MR. CARREON: Yeah, on the record. Yeah, 14 we're back on the record. 15 MR. KJELLBERG: Okay. 16 MR. CARREON: And the next time you want to 17 have an off-the-record conversation, if you don't want 18 to worry that the witness is, like, being coached by 19 what I'm saying to you, she can leave the room. That's 20 fine. Because, I mean, I really don't even.... 21 MR. KJELLBERG: I understand. 22 MR. CARREON: Yeah. 23 MR. KJELLBERG: I understand. I know it was 24 not intentional. 25 MR. CARREON: Yeah.</p>

<p style="text-align: right;">Page 38</p> <p>1 MR. KJELLBERG: It could be the effect of 2 that. It could have that effect, so -- Okay. That's 3 fine. 4 BY MR. KJELLBERG: 5 Q So, Ms. Carreon, have you had a chance to look 6 at this letter? 7 A Yes. 8 Q Are you familiar with it? 9 A Yes. 10 Q Was it sent on behalf of American Buddha, an 11 Oregon nonprofit religious corporation, of which you are 12 the director and, apparently, the sole member, so I 13 assume it's something that you -- that you had very 14 substantial input in and approved -- 15 A Yes. 16 Q -- the sending of? 17 A Yes. 18 Q Okay. First of all, in the -- I guess the 19 second paragraph refers to -- well, the second 20 sentence -- Well, instead of me reading it, can you 21 read the second sentence? 22 A In the second paragraph? 23 Q Yes, please. 24 A During the last six years, the library site 25 has built up a membership of over 50,000 users, and its</p>	<p style="text-align: right;">Page 40</p> <p>1 accurate in April of 2007, then, I guess -- and then 2 looking at the e-mail list of some hundred -- what did I 3 say -- 63,244 suggests that you had an increase in 4 that -- the mailing list has been increased by 13 -- 5 some 13,000 members between 2007 and whenever the list 6 stopped being added to, correct? 7 A Right. 8 Q Okay. On Page Two, under the heading Reasons 9 For The Purge, first of all, the first sentence says 10 that American Buddha reasonably believes that Google 11 purged the library site from its index to retaliate 12 against American Buddha due to political animus. 13 Do you -- or did you and do you believe that 14 to be the case? 15 A Yes, I do. 16 Q Could you explain? 17 A I think everybody knows that Google is run by 18 the CIA. 19 Q Okay. And this political animus was 20 engendered by content appearing on the library site. 21 A Yeah, like, for example, Trail of the Octopus, 22 which was banned in this country. 23 Q Okay. So you reasonably believed that then. 24 Do you believe that -- Do you still believe 25 that now?</p>
<p style="text-align: right;">Page 39</p> <p>1 pages have steadily climbed in page rank under the 2 Google PR system, until, with respect to many search 3 categories, the library site would appear on the first 4 page of search results for searches involving major 5 topics of political, artistic, philosophical, and 6 cinematic importance. No more. 7 Q Okay. Thank you. So the reference to the 8 membership of over 50,000 users, what was that figure 9 based on? 10 A I assume, like, this e-mail list. 11 Q Okay. And that suggests, would it not, that 12 the e-mail list began to be compiled in 2001? 13 A I don't know when we put our sign-up system on 14 there. You know, I really don't know. Sometime -- Not 15 right at the beginning. 16 Q Okay. Fair enough. Oh, I'm getting echo 17 back. I have to hear myself twice. Okay. 18 MR. CARREON: If we need to reboot, that 19 sometimes happens, and it just is hell. So if we need 20 to call back, it just takes a second. 21 MR. KJELLBERG: It was only momentary and it 22 went away. 23 MR. CARREON: Good. 24 BY MR. KJELLBERG: 25 Q So, looking at this 50,000 figure, if that was</p>	<p style="text-align: right;">Page 41</p> <p>1 A If I find a book that's been banned, I put it 2 up. 3 Q Okay. But could you answer the question: Do 4 you still believe that it was purged due to political 5 animus engendered by content appearing on the library 6 site? 7 A Yeah, but I don't know what that really has to 8 do with anything. 9 Q Okay. The deposition -- Depositions 10 sometimes, you know, can leave you wondering what the 11 possible relevance is, but we have to explore things. 12 MR. CARREON: No, worries, Tom. Have a good 13 time. 14 BY MR. KJELLBERG: 15 Q Okay. Now, then it goes on to say: A 16 separate, sufficient and independent reason for purging 17 the library site from Google's search index was to 18 interfere with American Buddha's provision of copies of 19 copyrighted content pursuant to the library right of 20 fair use secured under 17 USC Section 108. 21 Did you also believe that, reasonably believe 22 that at the time, as the letter states? 23 A Well, since that was the effect, I assume that 24 was the intention. 25 Q Okay. Were you aware of the litigation that</p>

<p style="text-align: right;">Page 42</p> <p>1 Google has been extensively involved in about its own, 2 you know, Google book project? 3 A Yes. 4 Q Okay. So this is getting a little 5 hypothetical and far afield, but wouldn't it make more 6 sense that Google would support that position than that 7 they would be opposed to it? 8 A No, don't ask me to figure out, you know, the 9 vagaries of cause and effect here. 10 Q Okay. I won't. As I said, it's a little 11 afield. 12 Okay. Now, if we move down to the next 13 paragraph, could you read the next paragraph, please? 14 A In addition to generating knowingly false 15 search results, Google also breached its promise to 16 provide a functional Google search box hosted at the 17 library site. The search box had operated well for 18 years and Google has derived revenue from the operation 19 of the Google search box hosted on the library site by 20 featuring Google AdSense advertising appearing on the 21 search results page. 22 Q Okay. The Google search box and Google 23 AdSense, how did -- how did that work or how does it 24 work, if it hasn't changed? 25 A You know, I assume that Google makes money off</p>	<p style="text-align: right;">Page 44</p> <p>1 paragraph, basically the Google search box hosted at the 2 library site and Google AdSense advertising. 3 MR. CARREON: Yeah. What I'm trying to tell 4 you is just that there -- there is no Google search on 5 it right now. You had asked -- This is the one thing 6 I'm concerned about is you said, if it's still there. 7 It hasn't been there for many years. 8 MR. KJELLBERG: All right. 9 MR. CARREON: So that's the best clue I can 10 provide. 11 BY MR. KJELLBERG: 12 Q As of 2007, then -- 13 MR. CARREON: Right. That's.... 14 BY MR. KJELLBERG: 15 Q My question is as of April 13, 2007, what do 16 you know -- 17 MR. KJELLBERG: Again, I'm asking the witness 18 what I -- 19 MR. CARREON: Yeah, fine. 20 BY MR. KJELLBERG: 21 Q What do you know about the status of -- and 22 what had happened in terms of the Google search box 23 hosted at the library site and the function of that 24 vis-a-vis Google AdSense as of the time of the writing 25 of this letter?</p>
<p style="text-align: right;">Page 43</p> <p>1 their ads. 2 Q Right. But the search box -- 3 A I don't know anything about the search box. 4 Q So when it refers to -- 5 MR. CARREON: Hey, can you and I talk about 6 this off the record, have the witness go out of the room 7 so that you don't worry that I'm coaching her, and so I 8 can explain to you about the Google search box and 9 everything? 10 MR. KJELLBERG: Well, actually, I just wanted 11 to get the witness's knowledge. 12 MR. CARREON: Well, you know, you're going to 13 completely go into an area of -- I don't even want to 14 say another word because you're going to think I'm 15 coaching the witness. Can we just break, and you and I 16 talk, and I am not going to talk to the witness? I 17 really -- I genuinely think it will make things shorter 18 and clearer and the witness will not be coached in any 19 small degree. 20 MR. KJELLBERG: I don't think that's necessary 21 for now. I just -- 22 MR. CARREON: Okay. You're going to wander 23 afield. 24 MR. KJELLBERG: It's simply a question of what 25 she knows about the things that are referred to in that</p>	<p style="text-align: right;">Page 45</p> <p>1 A You know, I really don't remember but I just 2 assume that the search box we have -- we have a search 3 engine now, and I assume that it was some sort of, you 4 know, Google search engine to find things on our site 5 that we were using back before we had our search engine, 6 but.... 7 Q Yeah. 8 A But, you know, I really -- I don't remember. 9 It was too far back. 10 Q Okay. 11 A It was five years ago. I have a hard time 12 remembering yesterday. 13 Q So you don't -- you don't know about Google 14 having derived revenue from the operation of the Google 15 search box? 16 A No, I don't. That was just put in there by 17 Charles. I don't know that stuff. 18 Q I see. Okay. So then on the same page, at 19 the bottom, under the heading Requests For Disclosure of 20 Relevant Information, No. 1 is a request for an 21 accounting of all the ad revenue generated from the 22 advertising that appeared on the search page during the 23 entire time the search page was operative, correct? 24 A Yes. 25 Q Why did American Buddha want to know that?</p>

<p style="text-align: right;">Page 46</p> <p>1 A You know, I don't know why my lawyer wants to</p> <p>2 know what he wants to know. I'm not a lawyer.</p> <p>3 Q Okay. Did he show you this letter for</p> <p>4 approval prior to sending it?</p> <p>5 A Yeah, but that doesn't mean that I understood</p> <p>6 everything in it.</p> <p>7 Q Did he explain -- Did he explain it to you</p> <p>8 adequately?</p> <p>9 A Not enough to stick in my head.</p> <p>10 Q Okay. Thank you. Did Google ever provide</p> <p>11 that accounting?</p> <p>12 A I don't think so. I think they told us to go</p> <p>13 screw off.</p> <p>14 Q Okay. And finally it closes on Page Three</p> <p>15 requesting an expedited response. If you could read the</p> <p>16 first sentence under Expedited Response Requested.</p> <p>17 A This letter is sent with the greatest urgency</p> <p>18 as the damages being suffered by the library site and</p> <p>19 American Buddha are severe and continuing.</p> <p>20 Q What did those damages consist of?</p> <p>21 A The damages of not being able to get my</p> <p>22 content to the Internet.</p> <p>23 Q Okay. I don't want to, you know,</p> <p>24 mischaracterize your prior testimony but, if I am</p> <p>25 remembering correctly, I thought you sort of expressed</p>	<p style="text-align: right;">Page 48</p> <p>1 (A recess was thereupon taken, from</p> <p>2 11:24 a.m. to 11:34 a.m., after which the</p> <p>3 following further proceedings were had</p> <p>4 herein:)</p> <p>5 (T. Carreon Deposition Exhibit Nos. 1 and</p> <p>6 5 were marked for identification.)</p> <p>7 MR. KJELLBERG: Are we back on the record?</p> <p>8 MR. CARREON: Stipulated. We're on the</p> <p>9 record.</p> <p>10 BY THE WITNESS:</p> <p>11 A I talked with my attorney and he refreshed my</p> <p>12 recollection on the e-mail business.</p> <p>13 BY MR. KJELLBERG:</p> <p>14 Q Yeah. You're talking about the list?</p> <p>15 A Yeah, the list. That list was only used to</p> <p>16 generate that one e-mail. The other e-mails that I</p> <p>17 referred to were e-mails we had sent previous to our</p> <p>18 sign-up system, which gathered the e-mail addresses. It</p> <p>19 was sent with an e-mail generating system which we don't</p> <p>20 have the e-mails for that, and that's that. There were,</p> <p>21 like, three or four, something like that, generated and</p> <p>22 sent with the e-mail generator system before we had our</p> <p>23 sign-up system which generated the list here, and which</p> <p>24 we only sent one e-mail.</p> <p>25 Q Got you.</p>
<p style="text-align: right;">Page 47</p> <p>1 indifference as to whether the content was drawing</p> <p>2 traffic or being seen?</p> <p>3 A It's -- No, of course, I want to get it to as</p> <p>4 many people as possible, but I'm not going to</p> <p>5 neurotically monitor every click.</p> <p>6 Q I see. Okay. And do you recall what the</p> <p>7 resolution was of this conflict, you know, if there was</p> <p>8 a resolution to this?</p> <p>9 A The resolution was that we took off the</p> <p>10 sign-up page.</p> <p>11 Q So in subsequent communications -- There were</p> <p>12 subsequent communications with Google?</p> <p>13 A I don't know. Maybe another thing I don't</p> <p>14 remember.</p> <p>15 Q But the net result was --</p> <p>16 A I think it was, like, zero from Google. You</p> <p>17 figure it out. You conform to our logarithm rules. And</p> <p>18 so we just figured that we just had to take the main</p> <p>19 sign-up page off.</p> <p>20 Q Okay. Well, let me see here. If I could --</p> <p>21 Let's -- Can we take five minutes? I think I'm</p> <p>22 probably done, but I just want to make sure.</p> <p>23 MR. CARREON: Okay. Not a problem.</p> <p>24 \\\</p> <p>25 \\\</p>	<p style="text-align: right;">Page 49</p> <p>1 A Okay. Thank you.</p> <p>2 Q So you don't -- you don't know the answer to</p> <p>3 the question about how my e-mail address came to be --</p> <p>4 txk@cll.com must have been part of that list.</p> <p>5 A My understanding is --</p> <p>6 Q I can tell you it's not any longer, you know.</p> <p>7 I just did a search for anything, you know, with</p> <p>8 cll.com, so there isn't a redacted@cll.com in the</p> <p>9 63,000.</p> <p>10 MR. CARREON: Tom, you and I had an exchange</p> <p>11 about that. You wrote me and you said: This doesn't --</p> <p>12 I've got the e-mail someplace. It said: This can't be</p> <p>13 the real list because this can't be the complete list</p> <p>14 because there is no Cowan, Liebowitz e-mail address on</p> <p>15 here, and I signed up, so why am I not on this list?</p> <p>16 And I answered you back --</p> <p>17 MR. KJELLBERG: You must be mischaracterizing</p> <p>18 somewhat because I certainly never signed up.</p> <p>19 MR. CARREON: You wrote me an e-mail.</p> <p>20 MR. KJELLBERG: At any rate, we can get the</p> <p>21 e-mail.</p> <p>22 MR. CARREON: Yeah, you wrote me and said:</p> <p>23 Why isn't my e-mail address on this list? You remember</p> <p>24 that, right?</p> <p>25 MR. KJELLBERG: Yes, but the basis for my</p>

<p style="text-align: right;">Page 50</p> <p>1 curiosity -- This is an interesting colloquy between 2 attorneys on the record, but here we go. 3 My curiosity or the basis for my question was 4 that I assume that what you've said is the case, that 5 this list was used to -- it was the mailing list for the 6 e-mail, the 2009 e-mail, that I received. So when I got 7 this list that did not contain a redacted@cfl.com -- 8 MR. CARREON: Um-hum. 9 MR. KJELLBERG: -- you know, it appeared that 10 I had been removed. However I got on the list back in 11 2009, I had been removed since that time. 12 MR. CARREON: Okay. So what you're saying is 13 you still can't figure out how you got on that list. 14 MR. KJELLBERG: I still don't know how I got 15 on. 16 MR. CARREON: Because you never signed up 17 through the -- 18 MR. KJELLBERG: And I'm assuming the witness 19 doesn't know how -- since she doesn't know how I got on, 20 she won't know how I got off, either. 21 MR. CARREON: Well, I know how I got off, as I 22 previously -- how you got off the list, if you were ever 23 on it. I mean, it's, like, just really weird. It is 24 really weird that you got the e-mail if you did not sign 25 up. I mean, it doesn't make any sense at all.</p>	<p style="text-align: right;">Page 52</p> <p>1 and then we can let you go to lunch and you can be done 2 for the day, unless you are sticking around. And that's 3 this: I just want to confirm these links, the existence 4 of these links. We've had some contentions as to 5 whether they're -- you know, what was and what was not 6 available as a link from the NaderLibrary and the ABOL 7 sites. So I prepared this little piece that, if you 8 would navigate to the NaderLibrary.com home page we can 9 start to go through it. 10 A Okay. 11 Q Let me know when you're there. 12 MR. CARREON: Okay. So let the record reflect 13 that the witness has been provided with an iPad and that 14 she is now using it to navigate to what appears to be 15 the NaderLibrary home page, which I can observe 16 appearing on the iPad, as can you, Ms. Carreon. 17 THE WITNESS: Yes. 18 MR. CARREON: Okay. 19 BY THE WITNESS: 20 A Okay. I'm here at the home page. 21 BY MR. KJELLBERG: 22 Q Okay. Now, if you go to -- I guess it's at 23 the bottom, you have to scroll down -- 24 A Um-hum. 25 Q -- to Charles' Primer of Online Media Law.</p>
<p style="text-align: right;">Page 51</p> <p>1 MR. KJELLBERG: If this were a really 2 compelling question, I guess we'd have to -- we'd have 3 to depose Jacob Hammond, but I think it probably is not 4 material, you know, to anything that we're dealing with 5 now. It's more curiosity. 6 MR. CARREON: You know, I'm not sure about 7 that. I'm not sure about that but, in any event, yeah, 8 I can't understand how you could possibly have gotten 9 that e-mail if you had not been amongst those e-mail 10 addresses. And I remember that what happened was I 11 became aware that you received the e-mail because you 12 attached it to a brief in the appellate process. And at 13 that point I concluded that you had received it because 14 you had signed up. And at that point I said, well, that 15 was a breach of the agreement. Jacob, remove 16 Mr. Kjellberg from the list. And that's what I told you 17 in that e-mail that I wrote some time ago. You never 18 contradicted me at that time so I kind of... 19 MR. KJELLBERG: I don't recollect that, but 20 that's good. Boy, this is the most colloquy with 21 somebody other than the witness I think I've ever been 22 involved in in a deposition. But, hey, this is -- this 23 is a case unlike other cases, right? 24 BY MR. KJELLBERG: 25 Q So we just have one more thing, Ms. Carreon,</p>	<p style="text-align: right;">Page 53</p> <p>1 And if you click on that link -- 2 MR. CARREON: Still scrolling. I'm going to 3 go around to the other side of the table and see if I 4 can see, because I can't see what she's doing. It's a 5 huge page. 6 THE WITNESS: Yeah. 7 MR. CARREON: Okay. The witness has pressed 8 the link. 9 BY THE WITNESS: 10 A Okay. I'm here at Primer. 11 MR. CARREON: Okay. The link has taken us to 12 www.onlinemedialaw.com. 13 BY MR. KJELLBERG: 14 Q Okay. And you see a graphic, The Sex.com 15 Chronicles that I think is prominent. 16 A Yes. 17 Q If you click on the graphic. 18 MR. CARREON: On the right-hand side there 19 is -- at the Web site that is displayed at 20 onlinemedialaw.com there is a link that says -- a 21 White-Hat Lawyer's Journey to the Dark Side of the 22 Internet, Charles Carreon. 23 MR. KJELLBERG: Okay. 24 MR. CARREON: The Sex.com Chronicles. 25 MR. KJELLBERG: Right. What I have on my</p>

<p style="text-align: right;">Page 54</p> <p>1 screen is you have a large -- the graphic, I think it's</p> <p>2 your cover art with the glossy lips.</p> <p>3 MR. CARREON: Um-hum.</p> <p>4 MR. KJELLBERG: I think if you click on</p> <p>5 that --</p> <p>6 MR. CARREON: Okay. There we go. Okay. She</p> <p>7 clicked on that and now it is going to a Web site that</p> <p>8 says: Download free copy of the Sex.com Chronicles and</p> <p>9 the Web site is sex.comchronicles.com.</p> <p>10 Do you see that, Witness?</p> <p>11 THE WITNESS: Yes.</p> <p>12 MR. CARREON: Okay.</p> <p>13 MR. KJELLBERG: There is another link there</p> <p>14 that says Purchase.</p> <p>15 MR. CARREON: Okay. Right.</p> <p>16 THE WITNESS: Where is that?</p> <p>17 MR. CARREON: (Gesturing.)</p> <p>18 BY THE WITNESS:</p> <p>19 A Oh, okay. You want me to press that link?</p> <p>20 BY MR. KJELLBERG:</p> <p>21 Q Purchase, yes.</p> <p>22 A Okay.</p> <p>23 Q Which should bring you to the page that's</p> <p>24 sex.comchronicles.com/products, which gives you the</p> <p>25 option to purchase on Amazon.</p>	<p style="text-align: right;">Page 56</p> <p>1 THE WITNESS: All righty.</p> <p>2 MR. KJELLBERG: Off the record.</p> <p>3 (At 11:45 a.m. the taking of the</p> <p>4 Skype-conferenced deposition of TARA</p> <p>5 CARREON was concluded.)</p> <p>6 (Signature requested.)</p> <p>7</p> <p>8</p> <p>9 TARA CARREON</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 55</p> <p>1 MR. CARREON: Okay.</p> <p>2 BY THE WITNESS:</p> <p>3 A Yes.</p> <p>4 BY MR. KJELLBERG:</p> <p>5 Q If you click Purchase on Amazon, it should</p> <p>6 lead you right to Amazon.com, slash the Sex.com</p> <p>7 Chronicles, dot, com, White-Hat, Internet, et cetera.</p> <p>8 A Okay.</p> <p>9 Q Correct?</p> <p>10 A Yes.</p> <p>11 Q So you're on the Amazon -- what I'll call, for</p> <p>12 want of a better term, the sell page for the Sex.com</p> <p>13 Chronicles, correct?</p> <p>14 A Yes.</p> <p>15 Q And, from there, you have the option to</p> <p>16 purchase it, you can add it to your cart, or various</p> <p>17 options, probably depending on your -- on whether you're</p> <p>18 signed on to Amazon or not.</p> <p>19 A Okay. Yes.</p> <p>20 MR. KJELLBERG: Okay. I won't have you --</p> <p>21 unless you feel in the mood, I won't have you click</p> <p>22 through and buy a copy. But that's fine. I just wanted</p> <p>23 to confirm that series of links on the record.</p> <p>24 And with that, we can conclude your</p> <p>25 deposition, Mrs. Carreon. Thank you very much.</p>	

C E R T I F I C A T E

1
2
3 BE IT KNOWN that I took the foregoing
4 Skype-conferenced deposition; that I was then and there
5 a Certified Reporter in the State of Arizona; that by
6 virtue thereof, I was authorized to administer an oath;
7 that the witness, before testifying was duly sworn to
8 testify to the whole truth and nothing but the truth,
9 and that the testimony of the witness was reduced to
10 writing under my direction.

11 I DO FURTHER CERTIFY that I am not a relative
12 or attorney of either party or otherwise interested in
13 the events of this action.

14 Pursuant to request, notification was provided
15 that the deposition is available for review and
16 signature.

17 WITNESS my hand this 3rd day of July, 2012.

18

19

20

21

MELANIE J. BUILDER, RPR, CR

Certified Reporter No. 50143

22

23

24

25

Page 17, line 16: "I work full-time." should read, "I work full-time for American Buddha Online Library."

Page 17, line 18: "Yes." should read, "No."

Page 31, line 19: "He has an e-mail address there for Charles." should read, "It has an e-mail address there for Charles."

Page 32, lines 2-3: "I just -- We just -- Charles just helped him print the book." should read, "Charles just helped him print the book."

I declare that the foregoing changes to the transcript of my deposition are true and correct to the best of my knowledge, information and belief.

Dated: July 24, 2012

Signed: 
Tara Carreon

Exhibit 14

OIL, BY UPTON SINCLAIR

CHAPTER I: THE RIDE

I

The road ran, smooth and flawless, precisely fourteen feet wide, the edges trimmed as if by shears, a ribbon of grey concrete, rolled out over the valley by a giant hand. The ground went in long waves, a slow ascent and then a sudden dip; you climbed, and went swiftly over -- but you had no fear, for you knew the magic ribbon would be there, clear of obstructions, unmarred by bump or scar, waiting the passage of inflated rubber wheels revolving seven times a second. The cold wind of morning whistled by, a storm of motion, a humming and roaring with ever-shifting overtones; but you sat snug behind a tilted wind-shield, which slid the gale up over your head. Sometimes you liked to put your hand up, and feel the cold impact; sometimes you would peer around the side of the shield, and let the torrent hit your forehead, and toss your hair about. But for the most part you sat silent and dignified -- because that was Dad's way, and Dad's way constituted the ethics of motoring.

Dad wore an overcoat, tan in color, soft and woolly in texture, opulent in cut, double-breasted, with big collar and big lapels and big flaps over the pockets -- every place where a tailor could express munificence. The boy's coat had been made by the same tailor, of the same soft, woolly material, with the same big collar and big lapels and big flaps. Dad wore driving gauntlets; and the same shop had had the same kind for boys. Dad wore horn-rimmed spectacles; the boy had never been taken to an oculist, but he had found in a drug-store a pair of amber-colored glasses, having horn rims the same as Dad's. There was no hat on Dad's head, because he believed that wind and sunshine kept your hair from falling out; so the boy also rode with tumbled locks. The only difference between them, apart from size, was that Dad had a big brown cigar, unlighted, in the corner of his mouth; a survival of the rough old days, when he had driven mule-teams and chewed tobacco.

Fifty miles, said the speedometer; that was Dad's rule for open country, and he never varied it, except in wet weather. Grades made no difference; the fraction of an ounce more pressure with his right foot, and the car raced on-up, up, up -- until it topped the ridge, and was sailing down into the next little valley, exactly in the centre of the magic grey ribbon of concrete. The car would start to gather speed on the down grade, and Dad would lift the pressure of his foot a trifle, and let the resistance of the engine check the speed. Fifty miles was enough, said Dad; he was a man of order.

Far ahead, over the tops of several waves of ground, another car was coming. A small black

Exhibit 15

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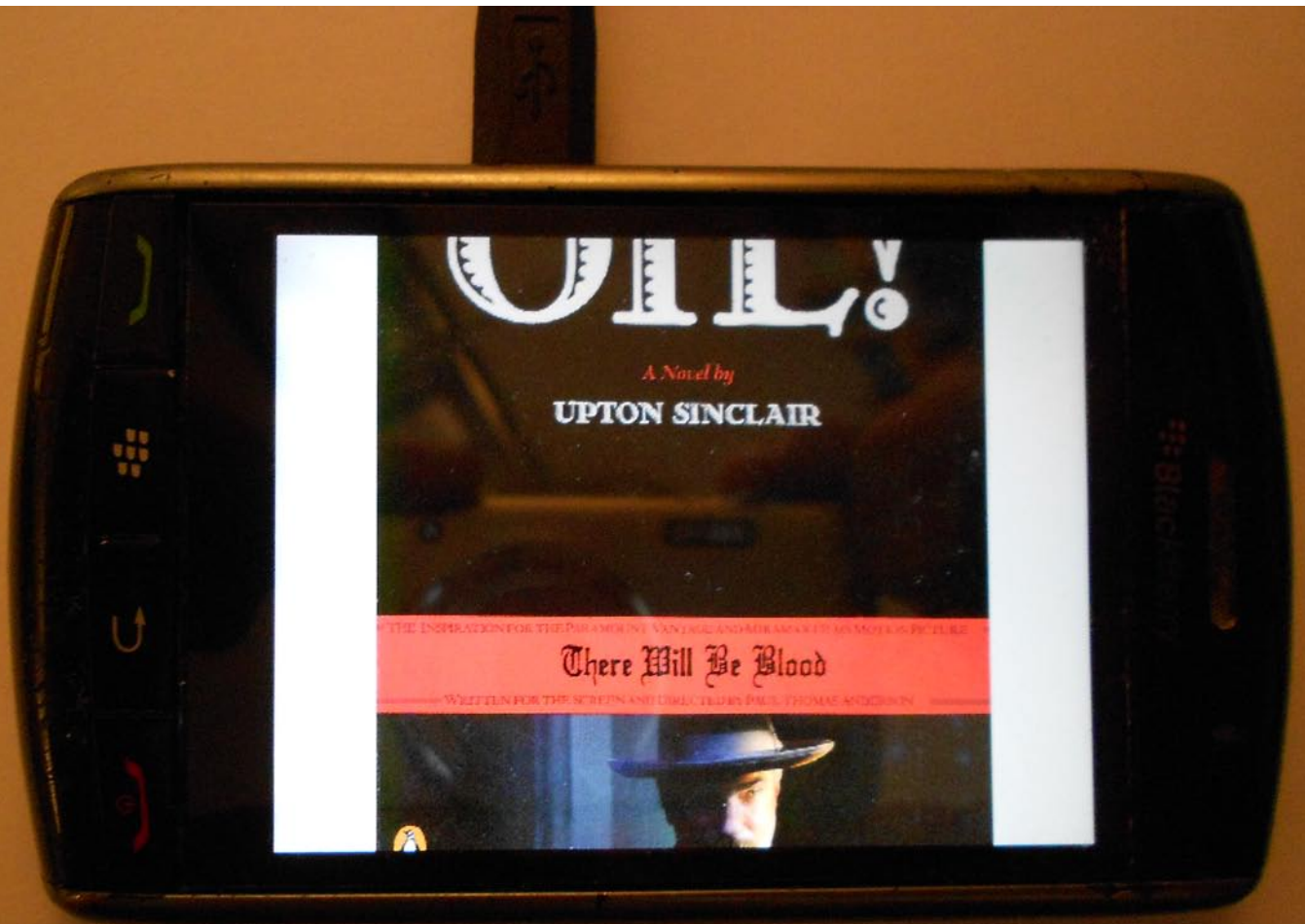
THE RALPH NADER LIBRARY

[Online Library Access For All](#)

Green and Mean

Save gas, save paper, save time, save
the planet! Surf our digital archives
online. How does it work, consistent

BlackBerry



CHAPTER I: THE RIDE

I

The road ran, smooth and flawless, precisely fourteen feet wide, the edges trimmed as if by shears, a ribbon of grey concrete, rolled out over the valley by a giant hand. The ground went in long waves, a slow ascent and then a sudden dip; you climbed, and went swiftly over -- but you had no

Exhibit 16

