

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA
PHILADELPHIA**

MARC BRAGG, Esq., an individual,

CIVIL DIVISION

Plaintiff,

No. 06-cv-4925

v.

JUDGE EDUARDO ROBRENO

LINDEN RESEARCH, INC., a corporation,
and PHILIP ROSEDALE, an individual,

Defendants.

**PLAINTIFF'S FIRST SET OF INTERROGATORIES
DIRECTED TO DEFENDANT LINDEN RESEARCH, INC.**

AND NOW COMES, Plaintiff, Marc Bragg, Esq., by and through counsel, Jason A. Archinaco, Esq. and the law firm of WHITE AND WILLIAMS, LLP and serves the following Interrogatories Directed to Defendant Linden Research, Inc.. Pursuant to the Federal Rules of Civil Procedure, you are required to answer the following Interrogatories within thirty (30) days of receipt.

INSTRUCTIONS AND DEFINITIONS

These Interrogatories are continuing in nature so as to require supplemental and/or amended responses should you obtain additional responsive information subsequent to your initial responses hereto.

For the purposes of these Interrogatories, treat:

- a) The singular of each word as its plural and vice versa;
- b) "And" as well as "or" conjunctively as well as disjunctively;
- c) "Each" to include "every" and vice versa;
- d) "Any" to include "all" and vice versa;

- e) The present tense to include the past tense and vice versa;
- f) The masculine to include the feminine and neuter and vice versa.

In the event information relevant to these Interrogatories is unavailable to or cannot be obtained by you at this time, please state the same and proceed to file a supplemental response when such information becomes available to or is obtained by you.

In the event an objection is made to any Interrogatory, state with specificity your objection and proceed to respond to the remaining portions of the Interrogatory.

If a claim of privilege or other objection is issued with respect to any information responsive to an Interrogatory:

- a) Provide all information and every document which is responsive to the Interrogatory and for which the claim of privilege or other objection is not asserted;
- b) State with specificity the portion or aspect of an Interrogatory to which you assert a claim of privilege or other objection;
- c) State with specificity the legal and factual basis of the claim of privilege or other objection asserted; and
- d) Describe the information to which a claim of privilege or other objection is asserted with sufficient specificity so as to allow Defendant to bring the matter of privilege or other objection before the Court.

The terms “you” and “your” are defined to mean Defendant Linden Research, Inc., in its own right and any of its consultants, accountants, brokers, agents, attorneys, and other representatives.

The term “Plaintiffs” is defined to mean Marc Bragg, Esq.

The term “Complaint” is defined to mean the Complaint filed in this action against the Defendants in the United States District Court, Eastern District of Pennsylvania.

The terms “reflecting” and “reflects” are defined to mean embodying, containing, recording, noticing, summarizing, referring to, describing, or mentioning.

The term "person" is defined to mean natural person, group of natural persons, governmental or other public entity, corporation, partnership, proprietorship, association, joint venture, or any other form of organization or entity.

Where an Interrogatory asks you to "identify" a person, and your Answer thereto requires you to identify a natural person, provide the following information:

- a) The person's full name and any assumed names or former names;
- b) The person's last known business address and telephone number; and
- c) The name and address of the person's last known employer, job title, and job description(s) at all times pertinent to the pending litigation.

Where an Interrogatory asks you to "identify" a person and your Answer thereto requires you to "identify" a person other than a natural person, provide the following information:

- a) The person's full name and any assumed names or foreign names;
- b) A description of the type of entity involved, e.g., government or other public entity, corporation (public or private), partnership, proprietorship, association or other form of organization or entity; and
- c) The last known address of the person's principle place of business and place of incorporation, if applicable.

The term "document" is intended to be comprehensive and includes, without limitation, all written, printed, typed, recorded, graphic, computer-generated, or other material of any kind from which information can be derived, whether produced, reproduced or stored on paper, cards, tape, film, electronic media, computer storage devices or any other medium.

The term "document" further includes, without limitation, letters, memoranda, notes, lists, work papers, data sheets, diaries, logs, appointment calendars, schedules, books, indices, printed forms, publications, press releases, notices, brochures, guidelines, manuals, instructions, minutes, summaries, abstracts, opinions, analyses, evaluations, inspections, proposals, invoices, financial statements, balance sheets, contracts or agreements, specifications, data processing

cards, computer tapes, printouts, information contained in, on or retrievable from computer programs or any other form of electronic media or storage media, as well as, any reproductions thereof that differ in any way from the original or from any reproduction, such as copies containing marginal notations.

Where a discovery request asks you to “identify” a document, provide the following information:

- a) The identity of the person who drafted the document;
- b) The identities of the actual and intended recipients of the document;
- c) A description of the document, e.g., letter, memoranda, contract, etc.; and
- d) State the document’s title or other identifying mark or data.

The term “statement” is defined to mean an oral communication or written statement relating to this litigation or the incident(s) that form the subject matter of this litigation.

Where a discovery request asks you to “identify” a statement, provide the following information:

- a) The identity of the person issuing the statement;
- b) The identity of the person transcribing the statement;
- c) The identity of the parties to, recipients of and those otherwise present or involved at or during the issuance of the statement;
- d) Describe the type of statement, e.g., oral communication, written statement, oral communication reduced to writing, etc.;
- e) State the date the statement was issued;
- f) Describe the content and substance of the statement; and
- g) State whether the statement has been memorialized in whole or in part in a document, identify all such documents and all documents reflecting and relating to the statement.

[END OF INSTRUCTIONS AND DEFINITIONS]

**PLAINTIFF'S FIRST INTERROGATORIES DIRECTED TO
DEFENDANT LINDEN RESEARCH, INC.**

1. On or about what date were you first advised that the language on your website, as it read prior to August 30, 2007, violated or potentially violated consumer fraud or protection statutes?

ANSWER:

2. Once advised that the language on your website, as it read prior to August 30, 2007, violated or potentially violated consumer fraud or protection statutes, what remedial steps were you advised to take, if any?

ANSWER:

3. Why were the remedial steps, if any, you were advised to take not implemented until after August 29, 2007?

ANSWER:

4. Who, if anyone, advised you to publish incomplete citations to your answer/counterclaims on your website?

ANSWER:

5. Identify all credit card processing "agencies" or companies Defendant Linden Research, Inc., has used to process the credit cards for payments for the sale of virtual land.

ANSWER:

Dated: August 31, 2007

WHITE AND WILLIAMS, LLP

By 

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