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12/15/2012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91205114
Party	Plaintiff LegalZoom.com, Inc.
Correspondence Address	IRENE Y LEE RUSS AUGUST & KABAT 12424 WILSHIRE BLVD, 12TH FLOOR LOS ANGELES, CA 90025 UNITED STATES ilee@raklaw.com, azivkovic@raklaw.com, dgoldman@legalzoom.com
Submission	Motion to Suspend for Civil Action
Filer's Name	Irene Y. Lee
Filer's e-mail	ilee@raklaw.com
Signature	/Irene Y. Lee/
Date	12/15/2012
Attachments	3334-US2 121214 Motion to Stay.pdf (4 pages)(141545 bytes) EXHIBIT A (1 OF 4).pdf (55 pages)(4614702 bytes) EXHIBIT A (2 OF 4).pdf (64 pages)(5747536 bytes) EXHIBIT A (3 OF 4).pdf (51 pages)(3407376 bytes) EXHIBIT A (4 OF 4).pdf (68 pages)(3350200 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

LegalZoom.com, Inc.

Opposer,

v.

Brenwell Media, LLC

Applicant.

Opposition No. 91205114

Serial No. 85406236

Mark: BAILZOOM.COM NATIONWIDE BAIL BOND SERVICE

OPPOSER'S MOTION TO SUSPEND PROCEEDINGS FOR CIVIL ACTION

Opposer LegalZoom.com, Inc. ("LegalZoom") hereby moves for suspension of these proceedings pursuant to Trademark Rule 2.117(a), 37 C.F.R. § 2.117(a) in light of the recently filed civil action, *LegalZoom.com, Inc. v. Brenwell Media, LLC*, C.D. Cal. Case No. CV12-10706 JAK (MANx) (the "Civil Action").¹

A. Summary: The Board Should Suspend These Proceedings Because The Civil Action And The Opposition Proceeding Involve Identical Issues Of Fact And Law And A Final Determination In The Civil Action Will Have A Bearing On The Issues That Are Currently Pending Before The Board.

On August 24, 2011, Applicant Brenwell Media, LLC ("Applicant") filed Application Serial No. 85/406,236 to register the mark BAILZOOM.COM NATIONWIDE BAIL BOND SERVICE (the "BAILZOOM" mark). On May 11, 2012, LegalZoom filed an Opposition to Applicant's application based on LegalZoom's six trademark and service mark registrations for the LEGALZOOM formative marks. On June 21, 2012, Applicant filed their Answer to LegalZoom's Notice of Opposition (the "Answer"). In that Answer, Applicant denied, among other things, that (1) the LEGALZOOM marks are famous, (2) Applicant is attempting to

¹ A copy of the complaint in the Civil Action is attached hereto as Exhibit A.

register the BAILZOOM mark in connection with services that are highly related to the services provided by LegalZoom under the LEGALZOOM marks, (3) that there is a likelihood of confusion between the BAILZOOM mark and the LEGALZOOM marks, and (4) that Applicant's BAILZOOM mark so closely resembles LegalZoom's famous marks and name LEGALZOOM that it is likely to dilute and will dilute the distinctive quality of the LEGALZOOM marks.

On December 14, 2012, LegalZoom filed the Civil Action against Applicant in the United States District Court for the Central District of California. The complaint in the Civil Action alleges that Applicant's use of the BAILZOOM mark constitutes Trademark Infringement/False Designation of Origin/Unfair Competition (15 U.S.C. § 1125(a)); Trademark Dilution (15 U.S.C. § 1125(c)); Trademark Dilution under California Law (Cal. Bus. & Prof. Code § 14247 et seq.); Unfair Competition under California law (Cal. Bus. & Prof. Code § 17200 et seq.); Trademark Infringement under California law (California Common Law); and Unfair Competition (California Common Law).

Trademark Rule 2.117 gives the Board discretion to suspend proceedings once it learns that a civil action is pending:

"(a) Whenever it shall come to the attention of the Trademark Trial and Appeal Board that a party or parties to a pending case are engaged in a civil action or another Board proceeding which may have a bearing on the case, proceedings before the Board may be suspended until termination of the civil action or the other Board proceeding.

(b) Whenever there is pending before the Board both a motion to suspend and a motion which is potentially dispositive of the case, the potentially dispositive motion may be decided before the question of suspension is considered regardless of the order in which the motions were filed.

(c) Proceedings may also be suspended, for good cause, upon motion or a stipulation of the parties approved by the Board."

37 C.F.R. 2.117. Additionally, the Trademark Board Manual of Procedure ("T.B.M.P.") states:

"Most commonly, a request to suspend pending the outcome of another proceeding seeks suspension because of a civil action pending between the parties in federal district court. To the extent that a civil action in federal district court involves issues in common with those in a proceeding before the Board, the decision of the federal district court is often binding upon the Board, while the decision of the Board is not binding upon the court. . . . Ordinarily, the Board will suspend proceedings in the case before it if the final determination of the other proceeding may have a bearing on the issues before the Board."

T.B.M.P. 510.02(a); see also Alfred Dunhill of London, Inc. v. Dunhill Tailored Clothes, Inc., 293 F.2d 685, 686 fn.2 (C.C.P.A. 1961)("It appears to be the usual practice to stay registration proceedings pending the out-come of court actions between the same parties involving related issues."); *Midland Cooperatives, Inc. v. Midland International Corp.*, 57 C.C.P.A. 932, 934 (C.C.P.A. 1097)("TTAB granted motion to suspend an opposition proceeding after the filing of a civil action because it "inferred that the outcome of said civil suit will be determinative of the issues involved in the instant proceedings.").

Here, the issues in the Civil Action are nearly identical to the issues in the Opposition proceeding. Accordingly, because a determination in the Civil Action will likely have a bearing on the issues that are presently before the Board, LegalZoom respectfully requests that the Board stay these proceedings pending the outcome of the Civil Action.

Dated: December 14, 2012

Respectfully submitted,

frome O. Bu

Irene Y. Lee RUSS, AUGUST & KABAT Twelfth Floor 12424 Wilshire Boulevard Los Angeles, California 90025 Telephone: (310) 826-7474 Facsimile: (310) 826-6991 Attorneys for LegalZoom.com, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 14, 2012, one (1) true and correct copy of the foregoing document has been served on Petitioner by mailing the same via First Class Mail and electronic mail to:

Barry L. Haley MAIN HALEY DIMAGGIO BOWEN & LHOTA, P.A. 1936 South Andrews Avenue Fort Lauderdale FL 33316 Email: BLH@mhdpatents.com

/s/ Robert F. Gookin

Robert F. Gookin

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RUSS, AUGUST & KABÀT	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 $ $	RUSS, AUGUST & KABAT LARRY C. RUSS, State Bar No. 082760 E-mail: Inus@aklaw.com RUBLET F. GOOKIN, State Bar No. 213625 E-mail: ilee@raklaw.com ROBLERT F. GOOKIN, State Bar No. 213625 E-mail: ilee@raklaw.com Twelfth Floor 12424 Wilshire Boulevard, Los Angeles, California 90025 Telephone: 310.826.7474 Facsimile: 310.826.6991 Attorneys for Plaintiff LegalZoom.com, Inc. UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA LEGALZOOM.COM, INC., a Delaware corporation, Plaintiff, vs. BRENWELL MEDIA, LLC, a Florida limited liability company; and DOES 1-10, Defendants. BRENWELL MEDIA, LLC, a (Cal. Bus. & Prof. Code § 1125(c)); 3. Trademark Dilution under California Law (Cal. Bus. & Prof. Code § 14247 et seq.); 4. Unfair Competition under California Law (Cal. Bus. & Prof. Code § 17200 et seq.); 5. Trademark Infringement under California Law (Cal. Bus. & Prof. Code § 17200 et seq.); 5. Trademark Infringement Law; (Cal. Bus. & Prof. Code § 17200 et seq.); 5. Trademark Infringement under California Law (Cal. Bus. & Prof. Code § 17200 et seq.); 5. Trademark Infringement under California Law (Cal. Bus. & Prof. Code § 17200 et seq.); 5. Trademark Infringement under California Law (Cal. Bus. & Prof. Code § 17200 et seq.); 5. Trademark Infringement under California Law (Cal. Bus. & Prof. Code § 17200 et seq.); 5. Trademark Infringement under California Law (California Common Law); and 6. Unfair Competition (California Common Law). DEMAND FOR JURY TRIAL	Y
		COMPLAINT	

INTRODUCTION

Plaintiff LegalZoom.com, Inc. ("LegalZoom") is a market leader in the field of self-help legal solutions, self-help legal document services, general legal information, attorney referral services, and legal plan services. LegalZoom provides these services online at set prices, making them readily available and affordable to small businesses and general consumers across the United States. Since introducing its website in March 2001, LegalZoom has grown to become the leading, nationally recognized self-help legal brand for small businesses and consumers.

LegalZoom is the owner of six United States trademark and service mark registrations for the LEGALZOOM formative marks (collectively, the "LEGALZOOM" marks):

Mark	Reg. No.	Ser. No.	Goods/Services
	Reg. Date	Filing Date	
LEGALZOOM ¹	3,211,009	78/850,586	Providing online
	February 20, 2007	March 30, 2006	directory
			information on
			attorney listings;
			Attorney referral
			and matching
LEGALZOOM ²	3,210,728	78/758,303	services in Class 35
LEGALZOOM	February 20, 2007	November 21, 2005	Legal document preparation services
	1 coluary 20, 2007		and providing
			general legal
			information via a
			website on global
			computer networks
			in Class 42
LEGALZOOM ³	3,210,861	78/807,067	Attorney referral
F			
' A true and corr- attached hereto as	. . <i>+</i>	tration certificate for I	Reg. No. 3,211,009
² A true and corr	ect copy of the regist	tration certificate for I	Reg. No. 3,210,728 i
attached hereto as			
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Mark	Reg. No. Reg. Date	Ser. No. Filing Date	Goods/Service
	February 20, 2007	February 3, 2006	services in Clas
LEGALZOOM ⁴	2,540,549	78/028,358	Legal documen
(and Design)	February 19, 2002	September 29, 2000	preparation serv and providing general legal information via website on glob computer netwo
I ECALZOOM	2.5(0.400	77/471.007	in Class 42
LEGALZOOM. COM⁵	3,569,400 February 3, 2009	77/471,025 May 9, 2008	Providing onlin directory information on attorney listings Attorney referra and matching services in Clas
			Legal Services; Legal document preparation serv and providing general legal information via website on glob computer netwo in Class 45.
LEGALZOOM. COM (and Design) ⁶	3,748,170 February 16, 2010	77/476,052 May 15, 2008	Providing online directory information on attorney listings Attorney referra
A true and corr ttached hereto as A true and corr A true and corr attached hereto as	Exhibit C. ect copy of the regist Exhibit D. ect copy of the regist Exhibit E. ect copy of the regist	ration certificate for R ration certificate for R ration certificate for R ration certificate for R 2	Reg. No. 2,540,54 Reg. No. 3,569,40

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Mark	Reg. No. Reg. Date	Ser. No. Filing Date	Goods/Services
			and matching services in Class 3
			Legal Services; Legal document
			preparation service
			and providing general legal
			information via a
			website on global computer network
			in Class 45.

As a result of LegalZoom's exclusive, extensive, continuous and nationwide use of the LEGALZOOM marks, the LEGALZOOM marks have come to signify the leading provider of online, self-help services that meet the legal needs of small businesses and consumers and have achieved such widespread public recognition that the use of the suffix "zoom" anywhere in the legal industry is now associated with LegalZoom.

As an industry leader, LegalZoom has expended well over a hundred million dollars promoting the need for self-help services, educating and raising awareness among consumers, and advertising and promoting the LEGALZOOM marks.

In order to build and maintain its status as the leading nationally-recognized brand, LegalZoom has promoted the LEGALZOOM marks through advertising across the media of television, radio, and the Internet, with paid endorsements from a number of celebrities – Bill Handel of The Bill Handel Show, Sean Hannity of The Sean Hannity Show, Ryan Seacrest of The Ryan Seacrest Show and American Idol, and Dan Patrick of The Dan Patrick Show to name a few. Indeed, LegalZoom's co-founder – attorney Robert Shapiro – is a highly recognized, highprofile figure in the legal world, increasing the fame of the LEGALZOOM marks.

This action is necessitated by the fact that Defendant Brenwell Media, LLC ("Defendant") is seeking to trade on LEGALZOOM's fame and goodwill by using

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and/or attempting to register the mark BAILZOOM, BAILZOOM.COM and BAILZOOM.COM NATIONWIDE BAIL BOND SERVICE (collectively, the "BAILZOOM" marks) to advertise online bail bond services and service providers over the Internet.

On information and belief, Defendant consciously and willfully adopted the BAILZOOM marks, which are confusingly similar to the LEGALZOOM marks, in an intentional and deliberate attempt to capitalize on the goodwill associated with the LEGALZOOM marks. By offering similar services over the same channels of commerce to the same group of customers under confusingly similar marks, Defendant is intentionally attempting to capitalize on the hard-earned fame and reputation of the LEGALZOOM marks. Defendant's actions are willful and unlawful, are calculated to deceive consumers, and will irreparably harm the valuable goodwill LegalZoom has built up over the past decade as a result of hard work and considerable investments of time and money.

Accordingly, Defendant must be ordered to stop its infringing activities, to pay damages to LegalZoom in an amount to be determined at trial, and to disgorge any profits it has made as a result of its willful and bad faith infringement of the LEGALZOOM marks.

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JURISDICTION AND VENUE

20 This is an action for trademark infringement, false designation of 1. origin, and unfair competition, under Section 43(a) of the Lanham Act, 15 U.S.C. § 21 1125(a); trademark dilution under § 1125(c); trademark dilution under Cal. Bus. & 22 Prof. Code § 14247 et seq.; unfair competition under Cal. Bus. & Prof. Code § 23 24 17200 et seq.; trademark infringement under California common law; and unfair 25 competition under California common law.

26 This Court has original subject matter jurisdiction over this action 2. pursuant to 28 U.S.C. §§ 1331 and 1338(a) and 15 U.S.C. § 1121. This Court has

supplemental jurisdiction over the state law claims pursuant to 28 U.S.C. § 1338(b) and 28 U.S.C. § 1367.

3. This Court also has diversity of citizenship jurisdiction over the matters complained of under 28 U.S.C. § 1332(a)(2) as the matters in controversy exceed the sum or value of \$75,000, exclusive of interest and costs, and are between a Delaware corporation that is a citizen of the State of California, and on information and belief, a Florida limited liability corporation that is also a citizen or subject of the State of Florida.

4. This Court has personal jurisdiction over Defendant because Defendant operates an Internet website that is accessible in California by residents in California, including in this judicial district, and because Defendant offers referrals to bail bond companies in the State of California, targeting consumers in California, including customers in this judicial district. Additionally, on information and belief, Defendant knew and intended that the brunt of the harm caused by its actions would be suffered by LegalZoom within this district.

5. Venue is proper in this district under 28 U.S.C. §§ 1391(b)(2) and (3) because a substantial part of the events giving rise to the claims occurred in this judicial district and because there is personal jurisdiction over Defendant in this judicial district.

THE PARTIES

6. LegalZoom is a Delaware corporation with a principal place of business at 101 North Brand Boulevard, 11th Floor, Glendale, California 91203.

7. LegalZoom is informed and believes that Defendant is a limited liability company formed in the State of Florida, having a place of business at 1010 East Adams Street, Suite No. 7, Jacksonville, Florida 32202. LegalZoom is further informed and believes that all of the members of the limited liability company are citizens of the State of Florida.

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ALLEGATIONS COMMON TO ALL CLAIMS FOR RELIEF

A. LEGALZOOM'S CREATION AND CONTINUOUS USE AND ACQUIRED FAME OF THE LEGALZOOM MARKS.

8. LegalZoom was founded in or about 1999.

9. The LegalZoom website, available at <u>www.legalzoom.com</u>, went live on or about March 12, 2001.

10. Since that time, LegalZoom has served approximately two million customers throughout the United States.

11. In 2011 alone, LegalZoom customers placed approximately 490,000 orders on or through the website.

12. Additionally, in 2011 more than 20 percent of new California limited liability companies were formed using LegalZoom's online legal platform.

13. In 2009, LegalZoom had revenues of \$103,299,000. In 2010, that number increased to \$120,771,000. And in 2011 that number further increased to \$156,066,000.

14. As a leader in the self-help legal services industry, LegalZoom has invested well over a hundred million dollars promoting such services and raising awareness among consumers, as well as in advertising and promoting the LEGALZOOM marks.

15. As a result of its efforts and expenditures, LegalZoom's
LEGALZOOM marks have become widely recognized by the general consuming
public of the United States as a designation of source of the goods and services of
LegalZoom.

16. For more than a decade, LegalZoom has advertised extensively on
television, on radio, over the Internet, and in other advertising channels, including
sports sponsorships. LegalZoom advertises in markets throughout the country,
including the largest markets, such as Boston, New York, Chicago, San Francisco
and Los Angeles. Further, LegalZoom has a strong presence on the radio and

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through the paid endorsement of a number of celebrities, including but not limited to Bill Handel, Sean Hannity, Ryan Seacrest and Dan Patrick.

17. Additionally, and almost from LegalZoom's inception, the LEGALZOOM marks have been featured and discussed in publications and on television programs and Internet websites all over the United States, including but not limited to on ABC News,⁷ in The New York Times,⁸ in FSB,⁹ in The Atlanta Constitution,¹⁰ on CBS MarketWatch,¹¹ on AskMen.com,¹² in The Boston Herald,¹³ on Kiplinger.com,¹⁴ on the AARP website,¹⁵ on CNN Headline News,¹⁶ on

A true and correct copy of an October 1, 2001, ABC News story featuring LegalZoom is attached hereto as Exhibit G and incorporated by reference as if set forth in full herein.

⁸ A true and correct copy of a May 16, 2002, New York Times article featuring LegalZoom is attached hereto as Exhibit H and incorporated by reference as if set forth in full herein.

A true and correct copy of a July/August 2002 article in FSB featuring LegalZoom is attached hereto as Exhibit I and incorporated by reference as if set forth in full herein.

A true and correct copy of an August 8, 2002, Atlanta Constitution article featuring LegalZoom is attached hereto as Exhibit J and incorporated by reference as if set forth in full herein.

A true and correct copy of a September 20, 2002, article on CBS MarketWatch 19 featuring LegalZoom is attached hereto as Exhibit K and incorporated by reference as if set forth in full herein. 20

¹² A true and correct copy of a September 26, 2002, article on AskMen.com 21 describing LegalZoom.com as one of the "best and coolest sites around" is attached hereto as Exhibit L and incorporated by reference as if set forth in full 22 herein. 23

¹³ A true and correct copy of a September 10, 2002, Boston Herald article featuring LegalZoom is attached hereto as Exhibit M and incorporated by reference as if set forth in full herein.

¹⁴ A true and correct copy of an October 17, 2002, article on Kiplinger.com featuring LegalZoom is attached hereto as Exhibit N and incorporated by reference as if set forth in full herein.

¹⁵ A true and correct copy of a January 5, 2003, AARP My Generation article featuring LegalZoom is attached hereto as Exhibit O and incorporated by reference as if set forth in full herein. 7

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MSNBC,¹⁷ in The Christian Science Monitor,¹⁸ in PC Magazine,¹⁹ on the NBC 1 Today Show,²⁰ in The Richmond Times-Dispatch,²¹ on the Wall Street Journal 2 website,²² on Reuters,²³ on the Gannett News Service,²⁴ on the Dow Jones News 3 Service,²⁵ on CBSNEWS.com,²⁶ in USA Today,²⁷ in the LA Business Journal,²⁸ on 4 Business Wire,²⁹ in The Huffington Post,³⁰ and in Forbes.³¹ 5 6 7 ¹⁶ A true and correct copy of a transcript from a February 22, 2003, segment on CNN Headline News is attached hereto as Exhibit P and incorporated by reference 8 as if set forth in full herein. 9 ¹⁷ A true and correct copy of a May 28, 2003, article on MSNBC featuring LegalZoom is attached hereto as Exhibit O and incorporated by reference as if set 10 forth in full herein. 11 ¹⁸ A true and correct copy of a June 18, 2003, article in the Christian Science Monitor featuring LegalZoom is attached hereto as Exhibit R and incorporated by 12 reference as if set forth in full herein. 13 ¹⁹ A true and correct copy of an August 19, 2003, review in PC Magazine featuring LegalZoom is attached hereto as Exhibit S and incorporated by reference as if set 14 forth in full herein. 15 ²⁰ A true and correct copy of a transcript from a December 12, 2003, interview on NBC's Today show featuring LegalZoom is attached hereto as Exhibit T and 16 incorporated by reference as if set forth in full herein. 17 ²¹ A true and correct copy of a January 11, 2004, article from the Richmond Times-Dispatch featuring LegalZoom is attached hereto as Exhibit U and incorporated by 18 reference as if set forth in full herein. 19 ²² A true and correct copy of a January 20, 2004, article from the WSJ.com website featuring LegalZoom is attached hereto as Exhibit U-1 and incorporated by 20reference as if set forth in full herein. 21 A true and correct copy of a January 21, 2004, Reuters article featuring 23 LegalZoom is attached hereto as Exhibit V and incorporated by reference as if set 22 forth in full herein. 23 ²⁴ A true and correct copy of a May 28, 2004, article for the Gannett News Service featuring LegalZoom is attached hereto as Exhibit W and incorporated by 24 reference as if set forth in full herein. 25 ²⁵ A true and correct copy of a June 3, 2004, article on the Dow Jones News Service featuring LegalZoom is attached hereto as Exhibit X and incorporated by 26 reference as if set forth in full herein. 27 ²⁶ A true and correct copy of a March 24, 2005, article on CBSNEWS.com featuring LegalZoom is attached hereto as Exhibit Y and incorporated by reference 28 as if set forth in full herein. 8 3334-US2 121214 Complaint.doc COMPLAINT

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18. The LegalZoom website generates hundreds of thousands of hits per month. Critically, the LEGALZOOM marks are prominently displayed on the LegalZoom webpages.³²

19. Beyond its various advertisements, mentions in traditional media and social media presence, LegalZoom has also entered the popular culture with numerous references on television programs, all of which references assume and rely upon the viewing audience's familiarity with LegalZoom and the LEGALZOOM marks.

On August 24, 2010, LegalZoom was discussed on an episode of the 20. popular CBS legal drama "The Good Wife."33

On July 9, 2012, Jay Leno referenced LegalZoom on the highly rated 21. "The Tonight Show With Jay Leno."³⁴

²⁷ A true and correct copy of a June 13, 2006 article in USA Today featuring LegalZoom is attached hereto as Exhibit Z and incorporated by reference as if set forth in full herein.

A true and correct copy of an October 27, 2008 article in the LA Business 28 Journal featuring LegalZoom is attached hereto as Exhibit AA and incorporated by reference as if set forth in full herein.

²⁹ A true and correct copy of a July 29, 2011, article on Business Wire featuring LegalZoom is attached hereto as Exhibit BB and incorporated by reference as if set forth in full herein.

³⁰ A true and correct copy of a June 2, 2012, article from the Huffington Post website is attached hereto as Exhibit CC and incorporated by reference as if set forth in full herein.

³¹ A true and correct copy of a March 23, 2012, article from the Forbes website is attached hereto as Exhibit DD and incorporated by reference as if set forth in full herein.

³² True and correct copies of the LegalZoom webpages are attached hereto as Exhibit EE and incorporated by reference as if set forth in full herein.

25 ³³ A true and correct copy of a transcript of the August 24, 2010, broadcast of "The Good Wife" is attached hereto as Exhibit FF and incorporated by reference as if set 26 forth in full herein. 27

³⁴A true and correct copy of a transcript the relevant portion of the July 9, 2012, broadcast of "The Tonight Show With Jay Leno" is attached hereto as Exhibit GG 28 and incorporated by reference as if set forth in full herein. 3334-US2 121214 Complaint.doc

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22. On March 5, 2012, LegalZoom was referenced on a segment of the popular Comedy Central show, "The Colbert Report."35

On August 22, 2011, LegalZoom was used as the punch line in a joke 23. about Kim Kardashian's wedding on the popular cable television show "Chelsea Lately."36

24. LegalZoom conducted independent consumer brand awareness surveys in January 2012, April 2012, and July 2012. Those surveys establish that LegalZoom is the industry leader, both in terms of consumer awareness and in terms of respondents indicating that they had used LegalZoom's services - by more than double its next largest competitor.

The LEGALZOOM marks are of material importance to LegalZoom. 25. LegalZoom has used the original LEGALZOOM marks continuously for more than a decade and has spent more than a hundred million dollars promoting those marks.

26. Because of the invaluable goodwill that the LEGALZOOM marks represent, and its importance to the company, LegalZoom aggressively protects the LEGALZOOM marks.

DEFENDANTS' USE OF THE BAILZOOM MARKS IN VIOLATION OF LEGALZOOM'S RIGHTS IN THE LEGALZOOM MARKS. В.

27. 20 information belief, Defendant On and started operating www.bailzoom.com in direct competition with LegalZoom and in contravention of 22 its rights in the LEGALZOOM marks. Through its bailzoom.com site, Defendant $\frac{1}{2}$

³⁶ A copy of the relevant portion of the August 22, 2011, broadcast of "Chelsea Lately" has been identified as Exhibit II and provided to the Court on a DVD, 28 which has been attached to this pleading. 10 3334-US2 121214 Complaint.doc

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²⁵ ³⁵ A true and correct copy of the transcript of a segment from the March 5, 2012, Colbert Report is attached hereto as Exhibit HH and incorporated by reference as if 26 set forth in full herein. 27

offers information about bail bond agencies in various areas, including in the State of California and the Central District of California.

28. On information and belief, fully aware that LegalZoom owned the rights to the famous LEGALZOOM marks, in the summer of 2009 Defendant started using the BAILZOOM marks. Indeed, Defendant was aware of the LEGALZOOM marks and purposely chose to use the BAILZOOM marks in an attempt to capitalize on the hard earned fame of the LEGALZOOM marks.

29. Specifically, on or about February 17, 2010, Defendant filed a trademark application with the USPTO, seeking federal registration for BAILZOOM for use in connection with providing bail bond services, Serial Number 77/937,341.³⁷

30. Again, on or about August 24, 2011, Defendant filed an application for BAILZOOM.COM NATIONWIDE BAIL BOND SERVICE, Serial No. 85/406,236.³⁸

31. Defendant's use of the BAILZOOM marks on its services and in its promotional materials and advertising constitutes a use in commerce of a colorable imitation, copy and reproduction of LegalZoom's LEGALZOOM marks.

32. Defendant's use of the BAILZOOM marks for providing online bail
bond referral services is deceptively and confusingly similar to LegalZoom's use
of LEGALZOOM marks for providing online self-help legal services, including
attorney referral services, and dilutive of LegalZoom's famous LEGALZOOM
marks.

33. Defendant's BAILZOOM branded services are offered in the same
manner, *i.e.*, through the Internet, and targeted at the same classes of purchasers
with legal needs as LegalZoom's famous LEGALZOOM marks.

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^{27 &}lt;sup>37</sup> A true and correct copy of Defendant's application, Serial Number 77/937,341, is attached hereto as Exhibit JJ.

³⁸ A true and correct copy of Defendant's application, Serial Number 85/406,236, is attached hereto as Exhibit KK. ^{3334-US2 121214 Complaint doc} 11

34. Defendant's use of the BAILZOOM marks is likely to cause confusion, mistake, or deception in the minds of the general consuming public, who will likely associate BAILZOOM with LEGALZOOM.

35. Defendant's use of the BAILZOOM marks is likely to dilute the distinctiveness of LegalZoom's famous LEGALZOOM marks.

36. Despite LegalZoom's repeated requests to stop such infringing activities, Defendant has continued to infringe and is infringing LegalZoom's trademark rights, necessitating the instant action. Attached hereto as Exhibit LL is a true and correct copy of LegalZoom's letter to Defendant, requesting that Defendant cease and desist from all use of BAILZOOM, BAILZOOM.COM and all variations thereof, and withdraw its trademark application. Defendant refused to comply and is continuing to use and infringe LegalZoom's rights in the LEGALZOOM marks and dilute the distinctiveness of those marks.

37. Defendant's infringement and dilution constitute a willful and malicious violation of LegalZoom's trademark rights.

FIRST CLAIM FOR RELIEF

(Trademark Infringement/False Designation of Origin/Unfair Competition) 15 U.S.C. § 1114 [Lanham Act § 32]

19 38. LegalZoom repeats paragraphs 1-37, above, and incorporates the
20 allegations thereof as if herein set forth in their entirety.

39. LegalZoom is the sole and exclusive owner of valid, protectable
LEGALZOOM marks, and has overseen, controlled, and directed goods and
services manufactured, marketed, advertised, promoted, and sold under the
LEGALZOOM marks. As a result of this authorized marketing, advertising,
promotion and use of the LEGALZOOM marks, the LEGALZOOM marks have
come to represent the gold standard in legal self-help Internet services.

27 40. Defendant is using the BAILZOOM marks in connection with the sale
28 and advertising of services in a manner that is likely to cause confusion, mistake,

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and/or deception among consumers as to affiliation, connection, or association with LegalZoom or as to the origin, sponsorship, or approval of Defendant's products and services by LegalZoom.

41. Defendant's adoption and use of the BAILZOOM marks has been made notwithstanding LegalZoom's well-known rights in the famous LEGALZOOM marks and with both actual and constructive notice of LegalZoom's federal registration rights under 15 U.S.C. § 1072.

8 42. Defendant has intentionally adopted the BAILZOOM marks with the 9 intent and result of causing confusion, mistake, or deception of the public as to the 10 identity and origin of LegalZoom's products and services.

As a direct and proximate result of Defendant's infringing activities, 43. LegalZoom has suffered irreparable injury to LegalZoom's business, reputation and goodwill in its federally registered LEGALZOOM marks and will continue to suffer such injury unless Defendant is enjoined by this Court from continuing its infringing activities.

44. LegalZoom has no adequate remedy at law unless this Court enjoins Defendant's infringing conduct.

SECOND CLAIM FOR RELIEF

(Trademark Dilution)

15 U.S.C. § 1125(c)

45. LegalZoom repeats paragraphs 1-44, above, and incorporates the 22 allegations thereof as if herein set forth in their entirety.

23 46. As a result of LegalZoom's well-established and continuous use of the 24 LEGALZOOM marks and extensive sales of LEGALZOOM services and products 25 in connection with providing online self-help services that meet the legal needs of 26 small businesses and consumers, the LEGALZOOM marks have become famous 27 and recognized by the general consuming public throughout the United States.

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47. Defendant started using the BAILZOOM marks in connection with substantially similar products and services as those of LegalZoom long after the LEGALZOOM marks had become famous and well known among the general consuming public throughout the United States.

48. On information and belief, Defendant knowingly and willfully intended to trade on the goodwill of the LEGALZOOM marks and dilute their distinctiveness.

49. LegalZoom's LEGALZOOM marks and Defendant's BAILZOOM mark are so similar that the BAILZOOM marks conjure up an association with the LEGALZOOM marks in the mind of the general consuming public.

50. When encountering Defendant's internet website, which prominently features the BAILZOOM marks, members of the general consuming public who are familiar with the renown of LegalZoom and the LEGALZOOM marks are likely to immediately associate them with the LEGALZOOM marks.

51. Defendant's use of the BAILZOOM marks has and will continue to erode the distinctiveness and prestige of the LEGALZOOM marks.

52. Allowing Defendant to continue using the BAILZOOM marks will encourage the proliferation of marks that will deprive the LEGALZOOM marks of their unique distinctiveness and impact in the market.

53. LegalZoom stands to suffer irreparable harm and dilution of its
LEGALZOOM marks through blurring and/or tarnishment, and LegalZoom is thus
entitled to preliminary and permanent injunctive relief pursuant to 15 U.S.C. §§
1116(a) and 1125(c).

54. Defendant's actions have caused LegalZoom damage, and thus
LegalZoom is entitled to recover Defendant's profits together with LegalZoom's
damages, which may be trebled, as well as costs of the action pursuant to 15
U.S.C. § 1117(a).

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55. Defendant's unlawful and willful conduct renders this case an exceptional case, further entitling LegalZoom to recover its reasonable attorneys' fees pursuant to 15 U.S.C. § 1117.

THIRD CLAIM FOR RELIEF

Trademark Dilution

(Cal. Bus. & Prof. Code § 14247 et seq.)

56. LegalZoom repeats paragraphs 1-55, above, and incorporates the allegations thereof as if herein set forth in their entirety.

57. Defendant's conduct, as detailed herein, dilutes the distinctive quality of the LEGALZOOM marks. This constitutes trademark dilution under Cal. Bus. & Prof. Code § 14247 *et seq*.

58. Absent injunctive relief, LegalZoom has no means by which to control Defendant's dilution of the LEGALZOOM marks. LegalZoom is thus entitled to preliminary and permanent injunctive relief prohibiting Defendant from continuing to commit such acts.

16 59. In performing the conduct described herein, on information and belief,
17 Defendant acted knowingly, willfully and with malice, intending to injure
18 LegalZoom and to wrongfully advantage itself at LegalZoom's expense.
19 LegalZoom is thus entitled to an award of Defendant's profits and LegalZoom's
20 damages, both of which may be trebled.

FOURTH CLAIM FOR RELIEF

Unfair Competition

(Cal. Bus. & Prof. Code § 17200 et seq.)

24 60. LegalZoom repeats paragraphs 1-59, above, and incorporates the
25 allegations thereof as if herein set forth in their entirety.

26 61. Defendant's acts have impaired the goodwill in the LEGALZOOM
27 marks, have created a likelihood of confusion, diluted the distinctiveness of the
28 LEGALZOOM marks, and have otherwise adversely affected LegalZoom's

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business and reputation by use of unfair business practices and false association.
These acts constitute unfair competition and unfair business practices under Cal.
Bus. & Prof. Code § 17200 *et seq*.

62. Absent injunctive relief, LegalZoom has no means by which to control Defendant's deceptive and confusing use of the BAILZOOM marks and their diluting effects on the LEGALZOOM marks. LegalZoom is thus entitled to injunctive relief prohibiting Defendant from continuing its acts of unfair competition. LegalZoom is also entitled to restitution to the extent provided by law.

FIFTH CLAIM FOR RELIEF

Trademark Infringement

(California Common Law)

63. LegalZoom repeats paragraphs 1-62, above, and incorporates the allegations thereof as if herein set forth in their entirety.

64. LegalZoom is the sole and exclusive owner of the trademark rights in the LEGALZOOM marks.

17 65. By its acts as described above, Defendant has created a likelihood of
18 confusion, mistake, and/or deception among consumers as to affiliation,
19 connection, or association with LegalZoom or as to the origin, sponsorship, or
20 approval of Defendant's products and services by LegalZoom.

66. Absent injunctive relief, LegalZoom has no means by which to
control Defendant's infringing activities. LegalZoom is thus entitled to
preliminary and permanent injunctive relief prohibiting Defendant from continuing
to commit such acts.

67. In performing the conduct described herein, on information and belief,
Defendant acted with oppression and malice, intending to injure LegalZoom and to
wrongfully advantage itself at LegalZoom's expense. LegalZoom is entitled to an

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award of compensatory and punitive damages against Defendant, in an amount to be determined at trial.

SIXTH CLAIM FOR RELIEF

Unfair Competition

(California Common Law)

68. LegalZoom repeats paragraphs 1-67, above, and incorporates the allegations thereof as if herein set forth in their entirety.

69. LegalZoom's acts have impaired the goodwill in the LEGALZOOM marks, have created a likelihood of confusion, diluted the distinctiveness of the LEGALZOOM marks, and have otherwise adversely affected LegalZoom's business and reputation by use of unfair business practices and false association. These acts constitute unfair competition and unfair business practices under California common law.

70. In performing the conduct described herein, on information and belief Defendant acted with oppression and malice, intending to injure LegalZoom and to wrongfully advantage itself at LegalZoom's expense. LegalZoom is thus entitled to an award of compensatory and punitive damages against Defendant, in an amount to be determined at trial.

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WHEREFORE, LEGALZOOM prays:

20 1. That Defendant and its respective agents, officers, employees, 21 representatives, licensees, franchisees, successors, assigns, attorneys and all other 22 entities and persons acting for, with, by through or under authority from Defendant, and each of them, be preliminarily and permanently enjoined from: (a) 23 24 using the BAILZOOM, BAILZOOM.COM, and BAILZOOM NATIONWIDE 25 BAIL BOND SERVICE trademarks, service marks, and trade names, or any 26 colorable imitation thereof; (b) using any trademark that imitates or is confusingly 27 similar to or in any other way similar to any of the LEGALZOOM marks or that is 28 likely to cause confusion, mistake, deception, or public misunderstanding as to the

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origin of LegalZoom's products or its connectedness to Defendant; (c) using any trademark or service mark that dilutes the distinctiveness of any of the LEGALZOOM marks;

That Defendant be required to file with the Court and serve on 2. LegalZoom within thirty (30) days after entry of the injunction, a declaration under oath setting forth in detail the manner and form in which Defendant has complied with the injunction;

3. That, pursuant to 15 U.S.C. § 1117, Defendant be held liable for all damages suffered by LegalZoom resulting from the acts alleged herein;

4. That, pursuant to 15 U.S.C. § 1117, Defendant be compelled to account to LegalZoom for any and all profits derived by Defendant from its illegal acts complained of herein;

That Defendant be ordered pursuant to 15 U.S.C. § 1118 to deliver up 5. for destruction all labels, signs, prints, packages, advertisement, banners, or the like in possession or custody, or under the control of Defendant bearing the BAILZOOM, BAILZOOM.COM, or BAILZOOM.COM, and BAILZOOM NATIONWIDE BAIL BOND SERVICE trademarks, service marks, and trade names, or any variation thereof;

19 6. That Defendant be ordered to immediately shut down its BAILZOOM website and assign all rights to the <bailzoom.com> domain name to LegalZoom; 20

That the Court declare this action to be an exceptional case and award 21 7. 22 LegalZoom its full costs and reasonable attorneys' fees pursuant to 15 U.S.C. § 23 1117;

That the Court grant LegalZoom any other remedy to which it may be 24 8. entitled as provided for in 15 U.S.C. §§ 1116 and 1117 and/or under state law; and . 25 9. For such and other further relief that the Court deems just and proper.

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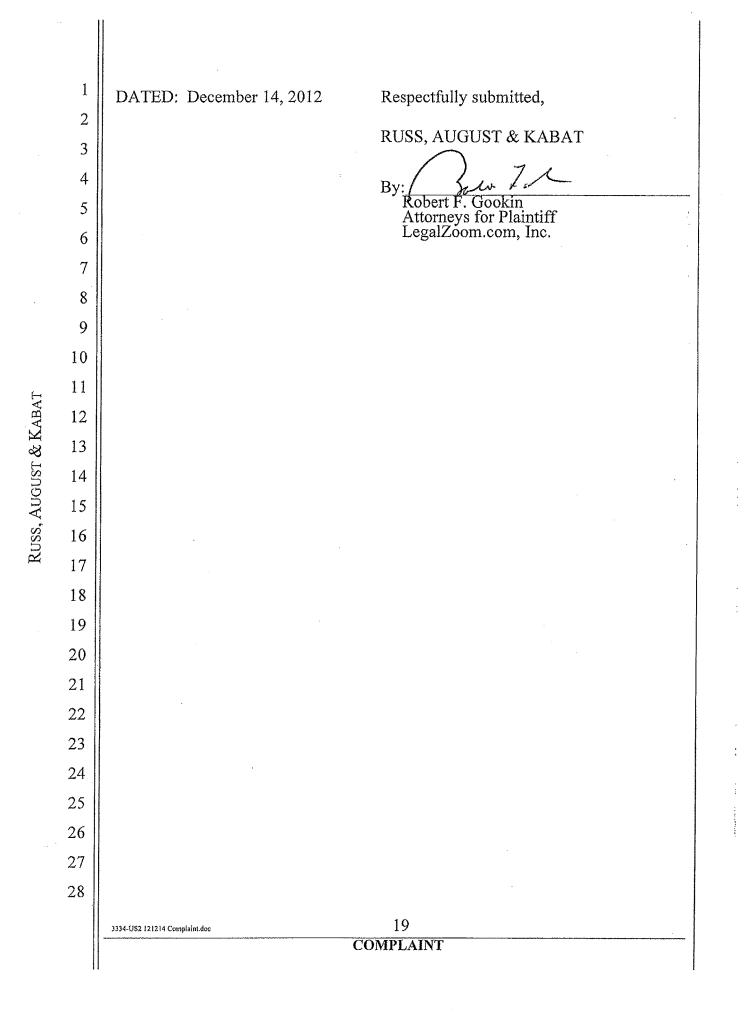
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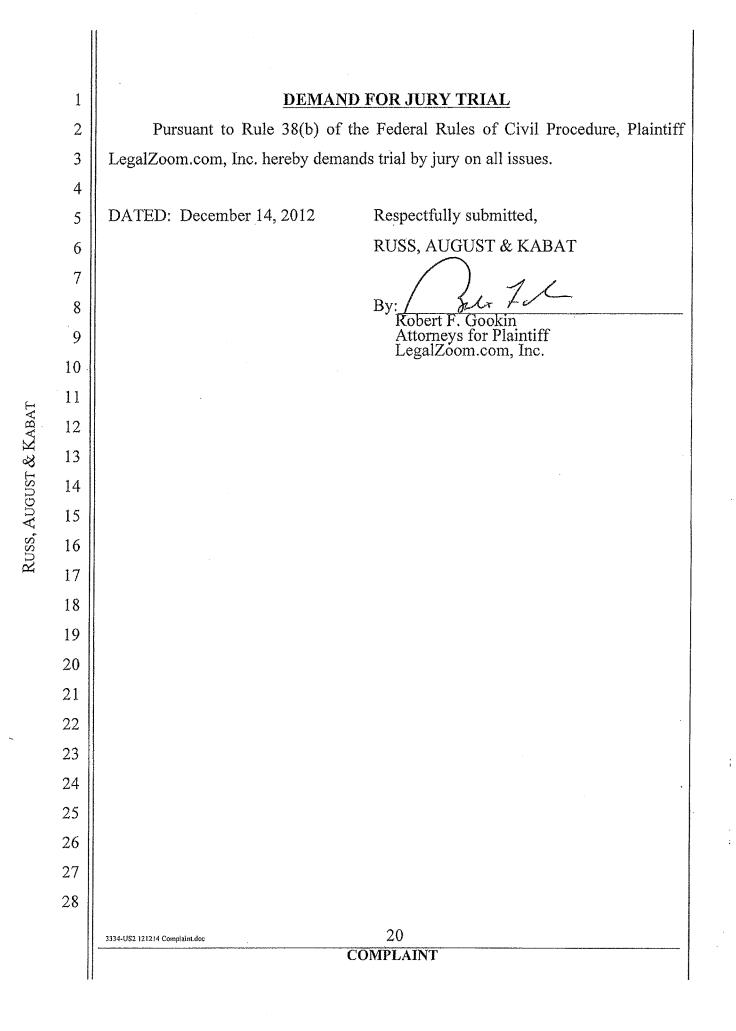


EXHIBIT A

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Int. Cl.: 35

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,211,009 Registered Feb. 20, 2007

SERVICE MARK PRINCIPAL REGISTER

LegalZoom

LEGALZOOM.COM, INC (CALIFORNIA COR-PORATION) SUITE 180 7083 HOLLYWOOD BLVD. LOS ANGELES, CA 90028

FOR: PROVIDING ONLINE DIRECTORY INFOR-MATION ON ATTORNEY LISTINGS; ATTORNEY REFERRAL AND MATCHING SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-15-2000; IN COMMERCE 1-1-2001.

THE MARK CONSISTS OF STANDARD CHAR-ACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG, NO. 2,540,549.

SER. NO. 78-850,586, FILED 3-30-2006.

SAIMA MAKHDOOM, EXAMINING ATTORNEY

EXHIBIT B

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

Reg. No. 3,210,728 Registered Feb. 20, 2007

SERVICE MARK PRINCIPAL REGISTER

United States Patent and Trademark Office

LegalZoom

LEGALZOOM.COM, INC. (CALIFORNIA COR-PORATION) SUITE 180 7083 HOLLYWOOD BLVD. LOS ANGELES, CA 90028

FOR: LEGAL DOCUMENT PREPARATION SER-VICES AND PROVIDING GENERAL LEGAL IN-FORMATION VIA A WEBSITE ON GLOBAL COMPUTER NETWORKS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 6-20-2000; IN COMMERCE 7-15-2000.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,540,549.

SER. NO. 78-758,303, FILED 11-21-2005.

SAIMA MAKHDOOM, EXAMINING ATTORNEY

EXHIBIT C

Int. Cl.: 35 Prior U.S. Cls.: 100, 101 and 102

Reg. No. 3,210,861 Registered Feb. 20, 2007

SERVICE MARK PRINCIPAL REGISTER

United States Patent and Trademark Office

LegalZoom

LEGALZOOM.COM, INC. (CALIFORNIA COR-PORATION) 7083 HOLLYWOOD BLVD. SUITE 180 LOS ANGELES, CA 90028

FOR: ATTORNEY REFERRAL SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 7-15-2000; IN COMMERCE 7-15-2000.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,540,549.

SER, NO. 78-807,067, FILED 2-3-2006.

SAIMA MAKHDOOM, EXAMINING ATTORNEY

EXHIBIT D

Int. Cl.: 42

Prior U.S. Cls.: 100 and 101

United States Patent and Trademark Office

Reg. No. 2,540,549 Registered Feb. 19, 2002

SERVICE MARK PRINCIPAL REGISTER



LEGALZOOM.COM, INC (CALIFORNIA COR-PORATION) 639 N. LARCHMONT SUITE 107 LOS ANGELES, CA 900041323

FOR: LEGAL DOCUMENT PREPARATION SER-VICES AND PROVIDING GENERAL LEGAL IN-FORMATION VIA A WEBSITE ON GLOBAL COMPUTER NETWORKS, IN CLASS 42 (U.S. CLS. 100 AND 101).

FIRST USE 6-20-2000; IN COMMERCE 7-15-2000.

SER. NO. 78-028,358, FILED 9-29-2000.

DEZMONA MIZELLE, EXAMINING ATTORNEY

EXHIBIT E

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Int. Cls.: 35 and 45

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 3,569,400 Registered Feb. 3, 2009

SERVICE MARK PRINCIPAL REGISTER

LegalZoom.com

LEGALZOOM.COM, INC. (CALIFORNIA COR-PORATION) SUITE 130 7083 HOLLYWOOD BLVD.

LOS ANGELES, CA 90028

FOR: PROVIDING ONLINE DIRECTORY INFOR-MATION ON ATTORNEY LISTINGS AND ATTOR-NEY REFERRAL AND MATCHING SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-20-2000; IN COMMERCE 7-15-2000.

FOR: LEGAL SERVICES; LEGAL DOCUMENT PREPARATION SERVICES AND PROVIDING GEN-ERAL LEGAL INFORMATION VIA A WEBSITE ON

GLOBAL COMPUTER NETWORKS, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 6-20-2000; IN COMMERCE 7-15-2000.

THE MARK CONSISTS OF STANDARD CHAR-ACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 2,540,549, 3,210,861 AND OTHERS.

SER. NO. 77-471,025, FILED 5-9-2008.

JUSTINE D. PARKER, EXAMINING ATTORNEY

EXHIBIT F





Reg. No. 3,748,170 LEGALZOOM.COM, INC. (DELAWARE CORPORATION)

Registered Feb. 16, 2010 SUITE 180 7083 HOLLYWOOD BLVD.

LOS ANGELES, CA 90028 Int. Cls.: 35 and 45

SERVICE MARK PRINCIPAL REGISTER

FOR: PROVIDING ONLINE DIRECTORY INFORMATION ON ATTORNEY LISTINGS; ATTORNEY REFERRAL AND MATCHING SERVICES, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 6-20-2000; IN COMMERCE 7-15-2000.

FOR: LEGAL SERVICES; LEGAL DOCUMENT PREPARATION SERVICES AND PROVIDING GENERAL LEGAL INFORMATION VIA A WEBSITE ON GLOBAL COMPUTER NETWORKS, IN CLASS 45 (U.S. CLS. 100 AND 101).

FIRST USE 6-20-2000; IN COMMERCE 7-15-2000.

OWNER OF U.S. REG. NOS. 2,540,549, 3,210,861 AND OTHERS.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE ".COM", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF AN IMAGE OF FLYING PAPERS NEXT TO THE WORDS "LEGALZOOM.COM". THE ".COM" PORTION OF THE MARK IS LOCATED BELOW THE WORD "LEGALZOOM".

SER. NO. 77-476,052, FILED 5-15-2008.

ERIN FALK, EXAMINING ATTORNEY



land J. Kappes

Director of the United States Patent and Trutemark Office

EXHIBIT G



Family Estate Planning

CONSUMER NEWS — The attacks and now the war on terrorism have people re-thinking their future. Many don't have their affairs in order; in fact, they don't even have a will. It's document everyone needs. It is estimated close to 60 per cent of Americans don't have a will.

Legalzoom.com, a Los Angeles based service, say that it has seen a 50% increase in people making out wills since the attacks on their online service.

Now as easy as it is to get a will online there are times when you should seek the help of a lawyer rather than do-it yourself. Every person's case is different.

Cost for a simple will online starts at about 55 dollars, a living trust is more and starts at about 200 dollars.

Last Updated: Oct 1, 2001

(Note: This story was syndicated to over 10 ABC network affiliates throughout the country.)

EXHIBIT H

NEW YORK TIMES G: Page 1 Circuits

May 16, 2002 Being of Sound Mind, and a \$55 Consultation By FRED BERNSTEIN

AFTER Sept. 11, LegalZoom.com, which provides wills and other legal documents over the Internet, found itself dispensing solace, free of charge. "People would call and say, 'I'm getting on a plane tomorrow, and I really need a will,' " said Shana Susman, a LegalZoom employee. "Sometimes, they just needed to stay on the phone and talk."

I could have been one of them. Before leaving on a business trip last fall, my first flight after Sept. 11, I made sure my will was up to date. My lawyer did the job in a matter of hours. But a few months later, when my will needed updating, I decided to try LegalZoom.

The company, based in Los Angeles, promises not only to "help you prepare reliable legal documents online," but also to review those documents for "consistency and completeness." How, I wondered, could it provide that "professional review" - as part of a \$55 will package - in a city where lawyers often charge hundreds of dollars an hour?

The answer, in part, is Ms. Susman, a singer and songwriter whose day job as a "document processor" at LegalZoom includes checking wills. "It's making sure you don't leave half of your estate to three different people," explained Ms. Susman, who points out that she graduated Phi Beta Kappa from Yale.

I knew the company could not give legal advice. LegalZoom's founders - who include Robert Shapiro, once O. J. Simpson's lawyer - might be charged with practicing law without a license if they did. (The company's president, Brian Lee, and its chief executive, Brian Liu, are admitted to the bar only in California.) It is no wonder that before receiving a document from LegalZoom, you are required to represent that "LegalZoom did not provide me with any advice, explanation or representation" about any legal rights, remedies, defenses or options - among other disclaimers.

But if a site like LegalZoom is not offering advice, or even explanation, what exactly is it doing? "We're taking customers' information and inserting it into forms," said Edward Hartman, the chief strategic and technology officer, who is bleary-eyed from thousands of hours spent writing the company's LegalWiz programs. He sees LegalZoom's service as a middle ground between using a disk-based program like WillMaker Deluxe (\$19.99) and hiring a lawyer. As Mr. Liu pointed out, "If you use a disk, there's no one to catch your mistakes."

LegalZoom has plenty of online competition. Wills for America offers a "standard will" for \$20 (and has links to the wills of Elvis Presley and the Princess of Wales). There are also TheWillExpert .com (\$19.99) and Willmatic.com (\$14.95), which promise wills instantly, but those companies do not claim to review or even read what you submit. Drawn to LegalZoom by its prime placement on AltaVista and Yahoo, I was won over when I learned that someone would check my work.

LegalZoom uses a questionnaire format. The questionnaire is interactive - if you say you are single, you are not asked how much you want to leave your spouse.

LegalZoom wanted me to answer yes or no to the question "Would you like to protect the executor of your will from liability?" But it did not say how either answer would be translated into legalese. That approach might satisfy some users, but it left me, a nonpracticing lawyer, scratching my head. LegalZoom also expected me to give an honest answer to the question "Are you free of any mental illness?"

Ms. Susman has seen some unusual provisions. "One man wanted to leave \$1,000 to one son and a penny to the other," she said. "And a woman wanted to be buried with a bottle of Jack Daniels." In both cases, she had no reason, she said, to object.

Mr. Hartman said that LegalZoom permits bequests to up to 32,767 people. "Any more than that, and we'll call to ask what's going on in your life," he said, deadpan.

It took me about an hour to complete the questionnaire. For the finished will (sent by e-mail and first-class mail within 48 hours), I paid \$55; I resisted a \$40 upgrade that permits unlimited revisions for five years. The company also has a "vault" package - for \$115 it will store your will in three secure locations. But how is that better than keeping your will at home, at your office and at your bank? (And what if your survivors forget that LegalZoom exists? Or what if LegalZoom goes out of business?)

Once you get the will, it is yours to modify. "We'll even send it to you as a Word document if you want," Mr. Hartman said. He said LegalZoom has been completing about 800 wills a month - 40 percent of its total output, which includes incorporation papers and prenuptial agreements.

Because LegalZoom cannot give legal advice, though, it tends to be silent on questions of law - and silence can be misleading. In my will, I wanted to leave my father part of my estate, but with the proviso that he bequeath anything left over at the time of his death to my children. As Ms. Susman pointed out, "I would have fixed the spelling of `otherwise.' " (I had left off the final "e.") But she would not - could not - tell me that such a proviso is not binding (something I have since confirmed with a lawyer, who pointed out other ways to accomplish my goal). I might have died in the naïve belief that my children were protected.

The company does offer two varieties of legal help: an online library of information in outline form and access to Tele-Lawyer (a \$3-per-minute phone service). Sometimes the company tells people - either by e-mail or by phone - to seek legal advice. When I mentioned that the children in question would be born this summer and that I wanted to provide for them should I die before their birth, Mr. Lee, the president, said: "Unborn children? That's the kind of thing that immediately makes us send you to a lawyer."

For those without access to a lawyer, LegalZoom offers an online referral service, with a novel twist: type in a one-paragraph description of your problem, and the company will forward it to a number of lawyers, who essentially bid on the job. I tried it for an unrelated legal problem, and within hours I had about a half dozen lawyers offering to help.

Beyond the advice itself, there are other reasons to consider using a lawyer. For one, a will is not effective until it is signed in front of witnesses, and a law office usually has employees who can fill that role. Another is the law profession's code of conduct. For example, I know that my lawyer will not divulge personal information - and that if he does, I can sue him or try to have him disbarred. It is unclear what recourse I would have if a disclosure occurred at an online service.

Ms. Susman, who turned out to be the cousin of a close friend, assured me that she would never tell anyone what is in my will (or isn't in it) and mentioned the company's privacy policy, under which a tattletale employee risks "termination and other disciplinary measures, up to being criminally prosecuted."

"If you have a paralegal reading it at a law firm," Mr. Hartman said, "you introduce the same kind of risk."

But not exactly. A person who helps prepare a will could be called to testify at a civil or criminal trial. A law-firm employee can usually refuse to answer questions about client confidences, under the doctrine of attorney-client privilege. But LegalZoom has no such privilege. After all, it isn't practicing law.

EXHIBIT I

FORTUNE SMALL BUSINESS

DRINKS WITH: ROBERT SHAPIRO

A Fair Trial For Entrepreneurship

O.J.'s defense attorney is back, and he wants to bring justice to the Internet. BY DAVID WHITFORD

"M VERY DISCIPLINED," Robert Shapiro revealed over a lunch of mixed greens, crabmeat, and shrimp at the Grill in Beverly Hills, "Always have been," I'm not. Still, I was proud of myself. Only after we had talked for an hour, the plates had been cleared, and the waiter had brought my coffee (Shapiro doesn't drink coffee or smoke cigarettes) did 1 let myself ask O.J. Simpson's lead attorney the obvious question.

PART

But wait. I'm getting ahead of myself. We're here to talk about Shapiro's dot-com, Legal-Zoom. Founded 15 months ago by Shapiro and three others, it offers cut-rate legal services to individuals and small businesses. As long as yon have fairly routine needs and don't mind filling out an online questionnaire, you can get a will from Legal-Zoom for \$55, incorporation papers for \$99, a prenup for \$119, even a slam-bam divorce for \$249. Business has been brisk, Shapiro insists, especially in the aftermath of Sept. 11: "Unfortunately, and I say unfortunately very sincerely, the issue of mortality came up with everyone. That resulted in much more awareness of people having a

need for a will and coming to us for that."

Some lawyers start businesses or take up thrilling hobbies because their work is boring, "My work is not,"



Shapiro assures me. "My work is exceedingly exciting on every level. But I also like to do many things at the same time." In his day job Shapiro is a partner with a big L.A. firm, But when not otherwise engaged, at \$525 an hour, Shapiro enjoys boxing (he's a 160-pound junior middleweight), writing books (Misconception, a legal thriller, is out this month in paperback, "and it's been picked up for a movie"), giving speeches (at \$15,000 a pop), and starting his own companies.

His dad used to drive a lunch truck, which may help explain the son's first venture: selling peanuts at the Rose Bowl Parade at age 13, ("I had to hire somebody to drive me to Pasadena," he recalls.) Several years later he came up with a concept for an affinity credit card that paid off in movie tickets. It was a flopor as Shapiro would prefer to state the case, "It worked to some degree, but it didn't work for us as owners," But all that was mere pre-

hide to LegalZoom, which is "really my passion," Shapiro says. "No. 1, because it ties in exactly with what I have been Irained to do. And I have always been an advocate of legal services for all people." That said, Shapiro's actual contribution to Legal-Zoom, he confesses, has been "primarily promotion and overall concept," for which he received equity and cofounder status without having to put up any

cash. Stop--le knows what you're thinking, "I know a lot of the exposure I get for LegalZoom is because of the case I was involved in," he admits, a hint of testiness creeping into his voice. Oh, right. The case, So,

Bob, let's talk about O.J. "You know, that's kind of

an area I just stay away from. That's history, It's done. Everybody has their own opinions about the verdict." Does that include his own

defense attorney? Shapiro pauses, "You want

to go off the record?" he asks.⊖



NICHE DIGGING

Will Work For Food

MAGINE A WOHK FORCE that nover calls in sick, doesn't complain, and knows from birth hew the job should be done, Eccesystem Concepts inc. of Dixon, Calif., has thousands of these officient workers. There is a downside-the employees aren't potty trained, and they know only one word: "Maaa,"

Yes, Ecosystem Concepts owns goats, and it uses its masticating hords to clear the woods, grasses, and low tree branches that fuel California's pervasive brushfires. In a day, 400 donts can munch one acro clean for between \$750 and \$1,500. Unlike homens, goats don't suffer from polson oak, and they eat up to 5% of their body mass each day, says Bron McGraw, the votorinarian who has run Ecosystem Concepts since 1991. (Today she describes hor business as "profitable.")

McGraw's firm isn't the only way to get your goat. Another harder, the more clearly named Goats R Us of Orinda, Calif., began with 64 goats in 1995, Today its flock of 4,000 even has a retirement plan. "We nover kill the goats," says owner Terri Oyarzun, "They just munch their way into goat heavon." Next year they're hiring two more shepherds to suporviso goats on smaller projects-your backyard, - JULIE SLOAML perhaps?

EXHIBIT J

Buyer's Edge

Too few firefighters go for freebie wills CLARK HOWARD FOR THE JOURNAL-CONSTITUTION

08/08/2002 Atlanta Journal - Constitution

Home GE.3

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About a month ago, I talked about a terrific opportunity for Atlanta's firefighters that, unfortunately, met with little response. The Atlanta Volunteer Lawyers Foundation had agreed to draw up wills for our city's firefighters free of charge. Only about 20 took advantage of the offer.

On July 20, the AVLF decided to try again, hoping more firefighters would show up. That wasn't a huge success, either, said Connie White, paralegal for the foundation and the coordinator of the program.

"They're trickling in," she said. "But there seems to be some skepticism."

We learned from the terrorist attacks of Sept. 11 just how perilous this line of work is. But for some reason, these men and women are reluctant to discuss their own deaths.

One department captain was quoted in this newspaper saying that there is "almost a denial" among firefighters about what can happen to them, especially in the wake of the Sept. 11 attacks. Machismo may play a part, as well. White said she walked into a firehouse on one of her recent informational visits and was told by a firefighter that he wasn't going to die, so he didn't need a will.

For those of you still holding back, I implore you to rethink your decision. This message goes not just to Atlanta firefighters, but also to all those across the state who put their lives at risk in their careers.

In the end, a will isn't about you. It's about your family and making sure they are taken care of when you are gone. I know that if I suddenly passed away, I would want my assets and treasured possessions to go to those I care about most --- my family. If you don't create a will that specifies where your assets will go, guess who gets to decide? The state of Georgia. Do you really want the state to decide how your estate will be divided up?

USA Today reports that 60 percent of adult Americans do not have a will. Many wills are out of date and no longer reflect tax laws, so they may not hold up in court. You

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EXHIBIT J-000032

1 of 2

should update your will each time you have a life status change, such as a divorce, marriage or a new child.

If you want to avoid the lawyer route and do it yourself, there are several online programs you can buy. Quicken Lawyer costs about \$40 and is available at www.nolo.com. In addition, the site Legal Zoom, www.legalzoom.com, also offers a "standard will and testament" service for \$55.

If your situation is simple, without many assets, a self-service will is easy to complete. Blended families and other complex situations require the professional services of an attorney who specializes in wills, estates and trusts.

White says that the AVLF is scheduling firefighters individually for will services now. When you call, she will send you a questionnaire and then will set up an appointment with one of the organization's volunteer attorneys. In the next six months, they plan to extend the program to police officers, EMTs, marshals and sheriffs, as well.

If you are a city of Atlanta firefighter, please call 404-521- 0790. You will be so glad you did.

Kellie McMaster contributed to this column.

> ON THE WEB: clarkhoward.com

The consumer advice column is adapted from Clark Howard's radio show, which airs 1-6 p.m. Mondays-Fridays on WSB-AM (750). For more advice, call the show 2-6 p.m. at 404-872-0750.

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EXHIBIT J-000033

EXHIBIT K

From: Barrios, Larry [lbarrios@mww.com] Sent: Monday, September 23, 2002 11:07 AM To: Brian Lee (E-mail); Brian Liu (E-mail) Cc: Englander, Harvey Subject: CBS Marketwatch

Importance: High

Market∛

Retirement, estate prep fall short Plus: Worker commitment, confidence is waning

By <u>Steve Kerch</u>, CBS.MarketWatch.com Last Update:Sept. 20, 2002

ATLANTA (CBS) -- Americans are doing a better job of saving for retirement, but are still falling down on how to dole out the assets.

One of the keys to a successful retirement is knowing how to convert your savings into a steady stream of long-term income to support you in your desired lifestyle, financial planners say. But a new survey from ING's U.S. financial services operations finds few 50 to 70 year olds have given any thought to creating this retirement "paycheck."

"Americans have become conditioned to think that by building a retirement nest egg they are financially prepared to retire, but there's more -- a comprehensive retirement plan does not end there," said Tom McInerney, chief executive officer for ING's U.S financial services. "The retirement paycheck is a monumental issue."

Three-quarters of Americans surveyed said they didn't understand or hadn't considered how to plan for withdrawal of their retirement savings. Among those 50 to 70, nearly 70 percent had no plan in place for paying themselves regularly from their savings.

Careless decisions stemming from inadequate planning for these payouts can undermine years of successful scrimping and saving. ING has created a Web-based <u>"Retirement Readiness"</u> calculator that consumer can access for free, McInerney said.

No way to a will

Despite a sense that the world is more dangerous, only nine percent of us have prepared or updated our wills in the last year.

Surprisingly, almost three-quarters of parents with minor children don't have a last will and testament, according to a survey from LegalZoom.com, a legal-document preparation service. Almost a third of those queried never even thought about creating a will.

Most people cited a lack of time or money as the reason for not preparing a will.

"Clearly, we have a long way to go to not only educate Americans on the importance of wills but also to provide quality, inexpensive and swift legal services for those who do not have the money or time," LegalZoom.com co-founder Robert Shapiro said.

LegalZoom.com recommends that people prepare or update their will if they have children, have special wishes to be carried out or want to leave assets such as property or heirlooms to certain individuals. More importantly, people should prepare or update a will immediately after a life-changing event: having a baby, getting married or divorced or acquiring new assets.

Workplace woes

Employees are losing confidence in their employers, are less trusting of corporate leadership and aren't feeling as committed to the workplace cause. Oh, and by the way, they don't think pay and performance are linked up very well either.

Two national indexes created by Aon and updated recently show the level of employee satisfaction dropping. The Workforce Commitment Index has fallen this year to 98.1, near the lowest level since the index was started in 1997. The Employee Confidence Index also slid this year to 41.8, down from its high of 44.5 a year ago.

"Simply stating that trust is declining among the American worker accomplishes little," said David L. Stum, president of Aon Consulting's Loyalty Institute. "By looking more closely at what employees are experiencing in their work environment, we can begin to see why the bonds of trust between employer and employee are now a high risk factor in corporate life."

Among the issues leading to declining confidence and commitment:

- Almost one of five respondents feel their organization is below expectations in creating a work environment free from fear, intimidation and harassment
- 36 percent feel their organization does not help them manage stress
- Pay and performance don't link up well enough to meet the expectations of 28 percent of respondents
- 37 percent don't feel they get to adequately participate in planning changes

Steve Kerch is the real estate editor of CBS.MarketWatch.com in Chicago.

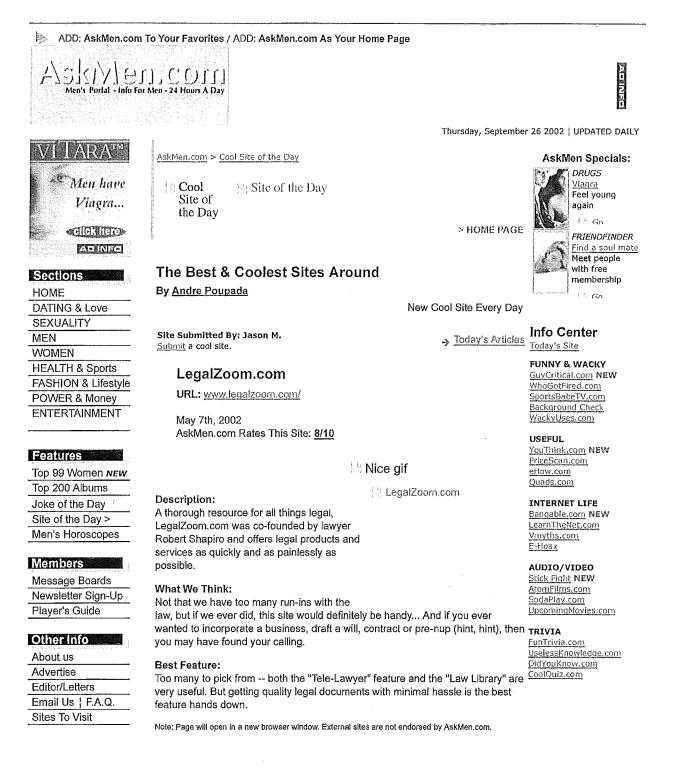
Larry Barrios Account Supervisor

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EXHIBIT L

From: Larry Barrios [lbarrios@pacbell.net] Sent: Thursday, September 26, 2002 7:14 AM To: blee@legalzoom.com; bliu@legalzoom.com Subject: AskMen.com



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EXHIBIT M



Tuesday, September 10, 2002

It's Yankees, oddly, found lacking will

At the Bar

by Maggie Mulvihill

New Englanders have a longstanding reputation for practicality, common sense and being well prepared.

But, surprisingly, those traits have not carried over, a new legal survey shows, to getting your last will and testament in order, even after Sept. 11.

More than 78 percent of New Englanders admitted, in the survey conducted last month by the online legal-document preparation company LegalZoom.com, that they did not have a will.

In fact, New England ranked dead last among all the regions of the country surveyed, said Brian Liu, an attorney and chief executive of the Los Angeles-based firm.

Liu said the New England survey results were particularly surprising, since more than 80 percent of those in the New England states who were surveyed said having a will was important.

Ranking first in creating or updating their wills in the post-Sept. 11 world were Midwesterners, even though they came in last when asked how important having a will was, the survey showed.

Equally striking in Liu's view is the fact that almost 75 percent of parents with small children surveyed reported not having a will.

"Parents with young kids especially want to have a will," Liu said.

Liu said the purpose of the survey was to gauge how many people either created a will for the first time or made changes to an existing will after the terrorist-sparked tragedy.

"After Sept. 11, we did see a surge in will-making activity, but it evidently didn't last - it was more of a two-month phenomenon," Liu said, citing new business last year at LegalZoom.com.

The company, co-founded by L.A. celebrity attorney Robert Shapiro, provides Internet users with common legal documents, such as wills, business incorporation papers and trademark and copyright forms for a fee that generally hovers around \$55. In the case of a last will and testament, visitors to the company's Web site click on the document they need, fill in the necessary information, such as whom they want appointed as guardian of their children if they die, and within 48 hours LegalZoom.com employees will ship a new will with instructions on how to get it signed or where to put it for safekeeping, Liu said.

Liu said the most common reason the 900 people surveyed last month gave for not having a will was time and money, reasons he and his staff found odd for New Englanders' particularly.

Said Liu: "Most people think of New Englanders as very well-educated, fairly smart people with good incomes, so those results really surprised us."

EXHIBIT N



Oct. 17, 2002

Don't Put off Writing a Will

A stunning 74% of parents with minor children don't have a will, according to a recent survey by <u>LegalZoom.com</u>. Nearly one-third of those parents said they had never even thought about drafting one. That's a lot of kids who aren't provided for should anything happen to their parents.

And I'm not just talking about being provided for financially. For parents of minor children, the single most important reason for making a will is to name a guardian for the kids. Don't put off writing a will because it sounds like a downer -- a way to dispose of your assets after death. Think of it instead as a way to protect your most precious assets.

Many parents rely on informal arrangements -- "My sister has agreed to take care of our children in case something happens to us." But an ad hoc relationship doesn't have the legal standing of a formal guardianship. Most jurisdictions insist on legal guardianship before an adult can enroll a child in school, obtain nonemergency medical care, or include a child on his or her healthinsurance plan.

If both you and your spouse should die without formally naming a guardian, the courts will decide who's going to bring up your kids. And you can't count on your wishes being honored. A judge could choose the one relative you wouldn't want.

Even worse, a family battle could ensue. Suppose your husband's brother thinks he'd be an even better guardian than your sister. In the absence of a will naming one or the other, both could make a claim. The cost of a court fight would come out of your estate -- that is, your kids' pockets.

Avoid potential hassles by naming a guardian in your will. You should choose as the "guardian of the person" someone who shares your family values and philosophy of child rearing.

Because a minor can't own much property without supervision --- usually not more than \$5,000 --you should also name a "guardian of the property" who would manage any assets your children might have. You may choose the same person for each role, or select someone with more financial acumen as the property guardian.

In addition to your will, don't be shy about leaving a letter or tape on which you give detailed instructions about how you want your children to be brought up.

Next week: Advice on how to select a guardian.

EXHIBIT O



January 5, 2003

MY GENERATION

Will Power

OUR GUIDE TO ESTATE PLANNING: SEVEN VITAL STEPS TO PROTECT YOUR FAMILY'S FUTURE.

By Diane Harris

If we have learned anything over the past year and a half, it is that the unthinkable can and does happen. Yet despite a short-lived spurt of interest in estate planning following the September 11 terrorist attacks, nearly six in 10 adult Americans still don't have a will.

Although you may feel squeamish about contemplating life after your own death, get over it. The alternative is to leave your family without the guidance and financial protection you might have provided for them in a thoughtfully drawn will. If you don't take the steps necessary to prepare such a document, you greatly increase the risk that family members will fight over what you've got after you're gone, that someone you love will be financially or emotionally hurt because you haven't provided for them and that your final wishes won't be carried out because no one was completely sure about what you wanted.

So, here's what you need to know to write your will, or revise the one you've got, and to get it right:

1. UNDERSTAND THE RULES—AND THE CONSEQUENCES

No will, no problem, you may think, particularly if you're married and own most of your property jointly. If you die, everything will go to your spouse, which is what you want anyway, right?

Don't count on the people you love to work out a fair distribution after you're gone.

Not so fast.

True, if you die, any assets that you own jointly will pass directly to the other person named on the account, whether that's your spouse, your child or your crazy Aunt Mary. The same is true of any assets for which you have named a beneficiary, such as a life-insurance policy or retirement account.

But, if you have no will, any other savings and investment accounts, as well as real estate and financial property that you own, will be distributed according to laws developed in your state. Depending on where you live, your assets could be split between your spouse and your children; if you don't have kids, your parents or siblings might also get a share. If you're not married and have children, your offspring will likely get the lot. If there are no kids involved, your parents and perhaps your siblings will probably be named as your heirs, or your next closest relative if your parents aren't alive and you were an only child.

"In effect, the state creates a will for you, based on its best guess about what you would have wanted, without knowing you personally or anything about your individual circumstances," says Barbara Buxton, an estate-planning and elder-law attorney in Aventura, Florida.

Don't count on the people you love to work out a fair distribution after you're gone. "Brothers and sisters don't love each other as much as their parents love them or think they love each other," says Orange County, California, attorney Colleen Barney, co-author of *Best Intentions: Ensuring Your Estate Plan Delivers Both Wealth and Wisdom*. "Relatives fight, and all you need is one nasty word, and the family ends up torn apart."

Ask Daniel Gnagi. When his widowed 80-year-old mother passed away from a heart attack two years ago, her will left her modest condominium to him and his older sister. But to make the distribution of her assets simpler, Gnagi claims, his mother put only his sister's name on her jointly owned investment account and life-insurance policy. "Throughout our lives, everything in our family was split fiftyfifty between my sister and me," says the 45-year-old Florida police officer. "Mom just assumed my sister would divide everything up." His sister, he says, didn't see it that way and kept all the assets that were in her name only. The previously close siblings haven't spoken since.

2. PICK THE RIGHT PEOPLE FOR KEY JOBS

If you're a parent and your children are still minors, the most

important reason to write a will is to name someone you trust to raise them, if neither Mom nor Dad is around to do so.

Again, in the absence of a will that makes your wishes clear, the state will step in to make this decision, typically giving preference to the closest relatives. But a judge can't really know whether your motherin-law or your best friend, who's been like a second mother to your child since birth, would be the best choice.

You'll also need to appoint an executor to carry out the terms of your will, pay off any debts, taxes and outstanding bills and otherwise settle your estate. "The executor doesn't need tremendous financial skills because they can always buy that expertise if they need it," says Mary Randolph, an attorney and senior editor at Nolo, a publishing company specializing in legal self-help materials. "What you need is someone who's honest, organized and hardworking." Also, think through your family's reaction to the person you choose to make sure there will be no hard feelings if, say, you select your brother because you want to spare your spouse the burden.

Rather than appear to favor one daughter over the other, for example, Marilyn Rand's* mother named her two daughters co-executors of her estate. Fierce rivals throughout their lives, the sisters had no trouble splitting their mother's modest savings but argued bitterly over dividing her personal possessions, recalls Rand, 55, a Stamford, Connecticut, golf instructor. Each sister accused the other of sneaking into their mother's home to cart away prized items, and they wrangled for months before hiring lawyers to help work out a fair settlement. "My sister and I never got along while my mother was alive," says Rand, "so I have no idea why she thought we'd get along after she was dead."

3. DECIDE WHO GETS WHAT

Ironically, the simplest part of drafting your will may be determining whom you want to get your money, your home and other large assets. If you're married, chances are good that you will want most of your property to go to your spouse, with perhaps a portion divided evenly among your children. In a national survey of people age 45 and over sponsored by Neuberger Berman, an investment management company in New York City—77 percent of the respondents planned to leave most of their money to their spouses, while 19 percent were giving the biggest share to their kids, 4 percent to other relatives and less than 1 percent to charity. Of those who intended to provide for their children, nearly 90 percent planned to treat them equally.

Where bequests get trickier is if you want to attach conditions to your estate—if you want to make sure, say, that your son receives his inheritance only upon turning 25 or that the children from your first marriage get whatever retribution as is left of your estate after your second

husband dies. "You can't set up layers of ownership or put restrictions on an

Do vou really want to leave an act of your final

legacy?

inheritance in a simple will," Randolph explains. For this, you should create a trust within your will.

On top of giving you more control over how your money is used after you're gone, a trust enables your assets to go directly to your heirs without passing through probate—the legal process by which a court validates a will, supervises the transfer of assets and makes sure all debts and taxes are paid. (Property and other assets that are jointly owned and not mentioned in a will typically do not pass through probate.) Though costs vary by state, probate-attorney and court fees can eat up about 5 percent of the value of property in a will, says attorney Mary Randolph. Going through probate can delay the asset dispensation for a year or more, to allow time for the estate to be appraised and for creditors to file claims against it.

Fortunately, nearly every state now has procedures for a streamlined version of probate or, in some places, for skipping probate entirely, if the value of your property is not great. Depending on where you live, you may leave anywhere from \$500 to \$200,000 in your estate before your will must pass through regular probate. But even with such measures in place, there's something to be said for avoiding the process.

Depending on the type of trust you create, it can also help cut or eliminate estate taxes. (This is a concern for those with estates exceeding \$1 million, a figure that is to rise gradually to \$3.5 million by 2009.) But trusts are more complicated and expensive to set up than simple wills and, despite an often hard sell from marketers, may not be right for your family. According to Chicago estate-planning attorney Bernard Wall, "If most of your assets wouldn't pass through probate anyway and you're not interested in putting restrictions on their use, a simple will is probably all you need."

4. AVOID BLATANTLY BAD BEHAVIOR

Whether you use a will or a trust to distribute your assets, resist the urge to use your estate plan as an instrument of revenge, punishment or just plain meanness—say, by cutting out an errant spouse, leaving one cent to a black-sheep child or giving it all to your second wife rather than the kids from your first marriage who never accepted her. Perceived inequality among the children and complaints of coercion involving an elderly parent and a second spouse or caregiver are perhaps the most common triggers for contesting a will, Colleen Barney says. "Kids all think that it's their entitlement to get their parents' inheritance," she says. "You can say, 'It's my money and I can do what I want with it' until you're blue in the face, but if you leave it all to your Anna Nicole Smith wife, your adult children are going to contest it."

And do you really want to leave an act of retribution as your final legacy? "Your will may be the last statement anyone hears from you and becomes a big part of how you'll be remembered," warns attorney Barbara Buxton. "Don't go out on a nasty note."

In any event, when it comes to your spouse, the law typically won't allow you to disinherit one another. In fact, unless a married couple has signed a pre- or postnuptial agreement giving up rights to a spouse's property, most states entitle husbands and wives to claim a certain minimum amount—known as the elective share—of each other's estates (one-third of the estate is typical).

You also need to guard against inadvertent bad behavior. Consider: If a person's most recent will predates his or her marriage, the court will presume the person who died simply neglected to update his or her estate plan and will likely grant the spouse the same amount as he or she would have been entitled to if there had been no will at all (usually half of the estate or more). If the will was written before the birth of a child, that child may be entitled to a share of the estate equal to what he or she would have received if the parent had died without a will.

Steve Livshee, 55, was unaware of these rules when his mother passed away last year at age 81. According to the terms of his mother's will, written in 1981, Livshee and his sister were to split their mother's \$100,000 estate, along with all her personal possessions. But the mother's second husband, whom she married in 1983, challenged the will in probate court. He claimed that because the will was drafted before the couple's marriage, it should be treated as though it didn't exist and he should be awarded half the estate. The matter remains tied up in probate. Livshee, a juvenile probation officer from Woodward, Oklahoma, hasn't spoken to his stepfather since—nor have he and his sister received anything from their halves of the estate. The stepfather, Livshee says, has also refused to turn over any of the personal possessions. To Livshee, this is the most galling part. "I'm willing to spend every last dime in that estate before I'll let him walk away with anything that he's not entitled to get," he says bitterly.

5. SWEAT THE SMALL STUFF

Battle stories from experts involved in will wars suggest that heirs are even more likely to fight over who gets Grandma's china than they are to argue about money. "I've spent all day in court just trying to work out who gets a \$35 ring," says Bernard Wall.

Marilyn Rand, the Connecticut golf instructor, recalls that a wedding ring worth about \$1,000 was the most contentious part of her dispute with her sister. Rand's niece claimed her grandmother had promised her the ring, although the will made no specific mention of it. Rand had no problem giving her niece the ring, but her sister, the young woman's mother, refused. As a result, mother and daughter did not speak to each other for more than a year, and Rand's sister missed the birth of her own first grandchild.

To avoid such nasty conflicts, Wall suggests that when drafting your will or trust, you attach a memorandum to it that spells out particular items that you want to go to particular people. This memo, to which the will or trust must refer, is simple to revise if you sell a particular item or have a change of heart about beneficiaries. In many states, you can make alterations to it without re-executing the will itself (though for it to be valid, you will need to sign the altered version in the presence of witnesses—as you would the will).

As for the rest of your personal possessions, Wall suggests including a more general clause in your will giving these items to the loved ones of your choice, to be divided as they agree; if they can't agree within, say, six months, the clause might say, the executor is then to divide the property on an equal economic basis.

6. GO THE EXTRA STEP

You also need legal documents that give your family direction about what you want to happen if you're alive but incapacitated. For example, durable powers of attorney (for finances and health care) give someone you trust the legal authority to make financial and health-care decisions on your behalf if you are how much I still not able to do so. A living will or health-care directive conveys your wishes about the kind of medical intervention you want.

"Taking care of matters at the end of my life made me conscious of want to do in the time I have left..."

Be forewarned: The preparation of these documents can be the most emotionally draining part of preparing an estate plan, as Marcy Dordahl-Jones, 48, and her husband, Steve, 54, recently discovered. Prompted to do some estate planning after Marcy's father passed away two years ago, the Santa Ana, California, couple found the decisions about the disposition of their assets easy. The issues raised by crafting a living will were more difficult. "Did I want to donate my body to science? Well, no, I don't really want to be a college cadaver," says Marcy, a computer programmer-analyst. "Yes, I'd donate my organs to another person, but I really hated thinking about what to do about life support if there's no hope."

Marcy's advice? "Do your best to emotionally detach yourself from the experience," she suggests. "The process doesn't take very long, and you'll feel so much better when it's done."

7. GET THE HELP YOU NEED

You don't have to hire a fancy lawyer or pay high prices to draw up your will and other estate-planning documents. With the aid of the legal self-help software now on the market (for example, Quicken Lawyer and Kiplinger's WillPower) or a visit to one of several solid design-your-own-will Web sites (www.wills.com and www.legalzoom.com are two), you're likely to be able to handle most of the preparation yourself. If your bequests fall under the \$1 million estate-tax threshold, you don't need to worry about taxes. And if you're comfortable making your own decisions, you can create a customized will on your own, typically for around \$50 (plus the cost of running this document by a lawyer familiar with the probate laws in your state). "The legal aspects of a will are simple; it's figuring out the best way to provide for your family that can be tricky," says attorney Mary Randolph. "And a lawyer won't know any more about your family's dynamics than you do-in fact, he or she will know a lot less."

On the other hand, if you have substantial assets and need advice to avoid estate taxes, want to make complicated or unusual bequests, are concerned that family members may fight about your wishes or if you just want to discuss these matters of life and death with an impartial expert, you're probably better off hiring a lawyer who specializes in estate planning. Typical cost: between \$300 and \$1,200 for a simple will, depending on where you live, and anywhere from \$1,000 to a few thousand dollars or more for a thorough estate plan that includes trusts and other tax-saving strategies. Using a lawyer can also help squash challenges to a will. Says attorney Frederick Hertz: "The lawyer serves as a witness who can produce notes, descriptions and sometimes even a videotape attesting to what the deceased really wanted."

Whatever method you choose, make sure to sign the final document in the presence of at least two witnesses not named as heirs, usually all that's needed to make a will legal. (Some experts suggest having three witnesses to be safe.) Then store the original in a secure location (a safe-deposit box or your lawyer's office, for example), keep a copy at home and give copies to a couple of other people you trust as well (your executor should get one, along with directions on how to find the original). Whenever you have a major change in your life---if you divorce or remarry—review and update the will to ensure it reflects your current wishes. The whole process doesn't have to take long, and it doesn't have to be painful. In fact, in Fred Einesman's case, setting up his will, a trust, a living will and powers of attorney for both financial and medical decisions took only about an hour using the LegalZoom Web site. "Taking care of matters at the end of my life made me conscious of how much I still want to do in the time I have left and to reflect and reevaluate how I want to spend the next twenty or thirty years," says Einesman, 50, an emergency-medicine doctor in Los Angeles. "For baby boomers like myself, who've held on to their postadolescence for a long time, doing a will turns out to be one of those great moments of transition, when you finally feel like a real adult and in charge of your destiny."

* Name and identifying details have been changed to retain privacy.

Sites to See: Estate Planning

AARP.org: What Is a Will?

Can't tell the difference between an executor and a beneficiary? This in-depth backgrounder in AARP.org's Legal Solutions section will have you ready to intelligently discuss your will-making needs in no time.

EXHIBIT O-000049

AARP.org: Worksheet for Your Will

Whether you're hiring a lawyer or using a book or computer program to make your will, this checklist will help you gather your thoughts—as well as the specific information you'll need—to prepare an accurate will that clearly reflects your intentions.

AARP.org: Legal Services Network

This new benefit from AARP provides access to attorneys who offer reduced fees to members and their spouses. Find a lawyer who **specializes in wills and estate planning** by scrolling down to your state and selecting the locale closest to you.

Nolo.com: Wills and Estate Planning Law Center

This leading legal do-it-yourself company offers numerous articles on just about every aspect of wills and estate planning. Check out topics such as <u>leaving property to children</u> and <u>determining which</u> partner owns what in a marriage.

Lawyer Locator from the American Bar Association

The ABA's site lets you search a national database of attorneys by location and area of practice; choose either Wills and Probate or Estates and Trusts from the drop-down menu to refine your results. You also can click on your state on the <u>site's interactive map</u> to find a list of local lawyer referral services.

American College of Trust and Estate Counsel

This national professional organization, whose members are nominated and elected by their peers, offers a database of more than 2,400 lawyers experienced in will and trust preparation. Click on a state name for all available listings, or scroll down to do a targeted search.

Wills.com

This site offers a quick and inexpensive way to draft a relatively simple will with an optional children's trust provision. Though the site doesn't have an extensive reference library, each part of the will is clearly explained on the <u>help page</u>. The interface is easy to follow; navigation is a combination of drop-down menus and text-entry boxes. Pay by credit card, and instantly receive an Adobe Acrobat (PDF) file to save and print. Cost: \$29.95.

LegalZoom.com

This comprehensive self-help site uses fill-in boxes and drop-down menus to guide you through the will-making process. For reference, it offers a glossary and a guide to major will-making topics. After

you pay by credit card, your answers are reviewed for consistency (though not by a lawyer), and within 48 hours you'll receive a hard copy of the document (you also can choose to receive a PDF or a Microsoft Word file). The site offers free notification of changes in law that might affect your will after it's created. Cost: \$55. An additional \$40 entitles you to an unlimited number of revisions for five years.

Freewills.com

Funded by nonprofit organizations, this site allows you to create a basic will online (with a simple children's trust provision if needed) for free. The catch? At one point in the process, it asks if you'd like to leave something to certain charities—but you can decline and still make your will. Cost: Just like the name says—free.

EXHIBIT P

From: Barrios, Larry [lbarrios@mww.com] Sent: Monday, February 24, 2003 10:51 AM To: Brian Lee (E-mail); Brian Liu (E-mail) Subject: CNN Headline News

Importance: High

Great going! The CNN Headline News segment ran 10 times over the weekend!!!!

1. CNN Headline NewsCNN Headline News National Cable National02/22/20035:30 - 6:00 pm

[Derived from Captioning] 17.30 Unusual temperature readings inside the wing began to occur within minutes after re-entry. Some people need a legal document prepared, say a living will or power of attorney. But hiring an attorney is just too expensive. Well, now there's a new website that can help. Erica Hill interviewed its high-profile co-founder. Reporter: time for a look at "hotwired." The web has brought us many things dog food, banking, and now legal advice. Attorney **Robert Shapiro** is a cofounder of **legalzoom.com**. He joins us this evening live from Los Angeles. Great to have you on the program. Thank you so much. Great to be here. There are a lot of sites online where folks can go for legal advice, maybe an explanation for legal jargon. There are sites where you can do wills. What makes **legalzoom.com** different...

[Derived from Captioning] 20.50 This is for people who wouldn't be able to come to a lawyer like myself and my law firm or any lawyers. These are people who, for \$300 can form their own corporation, or for \$60, get a will. That is a first-class document, not a form, but an original document prepared for them through **legalzoom.com**. **Robert Shapiro**, joining us live from L.A. Thanks for the update on **legalzoom.com**. That's it for "hotwired." I'm Erica Hill.

2. CNN Headline NewsCNN Headline News National Cable National02/22/20034:30 - 5:00 pm

[Derived from Captioning] 17.31 Unusual temperature readings inside the wing began to occur within minutes after re-entry. Some people need a legal document prepared, say a living will or power of attorney. But hiring an attorney is just too expensive. Well, now there's a new website that can help. Erica Hill interviewed its high-profile co-founder. Reporter: time for a look at "hotwired." The web has brought us many things dog food, banking, and now legal advice. Attorney **Robert Shapiro** is a co-founder of **legalzoom.com**. He joins us this evening live from Los Angeles. Great to have you on the program. Thank you so much, great to be here. There are a lot of sites online where folks can go for legal advice, maybe an explanation for legal jargon. Sites where you can go wills. What makes **legalzoom.com** different? **Legalzoom.com** is all encompassing...

[Derived from Captioning] 21.08 That is a first-class document, not a form, but an original document prepared for them through legalzoom.com. Robert Shapiro, joining us live from L.A. Thanks for the update on legalzoom.com. That's it for "hotwired." I'm Erica Hill.

3. CNN Headline News

CNN Headline News National Cable National 02/22/2003 3:30 - 4:00 pm

[Derived from Captioning] 17.43 But hiring an attorney is just too expensive. Well, now there's a new website that can help. Erica Hill interviewed its high-profile co-founder. Reporter: time for a look at "hotwired." The web has brought us many things dog food, banking, and now legal advice. Attorney **Robert Shapiro** is a cofounder of

11/15/12 10:21 AM

legalzoom.com. He joins us this evening live from Los Angeles. Great to have you on the program. Thank you so: great to be here. There are a lot of sites online where folks can go for legal advice, maybe an explanation for legal jargon. There are sites where you can do wills. What makes **legalzoom.com** different? **Legalzoom.com** is all encompassing. It has a tremendous amount of information so people can learn about the law themselves. Then if they feel capable and confident, they can do their own legal documents through **legalzoom.com**...

[Derived from Captioning] 21.12 Thanks for the update on legalzoom.com. That's it for "hotwired." I'm Erica Hill.

4. CNN Headline News CNN Headline News National Cable National 02/22/2003 2:30 - 3:00 pm

[Derived from Captioning] 17.37 Unusual temperature readings inside the wing began to occur within minutes after re-entry. Some people need a legal document prepared, say a living will or power of attorney. But hiring an attorney is just too expensive. Well, now there's a new website that can help. Erica Hill interviewed its high-profile co-founder. Reporter: time for a look at "hotwired." The web has brought us many things dog food, banking, and now legal advice. Attorney **Robert Shapiro** is a cofounder of **legalzoom.com**. He joins us this evening live from Los Angeles. Great to have you on the program. Thank you so: great to be here. There are a lot of sites online where folks can go for legal advice, maybe an explanation for legal jargon. There are sites where you can do wills. What makes **legalzoom.com** different? **Legalzoom.com** is all encompassing...

[Derived from Captioning] 21.10 > Robert Shapiro, joining us live from L.A. Thanks for the update on legalzoom.com. That's it for "hotwired." I'm Erica Hill. How far would you go to check your e-mail? How about to the highest place on earth and an internet cafe at the base of Mount Everest?

5. CNN Headline News CNN Headline News National Cable National 02/22/2003 1:30 - 2:00 pm

[Derived from Captioning] 17.42 Some people need a legal document prepared, say a living will or power of attorney. But hiring an attorney is just too expensive. Well, now there's a new website that can help. Erica Hill interviewed its high-profile co-founder. Reporter: time for a look at "hotwired." The web has brought us many things dog food, banking, and now legal advice. Attorney **Robert Shapiro** is a cofounder of legalzoom.com. He joins us this evening live from Los Angeles. Great to have you on the program. Thank you so: great to be here. There are a lot of sites online where folks can go for legal advice, maybe an explanation for legal jargon. There are sites where you can do wills. What makes legalzoom.com different? Legalzoom.com is all encompassing. It has a tremendous amount of information so people can learn about the law themselves...

[Derived from Captioning] 21.11 Thanks for the update on legalzoom.com. That's it for "hotwired." I'm Erica Hill. How far would you go to check your e-mail?

6. CNN Headline News CNN Headline News National Cable National 02/22/2003 12:30 - 1:00 pm

[Derived from Captioning] 17.16 Meanwhile, an internal analysis says during lift-off, "Columbia" may have been struck by as many as three large chunks of foam, instead of one. The foam smashed against delicate insulating tiles. Investigators say "Columbia" likely suffered a breach along its wing and possibly its wheel compartment. Unusual temperature readings inside the wing began to occur within minutes after re-entry. Some people need a legal document prepared, say a living will or power of attorney. But hiring an attorney is just too expensive. Well, now there's a new website that can help. Erica Hill interviewed its high-profile co-founder. Reporter: time for a

11/15/12 10:21 AM

look at "hotwired." The web has brought us many things dog food, banking, and now legal advice. Attorney **Robert Shapiro** is a cofounder of **legalzoom.com**. He joins us this evening live from Los Angeles. Great to have you on the program. Thank you so: great to be here. There are a lot of sites online where folks can go for legal advice, maybe an explanation for legal jargon...

[Derived from Captioning] 20.42 > we hope it stays that way. Quickly, before we let you go, as an attorney, any fear here that you're going to lose some business? No. This is for people who wouldn't be able to come to a lawyer like myself and my law firm or any lawyers. These are people who, for \$300 can form their own corporation, or for \$60, get a will. That is a first-class document, not a form, but an original document prepared for them through legalzoom.com. Robert Shapiro, joining us live from L.A. Thanks for the update on legal legalzoom.com. That's it for "hotwired." I'm Erica Hill. How far would you go to check your e-mail?

7. CNN Headline News

CNN Headline News National Cable National 02/21/2003 11:30 - 12:00 am

[Derived from Captioning] 17.44 Live from Los Angeles, **Robert Shapiro**. Great to you have on the program. Thank you so much. Great to be here. Folks can go for legal advice explanation of legal jargon, sites to do wills. What makes **legalzoom.com** different? It's all-encompassing. First, it has a tremendous amount of information so people can learn about the law themselves. And then if they feel capable and competent, they can do their own legal documents through **legalzoom.com**. This actually avoids an attorney altogether? It has no attorneys involved whatsoever. It is a computer program, the **legalzoom.com** team behind the scenes that are paralegals, and the consumers themselves. And that team, earlier we talking, the site will cost you some money, but you can go fairly far on the site. Getting things together, planning out your will, learning more how to do it before you actually have to pay. When you do pay is, what happens is everything you send in, and this team of people behind the scenes, paralegals, will go over everything...

[Derived from Captioning] 20.27 These are people who for \$300 can form their own corporation, or for \$60, get a will. That is a first-class document. Not a form, but an original document prepared for them through **legalzoom.com. Robert Shapiro**, joining us live from L.A. Thanks for update on **legalzoom.com.** That does it for "hotwired." I'm Erica Hill.

8. CNN Headline News CNN Headline News National Cable National 02/21/2003 10:30 - 11:00 pm

[Derived from Captioning] 19.01 Maybe some explanation of that legal jargon. Sites to do wills. What makes this site different? It is all-encompassing, first it has a tremendous amount of information, so people can learn about the law themselves, and then if they feel capable and confident, they can do their own legal documents through legalzoom.com. This actually avoids an attorney altogether? It has no attorneys involved whatsoever. It is a computer program, the legalzoom.com team behind the scenes that are paralegals, and the consumer themselves. That team, earlier we were talking, the site will cost you some money, but you can actually go fairly far on the site. Getting things together, maybe planning out your will, learning more about how to do it before you actually have to pay. When you do pay, everything you send in and this team of people you mensed behind the scenes, paralegals, go over everything a second time, a second pair of eyes to make sure everything's kosher. Correct? Everything is thoroughly reviewed and checked. Although, by non-lawyers. We always recommend to people, seek lawyers...

[Derived from Captioning] 21.43 Not a form, but an original document prepared for them through legalzoom.com. Robert Shapiro, joining us live from L.A thanks for the update. Thats going to do it for "hotwired." More "headline news" coming your way including controversy over the latest Abercrombie Fitch catalog.

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9. CNN Headline News CNN Headline News National Cable National 02/21/2003 7:30 - 8:00 pm

[Derived from Captioning] 18.39 The web has brought us many things, dog food, banking and legal advice. Attorney **Robert Shapiro** is founder of **legalzoom.com**. He joins us from Los Angeles. Great to be here. There are a lot of sites online where folks can go for legal advice, maybe some explanation of that legal jargon. There are sites where you can do wills. What makes **legalzoom.com** different? **Legalzoom** is all encompassing. It has a tremendous amount of information so people can learn about the law themselves. And then if they feel capable and competent, they can do their own legal documents through **legalzoom.com**. So this actually avoids an attorney altogether? It has no attorneys involved whatsoever. It's our computer program, the **legalzoom** team behind the scenes that are paralegals and the consumer themselves. And that team, earlier we were talking, the site will cost you money, but you can go fairly far on the site, getting things together, planning your will, learning a little bit about more how to do it before you actually have to pay...

[Derived from Captioning] 21.18 Quickly, before we let you go, as an attorney, any fear you're going to lose business? No. This is for people who wouldn't be able to come to a lawyer like myself and my law firm or any lawyers. These are people who, for \$300, can form their own corporation or for \$60 get a will that is a first class document. Not a form, but an original document prepared for them through legalzoom.com. Robert Shapiro, joining us live from L.A. Thanks for the update.

10.CNN Headline NewsCNN Headline News National Cable National02/21/20037:00 - 7:30 pm

[Derived from Captioning] 26.33 They may also truck in some snow from other locations. Stay tuned to "headline news" throughout the evening. Coming up at 7:45, we're speaking with attorney **Robert Shapiro**, co-founder of **legalzoom.com**, about celebrities and technology. At 8:40, we'll be joined by the author of the book "what they'll never tell you about the music business." He'll discuss the dangers at clubs and concerts.

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11/15/12 10:21 AM

EXHIBIT Q



lechnology & Science

Online divorce growing in popularity

Soon-to-split pairs like cheaper price, but it's not for everyone

By David Crary ASSOCIATED PRESS

NEW YORK, May 28, 2003 — Offering a simpler and cheaper path to divorce, an ever-growing array of dot-coms, computer-savvy lawyers and state court officials are encouraging unhappily married Americans to arrange their breakups online. For fees ranging from \$50 to \$300 — a small fraction of what most lawyers charge even for an uncontested divorce —couples are being provided with the appropriate forms and varying degrees of help completing them.

THE PHENOMENON is spreading. Rival firms CompleteCase.com and LegalZoom.com each say they have served 20,000 clients nationwide in less than three years of operation. Hits on the divorce section of the California court system's do-it-youself Web site soared from 6,800 in May 2002 to about 15,000 last month.

"It's similar to the growth of online travel services and online stock trading," said Brian Lee, president of Los Angeles-based LegalZoom. "People are learning they don't need a travel agent or a stockbroker or a lawyer — they can do it themselves."

Many clients may still have to appear in court, but — in theory, at least — they will have all required paperwork with them and will be able to represent themselves.

"For me, it was a purely economic decision," said John Chang, 33, of South Pasadena, Calif., who paid LegalZoom \$300 to help him obtain an uncontested divorce last year.

"I filled out the forms in the course of a night — it took three hours — and saved \$2,000," he said. "When you don't have children or a lot of assets, it's the way to go."

But reactions to the trend vary. Some religious leaders are dismayed that divorce can be made even easier. The American Bar Association wants to ensure that dot-coms don't engage in the unauthorized practice of law, and is studying how its members can serve divorcing couples without high fees.

"A lot of what's happening is a very understandable rebellion against how expensive

EXHIBIT Q-000056

it is to go through the court process," said Sandra Morris, a San Diego lawyer who is president of the American Academy of Matrimonial Lawyers.

"Divorce lawyers view online services the same way doctors view self-help health books," she said. "If it's a minor problem, maybe it's OK to use over-the-counter remedies. But if there's any possibility of it being more complicated, it's a substantial risk to do it yourself."

The do-it-yourself services acknowledge that online divorce doesn't work when spouses disagree on any substantive issue. Linda Elrod, a professor at Washburn University School of Law in Topeka, Kan., said couples who have children, complex finances or even a pension plan to be divided should consult a lawyer.

Even in a supposedly uncontested online divorce, each spouse should be cautious, Morris advised.

"Very often in a marital relationship, there's not a complete balance of knowledge and power," Morris said. "In an effort to settle in an amicable way, they may be settling more in one person's way than the other."

Some dot-com services simply provide forms for clients to fill out — MyLawyer.com, for example, charges \$49.95 for most state divorce forms. CompleteCase gathers information from clients through its own questionnaires, and its employees then complete the official forms for \$249.

"When it comes out of your computer, it looks like a lawyer prepared it," said CompleteCase CEO Randy Finney.

The major online companies all state on their Web sites that they are not law firms and don't sell legal advice.

However, the ABA's eLawyering Task Force has questioned whether some online clients may falsely conclude — based on sales pitches — that their divorce forms will undergo substantive review by a lawyer.

Richard Granat, a Maryland attorney who founded MyLawyer.com, says the ABA should encourage its members to provide less expensive, divorce-related services that can compete with non-law online companies.

Trying to force online divorce outfits out of existence will just reinforce the "negative image of the legal profession," he said.

Finney, an attorney himself, said traditional divorce lawyers shouldn't be worried by competition from companies like his CompleteCase.

"The bread and butter for divorce lawyers is the contested case, where the fees start at \$3,000, \$4,000," he said. "A little uncontested case is not that big a piece of the action."

For leaders of the Marriage Movement — a coalition of religious and other groups seeking to promote strong marriages — online divorce is part of a lamentable trend.

"Almost everything we've done in the last 200 years has made divorce easier," said Mike McManus, founder of a Potomac, Md., organization called Marriage Savers. "You want to slow down the process, not speed it up."

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EXHIBIT R

CHRISTIAN SCIENCE MONITOR

Divorce online: faster, cheaper, and lawyer-free

Kim Campbell Staff writer of The Christian Science Monitor 1,013 words 18 June 2003 <u>Christian Science Monitor</u> ALL 01 English Copyright (c) 2003 Bell & Howell Information and Learning Company. All rights reserved.

Until a few months ago, business cards were the only thing Valentino Agundez had bought online. But in March, she decided to use the Internet to purchase something more permanent: a divorce.

The kindergarten teacher and her husband were already separated, but had put off making their split official because of the legal fees. Then a friend suggested a website that offered to prepare the paperwork for \$249.

"I kind of felt weird about it, because it was over the Internet. But when I went online, it was really easy," says Ms. Agundez, who is in her early 20s and lives in Hollywood, Calif.

Agundez is one of a growing number of Americans who use the Internet to help with their divorces, bypassing attorneys to prepare documents on their own.

Many go online to save money and forgo the emotional clashes that can play out in lawyers' offices. But as states move toward allowing divorces to be actually filed online, critics say it could make the process of breaking up as easy as ordering movie tickets and push up the already high number of divorces in the United States.

"People are going to enter into marriage much more casually with something like this available," says Jan LaRue, chief counsel of the conservative group Concerned Women for America. "The idea of [divorce] becoming faster and cheaper - to me, that doesn't help the idea of marriage."

It may be a year or more before filing for divorce online is truly possible, but using the Internet to help with the process has already caught on - pushed ahead by two other

EXHIBIT R-000058

trends: more people representing themselves in legal matters and growing comfort with handling paperwork, such as taxes, online.

For Agundez, who used a site called **LegalZoom.com**, the Internet changed her perception of how much time and drama were involved in the divorce process. "The Internet responds to you right away, and that's not the way I pictured divorce," she says.

LegalZoom and CompleteCase.com, another national site that helps with uncontested divorces, say that since they launched in 2001, they've served approximately 30,000 and 20,000 divorce customers respectively.

In May, the number of divorce packages sold by **LegalZoom** - which also handles other legal documents, like wills - was up by 43 percent over May of 2002, according to the company's CEO, Brian Liu. CompleteCase, which only handles divorces, has also grown significantly - and has spawned a bevy of copycats.

Do-it-yourself divorcing may be a boon for online companies - which offer document preparation and services that range from under \$50 to \$1,000 or more - but it can complicate things for state and local courts, which is one reason so many of them have also entered the Internet fray.

By offering online access to information and forms, courts in states such as California, Arizona, Utah, and Maryland hope to cut down on the backlog created by do-it-yourselfers who file incorrect paperwork and to better serve low-income users. A few include programs that walk people through the forms, similar to the way online tax-preparer TurboTax does.

"Our real goal is to make sure that people do a good job of self- diagnosing their problem," says Ayn Crawley, director of the Maryland Legal Assistance Network in Baltimore.

She notes that people often set out to represent themselves, not realizing they should ask a few more questions. "People may trade off pension rights for custody, and you should know what you're giving up," she says.

In California's San Mateo County, almost 10,000 people dealing with family-law matters have completed their forms online in the past 12 months. The county's next big project, to be completed next year, will allow people to file their completed paperwork directly to the court online.

That, say marriage advocates, is a bad idea. If online filing catches on, they argue, it could give the perception that getting unhitched is as easy as clicking a mouse.

Already alarmed by the rise in divorces from the widespread adoption of no-fault divorce laws in the 1970s, a number of family- values groups are opposed to measures that diminish the seriousness of divorce.

"The message from online filing ... is that marriage really is just a piece of paper," says Diane Sollee, founder of the Coalition for Marriage, Family and Couples Education.

She is less concerned about using online services to save money on legal fees, but worries that the number of unnecessary divorces will grow if people can impulsively file for divorce in the middle of the night. "If there's an online divorce [available], and you're in the mood, you can go ahead and file," she says.

For now, instant divorce is still a ways off - and may never be quite that simple. State laws vary, but many require couples to appear in court and file further paperwork after the initial filing.

Those who have gone the online route say the Internet didn't simplify their decision, only the mechanics of carrying it out.

"It really doesn't take away all the emotional issues. But it does make the process easier," says Al Hernandez, a salesman from Concord, Calif., who spent about \$500 for his divorce.

The California-only provider he used, DivorceWizards.com, both helped him prepare his documents and took them to court and filed them for him in 2001. He tried to reconcile with his wife for a year after his initial filing, but eventually continued the process. He went the online route both to keep costs down - simply retaining a lawyer would have cost him between \$1,500 and \$3,500 - and to keep things as amicable as possible.

Like many Americans, he chose to leave lawyers out of it. "I really think it creates more animosity between the parties," he says. "It ends up making you bicker over little things."(c) Copyright 2003. The Christian Science Monitor

EXHIBIT S



Where There's a Will_{***} By <u>Christina Wood</u> August 19, 2003

If you don't have a will, you're not alone. Many people hesitate to pay lawyers to talk about their own deaths. But if you could complete a will before you finish your coffee, for less than dinner cost last night, would you do it? It's easy, once you decide which software or Web site to use.

LegalZoom Editor Rating: •••••

Does it worry you that no one will proof your will until you're too dead to make changes? At LegalZoom, a live person checks for common mistakes before the printed document is mailed to you. A LegalZoom representative called us immediately to correct a few minor mistakes, and we got our will in two days. You have 30 days to make changes, but it costs \$9 to have it remailed. For an additional \$40, you get unlimited revisions.

(Click here to read the story online.) -- link to http://www.pcmag.com/article2/0,1759,1207378,00.asp

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EXHIBIT T

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Interview: Robert Shapiro discusses his company, Legalzoom.com that offers legal documents to people who can't afford lawyers

1,298 words
12 December 2003
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English
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JOE WITTE: TODAY'S FAMILY is brought to you by...

MATT LAUER, co-host:

It has been said that the law is a tyranny of words and paper. Well, now a company cofounded by Robert Shapiro of O.J. dream team fame promises to help at least with the paper part of that.

Robert Shapiro, good morning. Nice to have you back.

Mr. ROBERT SHAPIRO (Legalzoom.com): Great to have--be with you, Matt. Thank you.

LAUER: You know, you're a great lawyer. Everybody knows that. But also, you've got a real business knack, too. You--you're an entrepreneur. You've come up with this company called **Legalzoom.com**. Take me through the basics of it.

Mr. SHAPIRO: We felt that there was a very, very little--there's very little--a little room for people who cannot afford or know lawyers to get proper legal documentation that is necessary, whether, in the recovering economy, they're starting a small business, or whether they have a new marriage, a new child, bought a home and need--need a will or have their will updated, need a trust. We want to take the mystery out of normal legal documents for protection.

LAUER: All right, so let's--let's use an example that people can understand, all right? You want to come up with a will. It's a fairly simple legal document, but again, a lawyer's going to charge you a pretty good amount of money to do it. How do I--how--what would happen if I went to **Legalzoom** on--dot-com? What would happen with me creating a will?

EXHIBIT T-000062

Mr. SHAPIRO: Very simple. First thing you do is you go to the law library. And we tell you, in simple terms, not in gobbledygook that you can't understand, what you need and what you don't need.

LAUER: So basically, you help me fill out the paperwork that I can then submit as a legal will?

Mr. SHAPIRO: Absolutely.

LAUER: Now, am I dealing with a human being or am I dealing with a computer program?

Mr. SHAPIRO: You're dealing with both. You're dealing with a computer program that gives you simple questions to answer, and then we have legal analyst specialists and legal document specialists who review these documents for accuracy and correctness, and then send them out immediately by e-mail and Federal Express to you.

LAUER: You'll not only send these documents out to the person who's on the other end of the computer, but in some cases send them to a court of law where they need to be filed.

Mr. SHAPIRO: We do that in all cases for filing of documents.

LAUER: All right, so divorces, wills, legal trusts, things like--what wouldn't you recommend that someone come to your service to do? What's--what's a little beyond what this service can provide?

Mr. SHAPIRO: We don't do litigation. We do documents. We do help people who want a divorce o--or want to name--a change of name where they would need a court appearance. We direct them to the court. They have their paperwork. When they walk in, they're not faced with a clerk saying, 'You made a mistake. You didn't fill this out right. Don't ask me any questions.' They're ready to go.

LAUER: However, let's say I--I handle my will with you and I get it back and when it comes time for someone in my family to handle that will, there's a mistake. If--if I'm dealing with a human being, a lawyer, my family members can go to that lawyer, shake them by the collar and say, 'You made a mistake.' What happens if there's a mistake on a paper that I've dealt with through **Legalzoom.com**? Who do they--who--who's responsible?

Mr. SHAPIRO: We are responsible like any business would be responsible. We are fully insured, but our people are exceedingly well-trained. We've produced over 60,000 documents in the last two and a half years, and we've had absolute satisfaction across the board.

LAUER: How does the legal community view this, Robert? I mean, are they mad at you? Are you taking work away from a lot of lawyers who could use the work?

Mr. SHAPIRO: I think just the opposite. We're filling a niche that lawyers don't want to do and that is simple legal documents for people who cannot afford lawyers or don't know lawyers. Most of these things are done for people who are not corporations in the large sense, but a small family who might want to start their own corporation or their own limited liability company. Lawyers are not interested in that type of work for limited purposes.

LAUER: As a matter of fact, one of the things you do talk about is small businesses--that this service is good for small businesses. What options are out there for someone who wants to create a small business or take that business to the next step?

Mr. SHAPIRO: First, every small business in America should either by a corporation or a limited liability company.

LAUER: Why?

Mr. SHAPIRO: To protect your personal assets. The corporation becomes its own entity and is responsible for all debts or liabilities. The individual is not. And these are simple procedures. They cost \$150-\$200 for us to prepare and you have tax advantages, but most importantly, you have asset protection.

LAUER: Let me go back to some of the other things. If you're talking about a divorce or a will or a living trust, what's the average cost to the consumer using your service.

Mr, SHAPIRO: A--a will is \$59. A divorce is \$249. That's about the range of all of our documents.

LAUER: And what would it cost if I went to a lawyer for that same service? Divorce, leave out of the equation. Who knows?

Mr. SHAPIRO: Especially in New York.

LAUER: Plus, I'm not even thinking about it. So what about a living will or a--or a living trust?

Mr. SHAPIRO: Trusts become very complicated documents for lawyers. And I would imagine a lawyer would charge \$1500 and up for a trust. For a will, probably in the area of 750 to \$1,000.

LAUER: Let me just ask you a question off the subject. There are so many high-profile cases out there, and you're a guy who's argued a few high-profile cases yourself. When--when you turn on the news in the morning and you hear about the Michael Jackson case,

the Scott Peterson case, the Kobe Bryant case, do you sit there at home and armchair quarterback and say, 'If I were the lawyer on that case, here's how I would handle it.'?

Mr. SHAPIRO: You know what I do, Matt? I sit and I say to myself, `This country has taken away the constitutional rights of people who are charged.' And rather than giving them the presumption of innocence, we now have the assumption of guilt. And that is terribly bothersome.

LAUER: You think that's the case in some of the situations I just mentioned?

Mr. SHAPIRO: It's guilty when charged, not guilty as charged.

LAUER: Robert Shapiro, good to have you here.

Mr. SHAPIRO: Great to be with you. Thank you.

LAUER: We hope to see you soon.

EXHIBIT U

Richmond Times-Dispatch

BUSINESS

Will yourself to complete your will

IRIS TAYLOR CONSUMER WATCH Sunday, January 11, 2004

Can't you write your will this month? You've procrastinated long enough. It's not that complicated.

TOMORROW In Flair-Prime Living: Major senior issues facing the Virginia General Assembly.

Here's how to do it - and what could happen if you don't.

• Prepare your will at home and finish by tonight. All you need to know are what you own and to whom you want to leave it. How hard is that?

If you have access to a computer, go to an easy-to-navigate Web site such as <u>www.legalzoom.com.</u> It costs from \$59-\$109 for a simple will, which you fill in using a template.

I clicked through and counted 37 easy questions. After the basics, you can make personal preferences - choose cremation over burial, if you want, tell where you want your ashes scattered, what songs to sing at your service and who inherits Fido.

You, however, can't restrict how an heir uses what you leave them, said Brian Liu, a UCLA Law School graduate and LegalZoom.com's co-founder and chief executive. You can't, for example, instruct your daughter that if she marries that grubby fiance of hers, she can't spend any of her inheritance on him.

You also can't make a will that disinherits your spouse or one of your children, and you shouldn't use any online service if your assets exceed \$1.5 million in value, which triggers estate tax issues with the Internal Revenue Service.

Once you've plugged in your answers, a LegalZoom staff member reviews your answers for completeness and mistakes, then mails out your will on bond paper within 48 hours. You sign and get it witnessed and notarized. Your bank probably has a notary public.

The \$59 gets you a basic will; \$89 lets you revise it as often as you want for five years; and \$109 buys you revision privileges and electronic storage space. LegalZoom is not a law firm; it's a Los Angeles electronic will preparation service founded by lawyers. The staff that reviews your will is nonlegal.

EXHIBIT U-000066

Should you use an online will service? Unless you feel uncomfortable with it or have complicated issues to deal with, why not?

"Those online will preparation services, in most cases, are geared to very simple situations," cautioned Mac Friddell, trust department attorney with Troutman Sanders LLP in Richmond. "There might be a different situation within your own family," he said. You might have a stepson, adopted child or illegitimate child involved, or some other situation not addressed in online templates.

Other do-it-yourself products include software, like Quicken WillMaker Plus, about \$40-\$50. Type in your responses and print out your will and other estate documents. Browse your local office supply store for similar software.

• Do a will for free. You can take a pen and a piece of paper and write out your final wishes all in longhand. That's called a holographic will and it's perfectly legal in Virginia. Or, go to the local public library and follow the format of a will in a legal documents book. Havequestions about what you can and can't put in? Get some of the nitty-gritty at <u>www.nolo.com</u>. Click "Wills and Estate Planning"

• You might need to hire an attorney. It would be crazy not to let a lawyer prepare your will if you have children from a prior marriage, want one child to inherit more than another, have a young child and want part of the will held in trust until he reaches a certain age, want to leave your spouse less than half your estate, or wish to make some other special provision, said Powhatan County attorney Paul W. Cella.

Cella said you risk making errors and omissions if you prepare your own will. You could, for example, fail to put in a clause that keeps your executor from having to purchase a surety bond, which costs several hundred dollars a year, or fail to dispose of all of your assets.

Friddell said you risk producing a legal document with ambiguities. If your instructions turn out to be unclear, your will could get challenged, and your heirs could wind up in court, where a judge or jurors will decide about your estate.

Also, you could misword your will so that your valuables end up in the hands of someone other than you intended, or fail to name an executor to administer your estate or fail to grant the powers your executor needs, for example to sell your land.

Are you afraid of going to an attorney because it's intimidating or you think it will cost too much? A simple, uncomplicated will might cost \$400-\$500, depending on how much work needs to be done, these attorneys said. Call and ask for a free consultation to determine what the cost will be. If you don't like the quote, say thanks and walk away.

Another approach: Prepare your will and pay a lawyer to read and critique it. It won't cost as much. Still, ask in advance.

Don't know a lawyer? Go to <u>www.findlaw.com</u> and click "find a lawyer" Call the Virginia Lawyer Referral Service (804) 775-0808 or (800) 552-7977. Call your local Chamber of Commerce. Ask friends or family members.

EXHIBIT U-000067

• Protect your disabled child. If, in your will, you leave your special-needs child any amount more than \$2,000, the law will block that child from receiving government benefits, warned Nadine Vogel, founder of New York-based MetLife's children-with-disabilities estate planning program, the MetDesk.

That means no Medicaid and no Supplemental Security Income for that child after you're gone. Avert that horrendous mistake by setting up a special needs trust on the child's behalf. Go to <u>www.metlife.com/desk</u>, or call (877) 638-3375 for other free, and critical, tips on estate planning for your child with a disability.

Now, stop procrastinating. Go on and prepare your will. If you don't, perfect strangers sitting in a courtroom will decide who inherits your precious assets.

Consumer Watch appears weekly except for the first Sunday of the month, when The Times-Dispatch publishes the Small Business column. If you have consumer concerns, call Iris Taylor at (804) 649-6349 or write to her c/o Richmond Times-Dispatch Business News Department, P.O. Box 85333, Richmond, VA 23293. Her e-mail address is itaylor@timesdispatch.com

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EXHIBIT U1-000068-1

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By HANNAH KATE KINNERSLEY I Special to THE WALL STREET JOURNAL What's the only thing less fun than being disinherited?

Answer: Acknowledging your own mortality and preparing a will. A crop of new tools, from LastWillShop.com to Quicken WillMaker Plus, promise to help do the task without the expense and hassle of using a lawyer. LastWillShop.com's kit, at \$8.95, claims to be "so simple it could be filled out by a child in grade school!"

To see how easy this can make bequeathing one's worldly goods, we went out and prepared five wills, using five different products. Our goal was clarity of the will, ease of use of the product -- and most important, legal soundness. The last thing we want to leave our family and friends is a courtroom tangle. Afterward, we took our newly minted wills to Gregory Loken, a professor at Quinnipiac University School of Law in Hamden, Conn., for an assessment.

A Matter of Will



To prepare the wills, we used our reallife wishes for our spouse and two toddlers. But we also created a third, fictitious five-year-old, "Jimmy" -- whom we tried to disinherit. Nasty as that sounds, it proved to be a revealing test. Several kits didn't handle this basic

complication well.

See how the different will-preparation services

matched up against a live lawyer.

While our finances and personal life are simple enough -- no offshore assets or secret second families -- getting everything right was tricky. All the products handled things like appointing legal guardians for the kids correctly, but there were a few missteps.

The upshot: The products we tested would be useful for people who want to leave their estate in its entirety to an heir, with no strings attached. More complex wills should probably be handled by a live lawyer. You should also head straight to an attorney if you're looking for a way to put conditions on an inheritance. As LegalZoom puts it: "You cannot leave \$5,000 to your son on the condition that he does not join a punk rock band."

The least expensive option we tried was LastWillShop.com. It was also the most bare-bones and, according to Prof. Loken, produced a will that might be easily challenged. For instance, the areas for listing special gifts (like leaving the silver to a favorite niece) come with no instructions and thus "invite disaster," says Prof. Loken. (The key is to be as explicit possible, since ambiguity -- did you mean the silverware, or the silver earrings, too? -- can breed animosity.) It also didn't provide a separate line for witnesses to date their signatures, which could be a problem. For instance, in New York, witnesses must sign within 30 days of the testator. Lastwillshop.com didn't respond to requests for comment.

The other four produced airtight wills for all our real-life wishes, according to the professor. But only Quicken passed the disinheritance test with flying colors. Others left open the possibility that "Jimmy" might be able to challenge the will by saying we unintentionally left him out, Prof. Loken says.

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EXHIBIT U1-000068-2

Testing the Do-It-Yourself Will - WSJ.com

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The FreeBusinessForms.com will is actually a handy booklet of several different wills tailored to people in various situations: married, single, with kids, etc. One quibble: The requirements for witnesses were tucked away in the "glossary," not the general instructions, so were easy to overlook.

Tim Smith of SJT Enterprises Inc., which makes the forms for FreeBusinessForms.com, says it tries to keep the kit "short and to the point."

BuildaWill.com is a Web questionnaire with a "law library" to look up questions. It had some of the best instructions for executing the will regarding getting witnesses together and going to a notary public. Some dates on the site were inaccurate; for example, an item on the phaseout of federal estate taxes implied it was still 2001. William Kappaz, president of BuildaWill, says the site will be updated.

LegalZoom, the priciest package we tried at \$109, also uses an online-interview format. A help button by each question gives detailed explanations, for instance defining "children" for people who may have adoptees or stepchildren. For the price, your document is also reviewed by a real person, a licensed legal document assistant. Our reviewer didn't notice the disinheritance. An official with LegalZoom said the assistants aren't allowed by law to give legal advice.

Quicken WillMaker Plus 2004 was easy to install from a CD, and we found the interview-style format intuitive. We found it the most complete of the five products we tried, and Prof. Loken agreed. On the whole, it felt more rigorous. For instance, it was the only one that noticed that we tried to disinherit a child, and followed up with an explanation of inheritance rights that fell just short of a lecture. It also suggested that if we didn't want to make one of our children a beneficiary, it would be legally prudent to attach a separate letter explaining why -- guidance that Prof. Loken endorses. He also applauded it for giving the executor broad powers to administer the estate, which can cut probate costs later.

* * *

PRODUCT/PRICE: <u>LestWillShoo.com</u> Last Will and Testament \$8.95 EASE OF USE: Simple to either download online, or to have a form snail-mailed. BEST FEATURE: Amusing grammatical errors: "A will is your wishes past [sic] on when you leave this earth."

SNAFU: The professor we consulted says our will might be easily challenged. **COMMENT:** Bare bones. Also lacks a "catchall" clause: Assets not specifically listed may end up being fought over (or going to the state).

* * *

PRODUCT/PRICE: FreeBusinessForms.com \$17.95

EASE OF USE: We answered the simple questions in less than half an hour. BEST FEATURE: It comes with other useful documents, including a Living Will form.

SNAFU: Some key instructions on witness requirements are easy to miss. COMMENT: Estate Planning booklet is handy for listing accounts and assets for the executor.

* * *

PRODUCT/PRICE: <u>BuildaWill.com</u> \$19.95 EASE OF USE: Answer a series of questions on a Web form. BEST FEATURE: You don't have to pay until you download the completed will.

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You can make free changes for 30 days.

SNAFU: Like all the products but Quicken, this one left avenues for our disinherited "son" to challenge the will, says Prof. Loken.

COMMENT: According to our professor, it had the best instructions for execution, particularly regarding the important task of lining up witnesses.

* * *

PRODUCT/PRICE: LegalZoom.com \$109

EASE OF USE: Simple (unless you hit the browser's "back" button instead of using a "previous" button, deleting info).

BEST FEATURE: Fast customer-service response -- we e-mailed a question after office hours on the East Coast and got a reply within 20 minutes. SNAFU: Pricey, and if you want to make revisions, you have to pay more. COMMENT: The prof declared our will airtight, but had a guibble with how it distributes assets if two spouses fall victim to the same catastrophe.

* * *

PRODUCT/PRICE: Quicken WillMaker Plus 2004 by Nolo; we paid \$49.95 EASE OF USE: Makes it tough to make a mistake, i.e. it took several attempts to disinherit a child.

BEST FEATURE: Yes-or-no questions are very clear, and additional info about inheritance laws is useful and interesting.

SNAFU: No real problems.

COMMENT: Quite useful. It didn't pretend to be a legal authority but let us make our wishes clear.

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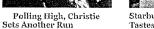
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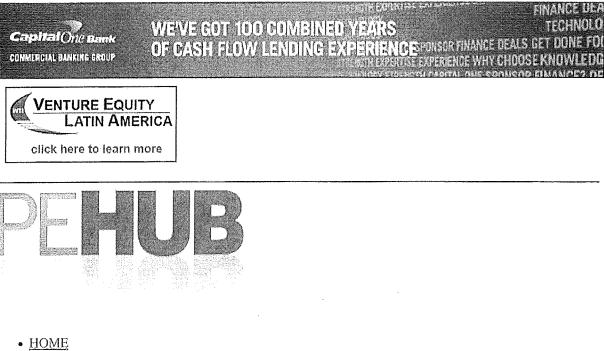
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2



company LegalZoom.com Inc has delayed its initial public offering due to market conditions, according to an underwriting source.

The Glendale, California-based firm was trying to raise as much as \$96 million by pricing eight million shares at a range of \$10 to \$12.

The delay was the latest in a string of postponements and reduced deal sizes this week.

Earlier on Thursday, sustainable chemical company Genomatica Inc pulled its \$100 million initial public offering.

Spinal implant manufacturer Globus Medical Inc, meanwhile, cut the size of its offering as well as its price range. While the company had expected to sell 11.8 million shares in a price range of \$16 to \$18 per share, it decreased its plan to sell 8.3 million shares between \$12 and \$13 per share.

Founded in 2001, LegalZoom helps customers draw up legal documents such as wills, incorporations and trademarks without lawyers and hefty fees. The company has served over two million customers in the past 10 years, it said in its registration statement.

Last year, LegalZoom's revenue climbed 29 percent to \$156 million. It swung to a profit of \$12.1 million, after two straight years of losses.

LegalZoom co-founder Robert Shapiro is famous for being part of O.J. Simpson's legal defense team. He worked on the case with Robert Kardashian, the late father of reality TV star Kim Kardashian.

LegalZoom was among the first companies to file for its IPO confidentially with the Securities and Exchange Commission using the JOBS Act. This provision allows companies with less than \$1 billion in annual revenue to submit registration paperwork for initial public offerings outside of the public eye. The paperwork isn't seen by outsiders until 21 days before the company's roadshow, used to market IPO shares to investors.

In 2011, LegalZoom raised \$66 million in its most recent round of funding from investors including Kleiner Perkins Caufield & Byers.

Underwriters include Morgan Stanley, Bank of America, RBC Capital Markets, William Blair, Cantor Fitzgerald and Montgomery & Co.

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The company had intended to list on the New York Stock Exchange under the ticker "LGZ."

By Olivia Oran

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EXHIBIT W

Software and Web sites can help with preparation of wills

KIM KOMANDO Gannett News Service 626 words 28 May 2004 Gannett News Service English Copyright (c) 2004 Bell & Howell Information and Learning Company. All rights reserved.

Nobody likes to talk about death and dying, but creating a will is a must. You can do it the old-fashioned way by going to a lawyer, or you can use a software program or Webbased service to create a legal, inexpensive will in less than an hour.

Do-it-yourself wills are controversial. Not everyone agrees that they are a good substitute for a lawyer.

Nancy Coleman, director of the American Bar Association's Commission on Law and Aging, cautions against solely using do-it- yourself services. She says they are an excellent tool to educate consumers and a good first step, but the resulting documents should be double-checked by a lawyer.

However, Paul Bergman, a law professor at UCLA, says do-it- yourself wills are fine for most people. Only people with special circumstances, such as those with assets in the millions or those who want to disinherit a spouse or child, require a lawyer, he says.

If you're interested in drafting your own will, several products can help.

Quicken WillMaker Plus 2004 (www.nolo.com) retails for \$79.99, but it's available at discount sites such as at Amazon.com for \$25.99 after rebate. This Windows-only program creates wills, trusts, health care directives and more.

WillMaker Plus 2004 conducts an easy-to-follow interview. If you are unsure how to answer, there is a comprehensive legal manual. There is online help, too -- encyclopedias and glossaries -- designed for lay people.

As opposed to a software program, Legacy Writer (<u>www.legacywriter.com</u>) is a Web site that will help you create a will for \$19.95. For an additional \$9.95, you can revise your will an unlimited number of times during a five-year period. You do not have this extra expense if you use a software program such as WillMaker Plus on your own computer.

EXHIBIT W-000078

The site's easy-to-use questionnaire is filled with highlighted words and phrases. Clicking on a highlighted area activates a pop- up window with further information, usually a helpful hint.

For example, you can make specific bequests appear in the body of the will, in a property list you can update or within the body of the will with a reference to a property list. The pop-up window lets you know what should be included (engagement ring), what should not be included (cash gifts) and where it should be included (it's most common in the body of the will).

LegalZoom (www.legalzoom.com) is another Web site that offers will services. It goes one step further than LegacyWriter. A paralegal proofs your will before it's printed. A standard will costs \$59. For an additional \$50, you get unlimited revisions for five years, plus LegalZoom will store your will for five years.

LegalZoom's clean interface makes filling out the will easy. Many sections are dotted with yellow exclamation points. Click on these for a pop-up window that gives further clarification and examples. You can choose to have the will mailed or e-mailed to you.

Depending on the state you live in, two or three witnesses must sign wills created with these services. The program or site you use will let you know.

In addition, wills created with WillMaker Plus or LegacyWriter are not valid in the state of Louisiana. LegalZoom states that their wills are valid in all 50 states.

There are certainly other options for do-it-yourselfers. The American Bar Association does not endorse any products, but it has an excellent site that clearly explains wills (www.abanet.org/rppt/ public/home.html).

EXHIBIT X

GETTING PERSONAL: Fewer Wills Amid Estate-Plan Confusion

964 words 3 June 2004 11:42 Dow Jones News Service English (c) 2004 Dow Jones & Company, Inc.

By Kathy Chu A Dow Jones Newswires Column

NEW YORK (Dow Jones)--Fewer people have wills these days, a trend that some experts attribute largely to an overall slowdown in estate planning.

This legal document ensures that, after your death, assets are distributed according to your wishes, not the mandates of the state in which you live. It can also specify guardians to take care of your children. Yet, in 2004, only about 42% of adults had a will, a statistically significant drop of 5 percentage points from 2000, according to legal resource Martindale-Hubbell.

Procrastination is a common culprit, but other factors also appear to be coming into play. Some people have delayed creating wills because they have fewer assets to pass along to heirs after the recent prolonged market downturn. Others are postponing all aspects of estate planning, including wills, for fear that they will have to redo this work later due to uncertainty over estate taxes. (The estate tax is set to phase out in 2010, only to return in 2011 unless there's a permanent repeal.)

"One aspect of a will is addressing estate-tax consequences, and because this is in flux, some people are saying, 'We'll hold off'," said James Kosakow, a Westport, Conn., estateplanning attorney who has seen about a 10% drop in the number of people doing this planning over the past two years.

For many people, wills are typically created as part of a comprehensive estate plan that includes a power of attorney, health-care proxy, and sometimes, a trust. So, those who hold back on one part of estate planning tend to do the same with other areas.

Partly as a result, a growing number of large law firms are spinning off or closing down traditional trusts and estates practices. Gibson Dunn & Crutcher, a legal powerhouse with more than 800 lawyers worldwide, confirmed that it got rid of its estate-planning department last year, but declined further comment.

EXHIBIT X-000080

Across the country, financial advisers are also reporting a pullback. Shawn Roberts, president of Applied Benefits & Concepts, a financial-advisory firm in Plantation, Fla., said that the revenue coming from estate planning has dropped by 50% in the last two to three years. The firm, though, is also focusing less on this area, according to Roberts.

In general, people have "decreased appetites for estate planning because of the new tax laws," said Sharon Siegel, a partner at Siegel & Siegel law firm in New York.

A change in thinking also appears to be underway. Surveys by LegalZoom.com, an online document-preparation site, revealed that the number of people who believe that having a will is important dropped last year, to 75% in 2003 from 85.4% in 2002. Also, significantly fewer people intend to draft this document in the near future.

"The attitudinal shift is pretty striking," said Brian Liu, chief executive of LegalZoom.com in Los Angeles. "I think that the overall economy has something to do with it, because if people feel that they're not as rich, then there's not as much need to make a will."

Not everyone's holding off though. Michael Ellis, 33, began thinking about his own mortality a few years ago after a cemetery - where he plans to be buried - was built near his home in Barberton, Ohio.

A former soldier, Ellis realizes the importance of preparation. He drafted a will earlier this year, including instructions for his burial, because "no matter what position the economy is in, you still have to have instructions for yourself."

Indeed, without a will, you risk putting your estate in limbo and delaying the transfer of assets to those whom you intended.

By some industry estimates, less than 1% of Americans are currently subject to estate taxes - which affect only the wealthiest segment of the population - so most people have no excuse for not creating a will.

Expenses shouldn't be an issue, as a simple will can cost as little as \$50 these days, according to Alan Kopit, legal editor of Martindale-Hubbell's Lawyers.com, a site for consumers and small businesses.

Online resources such as LegalZoom.com and BuildaWill.com, and software programs including Quicken WillMaker Plus, can help you create a will that applies to your particular state. If you have complex needs, though, it is best to consult an attorney even though this generally will cost you more.

Wills should be updated every time there is a major life change, such as marriage or divorce. For Todd Saunders, a 44-year-old business owner, the birth of his child provided the incentive.

"A lot of people don't like to think about the finality of it all, but in our family, we discuss it openly," said Saunders, who lives in Port Washington, N.Y.

For wealthy individuals, wills can even address the uncertainty of estate taxes.

Some families, in conjunction with their wills, set up a bypass trust to pass assets to heirs. But because the value of the estate that is exempt from taxes is rising - right now, it's about \$1.5 million - clauses are being included that allow the vehicle to be funded with "the maximum amount allowed by law" instead of a set dollar figure.

The pitfall of this strategy, though, is it could leave inadequate funds for your family's daily living expenses if the majority of your estate goes into this vehicle.

(Kathy Chu is one of four Getting Personal columnists who write about personal-finance issues ranging from new tax proposals to education-funding strategies to estate planning.)

EXHIBIT Y



Software To Create Living Wills

March 24, 2005

(CBS) The legal and political tug-of-war over whether to provide life sustaining nutrients to Terri Schiavo might have been avoided if she had written a Living Will, "Health Care Directive," or a legally binding durable power of attorney for health care decisions.

In the past, the only way to create such a document would have been to go to an attorney, a paralegal document writing service, or use a form or book with boiler-plate text. But today you can create your own legal documents online or with software.

Web-based services such as LegalZoom.com, make it easy to create a living will online or you can purchase a software program such as Quicken WillWriter from Nolo, WillWriter Deluxe from Broderbund, or use a generalized legal document program such as Broderbund's Home and business Lawyer.

Before I get to the products, it's important to point out that legal software and websites aren't for everyone. Attorney and **CBS News Legal Consultant Andrew Cohen** recommends that most people seek the advice of a real live attorney to "ask questions and have someone with experience in the real world."

"You may think it's simple," says Cohen,"but when you get to the end of life, your loved ones might find that there was a mistake." He also warns that software may not be as flexible as an attorney and not as tailored to a particular individual's needs, situation or moral beliefs.

Barbara Repa, a California attorney who is an author of Nolo's WillMaker software, disagrees. "These situations are the most personal decisions in the world. Rather than consult an attorney, a better conversation is to talk with health care providers and family members."

She says that the software is tailored to meet the specific laws in each state. Nolo, which has been in the legal self-help business for 30 years, has an excellent track record when it comes to the legality of its documents.

While there is no doubt that some people would benefit by consulting an attorney, I can think of two advantages to using a program to create such a document.

For one thing, it's a lot cheaper than an attorney. Software or web-based will writing services typically cost \$40 or less which won't buy you much time in a law office.

Another factor is that you don't need to wait or make an appointment. If you're inclined to write a living will or health care directive right this minute, you can do so by going to a website and filling out a form or downloading and using software. Depending on how you do it, your document might be ready to be signed, witnessed and legal within the hour.

EXHIBIT Y-000083

Whatever you do, make sure you're using a document from a reputable company and make sure that the document you create is tailored for your state. "In some states, said Cohen, "a living will would not have been enough to affect Schiavo. In some cases, you need a medical durable power of attorney."

LegalZoom.com is an online resource for creating all sorts of basic business and personal documents including a living will. A basic living will costs \$39. It takes a few minutes to fill out the forms online but you don't get the document immediately. The company will first have a paralegal review your document and then print it out and mail it. For an extra \$3, they'll also send it by email, but, again, it's not immediate because of the review process.

One nice thing about this service is that you don't have to pay until you're done filling out the form. That means you can get the experience of trying it out for free. Also, because you fill out the forms online, you don't need to purchase a CD or download a large program.

The service creates both a living will and a health care power of attorney. The former states your preferences as to what type of treatment you should get under certain circumstances. The health care power of attorney appoints a person to make decisions for you. You can also appoint alternate people in case your first choice is not able to perform these duties.

Once you've entered your basic personal information, the website asks you to leave instructions on what should be done "if you have a terminal condition where there is no hope of recovery."

Your choices are: "I do not want to be kept on artificial life support" or "I want my life to be prolonged as much as reasonably possible."

If you say you don't want to be kept on life support, you're asked to specify under what conditions you want it removed. The choices are: 1. "If I have an incurable and irreversible condition and cannot survive without artificial life support." 2. "If I am in a permanent coma." or 3. "If I am in a persistent vegetative state."

LegalZoom.com's software also asks, "In the situations where you do not want life support, would you still like to have food and water (tube feeding)?" It sure is a shame that Terri Schiavo didn't create such a document.

Regardless of what you choose, you are then given an opportunity to provide further and more detailed instructions.

Once you're done stating your wishes, you can then specify who will make health care decisions for you if you can't make them yourself.

Nolo's Quicken WillMaker Plus is more extensive in two ways. The program, which costs \$39 to download or \$49 on CD, creates all sorts of family planning documents including a personal will (which deals mostly with property, not health), living trusts, child care instructions and a number of other documents including elder care and even pet care instructions along with a variety of other documents.

It's also more specific in terms of the questions it asks with an extensive amount of help and explanation at every step of the process.

For example, you can say you want "some life prolonging procedures but not others" and

EXHIBIT Y-000084

then select yes or no from a laundry-list of options including blood and blood products, cardiopulmonary recitation, dialysis, respirator and more.

When you're done, it creates a document for you to review onscreen and then print and sign. There are also instructions, which vary by state, as to whether you need witnesses, a notary or other conditions to make the document legal.

Another option, regardless of what software you use, is to just create a durable power of attorney, naming the person who will make decisions for you.

A syndicated technology columnist for nearly two decades, **Larry Magid** serves as on air **Technology Analyst** for **CBS Radio News**. His technology reports can be heard several times a week on the **CBS Radio Network**. Magid is the author of several books including "The Little PC Book."

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EXHIBIT Y-000085

EXHIBIT Z



June 13, 2006

Where there's a will, there's a way to distribute assets as you would like

A Republican-led effort to eliminate the federal estate tax failed last week. Don't lose sleep over it.

Less than 2% of estates are subject to the tax. And a compromise floating in Congress would reduce the number of taxable estates even more.

Maybe it's time to focus on a more realistic threat to your legacy: dying without a will. Nearly 60% of Americans lack even a simple will, according to a 2004 survey by Lawyers.com. The problem isn't limited to folks who don't have much money to leave their heirs. More than one-third of Americans with investment portfolios of \$10 million or more don't have wills, according to a survey by PNC Advisors.

Worrying about estate taxes when you don't have a will is like fretting about contracting African sleeping sickness while you smoke a pack of Camels. If you die without a will, your state will distribute your assets, based on what's known as "intestate succession" laws, says Mary Randolph, author of *The Executor's Guide* by Nolo Press.

Most states then require the court-appointed administrator to post a surety bond — a kind of insurance policy — that the estate must pay for.

Depending on the size of the estate, the bond could cost thousands of dollars, says Dennis Belcher, an attorney with McGuireWoods in Richmond, Va. Even if your money goes to people you would have chosen anyway, the administrative costs could reduce the size of their inheritance, he says.

Everyone should have a will, but it's particularly important if:

•You have minor children. If you and your spouse die without a will, a court will decide who will raise your children. This can lead to confusion and infighting among surviving grandparents and other relatives, says Brian Liu, CEO of LegalZoom, a will-preparation Internet site.

By preparing a will, you can name a guardian for your children and a trustee to manage your estate on their behalf, Belcher says. You can designate the guardian to serve as trustee, he says. But if the person you want to raise your children isn't financially savvy, you might want to name someone else as the trustee.

•You're part of a non-traditional couple. Most states don't recognize unmarried partners, even if you've been in a committed relationship for years. If you want your partner to inherit your estate, you need a will.

EXHIBIT Z-000086

State succession laws don't recognize charities, either. If you want to leave your assets to the local animal shelter, you need to spell it out in a will. Otherwise, your assets will go to your surviving family members, even if you've been estranged for years.

And if surviving relatives can't be found — which is unusual — all your assets will go the state. Now there's a happy thought.

•You have children from a previous marriage. Belcher once represented five adult children who grew up on a farm, doing chores every morning before school. After their mother died, their father remarried, but the children were assured they would inherit the farm when he died.

After his death, though, no will was found. In Virginia, when someone dies without a will and has children from a previous marriage, a third of the estate goes to the surviving spouse and two-thirds to the children.

"These kids were just sick about it," Belcher says.

If you don't already have a family attorney, finding someone to prepare a will can be intimidating. Belcher suggests seeking referrals from relatives, friends or professionals, such as your accountant or financial planner. Costs vary depending on the complexity of your estate, but a straightforward will typically costs \$500 to \$1,000, Belcher says.

A good estate-planning attorney will also help you prepare a power of attorney and health care proxy, which give someone you trust authority to make financial and medical decisions on your behalf if you're incapacitated.

Another option is a do-it-yourself will. With most of these programs, you can prepare a basic will for less than \$100. Quicken WillMaker Plus, a software program from Nolo Press, includes a long list of documents, from a basic will to a living trust. LegalZoom.com allows you to prepare a will online and will check your work for spelling, grammatical errors and consistency. But LegalZoom's review won't correct substantive legal errors, Liu says. The company doesn't give legal advice.

While do-it-yourself programs will help you put together a basic will, some situations require legal advice. You should hire a lawyer if you think your will might be contested, Randolph says. Likewise, you should get professional help if you need to set up a special-needs trust for a child who is disabled.

And if your estate is among the few that are large enough to trigger estate taxes, you should definitely hire a lawyer, Randolph says. In 2006, estates worth more than \$2 million are taxable unless the money is left to a spouse.

EXHIBIT AA

Hollywood Web company courts customers with online legal documents and additional guidance.

age by Pa

18 LOS ANGELES BUSINESS JOURNAL

By ALEXA HYLAND Staff Reporter

RIAN Lin and Brian Lee had quit their jobs as altomeys at top-fier law firms; and Eddie Hattman resigned from his post at a Web site development company. They were seeking money to launch an online legal document company, LegalZooin Inc., but their timing was a bit off. It was April 14, 2000, and both the Nasdaq It was April 14, 2000, and both the Nasdaq and Dow Jones were plummeting at the first sign that the Internet boom would lum finto a trush. Liu, Hartman and Lee were meeting with a partner from DynaFund Vectures to dis-curse an investment but the

Cuss an investment by the This Week: This Week: "He said, 'Forget it, the MICHE MICHE needing is over and dot-coms are over," "Liu recalls, "We went to (the restaurant) Benihana

recalls. "We went to (the restaurant) Benihana and said, 'What ure we guing to do?' It wasn't too late to tak for our jobs back." When it became apparent that investment finns weren't going to put a dime into auother det com, the founders turned to their families and found for \$250,000 in control to their families and friends for \$250,000 in seed money and launched LegalZoom out of Lee's condo in 2001.

Seven years later, LegalZoom has become a 350-employee operation, selling legal docu-ments that help consumers form businesses, establish wills or trusts, get divorces, or file for

establish wills or trusts, get divorces, or this for trademarks or patents. High-profile oriminal defense altorney Robert Shapiro is another co-founder and nitior-ity sharcholdre of LegalZoom. He said the com-pany's growth has been diiven by consumers who want an alternative to high-price lawyers. "We are providing legal services for people who wouldn't be able to get hem," said Shapiro, who is best known for defending O.J. Simpson in his 1995 murder trial. "We are filt-ine the gan."

Simpson in this 1950 induce that is to be off ing the gap." The company charges flat fees, and depend-ing on the type of legal documents requested, the prices range from \$100 to \$1,500. For example, to incorporate a business duough LegalZoom, consumers can choose from three different pack-mers that year at \$139 and eou to \$359. ages that start at \$139 and go up to \$369. But some aren't completely sold on the idea

of online legal documents. Hick Grodma, a Los Angeles will and esinte attorney, said LegalZoom's will and trost doc-

uments do not allow consumers to personalize their estate plan based on their family and economic situation. "I have never met a cookie-cutter client,"

"I have never met a cookie-cutter client," Gredan said. "Everyone has a particular tiloa-tion, desires and objectives, and that calls for customization. And you just doa't get that with a LegalZoom kind of document."

a LegatLoom kina of cocument. But Lin said the company offers its cus-tomers a lawyer referral program, allowing them to seek out extensive legal advice if and when it's needed. The customers decide if they need the referral.

"We refer people to lawyers all the time," Liu sald. w '

Humble beginnlogs At the outset, the partners weren't sure if hings were going to work out. "We didn't take any slatistics for the first year," Liu said. "We were caling Top Ramen. Ordering from Donino's was a big treat." Lee and Liu met while studying at UCLA School of Law, and they met Hartman through o friend

a friend.



Trio: From left, LegelZoom partners Brian Lee, Robert Shapiro and Brian Liu at company's office in Hollywood.

A cold call during the money-raising phase brought Shapiro into the mix. Lee and Liu called the allomey's law office after hours expecting voice-mail. But Shapiro answered and Lee pitched him the concept. Shapiro met with them and then signed on as the fourth co-founder, Chief Executive John Suh joined the company in J007. Suh nerviolativ worked at company in 2007. Suh previously worked at Studio Direct, a San Francisco-based retail

supply company. As LegalZoom grew, the company moved from Lee's condo into a 900-square-foot office on Larchmont Boulevard. Now, LegalZoom's

on Larchmont Boulevard. Now, LegalZoom's office is in a building on the western dage of the Hollywood Walk of Fame – at Hollywood Boulevard and La Brea Avenue. LegalZoom employees – custonier service, marketing and tech – are spread throughout live floors of the building. Last year, the company's blue logo was placed on the top of the building. But LegalZoom hasn't host its small-busi-ness feel. Hamployees work out of cubicles, except for the chief finaucial officer and burnan resourced fitteetor, who need offices

except for the chief finaucial officer and human resources director, who need offices with doors. Liu and Lee asid they hoped to cre-ate an atmosphere where everyone feels part of the team by having executives work alongside heir employees in cubicles instead of offices. Conference rooms are called think tanks, and employees wear business easual, and not int on Fridwe.

Shapiro visits the LegalZoom office once a week, when he meets with the other co-founders and executives to review the company's health. But his biggest role is the face of LegalZoom.

The energetic lawyer can often be found Incense of a second second second second second pitching LegalZoom in television commercials and print ads. Liu and Lee said Shapiro's high-profile status gives LegalZoom legitimacy in addition to attracting customers.

Leijal	zoom	ine.	

Headquarters: Hollywood	
Chilef Executive: John Sul	i <u> </u>
Year Founded: 2001	
Coro Business: Online lega	I documents

Employees in 2008: 350 (300 in 2007) Boal: Continue expansion and grow the

attorney referral service Driving Force: The desire for low-cost legal

sarvices.

LegalZoom commercials also feature real customers who where hand-selected by the management team based on their LegalZoom experience. One of those customers is Ianet Long, co-owner of Elante's Toffee Co. Long, who co-owns the business with her two sisters and father, used LegalZoom to incorporate the

And table, used Legal-company. Northern California company. "I was in my car and heard about Legal-Zoom on the radio," Long said.

Zoom on the radio," Long said. After doing some research and getting advice from a family member who is an attor-ncy, Long decided that LegalZoom was a cheaper and vinble alternative to biring a lawar

cheaper and vinote microarce to many a "When you are starting up a bushness, you want to keep costs low," Dang said. "It was yery inappensive, and I went for one of the more expensive packages." Like ober customers, Long filled out her doo-Like ober customers, Long filled out her doo-

uments online, which were then reviewed by a LegalZoom employee for errors, including typos,

LegalZoom guides each customer through the process. The service helps a customer get a tax ID

or contract with a third party for patent drawings. Once the review is completed, the doc ments are sent to customers in customized

OCTOBER 27, 2008

In Long's case, her documents arrived in a eutomized erinason teature binder, with the company's name embossed in gold. Those per-sonalized touches, such as custamized binders, helped the company grow because they impress customers. The emoloyces aren't attomeys, but are

Impress customers. The employees aren't attomeys, but are trained on the documents that customers need. Each employee's compensation is based on the results of what the company calls a "willing-ness-to-refe" survey. The company tries to survey each customer, questioning whether they would recommend that family and friends use LeealZoon. use LegalZoom.

"From the beginning, we have had an "From the beginning, we have had an engle-eye focus on treating customers well," Liu soid, "We want to demystify the process as nuch as possible and explain things in com-tion English so people can understand." LegalZoom does face competition from other companies that have cropped up in the legal document limbstry. We the People LLC is a nationwide chain of legal document offices, which offer consumers a variety of

offices, which offer consumers a variety of offices, which other consumers a values of a common documents, including wills and insis, name-change papers and partueship agree-ments. But We the People runs out of store-

ments, but we her reous fund off of state-fronts and doesn't operate online. Web sites such as LawDepol.com and LegalHelpMate.com also offer online legal

Legarite/ph/atc.com inso buck on the internet sites only carry wills, trusts, divorce papers and business formation documents. Shapiro said LegalZoom offers a broader runge of services. "We are the only company online that offers virtually every type of legal document."

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LegalZoom Expands Free Joe Friday on Facebook | Business Wire



July 29, 2011 11:00 AM Eastern Daylight Time

LegalZoom Expands Free Joe Friday on Facebook

By popular demand, LegalZoom Offers Facebook Users an Extra Day to Get Answers to Legal Questions from Attorney Joe Escalante

LOS ANGELES--(BUSINESS WIRE)--LegalZoom.com, Inc., the nation's leading provider of online legal document services, has announced it will expand "Free Joe Friday," the free legal Q&A session hosted on LegalZoom's Facebook page, to include an additional timeslot every Tuesday morning at 10 a.m. PT.

Since the first "Free Joe Friday" took place in October 2010, attorney and host Joe Escalante has addressed a range of questions on legal topics that include business, estate planning, intellectual property, real estate, small claims and divorce. The simple, friendly and free weekly service has gained a loyal following and Facebook fans have expressed a desire for more access to Joe's advice.

"I am very excited to be expanding the service, no one should have to navigate the uncertainty that can accompany legal issues alone"

"We wanted to create a solution that would reward the service's loyal followers with additional access to Joe, while also continuing to grow our audience," said Carrie Yutzy, Social Marketing Manager at LegalZoom.

The way "Free Joe Friday" works is Facebook members post their questions on the LegalZoom Facebook page wall, and Joe posts answers directly to Facebook. In the past eight months, the number of questions posted has increased dramatically and the LegalZoom Facebook page now has nearly 10 times more fans than it did before the service began.

"I am very excited to be expanding the service, no one should have to navigate the uncertainty that can accompany legal issues alone," said Joe Escalante. Currently, Joe answers an average of 20 legal questions during the hour-long session, and with the extra slot, even more fans will be able to get in on the free advice. "'Free Joe Friday' was a way to give back to our fans on Facebook, and we're thrilled to announce the expansion of the program," Yutzy said.

The inaugural Tuesday "Free Joe Friday" session debuted July 26th to tremendous success and will continue each and every Tuesday at 10 a.m. PT. "Free Joe Friday" will continue to be available every Friday at 10 a.m. PT.

About LegalZoom

LegalZoom.com is the nation's leading provider of legal documents that help people protect their families and launch their business dreams. Since its founding in 2001, more than 1 million customers have used the service to make a will or living trust, form a corporation or LLC, and apply for a copyright or trademark. LegalZoom is not a law firm and does not provide legal advice. Headquartered in Glendale, California, with offices in Austin, Texas, the company has over 400 employees. For more information, visit http://cts.businesswire.com/ct/CT?id=smartlink&url=http%3A%2F%2Fwww.legalzoom.com& esheet=6811868&lan=en-US&anchor=www.legalzoom.com&index=2&md5=f5cb1b0aaa0bcb21292f95aeb0e58547.

About Joe Escalante

Joe Escalante is a California attorney and the host of the syndicated entertainment legal advice radio call-in program "Barely Legal Radio." Joe received his B.A. from UCLA and his J.D. from Loyola Law School in Los Angeles with a focus in antitrust

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litigation. He is published in the field. He has 18 years of experience as an entertainment attorney in Hollywood and has spent 30 years in the music, film, and television business. Presently, Joe is semi-retired from the practice of law, but remains an active member of the California State Bar and serves as a Judge Pro Tem for the Superior Court of Los Angeles County.

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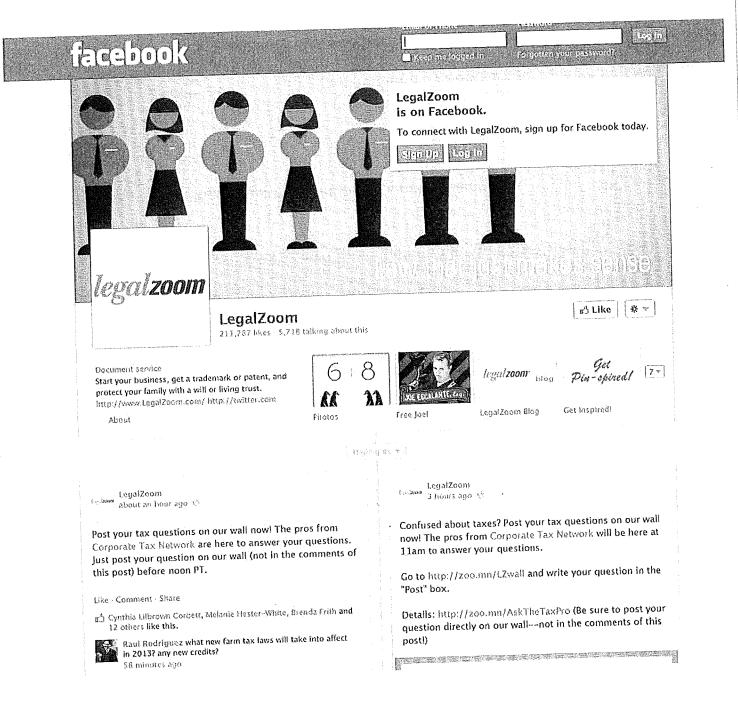
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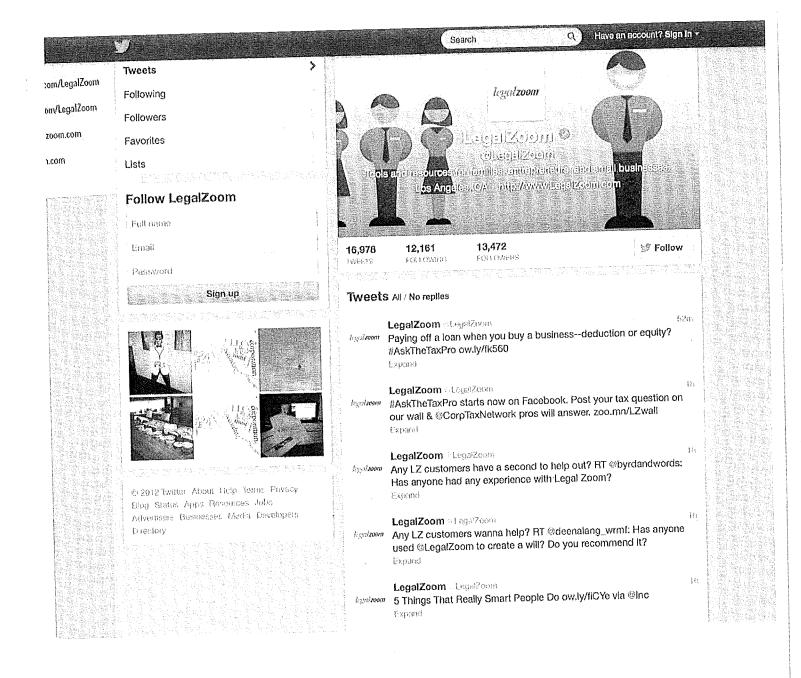


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Janet Long used LogalZoom.com for creating and filing logal decuments and has been featured in LogalZoom television commercials.

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November 27, 2012 POST BUSINESS

Satisfy Your Legal Needs Fast in This Zoom-Zoom World

It wasn't so long ago that starting a small business was attempted by only the most stalwart of entrepreneurs. It took stamina to brave the reams of paper and hordes of attorneys, real estate agents, and CPAs that were a necessary part of the start-up process. It didn't matter how passionate you were about your idea. If you stopped to think for a moment about the obstacles facing you, you were certain to turn tail and head back to your fluorescent-lit life in a cube.

That's one of the things that thrills me about our new tech-world: Now, many of the mystery hurdles that took more time, money and energy than the idea itself have been replaced with user-friendly options available online.

Almost any aspect of your business can now be brought down to a far less daunting size with a simple click of the mouse. Just as TurboTax simplified much of the tax process, so has the colossally scary legal process been reduced to a kinder, gentler series of mouse clicks and "Continue" buttons by <u>LegalZoom</u>, the online leader that has become so prominent in its market that It's practically a generic.

Here's the gist: LegalZoom takes commonly requested legal documents and boils them down into an easy-to-follow, step-by-step questionnaire. If you need help at any point in the process, simply click on a link that shows frequently asked questions from past users, or call a toll-free number for live assistance. Although the phone representatives aren't lawyers, the questionnaires were created by a highly reputable legal team, meaning customers are getting top quality without paying top dollar. And LegalZoom doesn't just cater to businesses. The site boasts a wide array of consumer services as well, including wills, small claims, real estate deeds and even divorces -- all available from the comfort of your home. And they do the filing for you.

These were the main points that impressed me most when I <u>interviewed Chairman and Co-Founder Brian Liu</u>. He and his co-founders' enthusiasm for providing convenient, affordable legal services was evident, even contagious, as he described how, right after his law school graduation, friends and family poured out of the woodwork seeking the same legal advice, namely starting a business and creating a will. Although it took a while for the seed to germinate, the idea for LegalZoom soon began to grow, and the various components took shape. Theirs would be a site that would not only make certain legal processes both affordable and convenient, but downright simple. Customers' fears were tossed in the paper shredder like a fivelous lawsuit.

But what excited me was what this means for small businesses. By stripping away the most intimidating aspects of the legal process - time, money, and visiting a real-life lawyer face to face - the company has lowered the barrier to entry to a point where any eager entrepreneur could saunter right over it. This is the beauty of their business plan, the gift they are giving to small businesses right at a time when our economy needs it most.

The jargon, the overinilated bills, even the chilly reception of a legal office all disappear when a customer opts for LegalZoom over an in-person lawyer. Business owners may not be familiar with navigating the white waters of the legal world, but they are familiar with navigating a website, which makes LegalZoom far less formidable than the thought of filling out stacks of old-school-style paperwork and waiting in interminable lines in court houses.

While LegalZoom isn't a panacea for all of a business' legal problems (I don't think the Detroit companies will find a legal document to suit their current needs), the brand's sheer array of services is more than sufficient for most small companies to open its doors and get moving without having a pricey lawyer on retainer. Much like Get Satisfaction does for customer service, LegalZoom eliminates the need for a small business to maintain a full-time stable of high-priced legal eagles, meaning more small businesses can open their doors or stay atloat. If the Great Recession has gotten you, LegalZoom can help you file for bankruptcy and even change your name, if you want to start over.

Some naysayers are calling this financial debacle the worst economic crisis the country has faced in 80 years. And while I'll admit I can't wait for it to be over, I'm excited about the opportunity that it creates for new players to get into the game, now that the playing field is leveled. If more entrepreneurs knew about tools like LegalZoom or Get Satisfaction, I'm sure there'd be a lot more stability in the marketplace, if only because a once intimidating process has been simplified.

And who couldn't use a little simplification in their lives these days?

Do you know of a business that is thriving during the recession, or a great tool that small businesses should be using? Have a business question you need answered? If so, contact Lynda.

HIGHLIGHTS .

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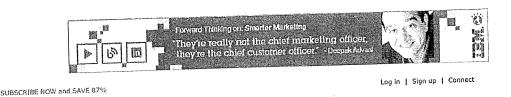
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The 10 Best Digital Tools for Entrepreneurs in 2012

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As the global economy writhes and rattles, entrepreneurship has ever more clearly emerged as the solution to economic recovery. Young startups not only create nearly <u>two</u> thirds of America's new jobs, they also bring forth innovation that often revolutionizes humanity and provides widespread

prosperity. The best part is, ease in creating businesses has increased dramatically due in large part to apps and sites that help entrepreneurs.

Here are 10 of the best digital tools to help you launch and grow your startup:

1) Weebly

Using a simplified drag and drop engine, Weebly makes it possible to create a content rich website in minutes, with loads of features. The best part: it's completely free. Created in 2006, Weebly has become a go-to for startups.

2) <u>Legal Zoom</u>

Founded by a team of legal and tech experts, Legal Zoom provides users with legal documents without the lawyers. In doing so, they've made it cheap and quick to get those legal papers you need for your business.



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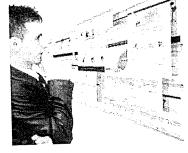
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I'm a serial entrepreneur best known for being the Founder of Cinlex, a digital marketing and creative agency. As an early immigrant from Russia, I spent the majority of my childhood growing up with the Internet, coining the phrase "Raised by the Net." I

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4) Square

Square, a creation of Twitter co-founder Jack Dorsey, turns your smartphone or tablet into a credit card reader. For 2.75% of every transaction, you have the ability to accept credit card payments for your business. No card reader, no credit check, more profit.

5) <u>Hootsuite</u>

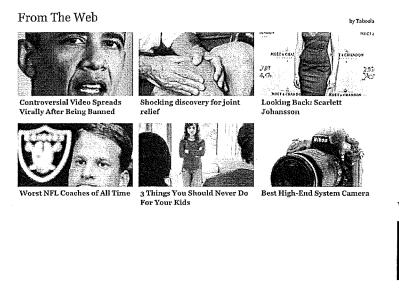
Hootsuite allows you to manage the social media madness by cross platform message scheduling and extensive data tracking. Seamless analytics across every platform ensures less time managing and more time growing your business.

6) <u>Expensify</u>

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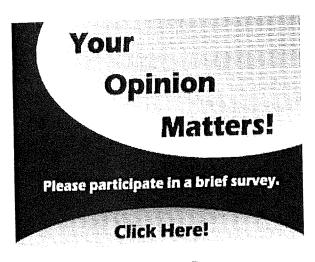
Our Real-Time Billionaires scoreboard tracks the biggest holdings for 50 of the world's wealthiest people.

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- 00:00:02 (muffled voice speaking) DAVID: Harper & Greene has this wonderful little corner office just right for me.
 00:00:11 DIANE: Come on, David, we go back a long ways.
- 00:00:13 DAVID: Yes, and you always had such admiration for family law.
- 00:00:18 ce it, I do my thing, you do yours.
- 00:00:20 Only difference is, mine makes money.
- 00:00:22 It's a bad economy, David, that's all.
- 00:00:24 We're righting the ship.

00:00:26	Then right it.
----------	----------------

- 00:00:27 I have no love for this place, but I don't want to jump to Harper & Greene unless I have to.
- 00:00:33 I don't like boxes.
- 00:00:34 We're bringing in a third partner.
- 00:00:36 Yes, I've heard about this messiah partner for two months now. Can't wait.
- 00:00:40 You could help us.
- 00:00:41 Collect on overdue accounts.
- 00:00:43 Yes,that'sour problem.
- 00:00:45 I start making collection calls to my divorcees, they'd bolt to another firm before I can hang up.
- 00:00:51 Give us till the end of the week?
- 00:00:53 That's what I like to hear.
- 00:00:57 (door closes) We'll cull the herd.

00:01:04 Lou...

- 00:01:05 Jocelyn...
- 00:01:07 Derek.
- 00:01:10 And Lenny.
- 00:01:11 Accounts Lenny? Or Litigation?
- 00:01:14 Litigation.
- 00:01:16 That's two of yours and two of mine.
- 00:01:20 And the junior associates.
- 00:01:23 We have to decide now.
- 00:01:25 Cary or Alicia?
- 00:01:28 WILL: Friday. We'll decide Friday.
- 00:01:30 DIANE: Good.
- 00:01:31 WILL: And let's keep it to ourselves, okay?
- 00:01:34 I don't want to deal with a lot of last-

minute maneuvering on this.

00:01:51	(knocking) Alicia. Oh.
00:01:54	l'm sorry.
00:01:55	Mr. Gold in my office,
00:01:57	Again.
00:01:58	Sorry, Alicia. I was upstairs.
00:01:59	And David Lee needs to see you in ten minutes.
00:02:09	Hey, really good work on my brief.
00:02:11	Thanks. You want to be a paralegal, right?
00:02:14	Yeah, someday.
00:02:14	All right, well, any help you need.
00:02:25	Cary, do you have a minute?
00:02:27	Sure. What's up?

00:02:28	l just heard something upstairs.
00:02:34	There's a good chance that the state's attorney won't prosecute Peter.
00:02:40	Because of Kozko's suicide?
00:02:43	Actually, yes.
00:02:45	And if that does happen, you and I will have to get on the same page quickly.
00:02:49	What page is that?
00:02:51	The campaign.
00:02:53	l won't do interviews, and I won't do photos.
00:02:55	I know, and I respect that. My children won't, either.
00:02:58	If I could be so bold
00:03:00	No, you can't.
00:03:02	Right. Got it.

- 00:03:06 Peter's got it into his head that he won't run unless you approve.
- 00:03:11 I know, I tried to convince him otherwise.
- 00:03:13 I told him that wives just get in the way, but...
- 00:03:16 he's adamant.
- 00:03:17 Mr. Gold, Peter is an adult.
- 00:03:20 He doesn't need a mother.
- 00:03:22 We talking about you or me?
- 00:03:24 (laughs) I have to get back to work.
- 00:03:27 Think about it, Mrs. Florrick.
- 00:03:29 Glenn Childs is a disastrous state's attorney.
- 00:03:33 But you know that better than I do.
- 00:03:39 More kettle corn.

- 00:03:40 Thank you. This one is bubble gum flavored.
- 00:03:43 Oh, and cotton candy.
- 00:03:44 Look-- separated. I see that.
- 00:03:46 Another divorce case?
- 00:03:48 With a prenup.

\$

- 00:03:49 Her expectations are too high.
- 00:03:51 We have to get her down to \$300,000.
- 00:03:53 Alicia, can I get a minute with you?
- 00:03:55 Regarding?
- 00:03:57 That's all right. Later.
- 00:04:02 DAVID: See? I told you.
- 00:04:04 Here she is.
- 00:04:06 Mrs. Caroline Wilder, meet Alicia Florrick.

- 00:04:09 Mrs. Florrick.
- 00:04:09 It's really nice to meet you.
- 00:04:11 I think I'll be turning to you for advice on how to bounce back.
- 00:04:15 But first things first-- Alicia and I were just discussing our "ask." She worries our eyes might be a little bigger than our stomachs.
- 00:04:23 Alicia.
- 00:04:24 The prenup makes it very difficult, Caroline.
- 00:04:27 I was young and in love, and all of his hit records happened before we were married.
- 00:04:33 Oh. Caroline Wilder of Max Wilder?
- 00:04:36 Oh, soon to be ex-Max Wilder.
- 00:04:38 I'm so sorry; I didn't know. It's okay.
- 00:04:40 I'm being traded in for a younger model.

00:04:43	It happens.
----------	-------------

- 00:04:44 I could go to couples therapy, I could get a face-lift, but I can't be 28 years old again.
- 00:04:53 You know the best revenge, Caroline?
- 00:04:55 I would love to know.
- 00:04:57 Make him see how happy you are.
- 00:04:59 (laughs softly) Let us be angry for you.
- 00:05:04 CAROLINE: Well, here comes the parade.
- 00:05:12 I thought it was just gonna be us, Max.
- 00:05:15 Oh, Shaina wanted to come.
- 00:05:16 It's my right.
- 00:05:17 (sighs) Great.
- 00:05:19 Love it.

00:05:22 Okay, so, here's where we stand.

- 00:05:25 DAVID: Chocolate raisins, anyone?
- 00:05:26 No, thank you. MAX: I will.
- 00:05:29 We've reviewed your counter-- thank you for that, by the way-- and we've decided we're sticking with our original offer.
- 00:05:37 Ah. Well, that's unacceptable. Yeah, we don't think it is.
- 00:05:40 CAROLINE: Max, after everything we've been through, do you really believe that \$140,000 a year is fair?
- 00:05:47 Well, I never thought of you as being greedy, Caroline. Says the man with the \$40 million estate.
- 00:05:55 (laughs): Look, we're not here to argue or bandy numbers about.
- 00:06:00 We've, uh, got a court date tomorrow.
- 00:06:02 Max has been more than generous with his offer.

00:06:06	We advise you to take it.	
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- 00:06:10 Could you give us a minute?
- 00:06:14 Max Wilder is on probation for a 2007 possession charge, buthe got judicial permission to leave the country this weekend.
- 00:06:22 This weekend? Why?
- 00:06:23 Flight reservations to Bora-Bora.
- 00:06:25 Rental of a room to accommodate 80.
- 00:06:28 They're getting married.
- 00:06:29 If he makes tomorrow's court date.
- 00:06:31 How do you get this stuff?
- 00:06:33 Friends.
- 00:06:34 Just give me an army of women.
- 00:06:38 DAVID: Sorry for that.
- 00:06:40 We have your offer-- thank you-- and

we'll just need a few days to mull it.

- 00:06:44 Actually, no, we have a court date tomorrow.
- 00:06:48 Yes, well, why don't we just push that off.
- 00:06:50 I-I don't think you understand.
- 00:06:52 This offer came with a clock.
- 00:06:54 We need an answer now, or we walk.
- 00:06:57 Then walk.
- 00:06:59 Let them go, David.
- 00:07:00 Oh, Alicia, don't take out your aggressions on this.
- 00:07:03 It's insulting-- \$140,000 a year.
- 00:07:07 David, look, if we get an agreement now, we can go up to \$180,000, but that exhausts our cushion.
- 00:07:15 Nope, sorry.

00:07:19	A-Alicia, wait.
00:07:23	Help me out with this.
00:07:25	I want this to work.
00:07:32	\$300,000.
00:07:34	Nicely played. Thank you.
00:07:35	How you doing, Caroline?
00:07:37	l'm fine
00:07:38	soon as I go home and have a big bag of mint Milanos.
00:07:44	(sighs) Ah, I thought I was completely over him.
00:07:47	Hey, John, if you could put in a good word for me with Will and Diane.
00:07:51	I think they're deciding on junior associates this week.
00:07:53	CARY: I mean, the thing is, I like

Let's take the weekend.

00:07:16

Alicia. I think she's doing really well, given all her problems at home, you know?

00:07:59 It's not really ageism to ask how many more good working years does anyone have left.

00:08:03 That just makes good sense.

00:08:05 (chuckles) (phone ringing) (thud) Oh. Sorry, Your Honor.

- 00:08:13 It's an important call.
- 00:08:15 My client...
- 00:08:15 Then let me answer it for you.
- 00:08:21 Anybody else?
- 00:08:23 Good.
- 00:08:24 Then I understand we've reached an agreement.
- 00:08:27 Yes, Your Honor.
- 00:08:27 Mrs. Wilder has acquiesced to a

divorce.

00:08:30 We have a signed divorce agreement.

- 00:08:31 JUDGE STANEK: And Mr. Wilder-where is he?
- 00:08:34 I'm sorry, Your Honor.
- 00:08:34 My guess is that was in fact Mr. Wilder calling.
- 00:08:37 (phone vibrating) Oh. Then it's unfortunate you didn't answer it before court, Counselor.
- 00:08:42 If I could ask for a 30-minute recess, Your Honor, to ascertain Mr. Wilder's whereabouts.
- 00:08:47 We have no problem with that, Your Honor.
- 00:08:48 JUDGE STANEK: Mr. Kreutzer, in my courtroom, the people's time will be respected, even by rock stars.
- 00:08:55 You have five minutes to locate him.

00:08:59	JUDGE	STANEK:	Five	minutes
----------	-------	---------	------	---------

- 00:09:10 What happened?
- 00:09:11 Max Wilder was just in a motorcycle accident.
- 00:09:14 Is-Is he all right?
- 00:09:17 (chuckles): No, he's in a coma.
- 00:09:19 Can you believe it?
- 00:09:20 Kreutzer's gonna have a fit.
- 00:09:21 Yes, Margie... Shh, shh, shh, just listen.
- 00:09:22 You made notes on the Wilder prenup.
- 00:09:24 What does it say on power of attorney?
- 00:09:28 She could get half.
- 00:09:28 Yep. If he stays in a coma, \$40 million estate.

00:09:32	Margie, you're killing me.
00:09:35	We need to tell her.
00:09:36	No, no, no. We need to make her filthy rich first.
00:09:40	Margie, now!
00:09:43	We're good. We're good.
00:09:55	What did you do? Your Honor, we already have a divorce agreement.
00:09:59	lt's not signed. We don't have a properly signed
00:10:01	'Cause you took a pagel Stop it, the both of you.
00:10:04	JUDGE STANEK: Where's Mr. Wilder?
00:10:05	KREUTZER: He was in an accident, Your Honor.
00:10:07	He's in a coma, but this divorce is done.
00:10:09	Your Honor, in our rush to get to the court on time, I'm afraid we may

have overlooked the very last page of the divorce agreement.

- 00:10:16 KREUTZER: David, come on!
- 00:10:18 JUDGE STANEK: Stop it!
- 00:10:24 Captioning sponsored byCBS TELEVISION don't depressed.
- 00:10:36 [Woman #2] I'D LIKE TO ENJOY THINGS AGAIN.
- 00:10:39 [Woman #3] I FEEL THESE ACHES AND PAINS.
- 00:10:42 [Woman #4] THE GUILT.
- 00:10:43 [Man] MY SLEEP JUST ISN'T RIGHT.
- 00:10:45 [Woman #5] I'M SO ANXIOUS.
- 00:10:47 [Man #2] I NEED TO FOCUS.
- 00:10:49 [Female Announcer] DEPRESSION HURTS.
- 00:10:51 Cymbalta can help with many symptoms of depression.

- 00:10:54 Tell your doctor right away if your depression worsens, you have unusual changes in behavior or thoughts of suicide.
- 00:11:00 Antidepressants can increase these in children, teens, and young adults.
- 00:11:04 Cymbalta is not approved for children under 18.
- 00:11:06 People taking maois or thioridazine or with uncontrolled glaucoma should not take cymbalta.
- 00:11:11 Taking it with nsaid pain relievers, aspirin, or blood thinners may increase bleeding risk.
- 00:11:15 Severe liver problems, some fatal, were reported.
- 00:11:19 Signs include abdominal pain and yellowing of the skin or eyes.
- 00:11:21 Talk with your doctor about your medicines, including those for migraine, or if you have high fever, confusion and stiff muscles, to address a possible life-threatening condition.

00:11:29	Tell your doctor about alcohol use, liver disease, and before you reduce or stop taking cymbalta.
00:11:34	Dizziness or fainting may occur upon standing.
00:11:36	Side effects include nausea, dry mouth, and constipation.
00:11:40	Talk to your doctor com to learn about an offer to help you get started.
00:11:46	Depression hurts.
00:11:48	Cymbalta can help.
00:11:51	Banana pancakes.
00:11:54	French fries.
00:11:55	Happy birthday cake.
00:11:58	\$
00:12:06	calling namepeggy. what is problem, please?

	,
00:12:09	wellsuddenly it looks like I'm being charged a \$35 annual fee. yes? tell me it's a mistake.
00:12:13	Yes?
00:12:18	Are you saying yes or are you asking yes?
00:12:18	Yes? peggy?
00:12:23	PEGGY? anncr: Want bettercustomer service?
00:12:24	Switch to discover. ranked #1 incustomer loyalty.
00:12:31	It pays to discover.
00:12:36	Hey.
00:12:36	son: HEY MOM!
00:12:38	wife: WHAT ARE YOU DOING?
00:12:40	What is that?
00:12:41	What is this?

- 00:12:41 guy: IT'S A SPECIAL PASTE I INVENTED TO REPLACE Socks.
- 00:12:44 We're dipping our feet in it.
- 00:12:46 wife: WHY?
- 00:12:46 guy: BECAUSE WE CAN'T FIND SOCKS THAT SHAPE To our feet.
- 00:12:48 We're sick of it!
- 00:12:49 son: SICK OF IT!
- 00:12:51 wife: THAT'S REALLY STUPID.
- 00:12:53 guy: THAT'S THE FUTURE.
- 00:12:57 announcer: HANES MAKESBETTER-FITTING SOCKS The whole family will love.
- 00:13:01 Guaranteed, or your money back.
- 00:13:49 DAVID: You don't understand.
- 00:13:51 This just turned into a \$40 million divorce.

00:13:54	No, it's just me and Alicia.
00:13:56	I need troops.
00:13:56	On their way, and I'll take litigation.
00:14:00	(sighs) Max Wilder was just in a motorcycle accident.
00:14:05	He's in a coma.
00:14:06	You're kidding. No.
00:14:07	And our client controlshis \$40 million estate if he stays in a coma.
00:14:13	(whistles) Here's the rub.
00:14:15	David's looking at the will.
00:14:17	Our guess ishe wrote our client out.
00:14:19	So if he dies She gets nothing.
00:14:21	Just the prenup.
00:14:22	So we're cheering for himto stay in a coma?

00:14:26	Effectively.
00:14:28	(sighs) We're like ghouls.
00:14:30	As long as we're solvent ghouls.
00:14:34	(sighs) Oh, uh, what do you thinkof Vernon Jordan?
00:14:38	What do I thinkof Vernon Jordan? Yes.
00:14:41	As a third partner.
00:14:42	Oh. I
00:14:45	Is that a possibility?
00:14:46	He's been sniffing around us, looking for an openinginto Chicago.
00:14:49	Well, thatwould be A lifesaver.
00:14:51	We wouldn't haveto make cuts.
00:14:53	I'll try to set up a meeting.
00:14:55	CARY: I'll take anysupport I can get. Uh, Cary?

- 00:14:59 I need you on the Wilder divorce.
- 00:15:02 It suddenly became important.
- 00:15:03 Yeah, yeah, sure, sure.Anything.
- 00:15:05 I'll head offright away.
- 00:15:10 I didn't say anything.
- 00:15:12 (footsteps approaching) Oh, my God.
- 00:15:20 Hey.
- 00:15:22 (sniffles) They say he just swervedinto oncoming traffic.
- 00:15:26 I always hatedthat thing.
- 00:15:29 Alicia, this isJay Van Zandt. Hi.
- 00:15:32 CAROLINE:Max's manager.
- 00:15:34 Alicia's my lawyer.
- 00:15:36 (sighs) I don't know.
- 00:15:38 Maybe I shouldn'tbe here.

00:15:39	He talked about you, Caroline,just last week.
00:15:43	No, he didn't.
00:15:44	Don't tryto make me feel better.
00:15:48	He looks so s
00:15:50	DAVID:3.4 million in Kauai.
00:15:52	5.5 million of theproperties in Chicago.
00:15:55	You can't use yourcell phone in here.
00:15:57	You knowthat's a myth, right?
00:15:58	Where's the doctor? He's in with Mrs. Wilder.
00:16:01	DAVID:Mrs?!
00:16:06	The helmet protected thefrontal and temporal bone, but the base of thehelmet snapped back, causing severe traumato the cerebellum.
00:16:12	We've stoppedthe bleeding, but

- 00:16:16 It's a subdural hematoma.
- 00:16:17 Which means...?
- 00:16:18 Mrs. Wilder, your husbandis effectively brain dead.
- 00:16:21 I'm sorry.
- 00:16:22 But not dead dead?
- 00:16:24 He... Excuseme, who...?
- 00:16:25 I'm his wife. You divorced him.
- 00:16:28 She did not.
- 00:16:29 KREUTZER:Doctor, are you saying that Mr. Wildercan never be revived?
- 00:16:34 Effectively, yes.
- 00:16:35 Doctor, I lookat contracts all day long, and when I seethe word "effectively," I know it means "no." Medicine, sir,is not a contract.

00:16:42	With this massive lossof brain tissue, there's a one-in-a-million likelihoodhe would revive.
00:16:47	But a million-to-one means life.
00:16:48	And life needs to be cherishedand treasured.
00:16:51	What other valuedo we hold higher?
00:16:53	DOCTOR:Sir, the only thing that's keeping Mr. Wilderalive is a machine.
00:16:57	In essence,he's already dead.
00:16:59	Doctor?
00:17:00	Do you haveanother assessment?
00:17:02	No.
00:17:07	l had a patient.
00:17:08	He fell off aladder in 1988, and he ended up in apersistent vegetative state.
00:17:13	I made the same speechthat I just

heard in there.

- 00:17:18 And then, 21 years later, he just woke up.
- 00:17:22 I don't know anyother way to say it.
- 00:17:25 He woke up froma 21-year sleep.
- 00:17:30 He was aone-in-a-million shot.
- 00:17:32 And, yes, scienceand medicine deal in repeatable phenomena, and not this.
- 00:17:38 But I don't makethat speech anymore.
- 00:17:48 CARY: Shaina has filed a petition for legal guardianship, so she can unplug Max.
- 00:17:53 She can file all she wants.
- 00:17:55 Wife trumps girlfriend.
- 00:17:56 DAVID: My guess is Kreutzer argues intent.

00:17:58	Both Max Wilder and Caroline initialed all but the last missing page of a divorce settlement.
00:18:04	Good job, by the way, Alicia.
00:18:05	WILL: When are we in court again?
00:18:07	Tomorrow.
00:18:08	Should we be talking about negotiating with Shaina?
00:18:09	Caroline could live with half the estate.
00:18:10	CARY: Are you kidding?
00:18:12	This is a gold digger who wants to steal from our client.
00:18:15	I say we go in whole hog, we protect our client.
00:18:18	And protect our future relationship with her.
00:18:22	(quietly): We need to talk.

- 00:18:27 You have until Friday.
- 00:18:31 | have...?
- 00:18:32 No. I have two weeks.
- 00:18:34 Diane and Will are deciding between you and Cary on Friday.
- 00:18:37 Where did you hear that?
- 00:18:40 Cary was going door to door with equity partners, lining up support.
- 00:18:44 He heard it from your assistant.
- 00:18:47 My guess is he's phoning in on accounts, loading up on receivables.
- 00:18:51 How are you with Will?
- 00:18:54 I don't know.
- 00:18:56 What happened?
- 00:18:57 I don't know.
- 00:18:58 You do know. You just don't want to say.

00:19:00	Did you sleep with him?
00:19:04	No.
00:19:05	So that's the problem: You didn't sleep with him?
00:19:08	No. We talked.
00:19:11	We had
00:19:13	a moment.
00:19:16	And you shut it down?
00:19:18	He did, too.
00:19:21	Okay.
00:19:23	You have three problems.
00:19:25	Cary's a good finisher.
00:19:27	He got a head start.
00:19:28	And Will is gonna work overtime to appear objective.

00:19:32 Unfairly objective.

- 00:19:34 l'm...
- 00:19:35 I'm just so tired of this.
- 00:19:37 I know, but that's what people like Cary count on.
- 00:19:50 Talk to Diane.
- 00:19:51 She wants to mentor, so ask her to mentor.
- 00:19:57 It's a bad time to be a lawyer out there.
- 00:20:01 There's no jobs.
- 00:20:02 I know.

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- 00:20:06 Thank you, Kalinda, really.
- 00:20:08 Thank you.
- 00:20:21 So how did that Max Wilder info work out for you?

00:20:25 Well.

00:20:26 So, what are you doing here, Detective?

- 00:20:28 I'm buying you a drink.
- 00:20:38 I was, uh, 300 miles away, at Baldy Lake, fishing.
- 00:20:45 It was my day off.
- 00:20:46 And for some reason, just out of the blue, I had this image of you.
- 00:20:53 Don't ask me why.
- 00:20:56 So I got in my car, and I drove back here.
- 00:21:04 I'm divorced.
- 00:21:06 I have a kid, Owen.
- 00:21:09 He's six.
- 00:21:11 Am I boring you?
- 00:21:14 Yeah.
- 00:21:36 What am I doing wrong?

00:21:39 Is that your car?

- 00:21:42 Yeah.
- 00:21:43 Get in it.
- 00:21:45 Why?
- 00:21:47 Now what?
- 00:21:52 300 miles?
- 00:21:54 Seven hours.
- 00:22:13 [instrumental music] [instrumental music]]If diabetes, you struggle to control your blood sugar.
- 00:22:47 You exercise and eat right, but your blood sugar may still be high, and you need extra help.
- 00:22:52 Ask your doctor about onglyza,a once daily medicine used with diet and exerciseto control high blood sugar in adults with type 2 diabetes.
- 00:23:00 Adding onglyzato your current oral medicine may help reduceafter meal blood sugar spikes and may help

reducehigh morning blood sugar.

00:23:09 [Male Announcer] ONGLYZA SHOULD NOT BE Used to treat type 1 diabetes or diabetic ketoacidosis.

- 00:23:13 Tell your doctor if you have a history or risk of diabetic ketoacidosis.
- 00:23:17 Onglyza has not been studied with insulin.

00:23:19 Using onglyza with medicines such as sulfonylureas may cause low blood sugar.

- 00:23:24 Some symptoms of low blood sugar are shaking, sweating and rapid heartbeat.
- 00:23:28 Call your doctor if you have an allergic reaction like rash, hives or swelling of the face, mouth or throat.
- 00:23:33 Ask your doctor if you also take a tzd as swelling in the hands, feet or ankles may worsen.
- 00:23:38 Blood tests will check for kidney problems.

00:23:41	You may need a lower dose of onglyza if your kidneys are not working well or if you take certain medicines.
00:23:46	[Male Announcer] ASK YOUR DOCTOR About adding onglyza.
00:23:49	Extra help. extra control.
00:23:51	You may be eligible to pay \$10 a month with the onglyza value card program.
00:24:14	start her.
00:24:16	11
00:24:17	I can't hold her hand on the bus.
00:24:20	11
00:24:20	or be there to show everyone how great she is.
00:24:23	But what I can do is give her everything she needs to be excited for school, while staying in my budget.

- 00:24:30 That's why I go to walmart.
- 00:24:31 She has everything she needs.
- 00:24:33 And then some.
- 00:24:34 [Female Announcer]WALMART HAS LOW PRICES On not just a few things, but everythingon their back-toschool list.
- 00:24:39 Guaranteed.
- 00:24:40 Save money. live better.walmart.
- 00:25:37 We would respectfully submit, Your Honor, that in view of the timing of Mr. Wilder's accident and the suspicious removal of the signed last page of our divorce agreement, clearly, Max Wilder's intention was to be free of his ex-wife.
- 00:25:52 Objection!
- 00:25:53 KREUTZER: Withdrawn. Free of the respondent. WILL: Your Honor, this is very simple.
- 00:25:57 We're not even gonna get into Shaina's motives in wanting to

unplug Max.

- 00:26:00 Objection.
- 00:26:01 Like I said, it isn't pertinent.
- 00:26:03 Neither is the fact that she got him to change his will and leave her everything.

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- 00:26:06 Objection1
- 00:26:07 STANEK: You gentleman see that there's no jury here, right?
- 00:26:11 My apologies, Your Honor.
- 00:26:12 In legal terms, wife trumps mistress.
- 00:26:15 KREUTZER: Your Honor, we would like to introduce a new piece of evidence.
- 00:26:21 Your Honor, this is Max Wilder Jr.
- 00:26:27 Five months old.
- 00:26:28 And, uh, these are the results of his paternity test.

- 00:26:31 Shaina and Max have kept this child out of the public eye for obvious reasons.
- 00:26:37 Okay.
- 00:26:39 Let me see if I can sum this up.
- 00:26:41 I've got the fiancée over here, who also happens to be the mother of Mr.
- 00:26:43 Wilder's sole offspring.
- 00:26:46 WILL: Your Honor, we would question this paternity...
- 00:26:49 And she wants guardianship, so that she can withdraw life support from Mr. Wilder, in which case she inherits his entire fortune.
- 00:26:57 Then, over here, I have the wife.
- 00:26:59 She wants to maintain Mr. Wilder's life support, in which case she is free to spend his entire fortune.
- 00:27:05 KREUTZER: Uh, I don't think it's fair to characterize... Your Honor, we would argue that...

00:27:09 STANEK: Yes, yes, yes

- 00:27:10 Everybody has Mr. Wilder's best interest at heart, I'm sure.
- 00:27:15 So here's what we're gonna do.

00:27:17 The court is taking temporary guardianship of Mr. Wilder, and we will hear evidence on his wishes regarding end-of-life decisions.

- 00:27:24 Please prepare briefs and testimony.
- 00:27:26 We'll hear on it this afternoon.
- 00:27:28 (gavel bangs) Let's get into Max's house.
- 00:27:32 Dig up anything you can-- e-mails, songs, poems-- anything that points to him valuing life.
- 00:27:38 Alicia...
- 00:27:40 where's Kalinda?
- 00:27:41 She was supposed to be here.

- 00:27:42 Phone her.
- 00:27:44 Let's get her over to Max's house.
- 00:27:46 I'll try her again.
- 00:27:50 JAY: I mean, if he had a living will, I would've known.
- 00:27:53 Said he wanted to be frozen, and we could wake him up when the technology was available.
- 00:27:59 Good, good.
- 00:27:59 Stories like that doesn't sound like someone who wants the doctor to pull the plug.
- 00:28:03 I mean, who knows, you know?
- 00:28:04 Like... like most creative geniuses, his deepest convictions changed hourly.
- 00:28:09 Is there any chance he could've downloaded a living will?
- 00:28:13 From someplace like LegalZoom? No, no.

00:28:15	It never would have occurred to him outside of a lawyer's office.
00:28:18	Can I get your cell number in case I need to prep you for testimony?
00:28:22	Yeah, no problem.
00:28:23	CARY: Hey! Where you been?
00:28:25	Does it matter?
00:28:27	CARY: Okay.
00:28:28	Could you show us Max's computer?
00:28:31	JAY: Yeah, this way.
00:28:34	You all right?
00:28:36	Yeah. You?
00:28:37	Never better.
00:28:47	What's that setup for?
00:28:49	Oh, that's where Max composed.

- 00:28:51 He liked to sleep and get up with any inspiration, and shoot what he composed.
- 00:28:56 Max's computer is in his office.
- 00:28:58 It's this room right over here.
- 00:29:00 (footsteps move away) Hey. Tomorrow at 1:00.
- 00:29:10 Tomorrow?
- 00:29:11 Vernon Jordan.
- 00:29:12 He's coming?
- 00:29:13 Yes. Definitely interested.
- 00:29:15 Wants to look around.
- 00:29:16 We need to close off the empty offices.
- 00:29:18 Already doing it. And your flowers, you should get back your flowers.
- 00:29:20 Okay, let's not turn this into the inspector general.

00:29:24	Will, do you have a minute?
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- 00:29:26 I'm sorry. This isn't me.
- 00:29:28 I just...
- 00:29:31 I heard you were deciding on Friday.
- 00:29:33 That really wasn't supposed to be circulated.
- 00:29:38 | know. | just...
- 00:29:38 I'm really proud of the work I've done here.
- 00:29:41 As you should be.
- 00:29:42 And I wanted to make sure that you saw that.
- 00:29:48 Look, Alicia, I don't know what you're hearing, but that's all we'll be looking at.
- 00:29:55 Okay, good.
- 00:29:59 You have my word.

- 00:30:01 When we decide, nothing else will enter the picture other than your work.
- 00:30:19 (knocking) Diane, can I grab a minute?
- 00:30:34 Yeah, yeah, sorry, Mr. Danforth.
- 00:30:35 We're trying to collect on all accounts, have our accoun artmen but I thought I'd give it the personal touch.
- 00:30:43 CAROLINE: The nurses shaved him.
- 00:30:46 This is what he looked like when I met him.
- 00:30:50 My God, he was so charming.
- 00:30:56 Mrs. Wilder?
- 00:30:57 Excuse me. Um...
- 00:30:58 is-is that his bag from the accident?
- 00:31:01 Yes.

00:31:02	Why?
00:31:03	I just need to check something.
00:31:09	ALICIA: What are you looking for?
00:31:13	Γ I miss the way you used to laugh
00:31:19	Is this just before the crash?
00:31:20	Yeah.
00:31:21	♪ The way you look at me, crooked smile ♪
00:31:25	He's drunk.
00:31:26	No. They did a tox screen for alcohol and drugs after the accident.
00:31:29	He was sober.
00:31:31	(ringtone playing) That's not sober.
00:31:33	He's so drunk he can't even answer his phone.
00:31:38	knocking) So you're talking to her?

00:31:43	l am.
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- 00:31:44 Play the mentor card.
- 00:31:47 Mm-hmm.
- 00:31:48 One of the reasons we didn't want this to be public knowledge is because we didn't want a lot of lastminute politicking.
- 00:31:54 | understand. | just...
- 00:31:55 Could you hint to me where I stand?
- 00:32:01 I like you, Alicia.
- 00:32:02 I didn't start out by liking you.
- 00:32:06 And of course, you know Will likes you.
- 00:32:08 You've more than proved yourself.
- 00:32:11 But...
- 00:32:14 We've never seen an economic climate like this.

00:32:16	I second-chaired on a lot of winners.
00:32:18	Yes, and so has Cary.
00:32:20	He's had higher billable hours, and his receivables are coming in high and immediate.
00:32:24	So, I I don't understand. Have I lost?
00:32:30	It's not subjective.
00:32:32	It's who keeps the doors open.
00:32:33	Cary doesn't have a family.
00:32:35	He's in here every night at 9:00, every morning at 8:00.
00:32:38	Then I'll work harder.
00:32:39	And so will Cary.
00:32:40) I don't know what to do.
00:32:4	2 I've worked hard.
00:32:4	4 You say that's not enough, so I'll

work harder.

- 00:32:48 You tell me Cary can work harder still.
- 00:32:50 So what do you want?
- 00:32:50 Tell me what you want, because I can't lose this job.
- 00:33:01 You're not Cary.
- 00:33:04 You can never be Cary.
- 00:33:05 But you don't have to be.
- 00:33:09 I don't understand.
- 00:33:11 Your name, your connections.
- 00:33:14 You've been reluctant to...
- 00:33:18 use them.
- 00:33:20 You want me to use my connections?
- 00:33:24 I want you to want the Job.

- 00:33:44 (sniffles) (tears out check) (inhales sharply) I'm sorry, Mom.
- 00:34:09 No... Why? What's wrong?
- 00:34:13 I found out about Becca...
- 00:34:15 the things she was saying about you.
- 00:34:17 I'm sorry.
- 00:34:19 Oh, honey.
- 00:34:20 We broke up.
- 00:34:24 (sniffles) Please don't be sad.
- 00:34:31 It's-It's not about you.
- 00:34:34 Dad's gonna be fine.
- 00:34:36 (sniffles) I know. It's not us.
- 00:34:48 Are we gonna be okay?
- 00:34:51 Yeah.

00:34:53 I love you.

- 00:34:56 You're a good mom.
- 00:34:59 (chuckles) congestion right.
- 00:35:17 I couldn't sleep right.
- 00:35:18 Next day it took forever to get going.
- 00:35:21 Night after night, I sat up.
- 00:35:23 Sprayed up.
- 00:35:24
- 00:35:25 Or took a pill.

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- 00:35:26 Then I tried drug-free breathe right.
- 00:35:28 And instantly,i breathed better!
- 00:35:30 I slept better.
- 00:35:31 ...better. thank you, breathe right!
- 00:35:34 [Male Announcer] BREATHE BETTER, SLEEP Better, feel better.

00:35:37 ...

00:35:39 At breatheright.com.

- 00:35:40 [Woman] IT'S MY RIGHT TO BREATHE RIGHT.
- 00:35:42 Isn't it your right, too?
- 00:35:45
- 00:35:45 [Female Announcer] YOPLAIT'S REAL FRUIT And the goodness of dairy gives youa little slice of happy.
- 00:35:52 And happiness comesin 25 delicious flavors.
- 00:35:56 Yoplait. it is so good.
- 00:36:00 🔰 Call on me, brother 🖍
- 00:36:02 J when you need a hand ♪

00:36:03 .. ♪

- 00:36:04 brawny now comes with a money back guarantee.
- 00:36:07 When you want a paper towel that can do it all, lean on me.

00:36:10	♪ When you need something strong ♪
00:36:12	brawny never lets you down.
00:38:08	,, pastime?
00:38:23	Saving money.
00:38:24	And like baseball people love their stats.
00:38:26	l started bringing my lunch to work 50 bucks a weekin my pocket.
00:38:30	Here's a good one: State farm insures40 million drivers.
00:38:33	More than geico and progressivecombined.
00:38:36	I saved becausei'm accident-free.
00:38:38	Of course,with so many ways to save including discountsof up to 40%, having that many customersshouldn't be a surprise.
00:38:4	5 So ask a neighborabout state farm, then call an agent at 1-800-state-

farm or go online.

- 00:39:57 ALICIA: I like to work.
- 00:39:58 I like to work at Lockhart, Gardner.
- 00:40:00 I hear you're good at it.
- 00:40:02 | think | am.
- 00:40:04 What's wrong, Alicia?
- 00:40:05 Do any of your clients want to change law firms?
- 00:40:10 Do any of my clients...?
- 00:40:14 Do they want to change toyourlaw firm?
- 00:40:17 Yes.
- 00:40:20 I can ask.
- 00:40:22 Is-Is there some reason I'm asking?
- 00:40:24 Because we're a good firm.