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Vol. IX, Tab 46 - Ex. 56 - Deposition of April Garvey (Marketing Consultant for Rosetta Stone)

April Garvey
Rosetta Stone

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

-----X
ROSETTA STONE LTD., :
 :
Plaintiff, : Civil Action No.
 : 1:09cv736
vs. : (GBL/TCB)
 :
GOOGLE INC., :
 :
Defendant. :
-----X

Washington, D.C.

Monday, March 1, 2010

Videotape Deposition of:
APRIL GARVEY,
the witness, was called for examination by counsel
for the Defendant, pursuant to notice, commencing
at 8:59 a.m., at the law offices of Skadden, Arps,
Slate, Meagher & Flom LLP, 1440 New York Avenue,
Northwest, Conference Room 305, Washington, D.C.,
before Dawn A. Jaques, CSR, CLR, and Notary Public
in and for the District of Columbia, videotaped by
Dan McClutchy, when were present on behalf of the
respective parties:

Job No. 243351

1 A Return on marketing spend.

2 Q Okay. And among the forms of
3 advertising that you -- you were aware of that
4 were being run at the time, what forms had the
5 highest ROM?

6 MR. ETTINGER: Objection.

7 THE WITNESS: Yeah, I'm not sure I
8 understood that either.

9 BY MR. OBLAK:

10 Q Did you deal with more than just pay per
11 click advertising?

12 A Yeah, absolutely.

13 Q What other forms of advertising did you
14 have knowledge of?

15 A E-mail, for instance, display banners,
16 organic affiliates.

17 Q And did you track the ROM for those
18 various forms of advertising?

19 A Absolutely.

20 Q And generally speaking, how did pay per
21 click advertising compare on a ROM basis to those
22 other mediums?

23 A Second to e-mail.

24 Q Okay.

25 A E-mail was the best performing.