EXHIBIT 1

(Redacted)

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CAT BROOKS and RASHEED SHABAZZ, individually and on behalf of all others similarly situated, Plaintiffs, vs. THOMSON REUTERS CORPORATION, Defendant.	CASE NO. 3:21-cv-1418-EMC

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

REMOTE VIDEO-RECORDED
DEPOSITION OF DOUGLAS KIDDER
Wednesday, September 28, 2022
9:03 a.m.- 12:04 p.m.

REPORTED BY: SHARI BOLTON, CSR 9291

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HARLEY STIVERS

a way to break it down. So let's try that and if you still find it confusing we'll take another shot at it.

Is it your opinion that CLEAR users who currently use CLEAR to locate information about California residents would continue to do so even if CLEAR did not contain data about California residents just because the user interface was understandable?

MR. SCHOTTLAENDER: Objection to form.

THE WITNESS: If I'm hearing your question correctly, I think you answer your own question by stating that in your -- your conditions that people are looking for data on Californians and you're asking me if data on Californians was not available in CLEAR would they continue to use CLEAR to look for data on Californians. I think you've answered your question correctly.

BY MS. ZEMAN:

Q What's the answer to the question?

A So it would be no because it does not contain data on Californians and they are looking for data on Californians. However you want to define that search and however you want to define the term "California."

Q So the fact that the user interface is understandable would not overcome the defect of not containing the sought-after information --

and get accurate results in less time, correct?

A I -- I accept your representation. That sounds like something they wrote.

Q It's actually quoted on page 7 of your report if you'd like to look at that.

A I believe you. So -- I'm sorry, I'm assuming that was a predicate to a question. I don't want to just take unnecessary time.

Q Sure.

So that statement indicates that Thomson Reuters' interface only has value if it has data to search, correct?

A Again --

MR. SCHOTTLAENDER: Objection to form.

THE WITNESS: -- this comes back to the conversation we were having earlier, where the data has no value if it isn't searchable and the search function has no value if there's no data. The two go together to create value.

BY MS. ZEMAN:

Q Is it your opinion that CLEAR users use CLEAR to do things other than search for information about individuals and businesses?

A You know, I don't think I'm the right person to answer that question. The -- the case examples

that I can think of all involve searching for information about user individuals for businesses, but I don't -- I don't know the full scope of what CLEAR is used for.

Q Do you personally have any knowledge of CLEAR uses other than searching for information about individuals and businesses?

A No.

Q On page 5 of your report you state that CLEAR, quote, provides access to data other than data on individuals, end quote.

Are you referring to data about businesses?

[redacted]

A That's my understanding, yes. And I -- you know, I may be -- have an incomplete view of what

A I don't have an answer for you. I don't know. I haven't been asked to address that question.

Q Is it your opinion that determining damages in this case would require analyzing how many searches are actually tied to data about Californians?

A I think that you would need to establish a link between revenues and the presence of -- of Californians, however you want to define the term "Californians," yes.

Q Could you look at page 5 of your report in the very last sentence that just says one word on page 5 and then continues on to page 6.

A Yes, you're looking at the sentence with starting with "Determining" on page 5?

Q Correct.

A Okay.

Q What do you mean by that sentence?

A What I -- what I mean is that you would need to -- so it's -- it's what I just stated previously. That if you're going to try to allocate or -- or understand what revenue was obtained by Thomson Reuters because of the -- the data on Californians available in CLEAR, the only way I see going at that is looking at search level data.

Q Why do you think that's necessary?

REPORTER'S CERTIFICATE

I, SHARI BOLTON, CSR No. 9291, hereby certify:

That the foregoing proceedings were taken before me at the time and place therein set forth, at which time the witness was put under oath by me, that the testimony of the witness, the questions propounded, and all objections and statements made at the time of the examination were recorded stenographically by me and were thereafter transcribed;

That a review of the transcript was not requested; that the foregoing is a true and correct transcript of my shorthand notes so taken.

I further certify that I am not a relative or employee of any attorney of the parties; nor financially interested in the action. I declare under penalty of perjury under the laws of California, that the foregoing is true and correct.

Dated:



SHARI BOLTON, CSR No. 9291