

1 Gary Kurtz, SBN 128295  
2 **LAW OFFICE OF GARY KURTZ**  
3 A Professional Law Corporation  
4 20335 Ventura Boulevard,  
Suite 200  
Woodland Hills, California 91364  
5 Telephone: 818-884-8400  
6 Telefax 818-884-8404

7 Attorneys for Plaintiff Pallorium, Inc.  
8

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**

10 **COUNTY OF ORANGE**

11  
12 **PALLORIUM, INC., A Texas**  
Corporation,

13 Plaintiff,  
14

15 vs.

16 **STEPHEN J. JARED, also known JOE**  
17 **JARED, individually, and doing business as**  
18 **OSIRUSOFT RESEARCH AND**  
19 **ENGINEERING and OSIRUSOFT; and**  
DOES 1 to 50, inclusive,

20 Defendants.  
21

) Case No.: 03CC12794  
)

) Plaintiff's First Set Of Specially Prepared  
) Interrogatories  
)

) Propounding Party: Plaintiff  
) Pallorium, Inc.

) Responding Party: Defendant  
) Stephen J. Jared, etc.

) Set No.: One  
)

22 Plaintiff requests that defendant STEPHEN J. JARED, also known JOE JARED,  
23 individually, and doing business as OSIRUSOFT RESEARCH AND ENGINEERING and  
24 OSIRUSOFT (hereinafter "Jared" or "YOU") respond to the following specially prepared  
25 interrogatories, in writing and under oath within 30 days (plus 5 days for mail service):  
26  
27  
28

1           1.     Please describe with specificity how YOU were notified that peoplefinder.net  
2 was an open mail server or otherwise useable for spam.

3  
4           2.     Please identify by name, address and telephone number all persons with  
5 knowledge of the specifics of how YOU were notified that peoplefinder.net was an open  
6 mail server or otherwise useable for spam.

7  
8           3.     Please state all facts supporting the assertion that peoplefinder.net was an  
9 open mail server or otherwise useable for spam.

10          4.     Please identify by name, address and telephone number all persons with  
11 knowledge of all facts supporting the assertion that peoplefinder.net was an open mail  
12 server or otherwise useable for spam.

13  
14          5.     Please describe with specificity all evidence or proof YOU have ever had to  
15 indicate that the domains owned or used by Pallorium, Inc., including without limitation  
16 peoplefinder.net, were ever used for improper bulk mail, aka spam.

17          6.     Please identify by name, address and telephone number all persons with  
18 knowledge of all facts the evidence or proof YOU have ever had to indicate that the  
19 domains owned or used by Pallorium, Inc., including without limitation peoplefinder.net,  
20 were ever used for improper bulk mail, aka spam.

21  
22          7.     Please state in detail every way you verified that the domains owned or used  
23 by Pallorium, Inc., including without limitation peoplefinder.net, were ever used for  
24 improper bulk mail, aka spam.

25  
26          8.     Please identify by name, address and telephone number all persons with  
27 knowledge of any or every way you verified that the domains owned or used by Pallorium,  
28

1 Inc., including without limitation peoplefinder.net, were ever used for improper bulk mail,  
2 aka spam.

3  
4 9. Please describe in detail the procedures YOU used in the year 2003 to  
5 independently verify that domains were ever used for improper bulk mail, aka spam. If  
6 there was a change, please identify the date(s) for each particular procedure.

7  
8 10. Please identify by name, address and telephone number all persons with  
9 knowledge of the procedures YOU used in the year 2003 to independently verify that  
10 domains were ever used for improper bulk mail, aka spam.

11 11. Please describe in detail the procedures YOU used in the year 2003 for the  
12 removal of mail servers improperly listed on your service.

13  
14 12. Please identify by name, address and telephone number all persons with  
15 knowledge of the procedures YOU used in the year 2003 for the removal of mail servers  
16 improperly listed on your service.

17  
18 13. Please identify which, if any, dates any of the procedures YOU used in the  
19 year 2003 for the removal of mail servers improperly listed on your service was not  
20 operational.

21  
22 14. Please identify by name, address and telephone number all persons with  
23 knowledge of the dates any of the procedures YOU used in the year 2003 for the removal of  
24 mail servers improperly listed on your service was not operational.

25  
26 15. For each date any of the procedures YOU used in the year 2003 for the  
27 removal of mail servers improperly listed on your service were not operational, please  
28 describe in detail each and every reason why those procedures was not operational.

1           16. Please identify by name, address and telephone number all persons with  
2 knowledge of the each and every reason why any of the procedures YOU used in the year  
3 2003 for the removal of mail servers improperly listed on your service was not operational  
4

5           17. During the year 2003, was there an e-mail address for people to contact YOU  
6 to request that you remove improperly listed servers.

7           18. If during the year 2003, there an e-mail address, for people to contact YOU to  
8 request that you remove improperly listed servers, please list any and all dates that said e-  
9 mail address was not operational.  
10

11           19. If during the year 2003, there an e-mail address for people to contact YOU to  
12 request that you remove improperly listed servers, please list any and all dates that said e-  
13 mail address was not monitored.  
14

15           20 During the year 2003, was there a web page hyper-link address for people to  
16 contact YOU to request that YOU remove improperly listed servers.

17           21. If during the year 2003, there a web page hyper-link address for people to  
18 contact YOU to request that YOU remove improperly listed servers, please list any and all  
19 dates that said hyper-link was not operational.  
20

21           22. If there were any dates when a web page hyper-link address for people to  
22 contact YOU to request that YOU remove improperly listed servers was not operational,  
23 please state with specificity each and every reason it was not operational.  
24

25 ///

26 ///

1           23. If there were any dates when a web page hyper-link address for people to  
2 contact YOU to request that YOU remove improperly listed servers was not operational,  
3 please identify by name, address and telephone number all persons with knowledge of each  
4 and every reason it was not operational.  
5

6           24. If there were any dates when a web page hyper-link address for people to  
7 contact YOU to request that YOU remove improperly listed servers was not monitored,  
8 please list any and all dates that said hyper-link was not monitored.  
9

10           25. If there were any dates when a web page hyper-link address for people to  
11 contact YOU to request that YOU remove improperly listed servers was not monitored,  
12 please state with specificity each and every reason it was not monitored.  
13

14           26. During the year 2003, was there a separate web site for people to contact  
15 YOU to request that YOU remove improperly listed servers.

16           27. If during the year 2003, there a separate web site for people to contact YOU  
17 to request that YOU remove improperly listed servers, please list any and all dates that said  
18 web site was not operational.  
19

20           28. If during the year 2003, there a separate web site for people to contact YOU  
21 to request that YOU remove improperly listed servers, and there were dates that said web  
22 site was not operational, please state all reasons why the web site was not operational on  
23 each date it was not operational.  
24

25           29. Please describe with specificity each and every way not otherwise described  
26 above for people to contact YOU to request that YOU remove improperly listed servers.  
27  
28

1           30. For each way not otherwise described above for people to contact YOU to  
2 request that YOU remove improperly listed servers, please list each and every day each  
3 such way to contact you was not operational.  
4

5           31. Please identify by name, address, internet identification, e-mail, domain  
6 name, and/or any other means of identification, each and every person to whom did you  
7 distribute your list(s) of supposed open mail servers and/or spammers.  
8


9           32. Please state with specificity each and every expected or anticipated use for  
10 your spam blocking service.

11           33. Please describe with particularity what was said in a three-way call that  
12 included YOU, Steven Rambam, and Gary Kurtz.  
13

14           34. Please describe with particularity how YOUR spam blocking service works  
15 (or worked if it is no longer in operation).  
16

17 Dated: April 19, 2004

**Law Office of Gary Kurtz**  
**A Professional Law Corporation**

18  
19  
20 By:   
21 Gary Kurtz, Esq.  
22 Attorney for Plaintiff  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am a resident of the county of Los Angeles, State of California. I am over 18 years old and not a party to the within action; my business address is 20335 Ventura Boulevard, Suite 200, Woodland Hills, California 91364.

On April 20, 2004, I served the following document describe as: -- **Specially Prepared Interrogatories** -- on all interested parties in this action by placing a true copy thereof enclosed in sealed envelopes addresses as follows:

Stephen J. Jared  
Osirusoft Research and Engineering  
517 N. Emerald Drive  
Orange, California 92868-1227

By U.S. mail as follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under this practice it would be deposited with the U.S. postal service on the same day with this postage thereon fully prepaid at Woodland Hills, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or meter date is more than one day of deposit for mailing in affidavit.

Executed April 20, 2004, at Woodland Hills, California. I declare under penalty of perjury under the laws of State of California that the forgoing is true and correct.



Karen Howe