

Index of Confidential Documents
(Pursuant to Protective Order)
Kepas v. eBay

NOTE: Some documents produced by eBay were redacted prior to production; however, if they were not marked as “Confidential,” then they are in the “NOT Marked” lists.

Documents Produced

NOT Marked as “Confidential” when produced (and apparently it was not subsequently requested that they be marked as such)	
Bates Range	Comments
KE00001 – KE00602	
KE00617 – KE00629	
KE00660 – KE01079	
KE01152 – KE01272	KE01211 – KE01224 are just copies in the binder, not the original bates stamped documents KE01224 is the photocopy of the thumb drive
(N/A)	Small manila envelope containing “Manny Kepas Interviews CDs & Dictation tapes” (no bates stamps on the CDs or tapes, and no references on the outside made to any bates range; nowhere are marked as “Confidential”)
(N/A)	Documents produced by Viawest (no bates numbers; not marked “Confidential”)
(N/A)	Documents produced by Clint Ericson (no bates numbers; not marked “Confidential”)
EBI00001 – EBI00423	
EBI00519 – EBI00543	
EBI00567 – EBI00568	
EBI00577 – EBI00580	
EBI00582 – EBI00583	
EBI00586 – EBI00602	
EBI00661 – EBI00676	
EBI00685	
EBI00696	
EBI00705 – EBI00728	
EBI00730	
EBI00770	
EBI00777 – EBI00780	
EBI00789 – EBI00790	
EBI00792 – EBI00793	
EBI00795 – EBI00796	
EBI00799	
EBI00801 – EBI00804	
EBI01104 – EBI01143	
EBI01152 – EBI01153	
EBI01164 – EBI01178	
EBI01247	

NOT Marked as “Confidential” when produced (and apparently it was not subsequently requested that they be marked as such)	
Bates Range	Comments
EBI01251 – EBI01264	
EBI01268 – EBI01406	
EBI01408 – EBI01529	
EBI01532 – EBI01546	

Marked as “Confidential” when produced	
Bates Range	Comments
KE00603 – KE00616	Although not marked the same way as other “Confidential” documents, the document itself states “eBay, Inc. Confidential” on the bottom
KE00630 – KE00659	Although not marked the same way as other “Confidential” documents, the documents themselves state “eBay Internal and Confidential” on the bottom
KE01080 – KE01151	Joyce Whalen documents (NOTE: Katy’s letter to Matthew Durham dated 2/29/08 appears to contain a typographical error; it states that documents KE01080 to KE02051 are marked “Confidential” – but the documents enclosed were actually KE01080 through KE01151; the highest number as of this index is only KE01272)
EBI00424 – EBI00518	
EBI00544 – EBI00566	
EBI00569 – EBI00576	
EBI00581	
EBI00584 – EBI00585	
EBI00603 – EBI00660	
EBI00677 – EBI00684	
EBI00686 – EBI00695	
EBI00697 – EBI00704	
EBI00729	
EBI00731 – EBI00769	
EBI00771 – EBI00776	
EBI00781 – EBI00788	
EBI00791	Although not marked the same way as other “Confidential” documents, the document itself states “eBay, Inc., Proprietary Confidential” on the bottom
EBI00794	Although not marked the same way as other “Confidential” documents, the document itself states “eBay, Inc., Proprietary and Confidential” on the bottom
EBI00797 – EBI00798	Although not marked the same way as other “Confidential” documents, the documents themselves state “eBay, Inc., Proprietary and Confidential” on the bottom
EBI00800	Although not marked the same way as other “Confidential” documents, the document itself states “eBay, Inc., Proprietary and Confidential” on the bottom
EBI00805 – EBI01103	
EBI01144 – EBI01151	

Marked as “Confidential” when produced	
Bates Range	Comments
EBI01154 – EBI01163	
EBI01179 – EBI01246	
EBI01179UR – EBI01246UR	These appear to be the same as EBI01179 – EBI01246, only not redacted (“UR” at the end must mean “unredacted”)
EBI01248 – EBI01250	
EBI01265 – EBI01267	
EBI01407	*MISSING* Do not know whether it is marked “Confidential”
EBI01530 – EBI01531	*MISSING* Do not know whether they are marked “Confidential”

Deposition Exhibits (Small Binder)

NOT Marked as “Confidential”		
Exhibit #	Bates Range	Comments
1	KE00585 – KE00587	
2	(N/A)	
3	(N/A)	
4	(N/A)	
5	(N/A)	
6	(N/A)	
7	(N/A)	
8	(N/A)	
9	(N/A)	
10	(N/A)	
11	(N/A)	
12	(N/A)	
13	(N/A)	
14	KE00594 – KE00596	
15	KE00533	
16	KE00532; KE00535	
18	(N/A)	
19	(N/A)	
20	KE00593	
21	(N/A)	
22	KE00597 – KE00598	
24	(N/A)	
25	(N/A)	
26	(N/A)	
27	(N/A)	
28	(N/A)	
29	KE00677 – KE00679	
30	(N/A)	
31	KE00683 – KE00684	
32	KE00789 – KE00793	
33	KE00158	
34	(N/A)	
35	KE00809 – KE00811	
36	KE00812	
37	KE00795 – KE00800	
38	KE00529	

Marked as “Confidential”		
Exhibit #	Bates Range	Comments
17	KE00642 – KE00659	Although not marked the same way as other “Confidential” documents, the document itself states “eBay Internal and Confidential” on the bottom
23	(N/A)	Although not marked the same way as other “Confidential” documents, the document itself states “eBay Internal and Confidential” on the bottom – <i>with</i>

Marked as "Confidential"		
Exhibit #	Bates Range	Comments
		<i>the exception of the <u>last 2</u> pages, which do not have that on them</i>

Deposition Exhibits (Large Binder)

NOT Marked as "Confidential"		
Exhibit #	Bates Range	Comments
1	EBI00053 – EBI00058	
2	EBI00059	
3	EBI00067 – EBI00069	
4	EBI00070	
5	EBI00081	
6	EBI00075	
7	EBI00232 – EBI00235	
8	EBI00041 – EBI00044	
9	EBI00621 – EBI00627	
10	EBI00001 – EBI00015 EBI00381 – EBI00423	
12	(N/A)	
13	EBI00050 – EB00052	
14	EBI00049	
15	EBI00060	
16	EBI00061 – EBI00064	
17	EBI00065	
18	EBI00072 – EBI00074	
19	EBI00076	
20	KE00617	
21	EBI00088	
22	EBI00077	
23	EBI00080	
24	EBI00082 – EBI00084	
25	EBI00089	
26	EBI00090 – EBI00091	
27	EBI00106 – EBI00107	
28	EBI00108 – EBI00109	
29	EBI00112	
30	(N/A)	
31	KE00618	
32	EBI00117	
33	EBI00113	
34	EBI00115	
35	EBI00116	
36	EBI00126	
37	EBI00128	
38	EBI00130	
39	EBI00131	
40	EBI00132	
41	KE00619	
42	(N/A)	
43	EBI00138	
44	EBI00136 – EBI00137	
45	EBI00139	

NOT Marked as "Confidential"		
Exhibit #	Bates Range	Comments
46	EBI00141 – EBI00142	
47	EBI00146	
48	EBI00147 – EBI00148	
49	EBI00185 – EBI00186	
50	EBI00238 – EBI00239	
52	EBI00187	
53	EBI00188	
54	EBI00205	
55	EBI00228	
57	EBI00206 – EBI00207	
58	KE00533	
59	EBI00145	
60	EBI00183	
61	EBI00182	
62	EBI00201	
63	EBI00196 – EBI00198	
64	EBI00202 – EBI00203	
65	EBI00208	
66	(N/A)	Apparently the same as Exh. 30 from small binder
67	(N/A)	
68	EBI00001 – EBI00015 EBI00381 – EBI00423	
70	EBI00268	
71	EBI00266 – EBI00267	
72	KE00594 – KE00596	
73	(N/A)	
75	(N/A)	
76	EBI00231	
77	EBI00237	
79	(N/A)	
80	(N/A)	
81	KE00683 – KE00684	
82	(N/A)	
83	(N/A)	
86	(N/A)	
87	KE00096	
88	EBI00384	(there are 3 pages, but no numbers on the first 2)
89	EBI00386 – EBI00388	
90	EBI00391	(there are 2 pages, but no number on the first page)
91	KE00809 – KE00811	
92	KE000812	
93	KE00146	
94	KE00145	
95	KE00143 – KE00144	
96	KE00141 – KE00142	
97	KE00138 – KE00140	
98	KE00135 – KE00137	

NOT Marked as "Confidential"		
Exhibit #	Bates Range	Comments
99	EBI00016 – EBI00024	
100	EBI00046 – EBI00048	
101	EBI00204	
102	EBI00190	
103	EBI00243 – EBI00244	
105	EBI01142 – EBI01143	
106	EBI01133 – EBI01135	
110	KE00333 KE00477 – KE00480	

Marked as "Confidential"		
Exhibit #	Bates Range	Comments
11	EBI00487 – EBI00496	
51	KE00642 – KE00659	Although not marked the same way as other "Confidential" documents, the document itself states "eBay Internal and Confidential" on the bottom
56	EBI00159 – EBI00181	Although not marked the same way as other "Confidential" documents, the document itself states "eBay Internal and Confidential" on the bottom – <i>with the exception of the <u>last 2 pages</u>, which do not have that on them</i>
69	KE00603 – KE00616	Although not marked the same way as other "Confidential" documents, the document itself states "eBay, Inc. Confidential" on the bottom
74	EBI0____ (hole punch in number)	
78	EBI01101 – EBI01103	(not in binder – bates range came from reporter's index)
84	KE00630 – KE00635	Although not marked the same way as other "Confidential" documents, the document itself states "eBay Internal and Confidential" on the bottom
85	KE00636 – KE00641	Although not marked the same way as other "Confidential" documents, the document itself states "eBay Internal and Confidential" on the bottom – <i>with the exception of the <u>first 3 pages</u>, which do not have that on them</i>
104	EBI01144 – EBI01150	
107	EBI00697 – EBI00704	
108	EBI00603 – EBI00604	
109	KE00603 – KE00616	Although not marked the same way as other "Confidential" documents, the document itself states "eBay, Inc. Confidential" on the bottom
111	EBI00763 – EBI00769	
112	EBI00771 – EBI00776	
113	EBI00971 – EBI00992	

Depositions:

Considered "Confidential"		
Deponent	Pages #	Exh. #
Andersen, Aubry	31-51	78
Anderson, Jeffrey	78-84	74
Berger, William Scott	22-34	78
Bringuel, Michael	37-53	11
Godwin, Darla	37-42	78
Hughes, Jason	35-75, 133-156, 160-169, 176-177	78, 104
Jones, Wendy	63-67	107
Kaufman, Bryan Derek	27-35	78
Keller, Patrick John	36-46	78
King, William Richard, III	25-30	78
Paine, Timothy	19-47	111, 112, 113
Pezely, Gabrielle	38-48	78
Pigott, Jessica	22, 36-65, 68-69, 71-76	78
Salvatierra, Eric	25-41, 51-57	11
Silvy, Kathleen	<i>The cover states that some portions may be considered "Confidential," but I didn't see any.</i>	
Strong, Susanne	<i>The cover states that some portions may be considered "Confidential," but I didn't see any.</i>	
Wagner, Janet (Sonny)	38-62, 72-73	78
Watz, Philip Eugene	18-29	78
Weber, Mariele	30-43	78

*****Deposition Exhibit 108 is a confidential document, but I don't know during whose deposition it was marked or referred to*****