

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF MASSACHUSETTS  
3

4 NO. 1:07-CV-11446  
5 VOLUME 1 PAGES 1-272

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7 SONY BMG MUSIC ENTERTAINMENT, ET AL  
8 Plaintiffs

9 VS.

10 JOEL TENENBAUM,  
11 Defendant

12 - - - - - \*

13  
14  
15 DEPOSITION OF JOEL TENENBAUM, taken on  
16 behalf of the Plaintiff, taken pursuant to Notice  
17 under the Massachusetts Rules of Civil Procedure,  
18 before Kim M. Romaine, Notary Public and  
19 Shorthand Reporter in and for the Commonwealth of  
20 Massachusetts at the Office of Robinson & Cole,  
21 One Boston Place, Boston, Massachusetts, on  
22 Wednesday, September 24, 2008 commencing at 9:15  
23 a.m.  
24

1 downloading stuff from me. I did not want it  
2 taking up my computer resources, didn't want it  
3 slowing down the computer.

4 Q. So you understood that if the program was  
5 open, even if it was in the background, people  
6 could download music from you?

7 A. I didn't know the details of the program, but  
8 I believed that was how it worked, yes.

9 Q. Did you ever see anyone -- did you ever see  
10 any indication that someone was downloading files  
11 from you?

12 A. Yes.

13 Q. You did? What did you see?

14 A. There is a traffic tab in Kazaa. If you look  
15 on it you can see activity.

16 Q. Did you look on it regularly?

17 A. More or less.

18 Q. Did you often see people downloading from you?

19 A. Often? Can we turn that into frequency?

20 Q. Sure. On the occasions you looked at the  
21 traffic tab, was it more often than not that you  
22 saw someone downloading from you?

23 A. That would be a close one, to say more often  
24 than not.