EXHIBIT G

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

THE NEW YORK TIMES COMPANY, Plaintiff	:	Case No.
vs	:	1:23-cv-11195
MICROSOFT CORPORATION et al., Defendants	:	
DAILY NEWS et al., Plaintiffs	:	Case No.
vs	:	1:24-cv-03285
MICROSOFT CORPORATION et al., Defendants	:	
THE CENTER FOR INVESTIGATIVE REPORTING, INC., Plaintiff	:	Case No.
vs	:	1:24-cv-04872
OPENAI, INC., et al., Defendants	:	

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Videotaped deposition of

ROBERT KINNEY

as Designated 30(b)(6) Representative

Job No.: 568096

Pages: 1 - 207

Reported by: Lisa V. Feissner, RDR, CRR, CLR

Q Thank you. 15:55:53
A I'm sorry. 15:55:54
Q That's okay. That's helpful. Thank you. 15:55:54
15:55:56
A Yep. 15:55:57
Q Did plaintiffs collect or search for noncustodial documents in places other than Google Workspace? 15:55:57
15:56:07
15:56:19
A I believe yes. 15:56:19
Q Where? 15:56:22
A So on -- on custodial laptops and devices. I'm not sure where else. 15:56:25
15:56:34
Q Okay. And when I'm -- what I understood our use of the word "noncustodial" to then refer to documents that aren't possessed by the custodians that plaintiffs have identified. 15:56:46
15:56:51
15:56:54
15:56:58
A Right. 15:56:59
Q Are there any -- you would consider Google Workspace to be a central repository. 15:57:00
15:57:06
Is that correct? 15:57:09
A Correct. 15:57:09
Q Are there any other central repositories from which plaintiffs searched for or obtained responsive documents? 15:57:10
15:57:13
15:57:16
A No central repository. So nonresponsive 15:57:16

documents, I believe, are -- would be, like, all the PDF page files that we provided as, you know, copies of the pages that we created with the content on it. Those were not stored in Google Drive in any way. 15:57:20 15:57:24 15:57:32 15:57:35 15:57:39

Q And I believe you said "nonresponsive." Did you mean "noncustodial"? 15:57:40 15:57:42

A I'm sorry. Noncustodial. I apologize. Wrong word. 15:57:44 15:57:47

Q That's okay. It happens. 15:57:48

A My apologies. 15:57:49

Q It happens. 15:57:50

And so, for example -- I may ask more about this, but would financial-related data be stored -- strike that. 15:57:53 15:57:57 15:58:05

Is financial-related data stored in Google Workspace? 15:58:07 15:58:11

A There may be some, yes. 15:58:12

Q Okay. Is there a central repository for financial-related data? 15:58:13 15:58:16

A We use Oracle Financials, OFC, for our financials. That's where all the financial data -- primary financial data is stored. 15:58:18 15:58:23 15:58:26

Q Okay. And did plaintiffs search for and/or collect responsive documents from Oracle 15:58:30 15:58:36

Financial? 15:58:46

A I'm not aware -- okay. So in responding 15:58:46

to any financial requests, that's where the origin 15:58:53

would be for the information. 15:58:57

Q And is that for all eight plaintiffs? 15:58:59

A That would be for all eight plaintiffs, 15:59:01

yes. 15:59:04

Q Okay. And do you know what the -- is 15:59:04

there a retention policy that applies to financial 15:59:21

data stored in Oracle Financial? 15:59:24

A I am not aware of one. There may be. 15:59:28

But that is controlled by our financial technology 15:59:31

group. 15:59:36

Q Who within the financial technology 15:59:38

group controls that? 15:59:40

A Dawn Hoople. 15:59:43

Q Do you know whether plaintiffs have 15:59:46

preserved all financial-related data in Oracle 15:59:48

Financial since April 2024? 15:59:53

A I don't have any reason to believe 15:59:57

anything's been removed. 16:00:00

Q Do you know whether, in fact, anything 16:00:02

has been removed? 16:00:05

A No. 16:00:06

Q Okay. Do plaintiffs store agreements 16:00:06

strike that. 16:04:32

Do you know whether any page view data has been deleted since April 2024? 16:04:33 16:04:35

MS. COLGATE: Objection, outside the scope. 16:04:39 16:04:42

A I don't know that. 16:04:42

Q Okay. Do you know what Mather Economics LLC is? 16:04:43 16:04:52

A I'm familiar with Mather Economics. 16:04:53

Q Do you know where plaintiffs store data and analyses from Mather Economics? 16:04:54 16:04:59

A I do not know where Mather Economics data is stored. 16:05:03 16:05:06

Q Okay. Do you know whether any plaintiffs other than the Denver Post possess Mather Economics analyses or data? 16:05:07 16:05:12 16:05:15

A Yes. I believe the other plaintiffs contain -- or have Mather Economics data. 16:05:20 16:05:26

Q Do you know -- 16:05:29

A Let me clarify, if I could, I'm sorry. 16:05:33

Q That's fine. 16:05:35

A We're getting into data and circulation data. I think operationally, like where thing -- how things go together. So I apologize. 16:05:35 16:05:39 16:05:41

Q That's okay. 16:05:43

A In my answers, I'm trying. 16:05:44

We do have a central repository for 16:05:45

marketing and subscription data. It is in a cloud 16:05:48

provider called Naviga. It's -- I believe the 16:05:54

subsystem is called Marketing G2 Discovery. And 16:05:59

that is where the Mather data would be. 16:06:03

So let me clarify and back up. So yes. 16:06:05

Q And does that central repository also 16:06:10

include digital subscription data? 16:06:15

A It does, yes. 16:06:17

Q And does that have data for all 16:06:18

plaintiffs going back to January 1, 2018? 16:06:23

A For MediaNews Group, I am certain that 16:06:30

it does. So for the four plaintiffs on the 16:06:35

MediaNews Group side, San Jose, St. Paul, Denver, 16:06:39

Orange County Register, I believe it does. 16:06:45

For Tribune Media plaintiffs, it may, 16:06:47

but I'm not sure it has all the way back to 2018. 16:06:52

Q Is there another source that would house 16:06:57

subscription and marketing data for the Tribune 16:07:00

side entities from prior to May 2021? 16:07:02

A There is. 16:07:06

Q And what is that source? 16:07:07

A That's called CDB, consumer database. 16:07:08

Q And what is -- what data is stored in 16:07:15

CDB? 16:07:19

A Subscription and digital data. 16:07:21

Q Okay. Have plaintiffs collected documents, data, or information -- strike that. 16:07:23 16:07:34

Have plaintiffs searched for or obtained responsive documents, data, or information from CBD? 16:07:39 16:07:42 16:07:46

A I believe so, yes. 16:07:46

Q And have plaintiffs searched for responsive documents, data, or information from -- 16:07:47 16:07:48

A Discovery. You can call it Discovery. 16:07:57

Q -- Discovery? 16:07:59

A Yes. 16:08:00

Q And do you know whether Discovery is subject to a retention policy? 16:08:02 16:08:04

A I don't know. 16:08:09

Q Do you know whether CDB is subject to a retention policy? 16:08:09 16:08:14

A I do not know. 16:08:15

Q Do you know whether any data has been deleted from CDB since April 2024? 16:08:16 16:08:18

A I do not know. 16:08:21

Q Do you know whether any data has been deleted from Discovery since -- 16:08:22 16:08:23

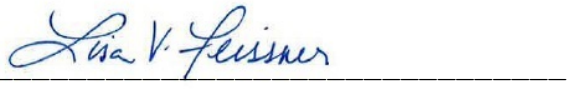
A I don't know. 16:08:25

C E R T I F I C A T E

I, Lisa V. Feissner, RDR, CRR, CLR, do hereby certify that the witness was first duly sworn by me and that I was authorized to and did report said proceedings.

I further certify that the foregoing transcript is a true and correct record of the proceedings; that said proceedings were taken by me stenographically and thereafter reduced to typewriting under my supervision; that reading and signing was requested; that I am neither attorney nor counsel for, nor related to or employed by, any of the parties to the action in which this deposition was taken; and that I have no interest, financial or otherwise, in this case.

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of JANUARY, 2025.



Lisa V. Feissner, RDR, CRR, CLR

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