

James W. Derrick, Jr.

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1 UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
2 COLUMBIA DIVISION

3 UNITED STATES OF AMERICA,

4 Plaintiff,

CA: 3:08cv1786 SB

5 v.

6 CONSOLIDATED MULTIPLE LISTING
SERVICE, INC.,

7

8 Defendant.

9

ORIGINAL

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12

30(b)(6) DEPOSITION

13

OF

14

JAMES W. DERRICK, JR.

15

RECEIVED

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SEP 8 - 2008

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Taken at:

LITIGATION III, ANTITRUST DIV.
U.S. DEPT. OF JUSTICE

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Woodward, Cothran & Herndon

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440 Knox Abbott Drive, Suite 200

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Cayce, South Carolina 29033

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On Friday, August 22, 2008

24

REPORTER: GINA M. SMITH, CSR, RPR

25 JOB NO. 204901a

ESQUIRE DEPOSITION SERVICES, LLC.

1-800-944-9454

James W. Derrick, Jr.

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1 Q. Did you have input into it?

2 A. I did.

3 Q. Whose idea was it to put this requirement into the
4 CMLS bylaws?

5 A. I would assume it was a -- ideas of the members of the
6 board of directors, because it was state law.

7 Q. Did it occur to all of them simultaneously or was it
8 one person? Two people?

9 A. I couldn't answer that question. I don't know.

10 Q. Turn to Rule 1A, please. When did Rule 1A come about?

11 A. I believe that's been there for ten to 15 years.

12 Q. Whose idea was it to put Rule 1A into the CMLS rules?

13 A. It would have been the board of directors.

14 Q. Did that idea occur to any particular person first?

15 A. Not that I know of.

16 Q. Who wrote this rule?

17 A. I don't know.

18 Q. Did you give your input --

19 A. I did.

20 Q. Just let me get the whole question out. The record's
21 not going to be clear otherwise.

22 Did you give input into Rule 1A?

23 A. Yes.

24 Q. Take a look at Rule 2, please. When was that rule
25 enacted?

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1 STATE OF SOUTH CAROLINA

2 COUNTY OF LEXINGTON

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CERTIFICATE OF REPORTER

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6

I, GINA M. SMITH, CSR, RPR, Notary Public, do

7 hereby certify that JAMES W. DERRICK, JR., was duly sworn by

8 me on August 22, 2008, prior to the taking of the foregoing

9 deposition; that said deposition was taken and transcribed

10 under my supervision and direction; that the parties were

11 present as stated; and that I am not of counsel for or in

12 the employment of any of the parties to this action, nor am

13 I interested in the outcome of this action.

14

I do further certify that the foregoing 125 pages

15 constitute a true and accurate transcript of the testimony.

16

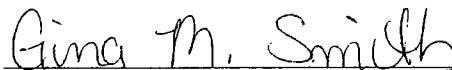
IN WITNESS WHEREOF, I hereunto subscribe my name this

17 the 4th day of September 2008.

18

19

20



GINA M. SMITH, CSR, RPR

21

Notary Public

22

23 My Commission Expires:

24

25 July 23, 2013