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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

WEALTHY INC. and DALE  
BUCZKOWSKI,  
Plaintiff,  
v.  
SPENCER CORNELIA, CORNELIA  
MEDIA LLC, and CORNELIA  
EDUCATION LLC,  
Defendants.

Case No. 2:21-cv-01173-JCM-EJY

**DEFENDANTS' MOTION TO COMPEL**

Defendants Spencer Cornelia, Cornelia Media LLC, and Cornelia Education LLC (collectively, "Defendants") move to compel Plaintiff Dale Buczkowski to continue his suspended deposition and to provide full responses to Defendants' questions regarding information about Plaintiffs' customers and other information about which his testimony was evasive to a point that would have been comical if it was not such a serious impediment to the administration of justice in this case. Specifically, Defendants seek an order requiring Buczkowski to continue his suspended deposition in the conference room in the Courthouse, so

1 that a magistrate can be readily available if Plaintiff continues his contumacious deposition  
2 conduct.<sup>1</sup>

3 During this deposition, he should be specifically compelled to provide all information  
4 requested from him regarding his customers, even if he chooses to designate such information as  
5 attorneys’ eyes only. Buczkowski should also be required to pay all costs for the second session  
6 of his suspended deposition, as well as all costs and fees incurred in connection with this Motion.

7 Counsel for the parties met and conferred regarding this dispute in-person during Dale  
8 Buczkowski’s deposition on August 13, 2022. Despite a sincere effort to resolve or narrow the  
9 dispute during the meet-and-confer conference, the parties were unable to resolve or narrow the  
10 dispute without court intervention. (*See* Declaration of Marc J. Randazza [“Randazza Decl.”],  
11 attached as **Exhibit 1**, at ¶ 10.)

12 **1.0 INTRODUCTION AND FACTUAL BACKGROUND**

13 This is a defamation and Lanham Act case based on statements that Plaintiffs claim caused  
14 them financial losses in the form of fewer customers purchasing Plaintiffs’ financial and lifestyle  
15 coaching packages. Plaintiffs claim that some of these coaching packages are sold for a  
16 staggering \$75,000 or more. (ECF No. 1 at ¶¶ 19, 102.)

17 Plaintiffs provided an expert report attempting to substantiate these alleged losses, as well  
18 as documents that their expert allegedly relied upon. Some of these documents contained  
19 information about a large number of Plaintiffs’ customers, including their names and billing  
20 addresses.<sup>2</sup> Plaintiffs never asserted that identifying information about their customers was so  
21 confidential that they could not produce it even under an AEO designation. Plaintiff Dale  
22 Buczkowski only became “concerned” about this information being revealed when it became  
23

24  
25 <sup>1</sup> Defendants would have filed this motion earlier, but they were unable to obtain the  
transcript of Buczkowski’s deposition until August 26, 2022.

26 <sup>2</sup> These documents were produced on an attorneys’ eyes only basis, and thus they are not be  
27 attached to this Motion. If the Court would like to review these documents in deciding this Motion,  
Defendants would be happy to file them under seal.

1 apparent that refusing to answer questions or pretending that he could not understand basic  
2 principles was to his advantage.

3 On August 13, 2022, Defendants deposed Plaintiff Dale Buczkowski. He testified during  
4 his deposition that some of his highest-paying clients paid him not a mere \$75,000 for his  
5 coaching, but hundreds of thousands of dollars. (*See* transcript of deposition of Buczkowski,  
6 attached as **Exhibit 2**, at 156:25-157:5.) This testimony was consistent with the documents  
7 Plaintiffs had produced on an AEO basis. Curious as to what kind of person would spend so much  
8 money on Plaintiffs' coaching services, Defendants' counsel asked for further information about  
9 these high-paying customers, such as their names, their professions, and where they lived, as well  
10 as details on the services he provides. (*Id.* at 134:13-136:10, 137:24-139:13, 149:18-150:1,  
11 154:10-160:21.) However, Plaintiff Dale Buczkowski would answer literally no specifics about  
12 any of these services, what they were for, what they contained, to whom they were sold, and he  
13 even refused to say which states his clients were in – even when offered “attorneys’ eyes only”  
14 designations for this information.<sup>3</sup> (*Id.* at 154:10-160:21.)

15 The only argument Buczkowski provided for refusing to answer these questions was that  
16 this information constituted a trade secret and Defendants would use such information to harm  
17 him (despite Defendants not having access to such information). (*Id.* at 149:18-150:1, 154:10-  
18 160:21.) Without being able to explore these issues or any avenues of questioning that would  
19 open up from learning this information, Defendants had no choice but to suspend Buczkowski's  
20 deposition. (*Id.* at 154:10-160:21.)

21 Information regarding Buczkowski's customers is highly relevant to Plaintiffs' claims for  
22 damages, as this information would assist a jury in determining the plausibility of Plaintiffs'  
23 alleged damages. For example, these customers may never have even heard of Defendants'  
24 allegedly defamatory videos or, even if they had, they may not have changed their consuming  
25 habits at all in relation to Plaintiffs. Plaintiffs have provided no reasonable basis for withholding

26 <sup>3</sup> If Buczkowski continues to refuse to provide these categories of information, the Court  
27 should preclude him from providing any evidence on these issues at trial or summary judgment.

1 such information, as there is no evidence that Defendants or third parties could learn of this  
2 information if it is provided on an AEO basis.

3 The Court should require Buczkowski to complete his deposition in the Courthouse so  
4 that the Magistrate Judge will be readily available, allowing Defendants to avoid another  
5 unwarranted suspension of questioning that would further delay discovery and prove prejudicial  
6 to the administration of justice. While this motion is brought very shortly before the close of  
7 discovery, this was the result of Buczkowski's allegedly extremely limited availability, which the  
8 undersigned believes was a dilatory tactic to run out the clock on discovery and then refuse to  
9 substantively answer questions during his deposition. (Randazza Decl. at ¶ 5.)

## 10 **2.0 LEGAL STANDARD**

11 Fed. R. Civ. P. 26(b)(1) provides that the scope of discovery includes “any nonprivileged  
12 matter that is relevant to any party’s claim or defense and proportional to the needs of the case,  
13 considering the importance of the issues at stake in the action, the amount in controversy, the  
14 parties’ relative access to relevant information, the parties’ resources, the importance of the  
15 discovery in resolving the issues, and whether the burden or expense of the proposed discovery  
16 outweighs its likely benefit.” Fed. R. Civ. P. 26(b)(1); *Acosta v. Wellfleet Commc’ns, LLC*, No.  
17 2:16-cv-02353-GMN-GWF, 2018 U.S. Dist. LEXIS 16289, \*20 (D. Nev. Feb. 1, 2018). The  
18 information need not be admissible to be discoverable. *Id.*

19 “The party who resists discovery has the burden to show that discovery should not be  
20 allowed and has the burden of clarifying, explaining, and supporting its objections.” *Interface*  
21 *Grp. – Nevada, Inc. v. Men’s Apparel Guild in Ca.*, No. CV-S-04-0330-JCM-GWF, 2005 U.S.  
22 Dist. LEXIS 59280, \*13 (D. Nev. Dec. 8, 2005); *Blankenship v. Hearst Corp.*, 519 F.2d 418, 429  
23 (9th Cir. 1975).

24 A party taking a deposition may seek an order under Fed. R. Civ. P. 30(a)(3)(B)(i)  
25 compelling an answer to a question asked under Fed. R. Civ. P. 30 that the deponent fails to  
26 answer.

### 3.0 LEGAL ARGUMENT

Plaintiffs provided two bases for not providing information about their customers: (1) the information constituted a trade secret; and (2) Defendants would abuse such information. These issues are related, and neither has any merit.

Plaintiffs' argument regarding trade secret status does not require an analysis of whether information regarding their customers actually does enjoy such protection. Perhaps it does, but the existence of a stipulated protective order that allows for information to be produced on an AEO basis resolves any concerns about the sensitive nature of such information. *See Monster Cable Prods. v. Di Ve Rsified Rpackaging Corp.*, No. C-10-05673-RS (DMR), 2011 U.S. Dist. LEXIS 90263, \*5-6 (N.D. Cal. Aug. 12, 2011) (after finding that defendants' supplier names were protectable trade secrets, finding that such information should be produced on an AEO basis); *Capsugel Belgium NV v. Bright Pharma Caps, Inc.*, No. 3:15-cv-321-PK, 2015 U.S. Dist. LEXIS 130071, \*17-18 (D. Or. Sept. 8, 2015) (citing out-of-circuit cases with approval finding that protective orders with AEO designations available provided sufficient protection for trade secret information); *Janix, Inc. v. Wrhel*, 2012 U.S. Dist. LEXIS 65443, \*5 (D. Nev. May 8, 2012) (requiring plaintiff to produce trade secret information under AEO designation). The protective order on file in this case allows AEO designations, and thus its existence precludes any argument that information regarding Plaintiffs' customers is so sensitive that it cannot be produced. Indeed, Buczkowski's position during his deposition is contrary to his position earlier in this case, when he produced documents containing some of this information on an AEO basis.

Relatedly, there is no basis for Plaintiffs' alleged concern that Defendants will somehow gain access to customer information provided on an AEO basis. Plaintiffs have already produced a large volume of information under this designation without issue. Plaintiffs cannot articulate any valid concern that Defendants' will provide such information to Defendants or third parties, or that such information will somehow end up in the hands of Defendants or third parties through

1 some other means. Plaintiffs' stated concern is nothing more than mere speculation that cannot  
2 excuse them from complying with their discovery obligations.

3 **4.0 CONCLUSION**

4 For the foregoing reasons, the Court should enter an order compelling Plaintiff Dale  
5 Buczkowski to complete his deposition and to answer questions regarding Plaintiffs' customers.  
6 Additionally, the subject matter of the continued deposition should not be limited, as Defendants  
7 have other areas to explore in this deposition, but the foundations would not be properly laid  
8 without this information. Plaintiff Dale Buczkowski's deposition transcript shows the nature of  
9 the games that he was playing during the deposition, and it is Defendants' firm belief that if he is  
10 under the eye of the Magistrate while his play-acting takes place, he will either have a greater  
11 appreciation for his duty of candor, or the Magistrate will be in a position to rule on oral motions  
12 to compel.

13 The Court should require that this continuation take place at the Courthouse, and should  
14 also award Defendants' costs and attorneys' fees in connection both with this Motion and  
15 Buczkowski's second deposition.

16 Dated: August 30, 2022.

17 Respectfully Submitted,

18  
19 /s/ Marc J. Randazza  
20 Marc J. Randazza, NV Bar No. 12265  
21 Alex J. Shepard, NV Bar No. 13582  
22 Randazza Legal Group, PLLC  
23 2764 Lake Sahara Drive, Suite 109  
24 Las Vegas, Nevada 89117

25 Attorneys for Defendants  
26 Spencer Cornelia, Cornelia Media LLC,  
27 and Cornelia Education LLC

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on August 30th, 2022, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I further certify that a true and correct copy of the foregoing document being served via transmission of Notices of Electronic Filing generated by CM/ECF.

Respectfully submitted,

/s/ Marc J. Randazza

Marc J. Randazza

Randazza Legal Group, PLLC

**RANDAZZA** | LEGAL GROUP

# **EXHIBIT 1**

Declaration of Marc J. Randazza



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 Alex J. Shepard, NV Bar No. 13582  
 2 RANDAZZA LEGAL GROUP, PLLC  
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 5 Attorneys for Defendants  
 6 Spencer Cornelia, Cornelia Media LLC,  
 and Cornelia Education LLC  
 7

8 **UNITED STATES DISTRICT COURT**  
 9 **DISTRICT OF NEVADA**

10 WEALTHY INC. and DALE  
 11 BUCZKOWSKI,  
 12 Plaintiff,  
 13 v.  
 14 SPENCER CORNELIA, CORNELIA  
 15 MEDIA LLC, and CORNELIA  
 16 EDUCATION LLC,  
 17 Defendants.

Case No. 2:21-cv-01173-JCM-EJY

**DECLARATION OF MARC J.  
 RANDAZZA**

18 I, Marc J. Randazza, declare:

19 1. I am over 18 years of age and have never been convicted of a crime involving  
 20 fraud or dishonesty. I have knowledge of the facts set forth herein, and if called as a witness,  
 21 could and would testify thereto.

22 2. I am an attorney licensed to practice in the State of Nevada.

23 3. I am a partner at the law firm Randazza Legal Group, PLLC, counsel for  
 24 Defendants in this matter.

25 4. In attempting to schedule Plaintiff Dale Buczkowski's deposition in this matter,  
 26 Plaintiffs' counsel represented that Buczkowski was only available to be deposed two days in  
 27

1 July: July 16 and 30. They did not provide this availability until July 11, 2022. Due to scheduling  
2 conflicts and short notice, I was unavailable to depose Buczkowski on either date, and so my  
3 office asked for Buczkowski's availability in August. Plaintiffs' counsel responded by stating that  
4 Buczkowski's earliest next availability was August 13.

5 5. I sincerely believe that this was a dilatory tactic on Buczkowski's part, to claim  
6 that he could not possibly be available for such a long period of time, so that he could run out the  
7 clock on discovery and then refuse to substantively answer any questions at his deposition.

8 6. On August 13, 2022, I conducted the deposition of Dale Buczkowski, one of the  
9 Plaintiffs in this matter, in Las Vegas, Nevada.

10 7. During the deposition, Buczkowski was extremely evasive with his answers to  
11 many of my questions, causing a significant waste of time.

12 8. During the deposition, I asked Buczkowski questions about his customers to whom  
13 Plaintiffs provided services under the name Derek Moneyberg. Buczkowski begrudgingly  
14 provided a vague description of the professional fields in which his highest-paying customers  
15 worked, then refused to provide any other information about them, even their states of residence.

16 9. I asked him why he refused to provide this information about his clients, and he  
17 responded by claiming that this information constituted a trade secret, and that Defendants would  
18 use it to harm him. I asked him whether he would be willing to provide this information on an  
19 attorneys' eyes only basis, and he again refused.

20 10. After Buczkowski stated his refusal to provide this information, I conferred with  
21 Buczkowski's counsel who were present at the deposition, Jeffrey Vockrodt and Tammy  
22 Peterson. They stated it was Plaintiffs' position that the information constituted a trade secret so  
23 sensitive that Plaintiffs would not provide it even with an attorneys' eyes only designation.

24 11. I told Buczkowski and his counsel that it would be pointless to continue the  
25 deposition given Plaintiffs' position on customer information, and I suspended the deposition  
26 until this issue was resolved.

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12. Through the course of discovery, Plaintiffs have provided a large volume of documents with an attorneys' eyes only designation regarding their alleged damages.

13. Some of these documents, namely documents bates-stamped as WEALTHY002375-2474, contain the names of Plaintiffs' customers, the products they purchased at what price points, and their addresses. It is unclear whether such documents show the entirety of Plaintiffs' customer base, however, and it lacks other details such as their contact information. None of these documents make any mention of customer reactions to the statements at issue in this case.

14. Prior to Buczkowski's deposition, Plaintiffs did not take the position that the names of and other details regarding their customers were so sensitive they could not be produced on an attorneys' eyes only basis.

I declare under penalty of perjury under the laws of Nevada that the foregoing is true and correct to the best of my knowledge and belief.

Dated: August 30, 2022

/s/ Marc J. Randazza  
Marc J. Randazza

# **EXHIBIT 2**

Transcript of Buczkowski Deposition

**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
**Dale Buczkowski, Vol 1 on 08/13/2022**

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
  
WEALTHY INC. and DALE ) Case No.  
BUCZKOWSKI, ) 2:21-cv-01173-JCM-EJY  
 )  
Plaintiffs, )  
 )  
vs. )  
 )  
SPENCER CORNELIA, CORNELIA )  
MEDIA LLC, and CORNELIA )  
EDUCATION LLC, )  
 )  
Defendants. )  
\_\_\_\_\_ )

DEPOSITION OF DALE BUCZKOWSKI  
Taken on Saturday, August 13, 2022  
By a Certified Court Reporter  
Volume I  
At 12:05 p.m.  
At 400 South Seventh Street, Third Floor  
Las Vegas, Nevada

Reported by: Carla N. Bywaters, CCR 866

**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
**Dale Buczkowski, Vol 1 on 08/13/2022**

1 circumstances.

2 **Q And your attorney tells you what your desire**  
3 **and what you don't?**

4 MR. VOCKRODT: Objection. Attorney-client  
5 privilege.

6 BY MR. RANDAZZA:

7 **Q You don't decide for yourself what you desire**  
8 **and what you don't desire?**

9 A I can't recall an emotion, a desire or an  
10 emotion or a whim from years ago, and I discussed with  
11 my attorneys what is the best way to handle the  
12 circumstances that I was put in.

13 **Q Can you list one person that has paid you**  
14 **\$75,000 for one-on-one coaching?**

15 A There are several people that have paid me  
16 more than that. I would say it's a trade secret to say  
17 those people's names. I'm not saying --

18 **Q I don't care if it's a trade secret. It's not**  
19 **privileged, and it's not subject to a protective order.**  
20 **Answer the question.**

21 MS. PETERSON: Well, it is privileged, and  
22 under Nevada law, it is trade secret information.

23 BY MR. RANDAZZA:

24 **Q You can answer the question.**

25 MR. RANDAZZA: You can maybe designate it

**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
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1 Confidential, but I get to ask him.

2 BY MR. RANDAZZA:

3 Q Name one person who spent more than \$75,000  
4 with you.

5 A I'd be happy to answer the question if I knew  
6 the law better in this area. I feel like you're asking  
7 me to divulge trade secrets, and I don't know that I'm  
8 legally required to do that. I don't believe that I am,  
9 and my Counsel has advised me as much under Nevada law  
10 that I'm not required to do that.

11 Q When did your counsel advise you of that?

12 MR. VOCKRODT: Attorney-client privilege.  
13 Objection.

14 MR. RANDAZZA: No, he just broke the  
15 privilege. He just waived it. Your counsel advised  
16 you. Tell me when that advice was given to you.

17 MS. PETERSON: I just said it out loud.

18 BY MR. RANDAZZA:

19 Q Oh, so that's the only time?

20 MR. VOCKRODT: All right. We're going to move  
21 for a protective order on that particular question.

22 MR. RANDAZZA: Okay.

23 MR. VOCKRODT: If you have any other questions  
24 today, we ought to get to those.

25 / / /

**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
**Dale Buczkowski, Vol 1 on 08/13/2022**

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1 BY MR. RANDAZZA:

2 Q Yeah. So you are not willing to put anything  
3 on the record of anyone who spent more than 75,000 with  
4 you?

5 A Several people have spent more money than  
6 that. I'm not going to divulge the names of my top  
7 clients. I don't believe that, given the way that your  
8 client has attacked me in the past, I don't trust to  
9 share that information. I don't believe I'm required to  
10 share that information under Nevada law, either.

11 Q Where did you attend law school?

12 A I don't have to be an attorney to have a  
13 belief about what the law is.

14 Q Do you remember my client saying -- and this  
15 is my client, not me -- "Your hair is hideous -- and you  
16 don't -- "he does not present himself as what he's  
17 trying to be the image he's trying to portray"?

18 A Is that --

19 Q Yeah, you have the Complaint. You spent some  
20 time reviewing it. It's in paragraph 102.

21 A Paragraph 102. I see those words here from  
22 your client in paragraph 102.

23 Q So these statements -- "SC" means my client?

24 A That's my understanding, Spencer Cornelia; is  
25 that correct?



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**Dale Buczkowski, Vol 1 on 08/13/2022**

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1 Q Sure. So how much do you think these comments  
2 damaged you?

3 A I'd have to read the series of them, but I  
4 don't think they helped me in any way.

5 Q But nobody refused to do business with you  
6 because of it, did they?

7 A There's a collection of numerous comments that  
8 it's impossible for me to discern why somebody made  
9 their precise decision to do something whether numerous  
10 comments made that were intended to be harmful and  
11 defamatory and were clearly untrue or unclear.

12 Q So it's untrue that you have like hideous --  
13 "like hideous" hair?

14 MR. VOCKRODT: Objection. Form.

15 THE WITNESS: These are ad hominem attacks  
16 that it seems that your client has made to support his  
17 other untrue attacks.

18 MR. RANDAZZA: All right. Are we on 4?

19 MR. VOCKRODT: Can we take a break? Is this a  
20 good time?

21 MR. RANDAZZA: Sure.

22 (Recess taken.)

23 BY MR. RANDAZZA:

24 Q All right, sir. So we had a little bit of  
25 discussion about your clients, and you're not willing to

**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
**Dale Buczkowski, Vol 1 on 08/13/2022**

1 **disclose any of them; is that correct?**

2 MR. VOCKRODT: Objection. Form.

3 THE WITNESS: What's your question  
4 specifically?

5 BY MR. RANDAZZA:

6 **Q Disclose your client list.**

7 A It's trade secret, and I don't believe I'm  
8 required to do that.

9 MR. RANDAZZA: All right. Well, we might have  
10 to just suspend this and get a ruling on that, which  
11 we're not going to get on a Saturday.

12 MR. VOCKRODT: Right.

13 MR. RANDAZZA: I don't want to drag him back  
14 here for another day.

15 MR. VOCKRODT: So we should do everything else  
16 that you might ask, and then we can separately brief  
17 that issue. If we need to come back and do a deposition  
18 upon court order, we can go ahead and do that, but --

19 MR. RANDAZZA: Yeah.

20 MR. VOCKRODT: I think that's the way to  
21 approach this issue.

22 MR. RANDAZZA: Yeah, I agree. I just have a  
23 whole spider web of questions that come out of that.

24 MR. VOCKRODT: Fair enough.

25 MR. RANDAZZA: And, of course, having done

**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
**Dale Buczkowski, Vol 1 on 08/13/2022**

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1 this on a Saturday, we wouldn't get anything on the same  
2 day, anyway.

3 All right. Alex, why don't you grab those  
4 docs there.

5 BY MR. RANDAZZA:

6 Q I'm going to ask a question about your client  
7 list that you may maintain the same objection to or not,  
8 but do you have different categories of clients? Do you  
9 have some who are one-offs for a few hundred bucks and  
10 then others who pay you hundreds of thousands of  
11 dollars?

12 A I think that's fair. There's different price  
13 points of programs or services that I provide, yes.

14 Q Do you have names for those categories or is  
15 just sort of, "This guy's a whale; this guy's a minnow"?

16 MR. VOCKRODT: Objection. Form.

17 THE WITNESS: I don't think of it in that  
18 context at all.

19 BY MR. RANDAZZA:

20 Q Tell me the context you think of it in.

21 A You find somebody that -- or somebody finds  
22 you that they want to do better. They think that I'm  
23 the right person to help them, and some people -- you  
24 can buy \$1,000 digital course from me.

25 Or some people, after they get to know me and

**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
**Dale Buczkowski, Vol 1 on 08/13/2022**

1 **When was it made?**

2 A The page was created April 25, 2013. That's  
3 the information that you're showing here. The  
4 information you're showing is from April 25th, 2013.

5 Q **So, if I directed you to look at that website**  
6 **today, would it show newer -- I'm sorry -- that Facebook**  
7 **page today, would it show newer content?**

8 A I'm not sure. I told you that. I never  
9 managed the page.

10 Q **So how does Larson Consulting get clients?**

11 A Most of that -- any new clients would be  
12 word-of-mouth from my other business, I suppose.

13 Q **And which businesses are you referring to?**

14 A From Wealthy Inc. or from people that I know  
15 from the past that I've done business with or helped  
16 with things or some people that I might meet in the  
17 future.

18 Q **But you're not prepared to identify any of**  
19 **those people today?**

20 A Am I willing to divulge trade secrets to  
21 someone who has already disparaged my name and gone out  
22 of their way to harm me badly?

23 Q **Have I ever disparaged you?**

24 A I don't think it would be wise for me to do  
25 that, and I don't think I'm legally required to divulge

**WEALTHY INC. ET AL. vs SPENCER CORNELIA ET AL.**  
**Dale Buczkowski, Vol 1 on 08/13/2022**

1 trade secrets.

2 MR. RANDAZZA: 6.

3 (Exhibit 6 was marked for  
4 identification.)

5 BY MR. RANDAZZA:

6 Q Does that look like a true and correct copy of  
7 your Moneyberg.com home page?

8 A It says this is about four and a half months  
9 old. It was printed about four and a half months ago,  
10 but this is, I believe -- I have no reason to think that  
11 this is not what the page looked like at that time.

12 MR. RANDAZZA: 7.

13 (Exhibit 7 was marked for  
14 identification.)

15 BY MR. RANDAZZA:

16 Q Okay. Now, unfortunately, as I look at the  
17 printing here, but is that a reasonable facsimile of  
18 your YouTube page at least as of the date it was  
19 created?

20 A It says here this was printed April 4th -- or  
21 documented on April 4th, '22, and it's multiple pages.  
22 I'm just going to glance at it for one moment. There's  
23 a lot of thumbnails missing, so that might just be a  
24 technology glitch of some kind, because there's  
25 literally blank pages. But I'm willing to believe it's

1           Q     One of the two girls is now deceased, correct,  
2 from that evening?

3           MR. VOCKRODT:  Objection.  Form.

4           THE WITNESS:  The only information I have  
5 along those lines is the accusations being made there,  
6 and I don't know if there's a media anything, but yeah,  
7 I don't know anything about that girl.  I'm not aware of  
8 anything about that.

9 BY MR. RANDAZZA:

10          Q     Okay.  All right.  Well, given that we're sort  
11 of at an impasse on the client names issue --

12          MR. VOCKRODT:  And I want to be specific, that  
13 we're objecting to the disclosure of specific names or  
14 identifying information of --

15          MR. RANDAZZA:  Sure.

16          MR. VOCKRODT:  -- clients of his, and that I  
17 assume that you had a bunch of questions that related  
18 specifically to those issues that couldn't be asked  
19 apart from revealing the identity of those people and  
20 that's what we're talking about.

21 BY MR. RANDAZZA:

22          Q     Why don't we try it this way?  Think of your  
23 biggest client right now.

24          MR. VOCKRODT:  Objection.  Form.

25 / / /

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1 BY MR. RANDAZZA:

2 Q Can we give him a nickname that wouldn't  
3 identify him or her?

4 A I'll --

5 Q You know what? Don't, because then I'm going  
6 to ask you: Where do they work? What do they do? What  
7 is their -- why are they hiring you? There's a whole  
8 lot of questions here that -- I mean, I would be willing  
9 to designate this Confidential, AEO even, without  
10 other -- you know, unless we overcame the ability to use  
11 it. I would be comfortable doing that, and that way we  
12 don't have to come back.

13 MR. VOCKRODT: I mean, I can think of a lot of  
14 questions that could be asked without disclosing the  
15 names and identifying or personally identifying  
16 information. We're big people. We can understand like  
17 what kind of question would reveal that about somebody,  
18 but I don't know specifically what you're going to ask.

19 I would only have a problem with questions  
20 that would reveal the identity of these individuals, and  
21 we're willing to work around just about anything else  
22 about that, but we will move for a protective order if  
23 you want to pursue this.

24 MR. RANDAZZA: I do.

25 MR. VOCKRODT: By the way, we made the

1 objection in response to your interrogatories and  
2 document requests previously, so we have made that  
3 objection before. We're going to continue making that  
4 objection. If you would like to move to compel, we can  
5 work with that.

6 MR. RANDAZZA: So an AEO designation would not  
7 resolve it for you?

8 MR. VOCKRODT: No. Not on that one specific  
9 issue of the identified --

10 MR. RANDAZZA: Right.

11 MR. VOCKRODT: -- identities of the clients.

12 BY MR. RANDAZZA:

13 Q What line of business is your largest client  
14 in?

15 A I actually --

16 MR. VOCKRODT: I'm going to object to that  
17 question, just form.

18 THE WITNESS: I have to think of a cluster of  
19 a few people, because I don't have a rank order in my  
20 head of --

21 BY MR. RANDAZZA:

22 Q Okay.

23 A So I have to think of a cluster of a few  
24 people, so.

25 Q Your top five clients, how much do they pay



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1 you monthly each?

2 A That's not what the business's revenue model  
3 looks like. It's not a monthly fee or something. So  
4 over time, cumulatively, some of them have paid over a  
5 quarter million dollars, \$300,000ish.

6 Q Each?

7 A Uh-huh.

8 Q So let's just call them A, B, C, D, and E,  
9 your top five. Can we do that?

10 A I'll go along to this point. On the record or  
11 off, my main objection is simply I'm not going to say  
12 names to someone who is going to use them to harass my  
13 clients or further cause harm to my business. And I'm  
14 not going to say personal identifiers of specifically  
15 anything that could go back to that person's name or  
16 cause them harm in their business or in their career.

17 MR. RANDAZZA: Sure. I agree --

18 (Simultaneous speakers.)

19 MR. RANDAZZA: -- where even Mr. Cornelia  
20 wouldn't get that.

21 MR. VOCKRODT: It's a trade secret issue, and  
22 we're pursuing it as that.

23 BY MR. RANDAZZA:

24 Q But Mr. A, what is their profession?

25 A Off the top of my head, there's a few

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1 people -- and I'm not going to be able to keep track of  
2 A, B, C, D, E. But if we talk as a generality of my top  
3 five or 10 clients, then a couple of those people are in  
4 technology-related professions that they are employees  
5 in large tech companies. Several are small business  
6 owners of a various kind.

7 **Q So just think of one of these small business**  
8 **owners, what kind of business do they own?**

9 A I'm trying to be cooperative, but as I said,  
10 the two things that I object to that I believe are trade  
11 secrets that I don't have to answer, I'm not going to  
12 say specific things about -- that would identify a  
13 client.

14 **Q What kind of business?**

15 A Oh, that's fine, but then the next 17  
16 questions after that, then we start to draw in the Venn  
17 diagrams, "Oh, that person works at this company" or  
18 "That person is from this place and runs this type of  
19 business." You know, that doesn't -- I'm not going to  
20 identify specific clients.

21 **Q Okay. So you won't even tell me what kind of**  
22 **business they operate in?**

23 MR. VOCKRODT: Objection. Form.

24 THE WITNESS: I did tell you that some of them  
25 are -- several are small business owners. Two or more

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1 work in high-paid, technology-related jobs.

2 BY MR. RANDAZZA:

3 **Q In Illinois?**

4 THE WITNESS: I think you guys are going to  
5 have to get a protective order that -- I can imagine the  
6 next number of comments trying to bing, bing, bing,  
7 bing.

8 MR. VOCKRODT: Yeah.

9 THE WITNESS: These are trade secrets that  
10 could be harmful to my clients.

11 BY MR. RANDAZZA:

12 **Q So the state in which your client is is not**  
13 **something you're willing to reveal in this deposition?**

14 A You're not being reasonable at the moment.

15 MR. VOCKRODT: Objection. Form.

16 BY MR. RANDAZZA:

17 **Q So you won't even disclose what state they're**  
18 **in?**

19 A Numerous states, different people from  
20 different states.

21 **Q Are they all in the United States?**

22 A No.

23 **Q How many are in California?**

24 MR. VOCKRODT: Objection. Form.

25 THE WITNESS: I don't know.

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1 BY MR. RANDAZZA:

2 Q Are any of them in California?

3 A I'd have to research that.

4 MR. RANDAZZA: All right. Well, I think if  
5 we're not even going to be able to find out what state  
6 somebody's in, we'll have to have a motion to compel and  
7 continue the deposition after we've dealt with that.

8 MR. VOCKRODT: Okay.

9 MR. RANDAZZA: So why don't we all take the  
10 rest of the day off.

11 MS. PETERSON: Do you have anything else that  
12 you can or are you representing that everything --

13 MR. RANDAZZA: Everything is going to splinter  
14 out from that.

15 MS. PETERSON: Okay.

16 MR. RANDAZZA: You know, I'm not hiding the  
17 ball here. I think he's lying about how much he's lost.  
18 I can't explore that without exploring who his clients  
19 are, what they pay him for, so I'm at a dead end here.  
20 So maybe it's clever; maybe it's not. We'll see how the  
21 magistrate will rule. All right?

22 MR. VOCKRODT: All right. So we're done with  
23 questions?

24 MR. RANDAZZA: I'll ask one more.

25 / / /

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1 MR. VOCKRODT: Yeah, and we can work around  
2 those issues on --

3 MR. RANDAZZA: We don't need to disclose her  
4 name to the public that I can think of right now.

5 MR. VOCKRODT: Okay.

6 MR. RANDAZZA: If I need to, we'll argue about  
7 that later.

8 MR. VOCKRODT: Okay. And then also we'd just  
9 like to reserve our right under Rule 30(e) -- I think it  
10 is -- to correct anything in the transcript once it's  
11 available within 30 days.

12 MR. RANDAZZA: Sounds fair.

13 (Deposition was recessed at 4:45 p.m.)

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