

**Ron Roe**

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

CONSOLIDATED MULTIPLE LISTING  
SERVICE, INC.,

Defendant.

CA: 3:08cv1786 SB

ORIGINAL

30(b)(6) DEPOSITION  
OF  
RON ROE

Taken at:

Woodward, Cothran & Herndon  
440 Knox Abbott Drive, Suite 200  
Cayce, South Carolina 29033

On Friday, August 22, 2008

REPORTER: GINA M. SMITH, CSR, RPR

JOB NO. 204901c

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1 Q. Did the \$5,000 fee have anything to do with state law?

2 A. No, nor does the 2,500 fee.

3 Q. Does the commercial office requirement, is that  
4 required by state law?

5 A. The term "commercial" is not. And previous state law,  
6 they said "comply with the municipal zoning laws," but  
7 that was left off the last time or last two times the  
8 law was revised.

9 Q. Is the -- so is the current version of the South  
10 Carolina Real Estate Law, is that something that  
11 requires licensees to have commercial offices?

12 A. It does not.

13 Q. If you look at Article 4, that's the active  
14 involvement requirement?

15 A. Right.

16 Q. That's at the bottom of page 2 of Government  
17 Exhibit 9.

18 A. That's correct.

19 Q. What are the reasons for the -- what are the CMLS'  
20 reasons for the active involvement requirement?

21 A. I probably can speak to that as well as anybody on the  
22 MLS board.

23 When we were rewriting or updating the rules and  
24 regulations, we looked at state law, and state law  
25 requires a broker, I don't know, probably to do a

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1 hundred different things.

2 We wanted to protect the consumer and, my belief,  
3 to improve the professionalism of our industry.

4 Coming from a military background, I thought  
5 professionalism and ethics was very, very important.

6 And we looked at state law, and we thought that,  
7 at a minimum, the agent or company had an obligation,  
8 legal obligation, to market, sell and close the  
9 property.

10 **Q. Are there any other reasons?**

11 A. No. The reason was to improve the professionalism and  
12 to abide by state law.

13 I mean, it's my belief -- and you can correct me  
14 if I'm wrong -- that NAR and DOJ has already agreed  
15 that it's okay to have that verbiage in MLS agreements  
16 now that the MLS member be actively involved.

17 So I believe that's really not an issue anymore,  
18 if DOJ and NAR has already agreed to that. And I may  
19 be wrong. I just read things off a web site.

20 **Q. What web site are you talking about?**

21 A. It's one of those real estate web sites. I'm not sure  
22 whether it's RIS Media or, you know, Real Trends,  
23 or -- there's several web sites to report real estate  
24 information.

25 I believe that was also told to me by the

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CERTIFICATE OF REPORTER

I, GINA M. SMITH, CSR, RPR, Notary Public, do hereby certify that RON ROE was duly sworn by me on August 22, 2008, prior to the taking of the foregoing deposition; that said deposition was taken and transcribed under my supervision and direction; that the parties were present as stated; and that I am not of counsel for or in the employment of any of the parties to this action, nor am I interested in the outcome of this action.

I do further certify that the foregoing 79 pages constitute a true and accurate transcript of the testimony.

IN WITNESS WHEREOF, I hereunto subscribe my name this the 4th day of September 2008.

*Gina M. Smith*

GINA M. SMITH, CSR, RPR

Notary Public

My Commission Expires:

July 23, 2013