

EXHIBIT 5a

0001

1 UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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3 NORBERT WU, INDIVIDUALLY AND ON BEHALF  
OF ALL SIMILARLY SITUATED PERSONS,

4 Plaintiffs,

5 -against-

6 PEARSON EDUCATION INC.,

7 Defendant.

8 -----x

9

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May 3, 2010

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9:01 a.m.

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Deposition of JULIE ORR, taken by  
Plaintiff, pursuant to Notice, at the offices of  
Nelson & McCulloch LLP, 405 Lexington Avenue, New  
York, New York, before Terri Fudens, a Shorthand  
Reporter and Notary Public within and for the  
State of New York.

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A P P E A R A N C E S:  
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ALSO PRESENT:

NANCY VERMYLEN THORNTON, Associate Counsel  
Pearson Education

1 JULIE ORR

2 Q And there have been numerous times in  
3 recent years where Pearson sought permission for  
4 photographs that had not been cleared prior to the  
5 file to printer date; correct?

6 A I have reason to believe that's  
7 happened, yes.

8 Q Do you know on how many occasions?

9 A I don't.

10 Q Do you know approximately?

11 A No.

12 Q And there have been instances where  
13 those permissions still haven't been cleared prior  
14 to the bound book date; correct?

15 A I believe that's correct.

16 Q Am I using that term correctly, bound  
17 book date?

18 A Yes.

19 Q And there have been instances where  
20 books have been sold and put in circulation prior  
21 to those clearances?

22 A That I don't know as much about.

23 Q Your name was on lots and lots of  
24 letters for permissions for books that were  
25 published a year or two years ago; right?