

EXHIBIT 4

EXHIBIT B

Case No. 1:14-cv-00857-TSC-DAR

List of Materials Considered

1. AERA, APA and NCME's Complaint – 5/23/14;
2. Exhibits A and B to AERA, APA and NCME's Complaint – the Copyright Registrations issued for the 1999 Standards;
3. The Counterclaim and Answer to the Complaint of Defendant, Public.Resource.Org, Inc. (“Public Resource”) – 7/14/14;
4. AERA, APA and NCME's Reply to Public Resource's Counterclaim – 8/21/14;
5. AERA, APA and NCME's Amended Disclosures – 05/18/15;
6. Public Resource's Initial Disclosures – 05/18/15;
7. Public Resource's Amended Interrogatory Answers (1st Set) – 12/15/14;
8. Public Resource's Admissions' Responses – 11/3/14;
9. Public Resource's Interrogatory Answers (2nd Set) – 3/2/15;
10. Public Resource's Amended Answer to Interrogatory No. 8 – 6/4/15;
11. AERA, APA and NCME's Interrogatory Answers – 1/20/15;
12. AERA, APA and NCME's Admissions' Responses – 1/20/15;
13. The transcript and exhibits from the deposition of the Internet Archive (by Christopher Butler) taken on December 2, 2014;
14. The transcript and exhibits from the deposition of the Public Resource (by Carl Malamud) taken on May 12, 2015;
15. Conversations with Felice J. Levine, Ph. D., Executive Director of AERA. It is my understanding that AERA is the publisher of the 1999 and 2014 Standards;

16. DANIEL R. EIGNOR, *The Standards for Educational and Psychological Testing*, APA HANDBOOK OF TESTING AND ASSESSMENT IN PSYCHOLOGY, VOL. 1 at 245-250, (K. F. Geisinger ed., American Psychological Association, 2013);
17. SUSAN E. EMBRETSON & STEVEN P. REISE, *PSYCHOMETRIC METHODS: ITEM RESPONSE THEORY FOR PSYCHOLOGISTS* (Lawrence Erlbaum Associates, Inc. 2000);
18. FREDERIC M. LORD, *APPLICATIONS OF ITEM RESPONSE THEORY TO PRACTICAL TESTING PROBLEMS* (Lawrence Erlbaum Associates, Inc. 1980);
19. RODERICK P. McDONALD, *TEST THEORY: A UNIFIED TREATMENT* (Taylor & Francis 1999);
20. JUM C. NUNNALLY, *PSYCHOMETRIC THEORY* (2d ed., McGraw-Hill 1978);
21. ROBERT L. THORNDIKE, *APPLIED PSYCHOMETRICS* (Houghton Mifflin Co. 1982).