

Exhibit H - Seamans Deposition

Page 1

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CAMBRIDGE UNIVERSITY PRESS, et al.,

Plaintiffs,

vs.

CIVIL ACTION FILE

NO. 1:08-CV-1425-ODE

MARK P. BECKER, in his official capacity as Georgia
State University President, et al.,

Defendants.

Videotaped deposition of NANCY SEAMANS, taken on
behalf of the Plaintiffs pursuant to Rules 26 and 30
of the Federal Rules of Civil Procedure, before
Michelle M. Boudreaux, Georgia Certified Court
Reporter, at the Offices of Legal Affairs for Georgia
State University, 10 Park Place South Building,
Atlanta, Georgia, on the 10th day of March 2009,
commencing at the hour of 10:15 a.m.

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	INDEX EXHIBITS		
	Exhibit	Description	Page
1			
2			
3	Exhibit		
4	Exhibit 17	Copyright in Instruction & the New USG Copyright Policy	23
5			
6	Exhibit 18	Printouts from the GSU Library Web Site Containing Information Related to Course Reserves	67
7			
8	Exhibit 19	ERes (Use this form to place materials in any format on reserve.)	91
9	Exhibit 20	Doc Hit Report, 1/1/08 thru 5/15/08, With Course Names.xls	92
10			
11	Exhibit 21	Printscreens from GSU Library Web Site	102
12	Exhibit 22	10/27/08 E-mail to Nancy Seamans from Burns Newsome	139
13			
14	Exhibit 23	Printouts from GSU Library Web Site	174
15	Exhibit 24	First Amended Complaint for Declaratory Judgment and Injunctive Relief	176
16			
17	Exhibit 25	Chapters 9 and 10 from "Focus on the Language Classroom"	177
18	Exhibit 26	Photocopy of Cover of Book Titled "Focus on the Language Classroom"	177
19			
20	Exhibit 27	Chapter 4 from "The Slave Community, Plantation Life in the Antebellum South"	189
21			
22	Exhibit 28	Photocopy of Cover of Book Titled "Slave Community, Plantation Life in the Antebellum South"	190
23			
24			
25			

1 Q In that circumstance, where would the money
2 come from for the faculty member to make the required
3 permission payment?

4 A I don't know.

5 Q Is that something you've given any
6 consideration to?

7 A Yes.

8 Q What has your thought been on that?

9 A I'm in the process of cutting a million
10 dollars from my operating budget, and it's painful to
11 have to do that; and at the same time, if we had
12 faculty members who needed help to get permission, I
13 would try to find the money to do that.

14 Q And are you --

15 A Financial support.

16 Q As part of your budgeting process, are you
17 intending to earmark, however difficult it may be,
18 some funds for that purpose specifically?

19 A Not specifically, no.

20 Q So you would just scratch and claw and try
21 to find the money?

22 A That's what we're doing with everything
23 else, yes.

24 Q Did the committee of which you were a
25 member give consideration to this issue, namely the

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1 Georgia State University to be able to obtain
2 materials via the E-Reserve system free of charge?

3 MR. SCHAEZEL: Objection as to
4 form.

5 THE WITNESS: I don't know.

6 Q (By Mr. Rich) Do you have a view as to
7 what the impact on Georgia State University would be
8 if permissions fees were paid with respect to an
9 increased percentage of works which today claim fair
10 use protection?

11 A Yes.

12 Q What is your viewpoint?

13 A My viewpoint is that the materials would
14 not be used, but that rather than go through the
15 process of investigating this, figuring out what
16 was -- what needed to be done, paying the fee, the
17 faculty member would just decide not to use the
18 supplemental materials.

19 Q And built into that assumption is that
20 there would or would not be funding resources made
21 available by the library?

22 A I think that's almost irrelevant to the
23 question. I think it -- it just -- I don't think it
24 would happen because faculty members would choose not
25 to provide the supplemental materials.

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