

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

CAMBRIDGE UNIVERSITY
PRESS, *et al.*,

Plaintiffs,

v.

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

Defendants.

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Case No. 1:08-CV-1425-ODE

**DEFENDANTS’ LOCAL RULE STATEMENT OF MATERIAL FACTS TO
WHICH THERE IS NO GENUINE ISSUE IN SUPPORT OF THEIR
MOTION FOR SUMMARY JUDGMENT**

I. INTRODUCTION

Defendants Mark P. Becker, in his official capacity as Georgia State University President, *et al.* (collectively, “Defendants”), hereby submit their Statement of Undisputed Facts in Support of Defendants’ Motion for Summary Judgment.

II. STATEMENT OF UNDISPUTED FACTS

1. In Professor Belcher’s “Qualitative Research” (AL8961) in Spring 2007, pages 163-188 of Chapter 6 by Yvonna S. Lincoln and Egon G. Guba titled “*Paradigmatic Controversies, Contradictions, and Emerging Confluences*” were

used from SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See D.E. 39, Plaintiffs' Amended Complaint ("Am. Comp.") ¶ 22, Ex. 1, pg. 4.

2. In the Summer 2009 Semester, no material was used from Chapter 6 by Yvonna S. Lincoln and Egon G. Guba titled "*Paradigmatic Controversies, Contradictions, and Emerging Confluences*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Summer 2009 ERes Report, attached as Ex. A.

3. In the Fall 2009 Semester, no material was used from Chapter 6 by Yvonna S. Lincoln and Egon G. Guba titled "*Paradigmatic Controversies, Contradictions, and Emerging Confluences*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Fall 2009 ERes Report, attached as Ex. B.

4. In the Spring 2010 Semester, no material was used from Chapter 6 by Yvonna S. Lincoln and Egon G. Guba titled "*Paradigmatic Controversies, Contradictions, and Emerging Confluences*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Spring 2010 ERes Report, attached as Ex. C.

5. In Professor Belcher's "Qualitative Research" (AL8961) in Spring 2007, pages 435-454 of Chapter 16 by Robert Stake titled "*Case Studies*" were used from SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). *See* Am. Comp. ¶ 22, Ex. 1, pg. 4.

6. In the Summer 2009 Semester, no material was used from Chapter 16 by Robert Stake titled "*Case Studies*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). *See* Ex. A.

7. In the Fall 2009 Semester, no material was used from Chapter 16 by Robert Stake titled "*Case Studies*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). *See* Ex. B.

8. In the Spring 2010 Semester, no material was used from Chapter 16 by Robert Stake titled "*Case Studies*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). *See* Ex. C.

9. In Professor Belcher's "Qualitative Research" (AL8961) in Spring 2007, pages 455-486 of Chapter 17 by Barbara Tedlock titled "*Ethnography and Ethnographic Representation*" were used from SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Am. Comp. ¶ 22, Ex. 1, pg. 4.

10. In the Summer 2009 Semester, no material was used from Chapter 17 by Barbara Tedlock titled "*Ethnography and Ethnographic Representation*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. A.

11. In the Fall 2009 Semester, no material was used from Chapter 17 by Barbara Tedlock titled "*Ethnography and Ethnographic Representation*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. B.

12. In the Spring 2010 Semester, no material was used from Chapter 17 by Barbara Tedlock titled "*Ethnography and Ethnographic Representation*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. C.

13. In Professor Belcher's "Qualitative Research" (AL8961) in Spring 2007, pages 509-535 of Chapter 19 by Kathy Charmaz titled "*Grounded Theory: Objectivist and Constructivist Methods*" were used from SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Am. Comp. ¶ 22, Ex. 1, pg. 4.

14. In the Summer 2009 Semester, no material was used from Chapter 19 by Kathy Charmaz titled "*Grounded Theory: Objectivist and Constructivist Methods*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. A.

15. In the Fall 2009 Semester, no material was used from Chapter 19 by Kathy Charmaz titled "*Grounded Theory: Objectivist and Constructivist Methods*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. B.

16. In the Spring 2010 Semester, no material was used from Chapter 19 by Kathy Charmaz titled "*Grounded Theory: Objectivist and Constructivist Methods*" of SAGE Publications' work-for-hire collection by Norman Denzin &

Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. C.

17. In Professor Belcher's "Qualitative Research" (AL8961) in Spring 2007, pages 645-672 of Chapter 24 by Andrea Fontana & James H. Frey titled "*The Interview: From Structured Questions to Negotiated Text*" were used from SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Am. Comp. ¶ 22, Ex. 1, pg. 4.

18. In the Summer 2009 Semester, no material was used from Chapter 24 by Andrea Fontana & James H. Frey titled "*The Interview: From Structured Questions to Negotiated Text*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. A.

19. In the Fall 2009 Semester, no material was used from Chapter 24 by Andrea Fontana & James H. Frey titled "*The Interview: From Structured Questions to Negotiated Text*" of SAGE Publications' work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. B.

20. In the Spring 2010 Semester, no material was used from Chapter 24 by Andrea Fontana & James H. Frey titled “*The Interview: From Structured Questions to Negotiated Text*” of SAGE Publications’ work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. C.

21. In Professor Belcher’s “Qualitative Research” (AL8961) in Spring 2007, pages 673-702 of Chapter 25 by Michael V. Angrosino and Kimberly A. Mays de Perez titled “*Rethinking Observation: From Method to Context*” were used from SAGE Publications’ work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Am. Comp. Ex. 1, pg. 3, 5.

22. In Professor Belcher’s “Qualitative Methods in Sociology” (SOC18342) in Fall 2007, pages 673-702 of Chapter 25 by Michael V. Angrosino and Kimberly A. Mays de Perez titled “*Rethinking Observation: From Method to Context*” were used from SAGE Publications’ work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Am. Comp. Ex. 1, pg. 3, 5.

23. In the Summer 2009 Semester, no material was used from Chapter 25 by Michael V. Angrosino and Kimberly A. Mays de Perez titled “*Rethinking Observation: From Method to Context*” of SAGE Publications’ work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. A.

24. In the Fall 2009 Semester, no material was used from Chapter 25 by Michael V. Angrosino and Kimberly A. Mays de Perez titled “*Rethinking Observation: From Method to Context*” of SAGE Publications’ work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. B.

25. In the Spring 2010 Semester, no material was used from Chapter 25 by Michael V. Angrosino and Kimberly A. Mays de Perez titled “*Rethinking Observation: From Method to Context*” of SAGE Publications’ work-for-hire collection by Norman Denzin & Yvonna S. Lincoln titled Handbook of Qualitative Research, 2nd ed. (2000). See Ex. C.

26. In Professor Kaufman’s “Qualitative/Interpretive Research in Education I” (EPS8500) in Fall 2007, pages 109-138 of Chapter 5 by Russell Bishop titled “*Freeing Ourselves from Neocolonial Domination in Research*” were

used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23, Ex. 1, pg. 4.

27. In Professor Kaufman's "Qualitative Research in Education II" (EPRS8510) in Spring 2008, pages 109-138 of Chapter 5 by Russell Bishop titled "*Freeing Ourselves from Neocolonial Domination in Research*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23, Ex. 1, pg. 4.

28. In the Summer 2009 Semester, no material was used from Chapter 5 by Russell Bishop titled "*Freeing Ourselves from Neocolonial Domination in Research*" of SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. A.

29. In the Fall 2009 Semester, Professor Kaufman's "Qualitative/Interpretive Research in Education I" (EPS8500) used pages 109-138 of Chapter 5 by Russell Bishop titled "*Freeing Ourselves from Neocolonial Domination in Research*" from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. B at 198.

30. In the Spring 2010 Semester, Professor Kaufman's "Introduction to Qualitative Research" (EPS8500) used pages 109-138 of Chapter 5 by Russell Bishop titled "*Freeing Ourselves from Neocolonial Domination in Research*" from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. C at 198.

31. In Professor Eposito's "Qualitative Research" (AL8961) in Spring 2007, pages 303-341 of Chapter 12 by Joe L. Kincheloe & Peter McLaren titled "*Rethinking Critical Theory and Qualitative Research*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp., Ex. 1, pg. 4.

32. In Professor Kaufman's "Ethnographic Approaches" (EPRS 8500) in Fall 2007, pages 303-341 of Chapter 12 by Joe L. Kincheloe & Peter McLaren titled "*Rethinking Critical Theory and Qualitative Research*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp., Ex. 1, pg. 4.

33. In the Summer 2009 Semester, no material was used from Chapter 12 by Joe L. Kincheloe & Peter McLaren titled "*Rethinking Critical Theory and*

Qualitative Research” of SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. A.

34. In the Fall 2009 Semester, no material was used from Chapter 12 by Joe L. Kincheloe & Peter McLaren titled “*Rethinking Critical Theory and Qualitative Research*” of SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. B.

35. In the Spring 2010 Semester, no material was used from Chapter 12 by Joe L. Kincheloe & Peter McLaren titled “*Rethinking Critical Theory and Qualitative Research*” of SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. C.

36. In Professor Kaufman’s “Qualitative/Interpretive Research in Education I” (EPS8500) in Fall 2007, pages 357-373 of Chapter 14 by Kenneth Plummer titled “*Critical Humanism and Queer Theory: Living With the Tensions*” were used from SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23, Ex. 1, pg. 5.

37. In Professor Kaufman’s “Qualitative Research in Education II” (EPRS8510) in Spring 2008, pages 357-373 of Chapter 14 by Kenneth Plummer

titled “*Critical Humanism and Queer Theory: Living With the Tensions*” were used from SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23, Ex. 1, pg. 5.

38. In the Summer 2009 Semester, no material was used from Chapter 14 by Kenneth Plummer titled “*Critical Humanism and Queer Theory: Living With the Tensions*” of SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. A.

39. In the Fall 2009 Semester, Professor Kaufman’s “Qualitative/Interpretive Research in Education I” (EPS8500) used pages 357-373 of Chapter 14 by Kenneth Plummer titled “*Critical Humanism and Queer Theory: Living With the Tensions*” from SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. B at 1100.

40. In the Spring 2010 Semester, Professor Kaufman’s “Introduction to Qualitative Research” (EPS8500) used pages 357-373 of Chapter 14 by Kenneth Plummer titled “*Critical Humanism and Queer Theory: Living With the Tensions*” from SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. C at 1135.

41. In Professor Kaufman's "Qualitative/Interpretive Research in Education I" (EPS8500) in Fall 2007, pages 443-465 of Chapter 17 by Robert Stake titled "*Qualitative Case Studies*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23, Ex. 1, pg. 5.

42. In Professor Kaufman's "Qualitative Research in Education II" (EPRS8510) in Spring 2008, pages 443-465 of Chapter 17 by Robert Stake titled "*Qualitative Case Studies*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23, Ex. 1, pg. 5.

43. In the Summer 2009 Semester, no material was used from Chapter 17 by Robert Stake titled "*Qualitative Case Studies*" of SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. A.

44. In the Fall 2009 Semester, Professor Kaufman's "Qualitative/Interpretive Research in Education I" (EPS8500) used pages 443-465 of Chapter 17 by Robert Stake titled "*Qualitative Case Studies*" from SAGE

Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). *See* Ex. B at 1292-93.

45. In the Spring 2010 Semester, Professor Kaufman's "Introduction to Qualitative Research" (EPS8500) used pages 443-465 of Chapter 17 by Robert Stake titled "*Qualitative Case Studies*" from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). *See* Ex. C at 1312.

46. In Professor Kaufman's "Qualitative/Interpretive Research in Education I" (EPS8500) in Fall 2007, pages 547-557 of Chapter 22 by John Beverly titled "*Testimonio, Subalternity, and Narrative Authority*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). *See* Am. Comp. ¶ 23, Ex. 1, pg. 5.

47. In Professor Kaufman's "Qualitative Research in Education II" (EPRS8510) in Spring 2008, pages 547-557 of Chapter 22 by John Beverly titled "*Testimonio, Subalternity, and Narrative Authority*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). *See* Am. Comp. ¶ 23, Ex. 1, pg. 5.

48. In the Summer 2009 Semester, no material was used from Chapter 22 by John Beverly titled “*Testimonio, Subalternity, and Narrative Authority*” of SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). *See* Ex. A.

49. In the Fall 2009 Semester, Professor Kaufman’s “Qualitative/Interpretive Research in Education I” (EPS8500) used pages 547-557 of Chapter 22 by John Beverly titled “*Testimonio, Subalternity, and Narrative Authority*” from SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). *See* Ex. B at 187.

50. In the Spring 2010 Semester, Professor Kaufman’s “Introduction to Qualitative Research” (EPS8500) used pages 547-557 of Chapter 22 by John Beverly titled “*Testimonio, Subalternity, and Narrative Authority*” from SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). *See* Ex. C at 186.

51. In Professor Kaufman’s “Qualitative/Interpretive Research in Education I” (EPS8500) in Fall 2007, pages 651-679 of Chapter 25 by Susan Chase titled “*Narrative Inquiry*” were used from SAGE Publications’ work-for-

hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005).

See Am. Comp. ¶ 23, Ex. 1, pg. 4, 5.

52. In Professor Kaufman's "Qualitative Research in Education II" (EPRS8510) in Spring 2008, pages 651-679 of Chapter 25 by Susan Chase titled "*Narrative Inquiry*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23, Ex. 1, pg. 4, 5.

53. In Professor Eposito's "Qualitative Research" (AL8961) in Spring 2007, pages 651-679 of Chapter 25 by Susan Chase titled "*Narrative Inquiry*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23, Ex. 1, pg. 4, 5.

54. In Professor Kaufman's "Ethnographic Approaches" (EPRS 8500) in Fall 2007, pages 651-679 of Chapter 25 by Susan Chase titled "*Narrative Inquiry*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23, Ex. 1, pg. 4, 5.

55. In the Summer 2009 Semester, no material was used from Chapter 25 by Susan Chase titled “*Narrative Inquiry*” of SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. A.

56. In the Fall 2009 Semester, no material was used from Chapter 25 by Susan Chase titled “*Narrative Inquiry*” of SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. B.

57. In the Spring 2010 Semester, no material was used from Chapter 25 by Susan Chase titled “*Narrative Inquiry*” of SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. C.

58. In Professor Kaufman’s “Qualitative/Interpretive Research in Education I” (EPS8500) in Fall 2007, pages 915-932 of Chapter 36 by John Smith & Phil Hodkinson titled “*Relativism, Criteria, and Politics*” were used from SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23, Ex. 1, pg. 5.

59. In Professor Kaufman's "Qualitative Research in Education II" (EPRS8510) in Spring 2008, pages 915-932 of Chapter 36 by John Smith & Phil Hodkinson titled "*Relativism, Criteria, and Politics*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23, Ex. 1, pg. 5.

60. In the Summer 2009 Semester, no material was used from Chapter 36 by John Smith & Phil Hodkinson titled "*Relativism, Criteria, and Politics*" of SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. A.

61. In the Fall 2009 Semester, Professor Kaufman's "Qualitative/Interpretive Research in Education I" (EPS8500) used pages 915-932 of Chapter 36 by John Smith & Phil Hodkinson titled "*Relativism, Criteria, and Politics*" from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. B at 1256.

62. In the Spring 2010 Semester, no material was used from Chapter 36 by John Smith & Phil Hodkinson titled "*Relativism, Criteria, and Politics*" of SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. C.

63. In Professor Kaufman's "Qualitative Research in Education II" (EPRS8510) in Spring 2008, pages 959-978 of Chapter 38 by Laurel Richardson & Elizabeth Adams St. Peirre titled "*Writing: A Method of Inquiry*" were used from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Am. Comp. ¶ 23.

64. In the Summer 2009 Semester, Professor Kaufman's "Qualitative Research in Education II" (EPS8510) used pages 923-948 of Chapter 38 by Laurel Richardson & Elizabeth Adams St. Peirre titled "*Writing: A Method of Inquiry*" from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. A at 288.

65. In the Fall 2009 Semester, Professor Kaufman's "Qualitative/Interpretive Research in Education I" (EPS8500) used pages 959-978 of Chapter 38 by Laurel Richardson & Elizabeth Adams St. Peirre titled "*Writing: A Method of Inquiry*" from SAGE Publications' work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). See Ex. B at 1170.

66. In the Spring 2010 Semester, no material was used from Chapter 38 by Laurel Richardson & Elizabeth Adams St. Peirre titled "*Writing: A Method of*

Inquiry” of SAGE Publications’ work-for-hire collection titled The SAGE Handbook of Qualitative Research, 3rd ed. (2005). *See* Ex. C.

67. In Professor Emshoff’s “Introduction to Community Psychology” (PSYC8200) in Fall 2006, pages 17-26 of Chapter 2 titled “*Understanding Successful Advocacy*” were used from SAGE Publications’ individual work by Milan J. Dluhy titled Changing the System: Political Advocacy for Disadvantaged Groups (1981). *See* Am. Comp. ¶ 24, Ex. 1, pg. 7.

68. In Professor Emshoff’s “Introduction to Community Psychology” (PSYC8200) in Fall 2007, pages 17-26 of Chapter 2 titled “*Understanding Successful Advocacy*” were used from SAGE Publications’ individual work by Milan J. Dluhy titled Changing the System: Political Advocacy for Disadvantaged Groups (1981). *See* Am. Comp. ¶ 24, Ex. 1, pg. 7.

69. In the Summer 2009 Semester, no material was used from Chapter 2 titled “*Understanding Successful Advocacy*” of SAGE Publications’ individual work by Milan J. Dluhy titled Changing the System: Political Advocacy for Disadvantaged Groups (1981). *See* Ex. A.

70. In the Fall 2009 Semester, no material was used from Chapter 2 titled “*Understanding Successful Advocacy*” of SAGE Publications’ individual work by

Milan J. Dluhy titled Changing the System: Political Advocacy for Disadvantaged Groups (1981). *See* Ex. B.

71. In the Spring 2010 Semester, no material was used from Chapter 2 titled “*Understanding Successful Advocacy*” of SAGE Publications’ individual work by Milan J. Dluhy titled Changing the System: Political Advocacy for Disadvantaged Groups (1981). *See* Ex. C.

72. In Professor Emshoff’s “Introduction to Community Psychology” (PSYC8200) in Fall 2006, pages 91-108 of Chapter 7 titled “*Sharpening Advocacy Skills*” of SAGE Publications’ individual work by Milan J. Dluhy titled Changing the System: Political Advocacy for Disadvantaged Groups (1981). *See* Am. Comp. ¶ 24, Ex. 1, pg. 7.

73. In Professor Emshoff’s “Introduction to Community Psychology” (PSYC8200) in Fall 2007, pages 91-108 of Chapter 7 titled “*Sharpening Advocacy Skills*” were used from SAGE Publications’ individual work by Milan J. Dluhy titled Changing the System: Political Advocacy for Disadvantaged Groups (1981). *See* Am. Comp. ¶ 24, Ex. 1, pg. 7.

74. In the Summer 2009 Semester, no material was used from Chapter 7 titled “*Sharpening Advocacy Skills*” of SAGE Publications’ individual work by

Milan J. Dluhy titled Changing the System: Political Advocacy for Disadvantaged Groups (1981). *See* Ex. A.

75. In the Fall 2009 Semester, no material was used from Chapter 7 titled “*Sharpening Advocacy Skills*” of SAGE Publications’ individual work by Milan J. Dluhy titled Changing the System: Political Advocacy for Disadvantaged Groups (1981). *See* Ex. B.

76. In the Spring 2010 Semester, no material was used from Chapter 7 titled “*Sharpening Advocacy Skills*” of SAGE Publications’ individual work by Milan J. Dluhy titled Changing the System: Political Advocacy for Disadvantaged Groups (1981). *See* Ex. C.

77. In “Women and Media” (JOU4780) offered before the adoption of the New Copyright Policy, pages 11-28 of Chapter 2 titled “‘*New*’ *Themes*” were used from SAGE Publications’ individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). *See* Am. Comp. ¶ 24, Ex. 1, pg. 5.

78. In the Summer 2009 Semester, no material was used from Chapter 2 titled “‘*New*’ *Themes*” of SAGE Publications’ individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). *See* Ex. A.

79. In the Fall 2009 Semester, no material was used from Chapter 2 titled “‘New’ Themes” of SAGE Publications’ individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). See Ex. B.

80. In the Spring 2010 Semester, Professor Meyer’s “Women and Media” (JOU4780) used pages 11-28 of Chapter 2 titled “‘New’ Themes” from SAGE Publications’ individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). See Ex. C at 575.

81. In “Women and Media” (JOU4780) offered before the adoption of the New Copyright Policy, pages 29-42 of Chapter 3 titled “A ‘New’ Paradigm?” were used from SAGE Publications’ individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). See Am. Comp. ¶ 24, Ex. 1, pg. 5.

82. In the Summer 2009 Semester, no material was used from Chapter 3 titled “A ‘New’ Paradigm?” of SAGE Publications’ individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). See Ex. A.

83. In the Fall 2009 Semester, no material was used from Chapter 3 titled “A ‘New’ Paradigm?” of SAGE Publications’ individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). See Ex. B.

84. In the Spring 2010 Semester, Professor Meyer's "Women and Media" (JOU4780) used pages 29-42 of Chapter 3 titled "A 'New' Paradigm?" from SAGE Publications' individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). See Ex. C at 576.

85. In "Women and Media" (JOU4780) offered before the adoption of the New Copyright Policy, pages 43-65 of Chapter 4 titled "*Media Production and the Encoding of Gender*" were used from SAGE Publications' individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). See Am. Comp. ¶ 24, Ex. 1, pg. 5.

86. In the Summer 2009 Semester, no material was used from Chapter 4 titled "*Media Production and the Encoding of Gender*" of SAGE Publications' individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). See Ex. A.

87. In the Fall 2009 Semester, no material was used from Chapter 4 titled "*Media Production and the Encoding of Gender*" of SAGE Publications' individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). See Ex. B.

88. In the Spring 2010 Semester, no material was used from Chapter 4 titled “*Media Production and the Encoding of Gender*” of SAGE Publications’ individual work by Liesbet van Zoonen titled Feminist Media Studies (1994). See Ex. C.

89. In Professor Reimann’s “The Political Economy of Japan” (POLS4256) in Fall 2006, pages 31-63 of Chapter 2 titled “*Opposition Failure in Japan: Background and Explanations*” were used from Cambridge University Press’ individual work by Ethan Scheiner titled Democracy Without Competition in Japan: Opposition Failure in a One-Party Dominant State (2006). See Am. Comp. ¶¶ 25-26, Ex. 1, pg. 1; Pls.’ Resp. to Defs. First Set of Interrogatories, at No. 2, attached as Ex. D.

90. In Professor Reimann’s “Political Economy of East Asia” (POLS4255) in Fall 2007, pages 31-63 of Chapter 2 titled “*Opposition Failure in Japan: Background and Explanations*” were used from Cambridge University Press’ individual work by Ethan Scheiner titled Democracy Without Competition in Japan: Opposition Failure in a One-Party Dominant State (2006). See Am. Comp. ¶¶ 25-26, Ex. 1, pg. 1; Ex. D at No. 2.

91. In the Summer 2009 Semester, no material was used from Chapter 2 titled “*Opposition Failure in Japan: Background and Explanations*” from Cambridge University Press’ individual work by Ethan Scheiner titled Democracy Without Competition in Japan: Opposition Failure in a One-Party Dominant State (2006). *See* Ex. A.

92. In the Fall 2009 Semester, no material was used from Chapter 2 titled “*Opposition Failure in Japan: Background and Explanations*” from Cambridge University Press’ individual work by Ethan Scheiner titled Democracy Without Competition in Japan: Opposition Failure in a One-Party Dominant State (2006). *See* Ex. B.

93. In the Spring 2010 Semester, no material was used from Chapter 2 titled “*Opposition Failure in Japan: Background and Explanations*” from Cambridge University Press’ individual work by Ethan Scheiner titled Democracy Without Competition in Japan: Opposition Failure in a One-Party Dominant State (2006). *See* Ex. C.

94. In Professor Orr’s “Baroque Music” (MUS8840) in Fall 2006, pages 204-218 of Chapter 14 by Patrick Russill titled “*Catholic Germany and Austria 1648-c1800*” were used from Cambridge University Press’ work-for-hire

collection titled The Cambridge Companion to the Organ (1998). See Am. Comp. ¶ 25, Ex. 1, pg. 1.

95. In the Summer 2009 Semester, no material was used from Chapter 14 by Patrick Russill titled “*Catholic Germany and Austria 1648-c1800*” from Cambridge University Press’ work-for-hire collection titled The Cambridge Companion to the Organ (1998). See Ex. A.

96. In the Fall 2009 Semester, no material was used from Chapter 14 by Patrick Russill titled “*Catholic Germany and Austria 1648-c1800*” from Cambridge University Press’ work-for-hire collection titled The Cambridge Companion to the Organ (1998). See Ex. B.

97. In the Spring 2010 Semester, no material was used from Chapter 14 by Patrick Russill titled “*Catholic Germany and Austria 1648-c1800*” from Cambridge University Press’ work-for-hire collection titled The Cambridge Companion to the Organ (1998). See Ex. C.

98. In Professor Orr’s “Baroque Music” (MUS8840) in Fall 2006, pages 219-35 of Chapter 15 by Geoffrey Webber titled “*The North German Organ School*” were used from Cambridge University Press’ work-for-hire collection

titled The Cambridge Companion to the Organ (1998). See Am. Comp. ¶ 25, Ex. 1, pg. 1.

99. In the Summer 2009 Semester, no material was used from Chapter 15 by Geoffrey Webber titled “*The North German Organ School*” from Cambridge University Press’ work-for-hire collection titled The Cambridge Companion to the Organ (1998). See Ex. A.

100. In the Fall 2009 Semester, no material was used from Chapter 15 by Geoffrey Webber titled “*The North German Organ School*” from Cambridge University Press’ work-for-hire collection titled The Cambridge Companion to the Organ (1998). See Ex. B.

101. In the Spring 2010 Semester, no material was used from Chapter 15 by Geoffrey Webber titled “*The North German Organ School*” from Cambridge University Press’ work-for-hire collection titled The Cambridge Companion to the Organ (1998). See Ex. C.

102. In Professor Orr’s “Baroque Music” (MUS8840) in Fall 2006, pages 145-163 of Chapter 10 by Anthony Hicks titled “*Handle and the Idea of an Oratorio*” were used from Cambridge University Press’ work-for-hire collection titled The Cambridge Companion to the Organ (1997). See Am. Comp. ¶ 25.

103. In the Summer 2009 Semester, no material was used from Chapter 10 by Anthony Hicks titled “*Handle and the Idea of an Oratorio*” from Cambridge University Press’ work-for-hire collection titled The Cambridge Companion to the Organ (1997). See Ex. A.

104. In the Fall 2009 Semester, no material was used from Chapter 10 by Anthony Hicks titled “*Handle and the Idea of an Oratorio*” from Cambridge University Press’ work-for-hire collection titled The Cambridge Companion to the Organ (1997). See Ex. B.

105. In the Spring 2010 Semester, no material was used from Chapter 10 by Anthony Hicks titled “*Handle and the Idea of an Oratorio*” from Cambridge University Press’ work-for-hire collection titled The Cambridge Companion to the Organ (1997). See Ex. C.

106. In Professor Orr’s “Baroque Music” (MUS8840) in Fall 2006, pages 164-181 of Chapter 11 by Graydon Beeks titled “*Handel’s Sacred Music*” were used from Cambridge University Press’ work-for-hire collection titled The Cambridge Companion to the Organ (1997). See Am. Comp. ¶ 25.

107. In the Summer 2009 Semester, no material was used from Chapter 11 by Graydon Beeks titled “*Handel’s Sacred Music*” from Cambridge University

Press' work-for-hire collection titled The Cambridge Companion to the Organ (1997). *See* Ex. A.

108. In the Fall 2009 Semester, no material was used from Chapter 11 by Graydon Beeks titled "*Handel's Sacred Music*" from Cambridge University Press' work-for-hire collection titled The Cambridge Companion to the Organ (1997). *See* Ex. B.

109. In the Spring 2010 Semester, no material was used from Chapter 11 by Graydon Beeks titled "*Handel's Sacred Music*" from Cambridge University Press' work-for-hire collection titled The Cambridge Companion to the Organ (1997). *See* Ex. C.

110. In Professor Bunting's "Material Design, Development, and Publication" (AL8660) in Fall 2007, pages 25-43 of Chapter 1 by Gwyneth Fox titled "*Using Corpus Data in the Classroom*" were used from Cambridge University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). *See* Am. Comp. ¶ 26, Ex. 1, pg. 1.

111. In the Summer 2009 Semester, no material was used from Chapter 1 by Gwyneth Fox titled "*Using Corpus Data in the Classroom*" from Cambridge

University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). *See* Ex. A.

112. In the Fall 2009 Semester, no material was used from Chapter 1 by Gwyneth Fox titled "*Using Corpus Data in the Classroom*" from Cambridge University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). *See* Ex. B.

113. In the Spring 2010 Semester, no material was used from Chapter 1 by Gwyneth Fox titled "*Using Corpus Data in the Classroom*" from Cambridge University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). *See* Ex. C.

114. In Professor Bunting's "Material Design, Development, and Publication" (AL8660) in Fall 2007, pages 90-115 of Chapter 4 by David Jolly & Ro Bolitho titled "*A Framework for Materials Writing*" were used from Cambridge University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). *See* Am. Comp. ¶ 26, Ex. 1, pg. 1.

115. In the Summer 2009 Semester, no material was used from Chapter 4 by David Jolly & Ro Bolitho titled "*A Framework for Materials Writing*" from

Cambridge University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). See Ex. A.

116. In the Fall 2009 Semester, no material was used from Chapter 4 by David Jolly & Ro Bolitho titled "*A Framework for Materials Writing*" from Cambridge University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). See Ex. B.

117. In the Spring 2010 Semester, no material was used from Chapter 4 by David Jolly & Ro Bolitho titled "*A Framework for Materials Writing*" from Cambridge University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). See Ex. C.

118. In Professor Bunting's "Material Design, Development, and Publication" (AL8660) in Fall 2007, pages 130-145 of Chapter 6 by Phillip Prowse titled "*How Writers Write: Testimony from Authors*" were used from Cambridge University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). See Am. Comp. ¶ 26, Ex. 1, pg. 1.

119. In the Summer 2009 Semester, no material was used from Chapter 6 by Phillip Prowse titled "*How Writers Write: Testimony from Authors*" from

Cambridge University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). See Ex. A.

120. In the Fall 2009 Semester, no material was used from Chapter 6 by Phillip Prowse titled "*How Writers Write: Testimony from Authors*" from Cambridge University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). See Ex. B.

121. In the Spring 2010 Semester, no material was used from Chapter 6 by Phillip Prowse titled "*How Writers Write: Testimony from Authors*" from Cambridge University Press' work-for-hire collection titled Materials Development in Language Teaching (1998). See Ex. C.

122. In "Comparative Political Analysis" (POLS8200) in Fall 2007, pages 3-43 of Chapter 1 titled "*Explaining Social Revolutions: Alternatives to Existing Theories*" were used from Cambridge University Press' individual work by Theda Skocpol titled States and Social Revolutions: A Comparative Analysis of France, Russia and China (1979). See Am. Comp. ¶ 26, Ex. 1, pg. 1.

123. In the Summer 2009 Semester, no material was used from Chapter 1 titled "*Explaining Social Revolutions: Alternatives to Existing Theories*" from Cambridge University Press' individual work by Theda Skocpol titled States and

Social Revolutions: A Comparative Analysis of France, Russia and China (1979).

See Ex. A.

124. In the Fall 2009 Semester, no material was used from Chapter 1 titled “*Explaining Social Revolutions: Alternatives to Existing Theories*” from Cambridge University Press’ individual work by Theda Skocpol titled States and Social Revolutions: A Comparative Analysis of France, Russia and China (1979).

See Ex. B.

125. In the Spring 2010 Semester, no material was used from Chapter 1 titled “*Explaining Social Revolutions: Alternatives to Existing Theories*” from Cambridge University Press’ individual work by Theda Skocpol titled States and Social Revolutions: A Comparative Analysis of France, Russia and China (1979).

See Ex. C.

126. In “Comparative Political Analysis” (POLS8200) in Fall 2007, pages 47-111 of Chapter 2 titled “*Old-Regime States in Crisis*” were used from Cambridge University Press’ individual work by Theda Skocpol titled States and Social Revolutions: A Comparative Analysis of France, Russia and China (1979).

See Am. Comp. ¶ 26, Ex. 1, pg. 1.

127. In the Summer 2009 Semester, no material was used from Chapter 2 titled “*Old-Regime States in Crisis*” from Cambridge University Press’ individual work by Theda Skocpol titled States and Social Revolutions: A Comparative Analysis of France, Russia and China (1979). *See* Ex. A.

128. In the Fall 2009 Semester, no material was used from Chapter 2 titled “*Old-Regime States in Crisis*” from Cambridge University Press’ individual work by Theda Skocpol titled States and Social Revolutions: A Comparative Analysis of France, Russia and China (1979). *See* Ex. B.

129. In the Spring 2010 Semester, no material was used from Chapter 2 titled “*Old-Regime States in Crisis*” from Cambridge University Press’ individual work by Theda Skocpol titled States and Social Revolutions: A Comparative Analysis of France, Russia and China (1979). *See* Ex. C.

130. In “Applied Linguistics Practicum” (AL8900) in Fall 2007, pages 158-168 of Chapter 9 titled “*Receptivity: the Issues Involved*” were used from Cambridge University Press’ individual work by Richard Allwright & Kathleen Bailey titled Focus on the Language Classroom (1991). *See* Am. Comp. ¶ 26, Ex. 1, pg. 1.

131. In the Summer 2009 Semester, no material was used from Chapter 9 titled “*Receptivity: the Issues Involved*” from Cambridge University Press’ individual work by Richard Allwright & Kathleen Bailey titled Focus on the Language Classroom (1991). See Ex. A.

132. In the Fall 2009 Semester, no material was used from Chapter 9 titled “*Receptivity: the Issues Involved*” from Cambridge University Press’ individual work by Richard Allwright & Kathleen Bailey titled Focus on the Language Classroom (1991). See Ex. B.

133. In the Spring 2010 Semester, no material was used from Chapter 9 titled “*Receptivity: the Issues Involved*” from Cambridge University Press’ individual work by Richard Allwright & Kathleen Bailey titled Focus on the Language Classroom (1991). See Ex. C.

134. In “Applied Linguistics Practicum” (AL8900) in Fall 2007, pages 169-193 of Chapter 10 titled “*Receptivity: Some Relevant Research*” were used from Cambridge University Press’ individual work by Richard Allwright & Kathleen Bailey titled Focus on the Language Classroom (1991). See Am. Comp. ¶ 26, Ex. 1, pg. 1.

135. In the Summer 2009 Semester, no material was used from Chapter 10 titled “*Receptivity: Some Relevant Research*” from Cambridge University Press’ individual work by Richard Allwright & Kathleen Bailey titled Focus on the Language Classroom (1991). See Ex. A.

136. In the Fall 2009 Semester, no material was used from Chapter 10 titled “*Receptivity: Some Relevant Research*” from Cambridge University Press’ individual work by Richard Allwright & Kathleen Bailey titled Focus on the Language Classroom (1991). See Ex. B.

137. In the Spring 2010 Semester, no material was used from Chapter 10 titled “*Receptivity: Some Relevant Research*” from Cambridge University Press’ individual work by Richard Allwright & Kathleen Bailey titled Focus on the Language Classroom (1991). See Ex. C.

138. In Professor Lazurus’s “American Legislative Process” (POLS8170) in Spring 2008, pages 99-126 of Chapter 5 titled “*Theory of Legislative Parties*” were used from Cambridge University Press’ individual work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). See Am. Comp. ¶ 26, Ex. 1, pg. 2.

139. In the Summer 2009 Semester, no material was used from Chapter 5 titled “*Theory of Legislative Parties*” from Cambridge University Press’ individual work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). See Ex. A.

140. In the Fall 2009 Semester, no material was used from Chapter 5 titled “*Theory of Legislative Parties*” from Cambridge University Press’ individual work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). See Ex. B.

141. In the Spring 2010 Semester, no material was used from Chapter 5 titled “*Theory of Legislative Parties*” from Cambridge University Press’ individual work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). See Ex. C.

142. In Professor Lazurus’s “American Legislative Process” (POLS8170) in Spring 2008, pages 153-87 of Chapter 7 titled “*Party Loyalty and Committee Assignments*” were used from Cambridge University Press’ individual work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). See Am. Comp. ¶ 26, Ex. 1, pg. 2.

143. In the Summer 2009 Semester, no material was used from Chapter 7 titled “*Party Loyalty and Committee Assignments*” from Cambridge University Press’ individual work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). *See* Ex. A.

144. In the Fall 2009 Semester, no material was used from Chapter 7 titled “*Party Loyalty and Committee Assignments*” from Cambridge University Press’ individual work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). *See* Ex. B.

145. In the Spring 2010 Semester, no material was used from Chapter 7 titled “*Party Loyalty and Committee Assignments*” from Cambridge University Press’ individual work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). *See* Ex. C.

146. In Professor Lazurus’s “American Legislative Process” (POLS8170) in Spring 2008, pages 188-210 of Chapter 8 titled “*Contingents and Parties*” were used from Cambridge University Press’ individual work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). *See* Am. Comp. ¶ 26, Ex. 1, pg. 2.

147. In the Summer 2009 Semester, no material was used from Chapter 8 titled “*Contingents and Parties*” from Cambridge University Press’ individual

work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). See Ex. A.

148. In the Fall 2009 Semester, no material was used from Chapter 8 titled “*Contingents and Parties*” from Cambridge University Press’ individual work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). See Ex. B.

149. In the Spring 2010 Semester, no material was used from Chapter 8 titled “*Contingents and Parties*” from Cambridge University Press’ individual work by Gary Cox & Mathew McCubbins titled Legislative Leviathan (1993). See Ex. C.

150. In Professor Blumi’s “Survey of World History Since 1500” (HIST1112) in Spring 2007, pages 3-53 of Chapter 1 titled “*Settlement and Subjugation, 1600-1840*” were used from Oxford University Press’ individual work by George M. Fredrickson titled White Supremacy: A Comparative Study in American & South African History (1981). See Am. Comp. ¶ 27, Ex. 1, pg. 2.

151. In the Summer 2009 Semester, no material was used from Chapter 1 titled “*Settlement and Subjugation, 1600-1840*” from Oxford University Press’ individual work by George M. Fredrickson titled White Supremacy: A Comparative Study in American & South African History (1981). See Ex. A.

152. In the Fall 2009 Semester, no material was used from Chapter 1 titled “*Settlement and Subjugation, 1600-1840*” from Oxford University Press’ individual work by George M. Fredrickson titled White Supremacy: A Comparative Study in American & South African History (1981). See Ex. B.

153. In the Spring 2010 Semester, no material was used from Chapter 1 titled “*Settlement and Subjugation, 1600-1840*” from Oxford University Press’ individual work by George M. Fredrickson titled White Supremacy: A Comparative Study in American & South African History (1981). See Ex. C.

154. In Professor Darsey’s “Theories of Public” in Fall 2006, pages 3-14 of Chapter 1 titled “*Defining Psychological Warfare*” were used from Oxford University Press’ individual work by Christopher Simpson titled Science of Coercion: Communication Research & Psychological Warfare 1945-1960 (1994). See Am. Comp. ¶ 27, Ex. 1, pg. 2.

155. In the Summer 2009 Semester, no material was used from Chapter 1 titled “*Defining Psychological Warfare*” from Oxford University Press’ individual work by Christopher Simpson titled Science of Coercion: Communication Research & Psychological Warfare 1945-1960 (1994). See Ex. A.

156. In the Fall 2009 Semester, no material was used from Chapter 1 titled “*Defining Psychological Warfare*” from Oxford University Press’ individual work by Christopher Simpson titled Science of Coercion: Communication Research & Psychological Warfare 1945-1960 (1994). *See* Ex. B.

157. In the Spring 2010 Semester, no material was used from Chapter 1 titled “*Defining Psychological Warfare*” from Oxford University Press’ individual work by Christopher Simpson titled Science of Coercion: Communication Research & Psychological Warfare 1945-1960 (1994). *See* Ex. C.

158. In Professor Darsey’s “Theories of Public” in Fall 2006, pages 15-30 of Chapter 2 titled “*World War and Early Modern Communication Research*” were used from Oxford University Press’ individual work by Christopher Simpson titled Science of Coercion: Communication Research & Psychological Warfare 1945-1960 (1994). *See* Am. Comp. ¶ 27, Ex. 1, pg. 2.

159. In the Summer 2009 Semester, no material was used from Chapter Chapter 2 titled “*World War and Early Modern Communication Research*” from Oxford University Press’ individual work by Christopher Simpson titled Science of Coercion: Communication Research & Psychological Warfare 1945-1960 (1994). *See* Ex. A.

160. In the Fall 2009 Semester, no material was used from Chapter 2 titled “*World War and Early Modern Communication Research*” from Oxford University Press’ individual work by Christopher Simpson titled Science of Coercion: Communication Research & Psychological Warfare 1945-1960 (1994). See Ex. B.

161. In the Spring 2010 Semester, no material was used from Chapter 2 titled “*World War and Early Modern Communication Research*” from Oxford University Press’ individual work by Christopher Simpson titled Science of Coercion: Communication Research & Psychological Warfare 1945-1960 (1994). See Ex. C.

162. In Professor Dixon’s “African-American Male/Female Relationships” (AAS4030) in Fall 2007, pages 149-191 of Chapter 4 titled “*The Slave Family*” were used from Oxford University Press’ individual work by John W. Blassingame titled The Slave Community: Plantation Life in the Antebellum South (1979). See Am. Comp. ¶ 27, Ex. 1, pg. 2-3.

163. In Professor Dixon’s “African-American Male/Female Relationships” (AAS4030) in Spring 2008, pages 149-191 of Chapter 4 titled “*The Slave Family*” were used from Oxford University Press’ individual work by John W. Blassingame

titled The Slave Community: Plantation Life in the Antebellum South (1979). *See* Am. Comp. ¶ 27, Ex. 1, pg. 2-3.

164. In Professor Dixon's "African-American Family" (AAS3000) in Spring 2008, pages 149-191 of Chapter 4 titled "*The Slave Family*" were used from Oxford University Press' individual work by John W. Blassingame titled The Slave Community: Plantation Life in the Antebellum South (1979). *See* Am. Comp. ¶ 27, Ex. 1, pg. 2-3.

165. In the Summer 2009 Semester, no material was used from Chapter 4 titled "*The Slave Family*" from Oxford University Press' individual work by John W. Blassingame titled The Slave Community: Plantation Life in the Antebellum South (1979). *See* Ex. A.

166. In the Fall 2009 Semester, no material was used from Chapter 4 titled "*The Slave Family*" from Oxford University Press' individual work by John W. Blassingame titled The Slave Community: Plantation Life in the Antebellum South (1979). *See* Ex. B.

167. In the Spring 2010 Semester, no material was used from Chapter 4 titled "*The Slave Family*" from Oxford University Press' individual work by John

W. Blassingame titled The Slave Community: Plantation Life in the Antebellum South (1979). *See* Ex. C.

168. In Professor Dixon's "African-American Male/Female Relationships" (AAS4030) in Spring 2008, pages 249-283 of Chapter 7 titled "*Plantation Realities*" were used from Oxford University Press' individual work by John W. Blassingame titled The Slave Community: Plantation Life in the Antebellum South (1979). *See* Am. Comp. ¶ 27, Ex. 1, pg. 2-3.

169. In Professor Dixon's "African-American Family" (AAS3000) in Spring 2008, pages 249-283 of Chapter 7 titled "*Plantation Realities*" were used from Oxford University Press' individual work by John W. Blassingame titled The Slave Community: Plantation Life in the Antebellum South (1979). *See* Am. Comp. ¶ 27, Ex. 1, pg. 2-3.

170. In the Summer 2009 Semester, no material was used from Chapter 7 titled "*Plantation Realities*" from Oxford University Press' individual work by John W. Blassingame titled The Slave Community: Plantation Life in the Antebellum South (1979). *See* Ex. A.

171. In the Fall 2009 Semester, Professor Dixon's "African-American Family" (AAS3000) used pages 249-283 of Chapter 7 titled "*Plantation Realities*"

from Oxford University Press' individual work by John W. Blassingame titled The Slave Community: Plantation Life in the Antebellum South (1979). *See* Ex. B at 204.

172. In the Spring 2010 Semester, Professor Dixon's "African-American Family" (AAS3000) used pages 249-283 of Chapter 7 titled "*Plantation Realities*" from Oxford University Press' individual work by John W. Blassingame titled The Slave Community: Plantation Life in the Antebellum South (1979). *See* Ex. C at 210.

173. In "The Psychology of Young Children" (EPY7090) in Fall 2007, pages 181-219 of Chapter 6 titled "*Learning in Classrooms*" were used from Oxford University Press' individual work by Laura E. Berk titled Awakening Children's Minds (2001). *See* Am. Comp. ¶ 27, Ex. 1, pg. 2.

174. In the Summer 2009 Semester, Professor Kruger's "Learning and the Learner" (EPY7090) used pages 181-219 of Chapter 6 titled "*Learning in Classrooms*" from Oxford University Press' individual work by Laura E. Berk titled Awakening Children's Minds (2001). *See* Ex. A at 16.

175. In the Fall 2009 Semester, Professor Kruger's "Learning and the Learner" (EPY7090) used pages 181-219 of Chapter 6 titled "*Learning in*

Classrooms” from Oxford University Press’ individual work by Laura E. Berk titled Awakening Children’s Minds (2001). *See* Ex. B at 30.

176. In the Spring 2010 Semester, no material was used from Chapter 6 titled “*Learning in Classrooms*” from Oxford University Press’ individual work by Laura E. Berk titled Awakening Children’s Minds (2001). *See* Ex. C.

177. On February 17, 2009, the Board of Regents for the University System of Georgia adopted a new copyright policy. *See* D.E. 58; New Copyright Policy, attached as Ex. E.

178. There is no evidence that Defendants made copies of the asserted copyrighted works.

179. There is no evidence that Defendants distributed the asserted copyrighted works.

180. There is no evidence that Defendants improperly used the asserted copyrighted works.

181. There is no evidence of what asserted copyrighted works Defendants allegedly copied.

182. There is no evidence of what asserted copyrighted works Defendants allegedly distributed.

183. There is no evidence of what asserted copyrighted works Defendants allegedly improperly used.

184. There is no evidence of where the Defendants made any alleged infringing copies.

185. There is no evidence of where the Defendants distributed any alleged infringing copies.

186. There is no evidence of where the Defendants improperly used any alleged infringing copies.

187. There is no evidence of how the Defendants made any alleged infringing copies.

188. There is no evidence of how the Defendants distributed any alleged infringing copies.

189. There is no evidence of how the Defendants improperly used any alleged infringing copies.

190. There is no evidence of when the Defendants made any alleged infringing copies.

191. There is no evidence of when the Defendants distributed any alleged infringing copies.

192. There is no evidence of when the Defendants improperly used any alleged infringing copies.

193. Any alleged improper reproduction of the copyrighted works was done by instructors. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 10, Nos. 28-29; Defs.' Objs. And Resps. To Pls. First Set of Reqs. For Admission, at Nos. 5, 24, 41, and 49, attached as Ex. F.

194. Any alleged improper reproduction of the copyrighted works was done by professors. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 10, Nos. 28-29; Ex. F at Nos. 5, 24, 41, and 49.

195. Any alleged improper reproduction of the copyrighted works was done by students. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 11-12, Nos. 31-32, 38.

196. Any alleged improper reproduction of the copyrighted works was done by library employees. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 10, Nos. 28-29; Ex. F at Nos. 5, 24, 41, and 49..

197. Any alleged improper distribution of the copyrighted works was done by instructors. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 10, Nos. 28-29; Ex. F at Nos. 5, 24, 41, and 49.

198. Any alleged improper distribution of the copyrighted works was done by professors. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 10, Nos. 28-29; Ex. F at Nos. 5, 24, 41, and 49.

199. Any alleged improper distribution of the copyrighted works was done by students. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 11-12, Nos. 31-32, 38.

200. Any alleged improper distribution of the copyrighted works was done by library employees. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 10, Nos. 28-29; Ex. F at Nos. 5, 24, 41, and 49.

201. Any alleged improper use of the copyrighted works was made by instructors. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 10, Nos. 28-29; Ex. F at Nos. 5, 24, 41, and 49.

202. Any alleged improper use of the copyrighted works was made by professors. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 10, Nos. 28-29; Ex. F at Nos. 5, 24, 41, and 49.

203. Any alleged improper use of the copyrighted works was made by students. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 11-12, Nos. 31-32, 38.

204. Any alleged improper use of the copyrighted works was made by library employees. *See* D.E. 118, Jt. Notice of Filing Stip., Ex. A at 10, Nos. 28-29; Ex. F at Nos. 5, 24, 41, and 49.

205. There is no evidence that Defendants have induced, caused, or materially contributed to the direct infringement of Plaintiffs' asserted copyrights.

206. Defendants have discouraged copyright infringement by users of the ERes and uLearn systems. *See* Burtle Dep. at 39:15-42:8, attached as Ex. H.

207. Defendants have created and adopted a comprehensive copyright policy, educated faculty regarding that policy, and established support systems whereby ERes and uLearn systems users can find and seek guidance regarding copyright and fair use. *See, e.g.*, Ex. C at 1-19; *id.* at 1; Ex. I at 39:15-42:8; D.E. 104-2 at 51.

208. There is no evidence that Defendants have profited from any alleged improper use of the copyrighted works.

209. Defendants do not charge for use of the ERes or uLearn systems. *See* Palmour Dep. 139:1-5, attached as Ex. G; D.E. 104-2, Crews Report, at 58.

210. Defendants have no budget dedicated to paying permission fees for materials on electronic systems. *See* Seamans Dep. at 49:1-20, attached as Ex. H; Ex. I at 62:14-63:2; Ex. G at 156:21-25.

211. Defendants do not have a system to recoup any costs for buying permissions for students. *See* Ex. G at 156:21-25; Ex. H at 49:1-20; Ex. I at 62:14-63:2.

212. Faculty members are likely to decline to use certain copyrighted works if there was an obligation to pay a permission fee. *See* Ex. H at 134:6-25.

213. There is no evidence that students are drawn to GSU because of the availability of the copyrighted works on the ERes and uLearn systems.

214. There is no evidence that students are retained at GSU because of the availability of the copyrighted works on the ERes and uLearn systems.

215. The library staff to review and, when necessary, reject professors' submissions to the electronic reserves systems. *See* Ex. E at 1; Ex. I. at 39:15-42:8; D.E. 104-2 at 54.

216. Defendants have created a comprehensive copyright policy, have educated faculty regarding that policy, and have established support systems

whereby users can seek legal counsel. *See, e.g.*, Ex. E at 1-19; *id.* at 1; Ex. I at 39:15-42:8; D.E. 104-2 at 51.

217. Library staff are empowered to examine requests that appear to be beyond fair use, and since the New Copyright Policy was adopted, library staff have rejected at least one request to copy material. *See* Ex. E at 1; Ex. I at 39:15-42:8; D.E. 104-2 at 54.

Respectfully submitted this 26th day of February, 2010.

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Attorneys for Defendants

CERTIFICATE OF COMPLIANCE

I hereby certify, pursuant to L.R. 5.1B and 7.1D of the Northern District of Georgia, that the foregoing DEFENDANTS' LOCAL RULE STATEMENT OF MATERIAL FACTS TO WHICH THERE IS NO GENUINE ISSUE IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT complies with the font and point selections approved by the Court in L.R. 5.1B. The foregoing pleading was prepared on a computer using 14-point Times New Roman font.

/s/ Katrina M. Quicker _____
Katrina M. Quicker
(Ga. Bar No. 590859)

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

CAMBRIDGE UNIVERSITY
PRESS, *et al.*,

Plaintiffs,

v.

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

Defendants.

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Case No. 1:08-CV-1425-ODE

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this 26th day of February, 2010, I have electronically filed the foregoing DEFENDANTS' LOCAL RULE STATEMENT OF MATERIAL FACTS TO WHICH THERE IS NO GENUINE ISSUE IN SUPPORT OF THEIR MOTION FOR SUMMARY JUDGMENT with the Clerk of the Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the following attorneys of record:

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