

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

NOV 05 2010

James N. Hatten, Clerk
By: *AmCawer* Deputy Clerk

CAMBRIDGE UNIVERSITY PRESS;
OXFORD UNIVERSITY PRESS, INC.;
SAGE PUBLICATIONS, INC.

Plaintiffs,

v.

CIVIL ACTION NO.
1:08-CV-1425-ODE

MARK P. BECKER, in his official capacity as President of Georgia State University; RISA PALM, in her official capacity as Senior Vice President for Academic Affairs and Provost of Georgia State University; J.L. ALBERT, in his official capacity as Georgia State University Associate Provost for Information Systems and Technology; NANCY SEAMANS, in her official capacity as Dean of Libraries at Georgia State University; ROBERT F. HATCHER, in his official capacity as Vice Chair of the Board of Regents of the University System of Georgia; KENNETH R. BERNARD, JR., JAMES A BISHOP, FREDERICK E. COOPER, LARRY R. ELLIS, FELTON JENKINS, W. MANSFIELD JENNINGS, JR., JAMES R. JOLLY, DONALD M. LEEBERN, JR., WILLIAM NESMITH, JR., DOREEN STILES POITEVINT, WILLIS J. POTTS, JR., WANDA YANCEY RODWELL, KESSEL STELLING, JR., BENJAMIN J. TARBUTTON, III, RICHARD L. TUCKER, ALLAN VIGIL, and LARRY WALKER, in their official capacities as members of the Board of Regents of the University System of Georgia

Defendants.

SCHEDULING ORDER

In accordance with the scheduling conference held on Friday, November 5, 2010 at 2:00 P.M., the Court orders that the parties shall proceed according to the following schedule:

(a) Document Discovery:

By November 5, 2010, Defendants shall produce updated ERes reports for the 2009 Maymester, Summer 2009 term, and Fall 2009 term.

By November 30, 2010, Defendants shall produce the following:

- Available syllabi for each course identified in Plaintiffs' August 20, 2010 submission to the Court;
- Available fair-use checklists for each work identified in Plaintiffs' August 20, 2010 submission to the Court;
- Existing licenses (if any) for each work identified in Plaintiffs' August 20, 2010 submission to the Court; and
- Such additional discovery, if any, as may be ordered by the Court in response to Plaintiff's Motion for Reconsideration.

By November 30, 2010, Plaintiffs shall produce the following:

- Supplemental responses to Defendants' document requests and interrogatories relating to Plaintiffs' ownership and/or licensing of the subject works;
- Supplemental responses to Defendants' document requests and interrogatories relating to copyright registrations for the subject works;
- Supplemental responses to document requests and interrogatories relating to the effect on the market of Defendants' use of each of the subject works.

(b) Depositions

Depositions of up to five Georgia State University witnesses shall be completed within 45 days of the November 30, 2010 deadline for document production.

(c) Joint Filing

Counsel shall confer and jointly prepare an accurate and complete list of all alleged infringements from the 2009 Maymester, Summer 2009 term, and Fall 2009 term. The list shall include all information requested by this Court in its August 11, 2010 and August 12, 2010 orders, as well as the percentages of pages copied and distributed from each allegedly infringed work. If the parties cannot agree to certain aspects of the information provided, the specific disagreements shall be noted. Such list shall be filed with this Court within 45 days of the completion of the depositions described in item (b).

(d) Pre-Trial Order

Within 30 days of jointly filing an accurate and complete list of all alleged infringements as described in item (c), the parties shall file a Pre-Trial Order with this Court.

SO ORDERED, this 5 day of November, 2010.


ORINDA D. EVANS
UNITED STATES DISTRICT JUDGE