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

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

CIVIL ACTION FILE

Plaintiffs,

NO. 1:08-CV-1425-ODE

vs.

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

Defendants.

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VIDEOTAPE DEPOSITION OF

ANN CALE KRUGER, Ph.D.

April 22, 2011

2:56 p.m.

Conference Room 16-K  
1180 Peachtree Street, N.E.  
Atlanta, Georgia

S. Julie Friedman, CCR-B-1476

1 Q. The date on this particular checklist,  
2 Kruger TX-2, is fall 2009. Do you see that?

3 A. I do.

4 Q. Did you complete a version of this  
5 checklist in the fall of 2009?

6 A. I did.

7 Q. With respect to the specific copy, Kruger  
8 TX-2, dated fall 2009, is this a copy of your  
9 original checklist?

10 A. No.

11 Q. Can you explain. Is this a -- Is it a  
12 re-creation of your original checklist?

13 A. It is.

14 Q. And why did you re-create your original  
15 checklist?

16 A. Excuse me. I could not locate my printed  
17 copy.

18 Q. Did you believe you kept a printed copy of  
19 the checklist?

20 A. I did.

21 Q. What -- What is the basis for your  
22 belief?

23 A. It's my practice to complete the checklist  
24 on my computer. However, the version of Adobe that I  
25 have doesn't allow me to save it as a completed form.

1 MS. MOFFITT: Same objection.

2 THE WITNESS: On Page 6 of the syllabus,  
3 it indicates, "All required readings are  
4 available online through GSU eReserves."

5 Q. (By Mr. Bloom) Okay. Let me just go back  
6 and ask you the same question with respect to Kruger  
7 TX-1, which is the fall of 2008 syllabus.

8 MS. MOFFITT: Same objection.

9 THE WITNESS: Page 6 of that syllabus  
10 indicates that all the readings were available  
11 through Ereserves.

12 Q. (By Mr. Bloom) Okay. Now, Dr. Kruger,  
13 you testified that the fair use checklists that we --  
14 that Miss Moffitt asked you about were re-created --

15 A. Uh-huh.

16 Q. -- is that correct?

17 A. That's right.

18 Q. Because you couldn't locate the checklists  
19 that you completed in 2009, correct?

20 A. Right.

21 Q. Okay. Are you certain sitting here today  
22 that the re-created checklists are identical to the  
23 original checklists that you completed and could not  
24 locate?

25 A. I can't confirm that they are identical.