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IN THE 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. )

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Videotaped deposition of CHARLES HANKLA, taken on behalf of the plaintiffs, pursuant to the stipulations contained herein, before Teresa Bishop, RPR, RMR, CCR No. B-307, at 1180 Peachtree Street, 16th Floor, Atlanta, Georgia, on Wednesday, April 20, 2011, commencing at the hour of 1:09 p.m.

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13 Corporate Square  
Atlanta, Georgia 30329  
(770) 955-5252

1 it was listed under the editors. That often happens.

2 Q. Okay. So this one was made available on  
3 EReserves?

4 A. It would appear so from this.

5 Q. If you could, please, describe the procedure  
6 by which -- that you went through following the adoption  
7 of the new policy on copyright at Georgia State with  
8 respect to requesting materials to be posted on  
9 EReserve?

10 A. Well, when I went to request the postings on  
11 the online system, I logged in and I looked at the fair  
12 use checklist and read it carefully and determined  
13 mentally that the readings abided by fair use, that the  
14 majority of checks were in the left hand column, thereby  
15 indicating that they were -- that the readings were fair  
16 use. And then I entered all of the information and  
17 clicked send.

18 Q. You said that you determined mentally that the  
19 reading abided by fair use?

20 A. That's correct.

21 Q. What does that -- what do you mean when you  
22 say you determined mentally?

23 A. Well, I neglected to actually print out the  
24 list and store it. I filled it out sort of in my head  
25 by looking at it.

1 Q. So you did not --

2 A. Prior to the submissions.

3 Q. So you did not actually complete a fair use  
4 checklist for each of the works that are identified in  
5 your syllabus for political science 3450?

6 MS. MOFFITT: Object to the form of the  
7 question. The question is vague.

8 You can answer.

9 THE WITNESS: I did not complete a  
10 physical fair use checklist. But I did  
11 take the process seriously and fill it out  
12 in my mind before -- to verify that the  
13 readings were fair use.

14 And because the checks were  
15 overwhelmingly in the left hand column, it  
16 seemed a rather straight forward  
17 determination in my judgment.

18 BY MR. KRUGMAN:

19 Q. Am I correct that the fair use determination  
20 that you made prior to requesting the library to post  
21 materials on Georgia State's EReserve system were based  
22 on the fair use checklists?

23 A. Yes.

24 Q. Other than the fair use checklist, were there  
25 any other considerations that went into your decision to