

EXHIBIT A

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 JENNIFER ESPOSITO,
PH.D., taken on behalf of the plaintiffs, pursuant to
the stipulations contained herein, before Teresa Bishop,
RPR, RMR, CCR No. B-307, at 104 Marietta Street, SB-2
Conference Room, Atlanta, Georgia, on Thursday, February
3, 2011, commencing at the hour of 9:09 a.m.

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1 when they're looking at them on their laptops, if
2 they're accessing them live from the system or do they
3 just make a copy to their hard drive and save them?

4 A. I have no idea.

5 Q. Have you seen students bring printed copies of
6 the EReserves materials to class?

7 A. Sometimes.

8 Q. How frequent an occurrence has that been?

9 A. I'm not sure.

10 Q. But it happens?

11 A. Yes.

12 Q. If you could turn to the -- I guess four pages
13 in where the assignments start. There's a chart.

14 A. Yes.

15 Q. If you look down to the June 11th entry, the
16 last three entries Hammersley, Tedlock and Gordon. Are
17 those all on -- works that were placed on EReserves?

18 A. The way that -- way that I do the EReserves is
19 that I -- at the beginning of the course I fill out the
20 paperwork required, which includes the citation
21 information, the checklist. And then if the library
22 doesn't own the book or if it's checked out, then the
23 instructor has to actually physically bring his or her
24 copy to the library. So if at the time the library
25 didn't own the book or have a copy physically, I just

1 deleted it from the readings. And so -- you know, and I
2 would tell students just cross this out.

3 So I am not 100 percent positive that students
4 read all three of those readings for the 11th.

5 Q. Let me make sure I understand. So it's --
6 syllabus was created at the beginning of the semester, I
7 take it?

8 A. For a summer syllabi I create them a month to
9 two months in advance, send them out to students that
10 are registered so they can start purchasing the books.
11 You can see there's five textbooks that they have to buy
12 and that's a heavy reading load for the summer. So I
13 always do the syllabi in advance.

14 Q. Okay. So -- and then after doing the syllabi
15 you would have, if I understand what you're saying,
16 contacted the library with respect to let's just say
17 these three works here in the June 11th entry and to
18 start, attempted to put them on EReserves, is that
19 right?

20 A. That's right.

21 Q. And one possible response from the library
22 would be that their copy of the work was signed out or
23 they just don't have a copy of the work, is that --

24 A. That's correct.

25 Q. And at that point I think what you said was

1 rather than providing a copy you would have just scraped
2 the work?

3 A. Yes.

4 Q. Okay. And then how would the class -- what
5 would have happened in class then if there was a work
6 indicated on the syllabus that was no longer available?

7 A. I would either have e-mailed them to let them
8 know to disregard that reading or announced it in class.

9 Q. And sitting here now you can't recall if these
10 three works in the June 11th entry, whether that
11 happened for any of those three?

12 A. I believe it happened with Tedlock. But I'm
13 not sure.

14 Q. If you got to the point of filling out a fair
15 use checklist -- strike that.

16 The decision or the indication from the
17 library that they didn't have a copy and your decision
18 to scrap the work, would that have happened before or
19 after filling out the fair use checklist?

20 A. After.

21 Q. So it's possible you filled out a checklist
22 but then subsequently did not use the work, is that
23 right?

24 A. That's right.

25 Q. And it's your testimony that the Tedlock was

1 one situation where that did happen or you think maybe
2 that's what happened with that one?

3 A. I think maybe it did.

4 Q. You're not sure?

5 A. I'm not sure.

6 Q. Any on here in either of the three pages of
7 assignments where you are sure that you didn't use the
8 work?

9 A. No.

10 Q. Anywhere you are sure that you did?

11 A. Not 100 percent sure.

12 Q. Do you know for -- going back to the June 11th
13 entry for the Gordon Tuula entry, do you have a
14 recollection as to whether you did or did not end up
15 using that work?

16 A. I am not sure. I can't answer with 100
17 percent certainty.

18 Q. And why is it that in the situation you
19 described that you wouldn't simply provide a copy to the
20 library yourself?

21 A. Plain and simple, I don't like to walk to the
22 library from my office building. I wear heels all the
23 time and it's an uncomfortable walk.

24 Q. In the 6/16 entry there's an entry for Pillow
25 and Mayo. Same question there. Do you have an