

EXHIBIT B

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 N. LEE ORR, 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 Friday, February
4, 2011, commencing at the hour of 12:66 p.m.

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1 Q. You checked personal study or determined that
2 personal study applied.

3 Tell me what your thinking was there?

4 A. Yes, that each one of them has to study it on
5 their own outside of class.

6 Q. And you checked use or determined that use is
7 necessary to achieve your intended educational purpose
8 applied.

9 Tell me why you determined or thought that
10 that applied?

11 A. Because in class we don't have enough time to
12 go into that detail of understanding the sonata, so we
13 talk about the important things and then they can read
14 that further in their reading.

15 Q. And so you viewed the reading as necessary to
16 achieve your --

17 A. Yes.

18 Q. Your purpose?

19 A. Yes.

20 Q. Would you have assigned a reading that was not
21 necessary to achieve your educational purpose?

22 A. At times as the semester goes on and we run
23 out of time, I take things off required reading. Most
24 of them are necessary. Any ones I pick are necessary.
25 They just may not have to read them all.

1 Q. Because of time concerns?

2 A. Uh-huh.

3 Q. The six factors here, six sub factors that you
4 just identified as applying to this particular excerpt,
5 is it the case that when you've gone through this
6 exercise of looking at the checklist with respect to
7 your other works that you've used, that you've
8 determined that those same six apply in all those other
9 instances as well?

10 A. Yes, the ones I pick.

11 Q. And in the weighs against fair use column with
12 respect to this list, excerpt we're looking at, when you
13 filled out the checklist or when you looked at the
14 checklist at the time you wanted to use that work, did
15 you determine that any of the factors on that side, the
16 right hand side applied?

17 A. Yes, the nontransformative.

18 Q. Any others?

19 A. No.

20 Q. And in looking at the checklist in relation to
21 any of the other works that you've used on EReserves, do
22 you recall for any of those other works ever determining
23 that any of these other factors in the weighs against
24 fair use column applied to the other works?

25 A. No.