

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.)

- - -

Videotaped deposition of CARRIE PACKWOOD
FREEMAN, 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 Thursday, April 21, 2011,
commencing at the hour of 3:28 p.m.

Shugart & Bishop
Certified Court Reporters
Suite 140
13 Corporate Square
Atlanta, Georgia 30329
(770) 955-5252

1 relate to photography and so I think it would have been
2 in the week where we talked about like -- maybe week 7
3 or 8 where we're talking about privacy and
4 confidentiality. That's where I think it would have
5 fallen as a supplemental reading.

6 Q. And what do you mean by supplemental?

7 A. Meaning in addition to the chapters that they
8 have to read. Again, even though they're not tested on
9 any of the chapters, really, but it's something I
10 provide to them as extra context.

11 Q. And so when did you complete this checklist
12 that we see here in Exhibit 3?

13 A. Well, the date on this is November 17th, 2010.

14 Q. Okay. That's when you completed it?

15 A. This paper copy, yes.

16 Q. And during the -- at the time that you
17 submitted your request to the library to have these
18 excerpts placed on the EReserve system, did you complete
19 a checklist?

20 A. Yeah, but not on paper. It's -- it comes up
21 electronically as part of the process the professor goes
22 through. You know, it asks you, have you thought about
23 the checklist, is this fair use before you continue and
24 give them the details.

25 Like I told you, I tend not to print things

1 out that often.

2 Q. So when you say it comes up electronically,
3 was it something that actually looks like this that came
4 up electronically?

5 A. I don't know that it has all these details on
6 it, but you can access that. I think you have to do an
7 additional click.

8 What I think is on there is more where you
9 have to check yes I have reviewed the checklist and yes
10 I deem that this is fair use. But I don't think it
11 comes up looking like this with these boxes and all that
12 on the first page. You've probably gone in the system
13 and seen that.

14 Q. Yeah. Let me give you what's been marked
15 previously as Plaintiff's Exhibit 37. And let me ask,
16 is this what you're talking about, the screens that
17 you --

18 A. Yeah.

19 Q. And I direct your attention specifically to --
20 I guess it's about the ninth page of the exhibit
21 headlined electronic reserves request form, electronic
22 book.

23 A. What page are you on?

24 Q. Three from the back.

25 MS. QUICKER: Is that 3185 Bates range,

1 is that what we're talking about?

2 MR. LARSON: I think it's 31385
3 although it's a little cut off so -- yes,
4 yeah, because the next one is 31386.

5 THE WITNESS: It's after electronic
6 article and before electronic notes?

7 BY MR. LARSON:

8 Q. That's correct. Yeah. Is this --
9 You'll see there, it's a little hard to read,
10 but in the middle section there's a sort of check box
11 that says it falls under fair use according to the fair
12 use checklist I completed?

13 A. Yeah, I think they've changed -- yes, I think
14 they've changed the format where now it comes up before
15 you get to this page, because I'm kind of remembering
16 what it does recently.

17 But yes, this is generally the format. But I
18 think the fair use checklist now comes at an earlier
19 stage. But yeah.

20 Q. So at the time when you submitted your request
21 back in 2009 for the Bugeja excerpt, did you actually
22 click or view the checklist itself?

23 A. I don't remember if I did that for this
24 particular book. It's possible, and I don't remember, I
25 might -- I had another class at the time, a media theory

1 class, it's possible that I had something else that I
2 was also putting on EReserve and you might look at the
3 checklist once to refresh your memory and then think
4 about the multiple things you're working with and making
5 sure they're in compliance before you move forward, so I
6 don't recall.

7 Q. Okay. And so I take it then you don't recall
8 at the time at least going through each specific
9 subfactor that we see on Exhibit 3 to determine whether
10 or not it applied to the Bugeja excerpt?

11 MS. QUICKER: Objection. Asked and
12 answered.

13 THE WITNESS: I don't recall clicking on
14 that link and looking at that in context of
15 this particular book.

16 BY MR. LARSON:

17 Q. Okay.

18 A. But I may have done that. But I just don't
19 remember because it's been a couple years.

20 Q. Understood. And so on November 17th, the date
21 on Exhibit 3, when you completed the checklist or worked
22 through it, what were you doing then when you did it?

23 A. I think I had received an e-mail from our
24 legal department that was asking about this probably in
25 context of this case, and so wanting us to kind of go

1 back and have a paper record of things.

2 So that's why I did it in November 17th, 2010.

3 Normally you would never obviously go back.

4 Q. And so in what we see in Exhibit 3 then is
5 your analysis of the checklist that you did on November
6 17th?

7 A. Yes, right.

8 Q. And just to be clear, it's not you attempting
9 to remember what you specifically did back in 2009 when
10 you used the work, correct?

11 A. I probably have similar evaluation skills, so
12 it's probably similar. But it also, it's me looking at
13 it in November 17th, 2010 according to the checklist and
14 saying, okay, these were the pages I used, you know, do
15 I think they're in compliance and in what way, what's my
16 rationale for that. So --

17 Q. What's your rationale on November 17th, 2010?

18 A. Yes. And I hope it would be similar to my
19 thinking back a year prior.

20 Q. But you're not sure?

21 A. Yeah, I don't know.

22 Q. Is this the only checklist that you filled out
23 in last November?

24 A. I can't remember if they gave me another one.

25 Q. And when you -- in your current use of the