

# EXHIBIT C

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 JOHN M. MURPHY, 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 Friday, April 22, 2011, commencing at the hour of 10:03 a.m.

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Certified Court Reporters  
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13 Corporate Square  
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(770) 955-5252

1 as to why there are hits reflected on this document?

2 MS. QUICKER: Objection. Foundation.

3 THE WITNESS: I really have no idea  
4 about the definition of a hit in this case.  
5 For example, I might have accessed -- I  
6 could have -- one of the hits could be  
7 mine. I don't know.

8 BY MR. BLOOM:

9 Q. Do you have a recollection of personally  
10 accessing those materials on ERes during this semester?

11 A. I remember thinking, oh, this is a pretty cool  
12 accessibility, and I very likely accessed a couple just  
13 to see what it was like and see what they would look  
14 like.

15 Q. And prior to placing these materials on ERes,  
16 did you fill out the fair use checklist for each  
17 reading?

18 A. When you said fill out, I'm not sure. I don't  
19 remember.

20 Q. I'll get to that in a moment. Let me just  
21 direct your attention briefly to the second page of the  
22 syllabus.

23 A. Uh-huh.

24 Q. Specifically to items 3 and 4 under the  
25 required text.

1 A. I don't remember if they asked me that.

2 Q. Okay. Did you prior to your placing this  
3 reading on EReserves in 2009, did you refer to the fair  
4 use checklist?

5 A. Yes.

6 Q. Did you fill in the boxes in the fair use  
7 checklist at that time? In other words, let me --

8 A. I don't remember specifically what the  
9 procedure was in 2009.

10 Q. So you don't remember physically completing a  
11 checklist in 2009, is that right?

12 A. I don't remember that.

13 Q. Okay. Is it possible that you did?

14 A. Is it possible, yes.

15 Q. Do you recall analyzing this reading in  
16 accordance with the criteria that are listed on the  
17 checklist back in 2009?

18 A. I recall examining the checklist.

19 Q. Okay. And when you completed this document  
20 six weeks or a month ago, what were you attempting to  
21 do?

22 A. I was attempting to complete it as I would  
23 have completed it in 2009.

24 Q. Okay. And in doing so, did you have any  
25 specific recollection of what you did back in 2009?