

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 YOUJIN KIM, 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 9:16 a.m.

---

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

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X

Examinations Page

EXAMINATION BY MR. LARSON	6
EXAMINATION BY MR. ASKEW	88
FURTHER EXAMINATION BY MR. LARSON	92

E X H I B I T S

No. Description Page

1	CV and bio from the GSU web site	11
2	printout from the GoSolar section for fall 2009 semester	29
3	syllabus for AL 8550 from the fall 2009 semester	31
4	cover sheet and table of contents from "Assessing Languages For Specific Purposes" by Dan Douglas	39
5	cover page and table of contents from "Assessing Grammar" by James Purpura	41

1	6	cover page and the table of contents	43
2		from "Learning Vocabulary In	
3		Another Language" by I.S.P. Nation	
4	7	cover page and table of contents	44
5		from "Assessing Reading" by J.	
6		Charles Alderson	
7	8	cover page and table of contents	45
8		form "Assessing Listening" by	
9		Gary Buck	
10	9	cover page and table of contents	42
11		from "Assessing Vocabulary" by	
12		John Read	
13	10	cover page and table of contents	46
14		from "Assessing Speaking" by Sari	
15		Luoma	
16	11	cover page and table of contents	47
17		from "Assessing Writing" by Weigle	
18	12	cover page and table of contents	49
19		from "Criterion Referenced Language	
20		Testing" by Brown and Hudson	
21	13	cover page and table of contents	38
22		from "Language Testing And Practice"	
23		by Bachman and Palmer	
24			
25			

1	14	cover page and table of contents	41
2		from "Fundamental Considerations In	
3		Language Testing" by Bachman	
4	15	checklist for "Criterion Referenced	62
5		Language Testing"	
6	16	checklist for "Assessing Grammar"	62
7			
8		Plaintiff's Exhibits	
9	17	presentation on copyright policy	24
10			
11		Dixon Exhibits	
12	2	GSU copyright policy	14
13			
14			
15			
16			
17			
18			
19		- - -	
20			
21			
22			
23			
24			
25			

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES OF COUNSEL:

FOR THE PLAINTIFFS:

TODD D. LARSON  
ATTORNEY AT LAW  
WEIL GOTSHAL & MANGES  
767 FIFTH AVENUE  
NEW YORK, NY 10153-0119  
212.310.8238  
TODD.LARSON@WEIL.COM

FOR THE DEFENDANTS:

ANTHONY B. ASKEW  
KATIE BATES  
ATTORNEYS AT LAW  
KING & SPALDING  
1180 PEACHTREE STREET, N.E.  
ATLANTA, GA 30309-3521  
404.572.2530  
taskew@kslaw.com

ALSO PRESENT:

KENNITH DRAKE, VIDEOGRAPHER

- - -

(Disclosure was made pursuant to O.C.G.A. Annotated 9-11-28  
(c) and (d) and 15-14-37 (a), (b) and (c).)

- - -

1 THE VIDEOGRAPHER: This will be the  
2 videotaped deposition of Youjin Kim taken  
3 by the plaintiffs in the matter of  
4 Cambridge University Press, Oxford  
5 University Press Incorporated and Sage  
6 Publications Incorporated versus Mark P.  
7 Becker in his official capacity as Georgia  
8 State University president et al.

9 The date is February the 4th, 2011.  
10 We're on the record at 9:15.

11 YOUJIN KIM,  
12 having been first duly sworn, was examined and testified as  
13 follows:

14 EXAMINATION

15 BY MR. LARSON:

16 Q. Professor Kim, my name is Todd Larson. I'm  
17 here representing the plaintiffs in this action.

18 Could you just spell your name for the record?

19 A. Y-o-u-j-i-n. That's my first name and last  
20 name is Kim, K-i-m.

21 Q. And could you just tell us your address,  
22 please?

23 A. 1514 Sheridan Road NE, apartment 2300,  
24 Atlanta, Georgia.

25 Q. Have you been deposed before?

1           A.    This is my first experience.

2           Q.    Let me just tell you a bit.  I'm sure your  
3           counsel has filled you in on how this will work, but a  
4           few more points if I could.

5                    Please be sure to answer the questions  
6           verbally as opposed to with nods because the transcript  
7           won't pick up the nods.

8           A.    Yes.

9           Q.    Just let me finish my questions before you  
10           answer and I'll try to do the same for you.  Not to cut  
11           you off.

12                    If I ask a question that you don't understand,  
13           please ask for clarification.  I'm happy to restate or  
14           try it again.  If you need to take a break, that's fine,  
15           just let me know.  Because we're using videotape, I  
16           think the tapes last about an hour so we'll plan to stop  
17           an hour or so in, but other than that you should feel  
18           free to ask for a break.

19                    You can -- if your counsel makes objections on  
20           the record, that's sort a normal part of the deposition,  
21           you can go ahead and answer the question unless of  
22           course he tells you -- instructs you not to answer.

23           A.    Okay.

24           Q.    The testimony that you are providing here  
25           could be used at trial if the case goes to trial.  And

1           that's about it.

2                       Does that seem clear?

3           A.    Yes.

4           Q.    Okay.  What did you do to prepare for your  
5 deposition?

6           A.    What did I do?

7           Q.    Uh-huh.

8           A.    I look -- because I already got information  
9 that this deposition is about my fourth semester reading  
10 materials, so I read my syllabus and I looked at my  
11 checklist.

12          Q.    Did you review the Georgia State copyright  
13 policy?

14          A.    Yes.

15          Q.    Did you look at any other filings from the  
16 case, the legal briefs or anything like that?

17          A.    No.

18          Q.    Did you meet with counsel?

19          A.    Yes.

20          Q.    When was that?

21          A.    Monday.  Monday morning.

22          Q.    Did you speak with any other professors from  
23 Georgia State who have had their depositions taken in  
24 this case?

25          A.    Yes.



1 Q. Who did you speak with?

2 A. Diane Belcher, she's my colleague in my  
3 department.

4 Q. And what did Professor Belcher tell you about  
5 the deposition?

6 A. I just asked her, because it was my first  
7 time, I asked her, you know, how long it took and that  
8 was about it.

9 Q. Just the logistics?

10 A. Yeah. Because I mean, she was teaching  
11 different course and we had different scenarios.

12 Q. Did you discuss at all the substance of the  
13 case or the topics discussed at the deposition?

14 A. No, because this lawsuit has been discussed in  
15 our department as well, whenever we had faculty meeting,  
16 so I didn't have any specific questions for her.

17 Q. And what was the nature of those discussions  
18 at the faculty meetings?

19 A. Be careful with choosing readings.

20 Q. Who was it that provided that instruction?

21 A. I guess it was not formal like instruction or  
22 anything, it was just discussion among faculty members  
23 at the beginning of semester. So that was about it.

24 Q. Which department are you in?

25 A. Department of applied linguistics and ESL.

1 Q. That's English as a second language?

2 A. Yes.

3 Q. Professor Belcher is in that department as  
4 well?

5 A. Uh-huh.

6 MR. ASKEW: Verbalize.

7 THE WITNESS: Yes.

8 BY MR. LARSON:

9 Q. Thank you.

10 So this was discussion among faculty that  
11 you're discussing, not instruction from, say, the  
12 department chair or something like that?

13 A. No.

14 Q. Did you speak with anyone else other than  
15 Professor Belcher?

16 A. My parents.

17 Q. I'm sorry that this requires a chat with the  
18 parents.

19 A. Yeah.

20 Q. Any other documents that you reviewed other  
21 than the copyright policy and your checklists and your  
22 syllabus?

23 A. No.

24 Q. When did you start at Georgia State?

25 A. Fall 2009.

1 Q. And were you at another university before  
2 Georgia State?

3 A. I just finished my Ph.D. program at Northern  
4 Arizona University in Flagstaff. So it was May 2009 and  
5 I started my job right after that.

6 Q. So this is your first teaching job after your  
7 Ph.D.?

8 A. Yes.

9 Q. Did you teach any courses at Northern Arizona?

10 A. Yes.

11 Q. Let me show you what's marked as Kim Exhibit  
12 1. This I printed from the Georgia State web site. Can  
13 you confirm that this is your bio from the web site?

14 A. Yes.

15 Q. And is it accurate to the best of your  
16 knowledge?

17 A. Yes.

18 Q. So at the meetings you were describing, the  
19 faculty meetings, other than be careful was there any  
20 other discussion of the use of, you know, reading  
21 materials or providing reading materials to students?

22 A. No, not really.

23 Q. You mentioned that you looked at your  
24 checklists?

25 A. Uh-huh. Yes. Sorry, it's my habit.

1 Q. Those are checklists from the fall 2009  
2 semester?

3 A. Yes.

4 Q. And how many checklists did you fill out  
5 roughly for the fall 2009 semester, do you recall?

6 A. For every chapters or articles outside of my  
7 main textbook.

8 Q. You filled one out for every article?

9 A. Yeah, but I don't recall the exact number.

10 Q. We'll take a look at the syllabus and maybe  
11 you can tell me then. But it's 10 or 15, in that  
12 ballpark?

13 A. Yes.

14 Q. Did you provide copies of those checklists to  
15 counsel?

16 A. Checklists? Oh, no, I had to provide  
17 checklists to legal affair office in December.

18 Q. And did you provide legal affairs with all of  
19 them, you know, 10 or 15 or however many it was, do you  
20 recall?

21 A. I think I provided only three or -- three to  
22 five. I don't remember the numbers. But I had to fax  
23 them.

24 Q. So back in November or December you provided  
25 something less than the total of all of the checklists

1       you filled out?

2           A.    As far as I remember, but I do have an e-mail  
3       copy, but that's what I remember now.

4           Q.    And were you asked at any point to provide the  
5       other checklists from your class other than the three to  
6       five that you provided?

7           A.    I don't remember how many they required, but I  
8       only remember I had five to six fax pages that I sent.

9           Q.    And my question is after doing that in the  
10      last couple weeks --

11          A.    Yes.

12          Q.    -- have you ever been -- just let me finish  
13      the question before you answer.  Thanks.

14                    In the last couple weeks has any request been  
15      made to provide any additional checklists?

16          A.    No.

17          Q.    Within the applied linguistics apartment or  
18      the ESL department, do you report to a department chair?

19          A.    Report, I don't understand your question.

20          Q.    Is there a department chair person or a head  
21      of the department?

22          A.    Yes.

23          Q.    And who's that?

24          A.    Sara Weigle.

25          Q.    And do you know who Ms. Weigle reports to?

1           A.     Our dean.

2           Q.     And that's the dean for the college of arts  
3 and science?

4           A.     College of arts and science.

5           Q.     And do you know, does that person report to  
6 the provost?

7           A.     I'm still new, so --

8           Q.     That's okay. Have you published?

9           A.     Yes.

10          Q.     What sorts of things have you published?

11          A.     Mainly journal articles. As you can see here  
12 listed, like Language Learning, Modern Language Journal,  
13 Language Teaching Research, those are journals that are  
14 widely used in our field.

15          Q.     I'll show you an exhibit that's been marked as  
16 Dixon 2 from a previous deposition. Do you recognize  
17 this?

18          A.     Yes.

19          Q.     And can you identify it, please?

20          A.     Can you repeat your question?

21          Q.     Yeah, can you identify what this exhibit is?

22                   Let me try it a different way. Do you  
23 recognize this as the GSU -- the copyright policy?

24          A.     Yes.

25          Q.     Is this a document that you've seen before?

1 A. Yes, before, uh-huh.

2 Q. And have you read through it?

3 A. Briefly, but I'm more comfortable, I mean, for  
4 me to read this checklist that I use.

5 Q. The checklist which starts on page 7 of the  
6 document?

7 A. Yes. 6 and 7.

8 Q. You see there's a line across the top, 7 of  
9 19?

10 A. Yes.

11 Q. That's the document you're referring to?

12 A. Yes.

13 Q. Have you read the other pages in the document?

14 A. Not the first three, but starting page 4.

15 Q. Let's do it this way. Maybe we can start at  
16 the first page and we'll flip though and you can tell me  
17 whether or not it's something you've ever seen or read.

18 A. Okay.

19 Q. The first page, have you seen that?

20 A. Nope.

21 Q. The second page entitled copyright generally?

22 A. Yes.

23 Q. That's one you've seen and read?

24 A. Yes.

25 Q. And when was that that you read that? When

1 did you first read it?

2 A. I think during the new faculty orientation our  
3 school lawyer introduced the lawsuit that we were  
4 involved in and talked about this.

5 Q. When was that orientation?

6 A. August 2009.

7 Q. And that was a new faculty orientation?

8 A. New faculty orientation.

9 Q. And who was it that discussed this policy?

10 A. I don't remember the name. She introduced as  
11 she's our university lawyer.

12 Q. And this was part of a broader orientation?

13 A. Yeah, very short. I think it was only like 30  
14 minutes, 20 to 30 minutes.

15 Q. This particular -- this particular  
16 presentation by the lawyer was 20 to 30 minutes?

17 A. Yes.

18 Q. And did she -- just tell me what as part of  
19 that, what did she tell you, as far as you can recall?

20 A. She talked about the roles and she highlights  
21 the importance of using checklist and showed example  
22 checklist. So that was about it. And she said if you  
23 have any questions contact us.

24 Q. Did she show you a copy of various pages of  
25 this document we're looking at?



1           A.    I'm not sure whether she showed everything,  
2           but I'm sure that she showed the checklist and kind of  
3           went through it.

4           Q.    Was there a Power Point presentation of any  
5           kind that you recall?

6           A.    I think it was Power Point presentation.

7           Q.    Let's keep going through the document.  
8           There's a page I guess starting page 4 called the fair  
9           use exception.  Is that a page that you've seen before  
10          or read?

11          A.    Yes.

12          Q.    Also as part of the orientation you were just  
13          describing?

14          A.    Yeah.  And I think she explained there was  
15          four factors.

16          Q.    Have you consulted this document -- other than  
17          the checklist, have you consulted or read this document  
18          after that session you just described or was that your  
19          only time?

20          A.    That was the only.

21          Q.    So you haven't gone to the web site and read  
22          through this policy other than having it explained to  
23          you at the session?

24          A.    No.

25          Q.    Let's look at the next page, it's page 6 of

1 19, introduction to the fair use checklist. Is that a  
2 page you've seen before or read?

3 A. Yes, and that's the page that I reviewed  
4 before this meeting.

5 Q. And then the next page is the checklist?

6 A. Yes.

7 Q. You'll see on the checklist in the third  
8 paragraph down it starts with complete and retain. Do  
9 you see that?

10 A. Uh-huh. Yes.

11 Q. Complete and retain a copy of this checklist  
12 for each fair use of a copyrighted work --

13 A. Yes.

14 Q. -- in order to establish a reasonable and good  
15 faith attempt at applying fair use --

16 A. Yes.

17 Q. -- should any dispute regarding such use  
18 arise.

19 Have you retained the copies of the checklists  
20 that you filled out for your courses?

21 A. I tried, but I can't guarantee that I got all  
22 copies.

23 Q. Do you fill them out or have you filled them  
24 out online in electronic form or have you printed out a  
25 copy and filled them out by hand?

1           A.    I print them out and then filled them out by  
2 hand.

3           Q.    And putting aside what you've done for this  
4 litigation, but in the normal course of your activities,  
5 do you provide them to the library or anyone or do you  
6 just sort of put them in a file?

7           A.    I thought -- I mean, I was still new when I  
8 started doing this, I thought it was just personal copy  
9 and just make sure that I followed this. So I didn't  
10 provide this or I didn't share this with anybody.

11          Q.    And I'm not suggesting you should or  
12 shouldn't. I just want to understand what your practice  
13 has been.

14                   And so you saved them and put them in a file?

15          A.    Yeah, if I remembered.

16          Q.    Were there instances where you used a work in  
17 your course for students and didn't fill out a  
18 checklist?

19          A.    Probably I missed one or two, I mean, since I  
20 used a lot of readings outside my course textbook.

21          Q.    So you tried to do it for all of them but may  
22 have missed one or two?

23          A.    Yes.

24          Q.    Let's go to page 9 of 19, additional  
25 guidelines for electronic reserves. Is that a page that

1           you recall seeing before or reading?

2           A.     I remember the information.  As far as I  
3           remember, when I tried to request interlibrary loan or  
4           EReserve system during the fall 2009, I think library  
5           shows some information step by step.  But it was not the  
6           same page as this.  But library show that are you sure  
7           about this and different information.

8           Q.     This is a page on the web site that is shown  
9           to you when you're trying to --

10          A.     Yes.  Yes.

11          Q.     -- put something or -- yeah, when you're  
12          trying to get something from an interlibrary loan?

13                   MR. ASKEW: Let him finish his question.

14                   THE WITNESS: Yes.

15          BY MR. LARSON:

16          Q.     And you mentioned EReserves?

17          A.     EReserves.

18          Q.     Do you use the university EReserve system?

19          A.     I used it once in my first semester, fall  
20          2009.

21          Q.     And how did you use it?  Was this for placing  
22          readings for the students on the EReserve system?

23          A.     I used it when I do not own the copy so  
24          library can scan the materials or get the materials from  
25          different universities and put those in the reserves.

1 Q. Now, if I remember right, you use the ULearn  
2 system as well for providing readings?

3 A. Yes.

4 Q. And so is it the case that if you have a copy  
5 of the work you use ULearn and if you don't have a copy,  
6 then you used the EReserve system in the fall 2009  
7 semester?

8 A. Yes. I think it was more like convenience.  
9 If those readings were assigned towards the end of  
10 semester, I still have time so I ask library and prepare  
11 for the reading.

12 However, if the readings are like beginning of  
13 semester, I have to scan them and post it as soon as  
14 possible, so I used ULearn because that is faster way to  
15 do it.

16 Q. Do you recall from that semester how many  
17 readings you put on the EReserve system?

18 MR. ASKEW: Which semester is this?

19 BY MR. LARSON:

20 Q. Fall 2009.

21 A. EReserve I think there was five. Four or  
22 five. Because again, it was convenience, I don't  
23 remember which ones were EReserve and which ones were  
24 ULearn.

25 Q. For the readings you put on the EReserve

1 system, the four to five, did you fill out checklists  
2 for those works?

3 A. I think it was mandatory step when you use  
4 library reserve, they always ask those questions.

5 Q. So in the course of putting the works up, you  
6 had to fill out a checklist, is that the case?

7 A. Yes.

8 Q. And did you do checklists for the works that  
9 you scanned and put on ULearn?

10 A. It was personal, again, since I had the short  
11 training or short, you know, presentation from the  
12 lawyer, so I just used the checklist from the library  
13 and then use it for personal use.

14 Q. Just so I understand, did you print out a  
15 checklist from the library web site and then fill that  
16 out for your ULearn readings --

17 A. Yes.

18 Q. -- for each of the readings you put on ULearn?

19 A. Say it -- what is the question?

20 Q. For the readings in the fall 2009 semester  
21 that you put on ULearn, did you complete a checklist for  
22 each of those readings?

23 A. Yes.

24 Q. Would you look at page 11 and 12 of the  
25 exhibit. Is that a page -- it's called other

1 exceptions. Is that a page that you recall seeing and  
2 reading?

3 A. No.

4 Q. And how about page 13 which is entitled  
5 permissions, is that a page that you recall reading?

6 A. Yes.

7 Q. And page 14 identifying the copyright owner,  
8 is that one you recall seeing and reading?

9 A. Yes.

10 Q. And how about page 15, which is collective  
11 licensing agencies?

12 A. No.

13 Q. Do you see in the middle there under works in  
14 print, there's a reference to a Copyright Clearance  
15 Center?

16 A. Yes.

17 Q. Have you ever heard of the Copyright Clearance  
18 Center?

19 A. No.

20 Q. Is it your understanding that this policy  
21 overall applies to ULearn?

22 A. Are you asking what my opinion, like in  
23 general?

24 Q. I'm asking about your understanding about how  
25 the policy works.

1           Do you understand it to apply to course  
2 readings that are made available to students on ULearn?

3           A.    I think so.

4           Q.    And were you told that at the orientation  
5 session that you attended?

6           A.    The lawyers said all the readings or course  
7 materials that you use.  But at the time -- I mean,  
8 again, I was not -- I didn't even start preparing for my  
9 classes, so I was not sure what is ULearn and what is  
10 EReserve.  But now after being here like year and a  
11 half, I believe this should be applied to ULearn as  
12 well.

13          Q.    Let me show you a document that's been  
14 previously marked as Plaintiff's Exhibit 17.  
15 Recognizing the date on the cover is from February of  
16 2009, other than that, do you recognize this as -- was a  
17 presentation similar to Exhibit 17 shown to you at the  
18 orientation session that you attended?

19          A.    Can I take a look at it?

20          Q.    Please, for any exhibits that I give you, if  
21 you need time to flip through it, you should do so.

22                   MR. ASKEW: Todd, I think you asked her  
23 two questions there.  You said first do you  
24 recognize and then you said was it shown to  
25 you.  You want to break that up?



1 BY MR. LARSON:

2 Q. Yeah, my question is only whether a  
3 presentation similar to this or identical to this was  
4 shown to you at the orientation session you were  
5 describing before.

6 A. Again, it's been almost two years. But I  
7 remember this part again like showing factors and these  
8 are the fair use checklist that you need to do before  
9 you use any coursepack.

10 Q. Just so I'm clear. You recall that being  
11 discussed or you actually recall those particular pages  
12 being shown?

13 A. I think she used Power Point like this, but  
14 not 100 percent sure.

15 Q. Okay, that's fine. And you think -- when you  
16 say Power Point like this, again, it's those pages  
17 related to the fair use factors or the entire document?

18 A. I don't remember.

19 Q. Okay. You can put that one aside.

20 If you have questions about using a particular  
21 reading with your class on ERes or on ULearn, is there  
22 someone you can consult that you're aware of if you have  
23 a question?

24 A. I was told that we can contact legal affairs  
25 office.

1 Q. And is that something you've ever done?

2 A. No.

3 Q. And why not?

4 A. Because here, this was my first job and I just  
5 finished my Ph.D., and I never had an experience like  
6 this when I was working on my Ph.D. And I was  
7 teaching -- I mean, I was teaching classes during my  
8 Ph.D. studies, but never had any experience, and I used  
9 similar readings that I had in my Ph.D. classes and  
10 master's class, so it really did not occur to me that it  
11 could be problematic.

12 Q. And so some of the readings that you are --  
13 that you used in the fall 2009 semester were readings  
14 that you had provided to students in Arizona in your  
15 previous classes, is that what you're saying?

16 A. Yes. So when I developed the courses, my  
17 courses that I had before kind of provide me ideas how  
18 to teach the courses. I think that's pretty natural, at  
19 least to me. I do not want to speak for others. So I  
20 get my old syllabus and, you know, pick some readings  
21 which are relevant and important to my students.

22 Q. And none of the readings that you used here in  
23 the fall 2009 semester gave rise to concerns for you  
24 that you felt required you going to the legal office and  
25 asking whether or not you could use them, is that

1 correct?

2 A. No. Because I used them so -- and I -- I used  
3 my checklist and I had more fair use check mark, so I  
4 didn't really think that it was necessary to contact.

5 Q. I understand. If you ran into a situation  
6 where maybe the checklist was, you know, unclear as to  
7 whether or not you could use the work, would you consult  
8 legal affairs?

9 A. No. But I did not mark, so for instance,  
10 there's a fair use part and unfair, two dichotomous  
11 categories, but I tended to leave them blank, I didn't  
12 mark any place.

13 Q. Leave which ones blank?

14 A. Those two, because it's a small amount, large  
15 amount, it's more like dichotomous selection. So I was  
16 not sure, I tended not to check and move to the next  
17 item rather than contacting legal affair office.

18 Q. I see. Let me ask a slightly different  
19 question. I think what you just answered or what you  
20 were suggesting is that you didn't contact legal affairs  
21 with questions about particular choices on the  
22 checklist, right?

23 A. Right.

24 Q. And my question is slightly different, which  
25 is, if after filling out the entire checklist you found

1 yourself uncertain whether you could use a work or not,  
2 whether it qualified as fair use, do you think you would  
3 consult legal affairs to discuss the particular work  
4 with them?

5 A. So are you asking about my past experience do  
6 you think?

7 Q. No, I'm asking about just your practice  
8 generally and what you would do if you ran into that  
9 situation.

10 A. After this experience, yes, to be honest. But  
11 I did not before.

12 Q. Do you have an understanding of under the GSU  
13 copyright policy what would happen if you were found to  
14 have violated the policy?

15 A. Can you restate the question?

16 Q. Yeah. If it were determined somehow that from  
17 the library or from the provost office that a posting  
18 that you made on ULearn violated the terms of the  
19 copyright policy, do you have any sense of how that  
20 would be handled, what would happen?

21 A. Personally I worried. I mean, after I got  
22 e-mail that I was selected to do this deposition, it  
23 could be personal and I'm not tenured faculty and every  
24 day is hard for me, so yes, I worry.

25 Q. If someone from the provost office indicated

1 that you needed to remove a certain reading from ULearn  
2 or from the ERes system, would you do so?

3 A. In the future?

4 Q. Yeah.

5 A. Yes.

6 Q. And if your department chair indicated that  
7 you needed to remove a certain reading because it was in  
8 violation of copyright law, would you remove it?

9 A. Yes.

10 Q. And same question for the president's office,  
11 if you received word that you needed to remove certain  
12 readings, would you do so?

13 A. Yes.

14 Q. And if you were contacted by a representative  
15 of the Board Of Regents and told that you couldn't use  
16 certain readings, would you refrain from doing so?

17 A. Yes.

18 Q. Are you familiar with the GoSolar part of the  
19 GSU web site?

20 A. Yes, I used it before.

21 Q. This is Kim Exhibit 2. This is a printout  
22 that we made from the GoSolar section of the GSU web  
23 site for the fall 2009 semester searching for your  
24 courses.

25 And this indicates that in that semester you

1       taught a course AL 8250 and AL 8550. Is that accurate  
2       to the best of your recollection?

3           A.    Yes.

4           Q.    And it indicates that the 8250 course had 19  
5       students. Is that accurate to your recollection?

6           A.    I don't remember exactly number.

7           Q.    Is that -- is that in the ballpark?

8           A.    Yes.

9           Q.    You don't have any reason to doubt that it was  
10       19 students, correct?

11          A.    Because sometimes people -- when did you print  
12       out this?

13          Q.    We printed it just last week.

14          A.    Sometimes students drop, you know, during the  
15       W week and it doesn't show here in the record, but it  
16       seems to be similar with final number.

17                    Can I get some more water?

18                    MR. LARSON:  Yeah, absolutely.  Why  
19       don't we go off the record just for a  
20       moment.

21                    THE VIDEOGRAPHER:  Off the record at  
22       9:48.

23                                    (Brief recess.)

24                    THE VIDEOGRAPHER:  Back on the record  
25       at 9:49.

1 BY MR. LARSON:

2 Q. I'm putting in front of you what's been marked  
3 as Kim Exhibit 3. Do you recognize that as your  
4 syllabus for AL 8550 from the fall 2009 semester?

5 A. Yes.

6 Q. Could you just look back at Exhibit 2 for me,  
7 the GoSolar printout.

8 I think I asked you about the number of  
9 students in 8250. This indicates that the number of  
10 students in 8550 was 16 students.

11 Is that accurate to the best of your  
12 recollection?

13 A. Yes.

14 Q. Let's go back to Kim Exhibit 3, the syllabus.

15 Can you turn to -- it's the page that has down  
16 in the bottom right hand side corner 65414, contains  
17 sections 7 and 8 of the syllabus, course expectations.  
18 You see that?

19 A. Yes.

20 Q. The first course expectation is that students  
21 complete all assigned readings before each class  
22 meeting?

23 A. Yes.

24 Q. Is it your general experience that most  
25 students do in fact do the readings for your course?

1           A.    In general, yes.

2           Q.    And down below under 8, attendance and  
3 participation, do you see that paragraph?

4           A.    Yes.

5           Q.    Says you're expected to be on time with the  
6 reading and homework completed and be prepared with  
7 questions. You see that?

8           A.    Yes.

9           Q.    So it's a general requirement of the course  
10 that students do their reading, correct?

11          A.    Yes.

12          Q.    Just flipping back to the second page of the  
13 syllabus. There's a section with the required textbook.

14                That's something that you require students to  
15 buy for the class?

16          A.    Yes.

17          Q.    And then the next section says electronic  
18 readings available through ULearn?

19          A.    Yes.

20          Q.    And these are readings that -- are these also  
21 assigned readings, required readings?

22          A.    Some of them are required. Some of them are  
23 optional.

24          Q.    So let's go to the last two pages of the  
25 syllabus. And is this the actual week by week reading



1 assignments for the students?

2 A. Yes. And there was some changes throughout  
3 the semester.

4 Q. Well, we'll -- I'm going to walk through there  
5 and to the best of your recollection maybe you can tell  
6 me about the changes if you remember.

7 Let's start in week 2, there's an entry for  
8 Bachman and Palmer, chapters 2 and 3.

9 A. Yes.

10 Q. Was that a required reading assignment for the  
11 students?

12 A. Yes.

13 Q. And was that made available to students on  
14 ULearn?

15 A. Yes.

16 Q. I'm going to provide you with a series of  
17 exhibits that are printouts or copies of the cover pages  
18 of some of the works in the syllabus and the table of  
19 contents from the works and maybe as we go through the  
20 syllabus you can look through these.

21 Just for the record these are Exhibits Kim 13,  
22 Kim 4, Kim 14, Kim 5, Kim 9, Kim 6, Kim 7, Kim 8, Kim  
23 10, Kim 11 and Kim 12. And I'm sorry about the order,  
24 but I was trying to get them in the order of the  
25 syllabus, so the numbers are going to vary.

1           MR. ASKEW: Mr. Larson, are these works  
2 included in the alleged uses that were  
3 provided in response to the court's August  
4 orders?

5           MR. LARSON: These are -- these are --  
6 some of them are. Some of them are works  
7 by the plaintiffs that were identified when  
8 we were provided with the syllabus.

9           MR. ASKEW: But some of these were not  
10 included on your August list to the court?

11          MR. LARSON: That is correct.

12          MR. ASKEW: You understand the court has  
13 instructed us that this case will be  
14 limited to those allegations that are  
15 contained on the list that were provided in  
16 August?

17          MR. LARSON: My understanding is the  
18 court has limited the subject matter to  
19 those semesters, but if we identify through  
20 discovery of those semesters additional  
21 works on the syllabi that those works could  
22 be included.

23          MR. ASKEW: Her order is very specific  
24 and it does not say syllabi. It says the  
25 parties are limited to the allegations on

1 the lists that were provided in response to  
2 the orders of -- in August 10 or 12, 11 and  
3 12, whatever it was.

4 MR. LARSON: In our conversation at the  
5 court conference and in our conversation  
6 with Mr. Schaetzel, it was our  
7 understanding and agreement that if we  
8 through the provision of additional  
9 discovery including EReserve reports and  
10 syllabi and the like determine during those  
11 semesters there were additional works of  
12 the plaintiffs that were present, that we  
13 would be provided discovery on those works  
14 and that those could be included in the  
15 suit and that the submissions that were  
16 made prior would be updated and amended and  
17 provided to the court based on the  
18 discovery.

19 MR. ASKEW: In an effort to be  
20 cooperative we did provide you an  
21 additional ERes report when you requested  
22 it back in October I think and then you  
23 made an additional list in November. But  
24 that's the limit of our agreement as to  
25 whether we will permit things to be added

1 to the lists that were provided to the  
2 court in response to its orders in August.

3 So I would encourage you to follow the  
4 court's limitations. I think the court was  
5 very specific as to what were going to be  
6 the subject of this litigation and was very  
7 specific in the use of the word limited and  
8 it referred specifically to limited to the  
9 works that were identified in the charts  
10 that were provided in response to its  
11 orders in August.

12 MR. LARSON: Let's cut to the chase  
13 here. Are you going to instruct the  
14 witness not to answer questions about the  
15 other works on her syllabus that weren't in  
16 the August submissions?

17 MR. ASKEW: Depends on how far you go  
18 with them. But I wanted to be clear that  
19 I'm not agreeing to extend or agree to some  
20 additional presentation further or beyond  
21 the court's instructions other than what we  
22 agreed to do back in October, November when  
23 we provided you another ERes report in  
24 order to be cooperative in this matter.  
25 But it is far too late now to be adding

1           allegations to this litigation.

2           So I don't plan to instruct the  
3           witness, but it will depend on some degree  
4           on how far you go in your questioning.  
5           Because as I said, the court was quite  
6           specific in its order to us to limit the  
7           presentation, and I think that includes any  
8           further discovery to those items that were  
9           provided by the plaintiffs in its chart.

10           MR. LARSON: I understand your position  
11           and I think we have a disagreement. I  
12           think we have a different view, which we  
13           can sort out if we need to with the court  
14           afterwards.

15           I think since we're here and we have  
16           the witness here and the questions will be  
17           largely aimed at just identifying whether  
18           or not certain works were used and I think  
19           it will be fairly quick, it would make  
20           sense to allow the deposition to cover  
21           those topics and then if -- we can deal  
22           with the issue with the court as to whether  
23           or not those should come into evidence, if  
24           that's acceptable to you.

25           MR. ASKEW: I will listen to your

1                   questions and I'll make a decision as to  
2                   whether I'm going to instruct the witness  
3                   to not respond. And that instruction would  
4                   be based on the court's order to limit our  
5                   efforts with respect to the list of accused  
6                   works in its August -- in response to its  
7                   August orders.

8                   But let's do proceed and see what you  
9                   got.

10                   MR. LARSON: Yeah, let's keep moving.  
11                   I don't think we'll be -- this is going to  
12                   take that long, so we should be okay.

13 BY MR. LARSON:

14                   Q. All right. Can you look at Kim 13, please.  
15                   And these are in order for you, so it should be the top  
16                   one. It's a printout --

17                   MR. ASKEW: These are in the correct  
18                   order?

19                   MR. LARSON: They should be and we'll  
20                   make sure as we go through.

21 BY MR. LARSON:

22                   Q. Kim 13 is a printout of the cover page and  
23                   table of contents from "Language Testing And Practice"  
24                   by Bachman and Palmer.

25                   A. Yes.

1 Q. You see that? I just want to confirm on the  
2 table of contents, there's chapters 2 -- 2 and 3  
3 starting on pages 17 and 43.

4 Are those -- is that the Bachman and Palmer  
5 chapters that are on the syllabus for the week of 8/27?

6 A. Yes.

7 Q. And if you go down on the syllabus to the week  
8 of 9/10, there's a chapter 5 indicated Bachman and  
9 Palmer 1996, you see that?

10 A. Yes.

11 MR. ASKEW: Where are you now, in what  
12 week?

13 BY MR. LARSON:

14 Q. Week 4, Bachman and Palmer.

15 And then looking at the table of contents, is  
16 that the chapter that's on the table of contents  
17 starting at page 85?

18 A. Yes.

19 Q. And that was provided to students on ULearn?

20 A. Yes.

21 Q. And you completed a checklist for those  
22 excerpts?

23 A. Yes.

24 Q. If you go to Kim 4, which is a printout of the  
25 cover sheet and table of contents from a work called

1 "Assessing Languages For Specific Purposes" by Dan  
2 Douglas.

3 If we look at the syllabus in week 3, there's  
4 an entry for Douglas chapter 2. Does that refer to this  
5 work, "Assessing Language For Specific Purposes"?

6 A. Yes.

7 Q. And is chapter 2, looking at the table of  
8 contents, the chapter that starts on page 24?

9 A. Yes.

10 Q. And that was provided to students through the  
11 ULearn system?

12 A. Yes.

13 Q. And that was required reading?

14 A. No, I think throughout the semester, as I  
15 mentioned, students had difficult time with finishing  
16 readings, so every week I announced that read only this  
17 part and it's optional. So for instance, Bachman and  
18 Palmer, chapter 5, I announced it as optional.

19 Q. And what about Douglas, is that one that you  
20 announced as optional, do you recall?

21 A. I think I told them the specific page numbers  
22 that they have to read. So that part was mandatory, but  
23 not entire chapter. It was delivered orally before -- I  
24 mean prior to the week.

25 Q. And that was -- and you recall doing that for



1 the Douglas excerpt?

2 A. Yes.

3 Q. Do you recall which pages you instructed them  
4 to read?

5 A. No.

6 Q. Kim Exhibit 14 is a printout of the or copy of  
7 the cover page and table of contents from "Fundamental  
8 Considerations In Language Testing" by Bachman.

9 A. Yes.

10 Q. If you could look at the syllabus entry for  
11 week 3, there's an entry for Bachman 1990 chapter 4.

12 Does that refer to chapter 4 of the book  
13 referenced in Kim Exhibit 14?

14 A. Yes.

15 Q. And if you could turn to the table of contents  
16 of that exhibit. Is chapter 4 the chapter that runs  
17 from page 81 to page 110?

18 A. Yes.

19 Q. And that was an optional reading or required?

20 A. On week 3, right? Okay. So as you can see  
21 here it was optional.

22 Q. And that's because it's starred?

23 A. Yeah.

24 Q. Can you look at Kim Exhibit 5, which is a copy  
25 of the cover page and table of contents for a book

1 called "Assessing Grammar" by James Purpura?

2 A. Yes.

3 Q. On the syllabus for week 6 there's an entry  
4 for Purpura 2004 chapters 3 and 5.

5 Does that refer to chapters taken from  
6 "Assessing Grammar", the book in Exhibit Kim 5?

7 A. Yes.

8 Q. And if you could look at the table of contents  
9 for that. Are those two chapters 3 and 5 the chapters  
10 that start at pages 49 and pages 100?

11 MR. ASKEW: I'll object as the  
12 quality -- I cannot read the information on  
13 this copy.

14 BY MR. LARSON:

15 Q. Are you able to read the table of contents?

16 A. It's the 49 and 100, right. Those are the two  
17 chapters that are used.

18 Q. And that was required reading?

19 A. Yes.

20 Q. And that was made available on ULearn?

21 A. Yes.

22 Q. Can you look at Kim 9. It's a printout of the  
23 cover page and table of contents from a book called  
24 "Assessing Vocabulary" by John Read?

25 MR. ASKEW: What Exhibit Number is this?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

MR. LARSON: 9.

BY MR. LARSON:

Q. Looking at the syllabus in week 7, there's an entry for Read 2000 chapter 6. Does that refer to this book, "Assessing Vocabulary"?

A. Yes.

Q. And looking at the table of contents, chapter 6 starts at page 150, do you see that? Is that the chapter that you provided?

A. Yes.

Q. And that was on ULearn?

A. Yes.

Q. That was required reading?

A. Yes.

Q. Can you look at Kim Exhibit 6, please. And this is a printout of the cover page and the table of contents from a book called "Learning Vocabulary In Another Language" by I.S.P. Nation.

If you look at the syllabus week 7, there's a Nation 2001 chapter 10. Is that the entry on the syllabus referring to this book that we see here in Exhibit 6?

A. Yes.

Q. And looking at the table of contents second to the last page, was the reading assignment for this week

1 of the syllabus, the week 7, the chapter 10 there  
2 starting on page 344?

3 A. Yes.

4 Q. And did you provide this chapter to students  
5 via ULearn?

6 A. Yes.

7 Q. And that was a required reading?

8 A. I think I also told them it's optional before  
9 the week. I mean, before this week.

10 Q. You think or you definitely remember?

11 A. I think.

12 Q. Not totally sure sitting here today?

13 A. Yeah, because --

14 Q. And was this one where you told them it was  
15 optional or where you told them that they could read  
16 some subset of the pages?

17 A. Subset of the pages because they're working on  
18 assignment and I remember we had a discussion in class,  
19 they're swamped, so I asked them to focus on certain  
20 pages.

21 Q. I see. And do you recall which ones?

22 A. No.

23 Q. If you could look at Kim 7. It's a copy of  
24 the cover page and table of contents for a book called  
25 "Assessing Reading" by J. Charles Alderson.

1           A.    Yes.

2           Q.    If you look at the syllabus for week 8 there's  
3 a reference to Alderson 2000 chapter 7.

4                    Is that a reference to the book we see here in  
5 Kim Exhibit 7?

6           A.    Yes.

7           Q.    And then the table of contents is -- the  
8 reading that you provided, the reading chapter 7  
9 starting at page 202?

10          A.    Yes.

11          Q.    And that was provided through ULearn?

12          A.    Yes.

13          Q.    And was that a required reading?

14          A.    Yes.

15          Q.    Kim 8 is a printout of the cover and table of  
16 contents for a book called "Assessing Listening" by Gary  
17 Buck.

18                    If you look at week 9 of the syllabus, there's  
19 an entry for Buck 2001 chapter 5. Was that -- was that  
20 the book that we see here in Kim table 8?

21          A.    Yes.

22          Q.    All right. And looking at the table of  
23 contents, did you provide the chapter 5 which starts at  
24 page 116 to students --

25          A.    Yes.

1 Q. -- on ULearn?

2 A. Yes.

3 Q. And was that required reading?

4 A. No.

5 Q. That one is not starred on the syllabus. Did  
6 you at some point change it from being required to being  
7 optional?

8 A. No, it was the same situation. Throughout the  
9 semester since they have the same content from our main  
10 textbook, this was supplementary material targeting to  
11 designing test materials. So again I pointed out  
12 certain pages that they needed to pay attention to.

13 Q. Kim 10 is a copy of the cover page and table  
14 of contents of "Assessing Speaking" by Sari Luoma.  
15 S-a-r-i L-u-o-m-a.

16 In the syllabus for week 10, there's an entry  
17 for Luoma 2004 chapters 4 and 7. Does that refer to the  
18 book that we see here in Exhibit 10?

19 A. Yes.

20 Q. And looking at the table of contents there's a  
21 chapter 4 that starts at page 59 and a chapter 7 that  
22 starts at page 139. Are those the chapters that you  
23 provided to students for week 10?

24 A. Yes.

25 Q. And was that through ULearn?

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A. Yes.

Q. And was that required reading?

A. No.

Q. And again, was this a situation like you described with a couple of the others where you told them they could read just certain pages?

A. Yes.

Q. Do you recall which pages you told them they should read?

A. No.

Q. Kim 11 is printout of the cover page and table of contents for a book called "Assessing Writing" by Weigle.

In week 11 on the syllabus there is an entry Weigle 2002 chapters 5 and 6. Does that refer to the book assessing writing that we see in Kim Exhibit 11?

A. Yes.

Q. And did you provide students with, looking at the table of contents, the two chapters 5 and 6 starting at pages 77 and 108?

A. Yes.

Q. And that was through ULearn?

A. Yes.

Q. And was that required reading?

A. No.

1 Q. And was this a situation where you told them  
2 they could read a subset of the work as opposed to the  
3 whole thing?

4 A. Yes.

5 Q. And in that situation were they required to  
6 read those -- a subset of pages or was it optional?

7 A. It was optional.

8 Q. So even the -- the subset that you mentioned  
9 to them, that too was optional, not just -- let me  
10 strike that.

11 Was what was optional the pages of chapter 5  
12 and 6 that you didn't assign or the pages, the subset  
13 that you did assign?

14 A. I don't understand your question.

15 Q. You told them, I take it you told them at some  
16 point that they didn't need to read all of chapters 5  
17 and 6, right?

18 A. Yes.

19 Q. And you told them that they could read some  
20 subset of the pages from chapters 5 and 6, is that  
21 right?

22 A. Yes.

23 Q. And that subset, was that subset required or  
24 optional?

25 A. Required.



1 Q. Okay. And the other pages that weren't part  
2 of that subset, those were optional?

3 A. Yes.

4 Q. And is that the same with the other  
5 assignments earlier we talked about where you  
6 highlighted a subset of the pages?

7 A. Yes, because systematically we are going  
8 through different skills to talk about how to assess  
9 second language learners and especially reading,  
10 listening, speaking. Our main text had shorter chapters  
11 about those skills so it was necessary for students to  
12 read or know different types of tasks, and that's where  
13 I also assign those additional supplementary readings  
14 from different sources.

15 Q. I see. And with the Weigle chapter we were  
16 just looking at, for example, or chapters, the ULearn  
17 excerpt that you provided included all of both chapters,  
18 is that right?

19 A. Yes.

20 Q. If you look at Kim Exhibit 12, this is a  
21 printout of the cover page or copy of the cover page and  
22 table of contents for "Criterion Referenced Language  
23 Testing" by Brown and Hudson. You see that?

24 A. Yes.

25 Q. In week 14 on the syllabus there's a reference

1 to Brown and Hudson 2002.

2 A. Yes.

3 Q. You see that? Is that a reference to the  
4 "Criterion Referenced Language Testing"?

5 A. Yes.

6 Q. And can you tell me what portion of that work  
7 was assigned? If it helps, turn back to the second page  
8 of the syllabus. See --

9 A. Chapter 4.

10 Q. And looking at the table of contents on Kim  
11 Exhibit 12, that's the chapter that runs from 101 to  
12 148?

13 A. Yes.

14 Q. And that was provided to students on ULearn?

15 A. Yes.

16 Q. And that was required reading?

17 A. Required for certain pages.

18 Q. Okay. And you recall which pages?

19 A. No.

20 MR. LARSON: All right. Why don't we  
21 take a break here. I think the videotape  
22 is about done.

23 MR. ASKEW: Let me put my objection on  
24 the record.

25 I'm going to object and move to strike

1 all the testimony by the witness with  
2 respect to Exhibits Kim 13 through Kim 12  
3 that we just sat through other than any  
4 testimony that was provided with respect to  
5 items that were listed on the charts that  
6 were provided by the plaintiff in response  
7 to the court's orders of August. I don't  
8 remember the exact dates. It's 10, 11, 12,  
9 something like that. It's in the middle of  
10 August.

11 So any testimony with respect to any  
12 items other than those that are identified  
13 as listed accusations of infringement that  
14 the court referred to in its order in which  
15 it said that this litigation would be  
16 limited to the allegations that have been  
17 provided by the plaintiffs in their charts  
18 that were provided to the defendants in  
19 response to the orders of August 10 and 12,  
20 all of that testimony I will object to and  
21 move to strike it from this deposition.

22 MR. LARSON: All right. And I --  
23 obviously the plaintiffs are in  
24 disagreement with the defendant's position  
25 on this. And I will make a request on the

1 record that we be provided with the  
2 checklists that the deponent filled out for  
3 the works that you just discussed in  
4 addition to those that have been provided.  
5 And we will be holding the deposition open  
6 today pending production of those  
7 checklists, which we'll sort out with the  
8 court.

9 MR. ASKEW: We will not provide those  
10 checklists since the court has specifically  
11 ordered us to limit this litigation to the  
12 allegations of infringement that were  
13 provided in the charts that were provided  
14 to the defendants in response to the  
15 court's August orders. And the items that  
16 you're referring to are not included on  
17 those charts that were provided and were  
18 not included within the court's order to us  
19 to limit this litigation to the items that  
20 were provided on those charts.

21 MR. LARSON: We obviously have a  
22 disagreement that's now on the record. So  
23 we'll move on. Take a break.

24 THE VIDEOGRAPHER: Off the record at  
25 10:18.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

(Brief recess.)

THE VIDEOGRAPHER: This is tape 2.

We're back on the record at 10:31.

BY MR. LARSON:

Q. Professor Kim, I want to look back at the syllabus, the last two pages if we could.

And it's my understanding from a conversation off the record that there are a couple of works on the list that were on EReserves rather than on the ULearn system, is that correct?

A. Yes.

Q. Can you tell me which ones those were?

A. "Assessing Grammar" by Purpura 2004.

Q. Okay. So that's week 6 on the syllabus?

MR. ASKEW: What's the exhibit number?

THE WITNESS: Yes, week 6. And Exhibit Number 5.

BY MR. LARSON:

Q. All right. Chapters 3 and 5?

A. Yes.

Q. Okay. And what's the other one?

A. And "Criterion Referenced Language Testing" by Brown and Hudson, Exhibit Number 12.

Q. And that's the reading from week 14 on the syllabus?

1           A.    Yes.

2           Q.    Okay.  So those two were placed on the  
3 EReserve system?

4           A.    Yes.

5           Q.    And is that because of what you told me  
6 before, that you didn't have a copy of those particular  
7 works yourself?

8           A.    Yes.  And I don't remember that I scanned  
9 these chapters and gave it to -- I gave them to library  
10 and posted on EReserve.

11          Q.    You don't remember?

12          A.    I don't remember.  I don't think so.

13          Q.    Did you request to the library that they put  
14 those works on EReserve and provide them with the page  
15 range?

16          A.    I think so.

17          Q.    And you filled out a checklist for those  
18 works?

19          A.    I think it was the required step whenever you  
20 ask for materials on EReserve.

21          Q.    And did you fill out -- I apologize if I asked  
22 you this before.  But for the other readings that we  
23 discussed on the last two pages of the syllabus, did you  
24 fill out checklists for those, the ones you put on  
25 ULearn?

1           A.    Yes.

2           Q.    Do you have a preference personally as to  
3 whether you use ULearn or EReserves to provide readings  
4 to your students?

5           A.    I don't have any preference.  The only factor  
6 that affected my decision was whether or not I had  
7 copies or whether the library needs to order certain  
8 books via interlibrary loan.

9           Q.    So if you had copies you used ULearn, is that  
10 your practice?

11          A.    Yes.

12          Q.    And why in those situations did you use ULearn  
13 rather than providing a copy to the library or asking  
14 the library to put it on EReserves?

15          A.    Can you ask that question again?

16          Q.    Yeah.  In the situations where you used  
17 ULearn, why was it that you used ULearn rather than  
18 using ERes?

19          A.    As I said, I was new at Georgia State and at  
20 Northern Arizona University we had a similar computer  
21 system, I don't remember what it was called, but it was  
22 very similar to ULearn, so I was familiar with the  
23 system so I decided to use that one rather than library  
24 service because I was not familiar with library service.

25          Q.    And when -- for the readings that you put on

1 ULearn, did you make a photocopy or scan of the chapters  
2 that you were providing to the students?

3 A. Not every chapter because -- for my Ph.D.  
4 courses sometimes I had my copies, so I didn't scan  
5 them, but I owned copies.

6 Q. And just so we're clear. I'm talking about  
7 for this fall 2009 class, not at Arizona.

8 You either -- do I understand you to be saying  
9 that you either had a copy, an electronic copy, of the  
10 particular chapters already in your possession or that  
11 if you didn't you made one to provide the chapter on  
12 ULearn?

13 A. Yes.

14 Q. And did you -- was it you personally that got  
15 on the ULearn system and placed the chapters on the  
16 system for the student?

17 A. Yes.

18 Q. And how does that work? Do you put them in a  
19 course readings folder or something like that?

20 A. Yes, I organize my content page by weeks and  
21 topics. So the readings that I choose I placed in each  
22 relevant folders that I created before.

23 Q. And then in those folders you were able to  
24 sort of upload the copies of the chapters into those  
25 folders?



1           A.    Yes.

2           Q.    And students could go on and access those  
3 folders and access the readings there?

4           A.    Yes.

5           Q.    Do you have knowledge as to whether students  
6 when they did that would print out copies of those  
7 readings?

8           A.    Are you asking me whether I can get  
9 information whether they actually printed out or opened  
10 the copy?

11          Q.    No, I'm asking whether you know whether  
12 students in the class, in this fall 2009 class, ever  
13 printed out copies of the readings from ULearn?

14          A.    I don't have any control.  Sometimes they  
15 probably -- I don't know because I have assigned them  
16 and it's fair choice whether they going to print it out  
17 or read it on the computer.  I don't know.

18          Q.    Do you know whether they -- the ULearn system  
19 for providing the readings allows them to print out a  
20 copy?

21          A.    I think they can print out copies.

22          Q.    You just don't know whether they did or not?

23          A.    No.

24          Q.    Did anyone in your department or at the  
25 university encourage you to use either ULearn or

1 EReserves for providing course readings?

2 A. No.

3 Q. Have you ever used or are you familiar with  
4 coursepacks?

5 A. I used it once as a student.

6 Q. You had a coursepack in a class that you were  
7 taking as a student you mean?

8 A. Yes.

9 Q. And what's your understanding of what a  
10 coursepack is?

11 A. Coursepack is like professors, they choose  
12 additional readings and put them together and make a  
13 coursepack just like a book and students can go to  
14 bookstores and get it. But it's available in public.

15 Q. And did you ever consider in your course, in  
16 this 2009 course, using a coursepack rather than  
17 providing readings through ULearn or EReserve?

18 A. I was not familiar with the process.

19 Q. Did you consider it at all or just wasn't even  
20 something you thought about?

21 A. Again, when I designed these courses, my  
22 previous education really impacted how I do these  
23 things. And coursepack was required during my master's  
24 program like seven years ago, so it didn't really occur  
25 to me when I prepared for this course.

1 Q. Do you see any difference between providing  
2 readings to students through a coursepack as opposed to  
3 through ULearn?

4 A. Yes.

5 Q. What's the difference?

6 A. I guess the first difference is coursepack,  
7 pay for it, pay for copyright and it's available in  
8 public, so if you're not -- I mean, even if you're not  
9 taking the course, you can still buy it. Bookstore  
10 never checks it.

11 On the other hand you go on EReserves, you  
12 have to have the password. In other words, you have to  
13 be registered for the course.

14 Q. So is it the difference is who has access to  
15 the materials?

16 A. I think that's biggest difference.

17 Q. Any other differences between the two?

18 A. And paying for like copyrights, as I said.

19 Q. And on ULearn you don't pay for the  
20 copyrights?

21 A. I don't think we pay for copyrights for that  
22 part for ULearn.

23 Q. I take it you haven't paid anything?

24 A. I haven't paid. I'm just talking about my  
25 experience. I haven't paid for copyright. And again,

1 I'm not familiar with the process of making coursepack.

2 Q. But your understanding is that with the  
3 coursepack there's a payment made for the copyrights?

4 A. That's what I heard.

5 Q. And where did you hear that?

6 A. During my master's when I took the course I  
7 think my professor told the students. And at the time  
8 ULearn or EReserves were not common. I think that's one  
9 of the reasons why coursepack was more popular during  
10 that time.

11 Q. And just so I'm clear. When you say pay for  
12 the copyrights, you mean pay a licensing or permission  
13 fee to the publisher or the author of the works included  
14 in the coursepack?

15 A. That's how I understood.

16 Q. Do you have any understanding as to whether  
17 it's possible with ULearn to pay -- to seek permission  
18 from a publisher and pay a similar permission fee?

19 A. I think it's very similar -- I mean, choose  
20 particular readings from different books so it could be  
21 very similar process.

22 Q. But you don't know one way or the other?

23 A. I don't.

24 Q. If there was a work that you wanted to put on  
25 the ULearn system for your students and you felt that it

1 wasn't a fair use, you know, it didn't pass the  
2 checklist, what would you understand your options to be  
3 if you wanted to provide that reading to your students?

4 A. Number one, since I'm still novice in this  
5 field or especially American university setting, again,  
6 I'm not from this country so I'm not quite familiar with  
7 this, so I would contact legal affairs office and get  
8 information. And if it's not allowed, I have to find  
9 like other sources that are legal and are available.

10 Q. And do you have any understanding as to if  
11 it's not allowed whether you could seek permission from  
12 the publisher to use it and pay a permission fee?

13 A. When I published article I think I got similar  
14 information like that, if you want to use it and you  
15 have to get permission, things like that.

16 But what is your question again? Sorry.

17 Q. My question was, if you -- I think you said  
18 that, you know, if a particular reading was not allowed  
19 after talking to the legal affairs that you would have  
20 to find another source, right?

21 A. Yes.

22 Q. And my question was, do you have an  
23 understanding if it were not allowed if you could  
24 continue to use it by seeking permission from the  
25 publisher and paying a permissions fee or licensing fee?

1           A.    I think that is possible.

2           Q.    And do you know where you'd go to do that or  
3 how you would do that?

4           A.    I don't have any experience.

5           Q.    And when you say you think it's possible, do  
6 you have an understanding in the situation like that  
7 whether the permission fee would be paid by you or by  
8 the university or by the students?

9           A.    I don't.

10          Q.    Let me give you what's been marked as Kim  
11 Exhibits 15 and 16.  You recognize these as copies of  
12 the --

13                   MR. ASKEW: Can you tell us which one is  
14 15 and which one is 16?

15                   MR. LARSON:  Yeah.  15 is 65252.

16                   MR. ASKEW: That is 15.  And the other  
17 is 16.

18                   MR. LARSON:  Yep.

19 BY MR. LARSON:

20           Q.    Are these the checklists that you filled out  
21 for "Criterion Referenced Language Testing" in Kim 15  
22 and "Assessing Grammar" in Kim 16?

23           A.    Yes.

24           Q.    And are these two works that were on the ERes  
25 system as opposed to on ULearn?

1           A.    Yes.

2           Q.    Were there others on your syllabus that were  
3 on ERes rather than ULearn or just these two?

4           A.    I wanted to -- actually for the reading, I  
5 wanted to check, but I don't have any access to  
6 EReserves and based on my memory, I think these were the  
7 two, but I'm not 100 positive.

8           Q.    Did you also put copies of these two works on  
9 ULearn or were they just on EReserves?

10          A.    Just on EReserves.

11          Q.    And is this because you didn't personally have  
12 a copy of either of these two works in your possession?

13          A.    Yeah, at that time, at the beginning of  
14 semester. So later I bought them because I taught the  
15 same class last year, so I bought the volumes.

16          Q.    And did you use these two excerpts when you  
17 taught that later class?

18          A.    No.

19          Q.    So I guess --

20          A.    I used "Assessing Grammar" book but I did not  
21 use Criterion. Later used.

22          Q.    I see. And was it chapters 3 and 5 that you  
23 used in the later course?

24          A.    I don't remember.

25          Q.    And then did you -- whatever excerpt it was,

1 did you put that on ULearn because you had a copy of the  
2 book?

3 A. Yes.

4 Q. Let's look at Kim 15, the checklist for  
5 "Criterion Referenced Language Testing". I want to walk  
6 through the choices you made on the checklist here.

7 If you look at factor 1, you checked nonprofit  
8 educational, and teaching. Can you tell me about why --  
9 let's take them one at a time.

10 Why did you check nonprofit educational?

11 A. I'm not making any -- I didn't think it was  
12 profit educational. And when I read this there's no  
13 description for each criteria, so although I had that  
14 session during orientation, I kind of had to use my  
15 guessing when I making decision.

16 Q. I understand.

17 A. But like for teaching, yes, it was for my  
18 class, for my instruction.

19 Q. Teaching meaning not the instruction at the  
20 session you attended, but you're using it to instruct  
21 your students, is that what you mean?

22 A. Yes, that's how I interpreted it.

23 Q. And nonprofit educational, you said you aren't  
24 making any money. Did you understand that to apply to  
25 you or to the university?



1           A.    To me I think at the time.  I don't remember  
2 how I interpreted it when I did this checklist.

3           Q.    How do you understand it now sitting here  
4 today?

5           A.    To both university and me.

6           Q.    You checked the book for research and  
7 scholarship?

8           A.    Yes.

9           Q.    Tell me why you checked that box?

10          A.    Because the course requires final project and  
11 students supposed to pick one skill area, and that's why  
12 some of the readings were optional because they're not  
13 working on that particular skill area.  They pay less  
14 attention to those skill areas.

15                So since they are doing their final project, I  
16 thought -- and they're using these resources to support  
17 or to be included in the final papers, I thought it  
18 belongs to research.

19          Q.    So this work, the Brown and Hudson, was  
20 this -- this work that the entire class read or only  
21 certain students?

22          A.    I required certain pages to be discussed in  
23 class.  But some students, you know, read it more  
24 carefully if the content is more relevant for their  
25 particular project.

1           But here I cannot tell how many students  
2 really used this source in their final project.

3           Q.    And so you checked research and scholarship  
4 because for those students who used it in their final  
5 project, this work would apply to that endeavor?

6           A.    That's right.   That's right.

7           Q.    You checked criticism, comment, news reporting  
8 or parody.   Tell me why you selected that box?

9           A.    Because when we discussed issues from the  
10 chapter, we talk about that and we discuss and we  
11 criticize like in a constructive way, not in bad way,  
12 and make comments.   That's why I pick that.

13          Q.    So that box applies to your in-class  
14 discussion and commentary on this excerpt?

15          A.    Yes.

16          Q.    You also checked use is necessary to achieve  
17 your intended educational purpose.   Do you see that?

18          A.    Yes.

19          Q.    And tell me why you selected that one?

20          A.    Because as far as I remember this chapter  
21 differentiate criterion reference and nonreference,  
22 which are the two important concepts of the field of  
23 assessment, so -- and the chapter was written rather  
24 nicely to distinguish these two different terminologies.  
25 So I thought it was necessary for students to read that

1 part to understand the concepts.

2 Q. I see. If you could flip to the second page  
3 under factor 2, there's an entry for important to  
4 educational objectives --

5 A. Yes.

6 Q. -- which you checked.

7 Was your reason for checking that box the same  
8 as what you just described with respect to the article  
9 being necessary to achieve your intended educational  
10 purpose?

11 A. Yes.

12 Q. And if you look at factor 3 on the second  
13 page, there's an entry for amount taken is narrowly  
14 tailored for educational purpose such as criticism,  
15 comment, research or subject being taught and you  
16 checked that. You see that?

17 A. Yes.

18 Q. And did you check that box for the same  
19 reason?

20 A. Yes.

21 Q. Let's go back to page 1. Looking at the last  
22 box again, use is necessary to achieve your intended  
23 educational purpose.

24 Would you ever choose a reading for the course  
25 or assign a reading that was not necessary to achieve

1 your intended educational purpose?

2 A. No.

3 Q. So this box for any reading you selected to  
4 use in the class, you checked this box, right?

5 A. Can you repeat your question?

6 Q. Yeah. If you -- in any instance where you  
7 select a reading for your class and fill out a  
8 checklist, you'll check that box, correct?

9 A. Yes.

10 Q. And you'll also check teaching, is that right?

11 A. Yes.

12 Q. And nonprofit educational?

13 A. Yes.

14 Q. Let's look at the right hand column, weighs  
15 against fair use. There's an entry there for  
16 nontransformative which you did not check.

17 Just tell me what your understanding of what  
18 that means, nontransformative?

19 A. Transformative -- can I use transformative  
20 instead?

21 Q. Yes. That may make more sense.

22 A. Yeah, because this term is not quite widely  
23 used in our area.

24 So you have original work and you take a part  
25 of original work and make your own I guess piece of

1 outcome or project.

2 Q. You talking about when you're doing your own  
3 writing or research and you use some third party source,  
4 in that context?

5 A. Yeah.

6 Q. I take it that's why you didn't check the box  
7 for transformative, because that's not what you're doing  
8 here in your course with this reading?

9 A. Yeah. To be honest, when I say transformative  
10 and nontransformative, I really didn't know what to  
11 choose. I mean, at the time I was not creative enough  
12 to come up with any instances which explains that  
13 category.

14 Q. Just given your understanding that you have  
15 now of transformative versus nontransformative, for this  
16 excerpt that we're looking at in the checklist, would  
17 you check the nontransformative box?

18 A. Yeah.

19 Q. Any others on the weighs against fair use side  
20 that you would check sitting here today given your  
21 understanding of the checklist?

22 A. You mean for other factors?

23 Q. On the weighs against fair use column under  
24 factor 1, any others that you would check other than  
25 nontransformative sitting here today?

1           A.    Personal study -- portion used not central.

2           Q.    Okay.  You're on the second page?

3           A.    Yes.

4           Q.    All right.  Let's turn over to the second  
5 page.

6                    You said portion used is not central or  
7 significant.  That's one that you would check for this  
8 excerpt now?

9           A.    Yes.

10          Q.    And why is that?

11          A.    Again, this book was a survey book which he  
12 explains the basic concepts relating to criterion  
13 reference, for instance, and this particular chapter was  
14 not particularly central.  I mean, uniquely important to  
15 entire volume.  So I would check the box.

16                    And no significant effect on market or  
17 potential market.

18          Q.    Hold on if you would before we get to factor  
19 4.  I think let's stick with factor 3.

20                    Can you look back to the Kim Exhibit 12, which  
21 is the table of contents for "Criterion Referenced  
22 Language Testing".  Is there any chapter on that table  
23 of contents that you would consider to be central to the  
24 work or the heart of the work?

25          A.    No.  I guess it depends on how you interpret

1 the central work or heart of work. Every chapter is  
2 important, that's how author put a lot of effort to  
3 finish the volume. But I don't think any particular  
4 chapter is the heart of the work.

5 Q. Would you say that any particular chapter is  
6 central to the work?

7 A. I guess depending on your purpose, if you're  
8 really, you know, interested in knowing more  
9 reliability, let's say, for chapter 5, that would be  
10 central. But again, I can not really generalize when I  
11 use this checklist to determine which one is central or  
12 heart.

13 The reason why I choose the particular chapter  
14 was it was reader friendly and use the right letter of  
15 language that master students would understand the  
16 concept better.

17 Q. So it was important to you for your use in the  
18 course but not necessarily central to this entire  
19 volume, right?

20 A. No, because their readership is so broad and  
21 wide, so I cannot really determine which one is central  
22 or heart.

23 Q. So would central or the heart perhaps change  
24 from reader to reader, is that what you're saying, or  
25 could it be different for different readers?

1           A.    Yeah, for different readers or for even  
2 authors, you know.

3           Q.    The third box there under factor 3, amount  
4 taken is narrowly tailored to educational purpose, just  
5 tell me your reason for checking that box?

6           A.    Because the main reason why I choose this  
7 chapter was to meet my objectives for the particular  
8 course. I want them to understand the concepts, so it  
9 was really narrowly tailored toward achieving their  
10 educational goal.

11          Q.    Let's look at factor 4. In the weighs in  
12 favor of fair use column, there's a check or there's no  
13 check in the first line there, no significant effect on  
14 market or potential market for copyrighted work.

15                    Tell me why you opted not to check that  
16 factor?

17          A.    At the time I didn't consider it carefully or  
18 when I read this I try to come up with some examples,  
19 but when I checked that I didn't come up with any  
20 relevant examples or scenarios.

21          Q.    I'm sorry, examples or scenarios of what?

22          A.    So for instance, like transformative, you have  
23 these examples in your mind. So here, no significant  
24 effect on market, and now when I'm reading now like for  
25 instance use stimulates market for original work, I



1 think about now students read this chapter and they  
2 think it's really important and they like it and they  
3 can buy the book and then, you know, read the entire  
4 book. All right. So I come up with these examples.

5 But when I read that, you know, during the  
6 time, I didn't come up with that kind of example, so --

7 Q. So you don't think when you were filling this  
8 out, you couldn't think of any example of an effect that  
9 your use would have on the market for the work?

10 A. Yeah, so that's why I avoided checking -- put  
11 check mark on that.

12 Q. What do you understand it to mean by the  
13 market or potential market for the work?

14 A. Like publishers making profit and selling  
15 books.

16 Q. Sales of the book?

17 A. Sales of the book.

18 Q. Did you consider when thinking about the  
19 market permissions fees or licensing fees for the book?

20 A. That also, yes.

21 Q. So you didn't view your use of the work in  
22 this class as having an effect on the market for  
23 permissions or licensing fees to the publisher?

24 A. Because as I said already, I had such a  
25 limited knowledge of copyrights and paying copyrights,

1 so it just didn't occur to me when I checked this.

2 Q. On this use stimulates market, you said you  
3 imagined there that students might get interested in the  
4 book and purchase it as a result of your using it. Is  
5 that right?

6 A. Yes. For instance, you know, some of my  
7 students worked on "Grammar Assessment" items or  
8 "Assessing Vocabulary" or "Criterion Referenced Language  
9 Testing", and if they found it really interesting and  
10 helpful for their future professional development,  
11 because I work with future in-service and pre-service  
12 teachers, and they buy books to prepare for their  
13 professional development.

14 Q. So are there -- do you recall specific  
15 examples of students in your course who bought this  
16 book, "Criterion Referenced Language Testing", as a  
17 result of your use of the book in the course?

18 A. I don't recall any particular examples.

19 Q. What I'm trying to understand is whether --  
20 what you're explaining to me is a possibility of what  
21 could happen and that's why you checked it or whether it  
22 was based on actual experience of it, of it happening?

23 A. For this particular book I'm just speaking for  
24 possibility for other "Assisting Vocabulary" or grammar,  
25 when I was a student I was like that, too, and I -- you

1 know, some of my students also told me they bought like  
2 these books.

3 So I mean, for this particular book, no, I  
4 don't remember, but for the other options.

5 Q. And which other ones specifically do you  
6 recall students purchasing?

7 A. Like "Assessing Grammar" or "Assessing  
8 Vocabulary".

9 Q. Is "Assessing Grammar" one of our works here?

10 MR. ASKEW: That's the other ERes book.

11 BY MR. LARSON:

12 Q. The Purpura book. So you have a specific  
13 recollection of students purchasing "Assessing Grammar"  
14 based on your use of a couple of chapters from that work  
15 in your course?

16 A. I mean, I don't remember -- I don't know  
17 whether he or she actually bought it, but we had a  
18 conversation.

19 For instance, one particular student wrote her  
20 final paper in my class and she used that paper -- topic  
21 was "Assessing Grammar". So she used the paper to make  
22 her master's small version of thesis requirement. So  
23 she was -- she told me that she really liked the book  
24 and she would, you know, buy it. But I never contacted  
25 her and ask whether she bought it.

1 Q. And this was a student at Georgia State?

2 A. Yeah, 2009. Fall 2009.

3 Q. And you don't know whether she actually bought  
4 it or not?

5 A. No, I don't ask.

6 Q. And was she the only one where this situation  
7 arose?

8 A. Like "Assessing Vocabulary", these books, it  
9 was just, you know, informal chats. I don't know  
10 whether they actually bought it.

11 Q. I see. Let's look back to the checklist,  
12 factor 4. You checked supplemental classroom reading.  
13 Do you see that?

14 A. Yes.

15 Q. Tell me why you checked that one?

16 A. I guess people understand the word  
17 supplemental different way, but in my case when I see  
18 supplemental, that's additional reading besides main  
19 textbook that you require. So obviously I had main  
20 textbook in my class and this was supplemental reading.

21 Q. Now, it's true for you that in some cases that  
22 supplemental reading is required reading, is that right?

23 A. I think it could be optional, too.

24 Q. Could be optional, could be required?

25 A. Right.

1 Q. And for this particular work, you didn't check  
2 required classroom reading?

3 A. Do we have required reading?

4 Q. Yeah. Over in the column weighs against fair  
5 use under factor 4, fifth box down, you see required  
6 classroom reading?

7 A. Okay.

8 Q. And that's not checked.

9 A. I think, again, the reason why I did not  
10 check -- again, as I stated already I assigned only  
11 particular pages, so I figure out this checklist before  
12 the semester started, so at the time I was debating  
13 whether I should require the book or not but I had to  
14 make the entire chapter available for students. That's  
15 why I did not check for required classroom reading,  
16 because I hadn't decided whether I was going to require  
17 or not.

18 Q. Well, again, unless I misunderstood your  
19 testimony before, but wasn't it your testimony that for  
20 this work that at least certain portions of it were  
21 required?

22 A. Yes.

23 Q. All right. And so given that you didn't think  
24 that it was appropriate to check required classroom  
25 reading?

1           A.    I think -- I mean, I don't remember since it's  
2 long time ago. But when I did it again, I didn't  
3 decide. And my syllabus was not ready, so I didn't  
4 check because I didn't decide whether it was going to be  
5 required or not.

6           Q.    Let's go back up to factor 3 for a second if  
7 we could. You checked in the first box small portion of  
8 work used. You see that?

9           A.    Yes.

10          Q.    Tell me how you or why you checked that box?

11          A.    I remember small portion versus large portion  
12 were two dichotomous end of the spectrum, and I debated  
13 a bit. But since this reading was necessary to meet my  
14 course objectives, I checked small portion.

15                    But when I did it I had no idea about the  
16 numeric number, what percentage what makes small portion  
17 and what makes large portion.

18          Q.    And you decided based on the fact that the  
19 excerpt was necessary for your educational objective?

20          A.    It was necessary. And the other factors -- so  
21 number one, it was necessary to meet my course  
22 objectives. It was not the entire book, so I just  
23 simply thought maybe could be a small portion. I didn't  
24 have any specific reasons why I chose small portion.

25          Q.    Do you know how large -- how much of a book

1 would have to be used for you to check large portion?

2 A. I don't have any idea.

3 Q. Let's just look at the other checklist for one  
4 second if we could and we'll come back to this one.

5 This is Kim 16. While we're on this point.  
6 The chapters 3 and 5 from Purpura from my count given  
7 the page ranges that we've noted here are 79 pages, 34  
8 for chapter 3 and 45 for chapter 5, does that sound  
9 right to you?

10 A. That's what I had in EReserve, two chapters.

11 Q. Right. And let's just look at the -- well,  
12 tell me for that, those two chapters comprising about 79  
13 pages, tell me for that portion of the book why it was  
14 that you chose small portion?

15 A. I'm going to go back to the contents.

16 Q. Absolutely.

17 A. So your question was why I picked only certain  
18 portion out of two or --

19 Q. No, no, my question is for the Purpura excerpt  
20 chapters 3 and 5, how was it you determined for that  
21 work to check the box small portion of work is used  
22 under factor 3?

23 A. Again, I also looked at the purpose of  
24 choosing those two chapters to make my objectives for  
25 that particular week and it was necessary. And in order

1 for me to check large portion I had to have some  
2 criteria, but I didn't. So since it was not large and  
3 based on no information and I needed that chapter which  
4 will facilitate that week's course objectives, I checked  
5 small portion.

6 Q. Let's turn back to Kim 15. And we were  
7 looking at factor 4 earlier there.

8 On the left hand side under factor 4 there's  
9 an option for one of few copies made or distributed.  
10 You see that?

11 A. Under factor 4?

12 Q. Uh-huh, factor 4, left hand side, three boxes  
13 up from the bottom. One of few copies made or  
14 distributed. Do you see that?

15 A. Yes.

16 Q. And you checked that?

17 A. Yes, I did.

18 Q. And tell me why?

19 A. Since this was requested through library and  
20 they had to make a copy to put it in EReserves, so I  
21 thought one copy has to be made.

22 Q. And did you consider whether copies were or  
23 were not made or distributed to students in the class?

24 A. Assuming I made a copy to students?

25 Q. I'm just wondering when you filled out this



1 check, if I heard you in your answer properly, you  
2 checked one of few because it was the library that was  
3 making one copy?

4 A. Right.

5 Q. And you didn't consider or take into account  
6 here whether or not the students would or wouldn't get  
7 copies of the work?

8 A. Oh, yeah, I did not consider -- I had no idea  
9 that really meant how many copies that my students would  
10 print out or make copies.

11 Q. Looking at the weighs against fair use side  
12 and under factor 4, the second box says licensing or  
13 permission reasonably available and there's no check  
14 there.

15 Just tell me about why you didn't check that  
16 option?

17 A. Going back to all my comments about unfamiliar  
18 with this processes, I didn't take that into  
19 consideration.

20 Q. You didn't know one way or the other whether  
21 licensing or permission was available when you were  
22 filling out the list?

23 A. Filling out the rest means the other --

24 Q. No, filling out the list. I'm sorry. Let me  
25 ask again just so we have a clear record.

1                   When you were filling out this checklist and  
2 you got to the option, the criteria there, licensing or  
3 permission reasonably available, you just didn't know  
4 one way or the other whether it was or wasn't?

5           A.    I mean, I knew all the textbook has like  
6 licensing or permission, but I didn't take that into  
7 consideration when I checked it.

8           Q.    Looking at the list overall, am I right that  
9 there are no checks at all in the weighs against fair  
10 use column in any of the factors?

11          A.    Yes, you're asking me about --

12          Q.    Yeah.

13          A.    No.

14          Q.    I don't think we got a clean answer there.  
15 It's true, is it not, that there are no checks in the  
16 weighs against fair use side?

17          A.    Based on what I have.

18          Q.    Based on what you did on this chart, that's  
19 correct?

20          A.    That's right.

21          Q.    Let's look at Kim 16, the other checklist.  
22 And now looking at factor 1 in weighs in favor of fair  
23 use on this chart, this checklist, you checked personal  
24 study. Can you tell me why you checked that?

25          A.    Are we talking about "Assessing Grammar",

1 personal study?

2 Q. Yeah. On the Assessing Grammar checklist, Kim  
3 Exhibit 16.

4 A. I mean, it was master level course and a lot  
5 of people do readings independently. And again, as I  
6 said, if they are doing their final project on this  
7 topic it involves a lot of personal study or independent  
8 study.

9 Q. So again, this one like research or  
10 scholarship applied you checked because certain students  
11 in the class might use this work for their final paper  
12 or final project or something?

13 A. Right.

14 Q. Let's look at the second page. Now, here it  
15 looks like in the factor 4 on the weighs in favor of  
16 fair use side, am I right that you checked no  
17 significant effect on the market but then scratched that  
18 out?

19 A. Yes.

20 Q. And tell me why?

21 A. The same reason. I have never filled out such  
22 checklist in my entire life. This was the first time to  
23 do this and I was trying to think about examples. And I  
24 couldn't at the time, so that's why I delete it, my  
25 check.

1 Q. And you also checked licensing or permission  
2 unavailable and then scratched that out, is that right?

3 A. Yes.

4 Q. And tell me why you did that?

5 A. Same reason. I guess I was trying to --  
6 again, I was not familiar with the process and that's  
7 why -- and I checked it yes probably because it has  
8 license but I'm not sure, so that's why I delete it.

9 Q. Again, on this checklist, is it correct that  
10 there are no checks for any of the factors in the weighs  
11 against fair use column?

12 A. Yes, when I completed this chart I did not  
13 mark any unfair use list.

14 Q. Have you ever put books for students on hard  
15 copy reserve?

16 A. Yes.

17 Q. In this course in the fall 2009 semester?

18 A. Yes.

19 Q. And are those reflected on the syllabus?

20 A. Page 3, my syllabus page 3 under number 3, a  
21 number of books are placed on course reserves in the  
22 library for you to consult in preparing your course  
23 project.

24 So a lot of duplicate copies were placed on  
25 course reserve.

1 Q. And what was your reason for putting them on  
2 course reserve?

3 A. Again, I mean, these books are really useful  
4 resources and when I had to choose -- I mean, I was  
5 aware of this copyright issue, so I had to choose  
6 limited amount of reading. So that's why I chose  
7 like -- I made final decision and then put these on  
8 ULearn.

9 However, I want them to be exposed to  
10 different chapters, so that's going back to the way that  
11 if they really like these chapters they would buy it and  
12 if they are really interested in different skill areas.  
13 So that's why I want them to be available to students.

14 And if you are not put these on course  
15 reserve, they are normally checked out, then our  
16 students never really had chance to read it. So that's  
17 why I put them on course reserve. And I think the  
18 limited time that I put was either three hour or two  
19 day, whatever the library restriction is.

20 Q. And do you know whether students went to the  
21 library and looked at any of these works on course  
22 reserve?

23 A. Yes, because one of the course requirements is  
24 to make a presentation on skill area. So they had to at  
25 least read one book if they are in charge of that skill

1 area.

2 Q. And that required them to read portions of  
3 that book that were beyond those that you put on ERes or  
4 on the ULearn system?

5 A. Yes, if they are presenting skills. So here  
6 under page 5 in class book presentation.

7 So this particular assignment was not really  
8 targeting some of these books, but I recommended in  
9 class these books should be foundation of their  
10 presentation.

11 Q. Tell me why you didn't choose to solely put  
12 the books on hard copy course reserve in the library,  
13 why you didn't use that as the only method as opposed to  
14 putting them on EReserves or ULearn?

15 A. Because I had 19 or 18 students and I guess I  
16 was considering students' convenience, make them  
17 available.

18 It's really hard to make them read these  
19 things so I wanted to do my best to have them to have  
20 access to the readings and meet my course objectives.

21 Q. And was it your sense that if you were to just  
22 put a copy in the hard copy reserves at the library that  
23 it would be more difficult for the students to all  
24 access it and do the reading?

25 A. Based on my experience as a student, I had

1 experience like there's only one copy and 17 students  
2 need 17 copies of the chapter. So it takes longer time  
3 and it requires more contacts among those students. So  
4 I have a lot of full time teachers and I kind of  
5 consider their circumstances and choose to put required  
6 readings on ULearn.

7 Q. And using the ERes and ULearn for the chapters  
8 is somehow different than that or more convenient than  
9 that method of hard copy reserves?

10 A. Hard copy reserves, students has to physically  
11 go to the library and check out. But due to the nature  
12 of our campus, it's urban campus and a lot of people  
13 commute. And it's just my opinion, I don't know, I  
14 never did any survey or anything, but having those  
15 course readings available online the majority of  
16 students have access online, it would make their life  
17 easier to have access to those readings.

18 MR. LARSON: That's all the questions I  
19 have today.

20 Before we conclude, I'll renew my  
21 request for the checklists for the other  
22 works on your syllabus that are plaintiff  
23 works that we discussed early in the  
24 deposition.

25 And we'll note again that we'll hold

1                   the deposition open pending sorting that  
2                   matter out with the court or with counsel  
3                   as the case may be.

4                   EXAMINATION

5                   BY MR. ASKEW:

6                   Q.     Professor Kim, I have a couple questions for  
7                   you.

8                   If you would get back in front of you your two  
9                   checklists, Exhibit 16 and Exhibit 15, and turn to the  
10                  second page. And turn to second page of each one. Look  
11                  at factor 4.

12                  With respect to factor 4, you have not checked  
13                  either one of the boxes that read no significant effect  
14                  on the market or potential market for the copyrighted  
15                  work. You see that?

16                  A.     Yes.

17                  Q.     That's how you completed the checklist in  
18                  August of 2009, correct?

19                  A.     Yes.

20                  Q.     And since then you've had the opportunity to  
21                  fill out more checklists and to study further the  
22                  copyright policy and these checklists, is that correct?

23                  A.     Yes.

24                  Q.     How would you check those boxes today if you  
25                  were filling out the boxes today with respect to both of



1       these works?

2                       MR. LARSON:   Just so -- and your  
3                       question is the two boxes at the top of  
4                       factor 4 in weighs in favor and weighs  
5                       against?

6       BY MR. ASKEW:

7               Q.    Yes, I'm talking about the boxes at the top of  
8               factor 4 for both of these works.  Would you check those  
9               boxes today?

10              A.    Yes.

11              Q.    And how would you check them today?

12              A.    I check no significant effect on market or  
13              potential market for copyrighted work.

14              Q.    And would you check that way for both the  
15              checklist which is marked Kim Exhibit 15 and the  
16              checklist that's marked Kim Exhibit 16?

17              A.    Yes.

18              Q.    And why would you check those as no  
19              significant effect on the market today?

20              A.    Okay.  Now, as I said, I think as a teacher  
21              it's really important to introduce more updated  
22              resources for students.  And you know, showing, you  
23              know, single chapters, it's just relevant and important  
24              to meet their course objectives, in fact positively  
25              impact the market.

1 Q. On Kim Exhibit 15 you checked the box use  
2 stimulates the market for the original work. You see  
3 that?

4 A. Yes.

5 Q. On Kim Exhibit 16 you did not check the box  
6 use stimulates the market for original work. You see  
7 that?

8 A. Yes.

9 Q. Now, can you tell me why you did not check the  
10 box use stimulates the market for the original work on  
11 Kim Exhibit 16?

12 A. Again, when I -- these two checklists, it was  
13 the first two probably -- not first two, but first  
14 experience with this checklist, so I was not being  
15 consistent when I was printing and I was trying to find  
16 examples, like real world examples that I can actually  
17 use to make decision.

18 So I could have checked use stimulates market  
19 for original work just like as you asked like how would  
20 you do it now, but at the time I just didn't think about  
21 the examples, so --

22 Q. If you were completing the checklist which is  
23 marked as Kim Exhibit 16 today, how would you treat the  
24 box that is use stimulates the market for the original  
25 work? Would you check that box today?

1           A.    Yes.  After filling out many checklists by  
2           now, I mean, more checklists and, you know, gaining more  
3           teaching experience and had more experience with  
4           students, so I have more insights in how educational  
5           field work and interaction with the students work for  
6           their professional development and purchasing books for  
7           the knowledge, I check yes now.

8           Q.    Do you have a recollection that with respect  
9           to the course that's identified by Kim 16 that students  
10          indicated to you in some fashion that they were  
11          purchasing the book from which the chapters that are  
12          identified in the checklist marked as Kim 16 were taken?

13                   MR. LARSON:  I object as asked and  
14                   answered.

15          BY MR. ASKEW:

16          Q.    You can answer the question.  You want me to  
17          ask the question again?

18          A.    Yes.

19          Q.    With respect to Kim 16, and that is the  
20          checklist that concerns the two chapters that were taken  
21          from "Assessing Grammar" by Purpura, do you have any  
22          recollection today of conversations or discussions with  
23          students that indicated they were purchasing the book or  
24          were likely to purchase the book?

25                   MR. LARSON:  Object that it's asked and

1 answered.

2 THE WITNESS: I had informal  
3 conversation with the students, because by  
4 nature this course is very practical and  
5 this textbook really addresses practical  
6 knowledge that they need when they actually  
7 go out in teaching setting. So they  
8 mention that these books would be really  
9 useful for their future use and they would  
10 like -- they are interested in buying these  
11 books.

12 BY MR. ASKEW:

13 Q. And those were conversations you had  
14 specifically with respect to the Purpura book called  
15 "Assessing Grammar", is that correct?

16 A. Yes. Including other assessing book series  
17 that I put on course reserves, because that's reading,  
18 listening, writing and all those books.

19 MR. ASKEW: I have no further questions  
20 for the witness.

21 FURTHER EXAMINATION

22 BY MR. LARSON:

23 Q. How many conversations like the one you just  
24 testified to specifically do you recall?

25 A. I don't remember, but I always met with my

1 students before they made book presentations so that I  
2 can guide structural presentations and those other  
3 conversations that we had. So how was the book, and you  
4 know, what kind of information did you get to develop  
5 your assessment skills. But I never counted how many,  
6 but those are the conversations that I had.

7 Q. And those conversations involved discussions  
8 about -- strike that.

9 Were the conversations that you had that we  
10 were just talking about, did those involve student  
11 presentations that they were going to be giving about  
12 the particular book or writing assignment about the  
13 book?

14 A. I didn't understand your question.

15 Q. Let me try it this way. The conversations  
16 we've been talking about here, what was the purpose of  
17 those conversations or the context of those  
18 conversations?

19 A. Oh, so they're supposed to read the book, I  
20 mean, not read the entire book, but the book should be a  
21 foundation of their book presentation. I specifically  
22 had assignment that they need to be familiar with all  
23 these skill area books and make presentation.

24 So our meeting was held before their  
25 presentations so we talked about the books that they

1 read. So they go beyond the chapters they were  
2 assigned. So they sometimes mention they already bought  
3 the book --

4 No, I take that back. That was from other  
5 university that I worked.

6 They really enjoyed the book and they would  
7 like to purchase it for their future use.

8 Q. And the context of this conversation was that  
9 they were going to be giving a book presentation about  
10 the particular book, is that right?

11 A. Yes.

12 Q. And you don't know whether or not any of them  
13 actually did or did not buy the book, right?

14 A. I don't keep track of that.

15 MR. LARSON: No further questions for  
16 today.

17 MR. ASKEW: That will conclude the  
18 deposition.

19 MR. LARSON: Well, it will conclude it  
20 for today. As I said we are holding it  
21 open pending sorting out these other  
22 matters, but it will conclude it today.

23 MR. ASKEW: We consider the deposition  
24 be to concluded since we've covered the  
25 subjects that the court instructed us to

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

limit our investigation to. All right.

THE VIDEOGRAPHER: Off the record at  
11:36.

(Deposition adjourned at 11:36 a.m.)

E R R A T A          S H E E T

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I, the undersigned, Youjin Kim, do hereby certify that I have read the foregoing deposition and that, to the best of my knowledge, said deposition is true and accurate (with the exception of the following corrections listed below).

PAGE / LINE CORRECTION

-----/-----

-----/-----

-----/-----

-----/-----

-----/-----

-----/-----

-----/-----

-----/-----

-----/-----

-----/-----

-----/-----

-----/-----

-----/-----

NOTARY PUBLIC

SIGNATURE

DATE-----

MY COMMISSION EXPIRES:



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

C E R T I F I C A T E

G E O R G I A:

FULTON COUNTY:

I hereby certify that the foregoing deposition was taken down, as stated in the caption, and the questions and the answers thereto were reduced to printing under my direction; that the preceding pages represent a true and correct transcript, to the best of my ability, of the evidence given by said witness upon said hearing. And I further certify that I am not of kin or counsel to the parties to the case; am not in the regular employ of counsel for any of said parties; nor am I in anywise interested in the result of said case.

This, the 9th day of February, 2011.

-----  
Teresa Bishop, RPR, RMR  
CCR No. B-307  
My commission expires 11-21-11.

1 DISCLOSURE

2  
3 STATE OF GEORGIA

4 COUNTY OF DEKALB

5 Deposition of Youjin Kim

6 Pursuant to Article 10.B of the Rules and Regulations of  
7 the Board of court Reporting of the Judicial Council of  
8 Georgia, I make the following disclosure:

9 I am a Georgia Certified Court Reporter. I am here as a  
representative of Shugart & Bishop.

10 I am not disqualified for a relationship of interest  
11 under the provisions of O.C.G.A. 9-11-28.

12 Shugart & Bishop was contacted by the offices of Weil  
13 Gotshal & Manges to provide court reporting services for  
this deposition.

14 Shugart & Bishop will not be taking this deposition  
15 under any contract that is prohibited by O.C.G.A. 15-14-37  
(a) and (b).

16 Shugart & Bishop has no exclusive contract to provide  
17 reporting services with any party to the case, any counsel  
in the case, or any reporter or reporting agency from whom  
a referral might have been made to cover this deposition.

18 Shugart & Bishop will charge its usual and customary  
19 rates to all parties in the case, and a financial discount  
will not be given to any party to this litigation.

20  
21 Teresa Bishop  
22 RPR, RMR, CCR B-307  
23  
24  
25

<b>A</b>	<p><b>ability</b> 97:11</p> <p><b>able</b> 42:15 56:23</p> <p><b>absolutely</b> 30:18 79:16</p> <p><b>acceptable</b> 37:24</p> <p><b>access</b> 57:2,3 59:14 63:5 86:20,24 87:16,17</p> <p><b>account</b> 81:5</p> <p><b>accurate</b> 11:15 30:1 30:5 31:11 96:5</p> <p><b>accusations</b> 51:13</p> <p><b>accused</b> 38:5</p> <p><b>achieve</b> 66:16 67:9 67:22,25</p> <p><b>achieving</b> 72:9</p> <p><b>action</b> 1:6 6:17</p> <p><b>activities</b> 19:4</p> <p><b>actual</b> 32:25 74:22</p> <p><b>added</b> 35:25</p> <p><b>adding</b> 36:25</p> <p><b>addition</b> 52:4</p> <p><b>additional</b> 13:15 19:24 34:20 35:8 35:11,21,23 36:20 49:13 58:12 76:18</p> <p><b>address</b> 6:21</p> <p><b>addresses</b> 92:5</p> <p><b>adjourned</b> 95:4</p> <p><b>affair</b> 12:17 27:17</p> <p><b>affairs</b> 12:18 25:24 27:8,20 28:3 61:7 61:19</p> <p><b>agencies</b> 23:11</p> <p><b>agency</b> 98:16</p> <p><b>ago</b> 58:24 78:2</p> <p><b>agree</b> 36:19</p> <p><b>agreed</b> 36:22</p> <p><b>agreeing</b> 36:19</p> <p><b>agreement</b> 35:7,24</p> <p><b>ahead</b> 7:21</p> <p><b>aimed</b> 37:17</p> <p><b>al</b> 1:4,9 2:18 6:8 30:1,1 31:4</p> <p><b>Alderson</b> 3:6 44:25 45:3</p> <p><b>allegations</b> 34:14 34:25 37:1 51:16 52:12</p> <p><b>alleged</b> 34:2</p> <p><b>allow</b> 37:20</p> <p><b>allowed</b> 61:8,11,18 61:23</p> <p><b>allows</b> 57:19</p> <p><b>amended</b> 35:16</p> <p><b>American</b> 61:5</p>	<p><b>amount</b> 27:14,15 67:13 72:3 85:6</p> <p><b>Annotated</b> 5:22</p> <p><b>announced</b> 40:16 40:18,20</p> <p><b>answer</b> 7:5,10,21 7:22 13:13 36:14 81:1 82:14 91:16</p> <p><b>answered</b> 27:19 91:14 92:1</p> <p><b>answers</b> 97:7</p> <p><b>ANTHONY</b> 5:11</p> <p><b>anybody</b> 19:10</p> <p><b>anywise</b> 97:16</p> <p><b>apartment</b> 6:23 13:17</p> <p><b>apologize</b> 54:21</p> <p><b>APPEARANCES</b> 5:1</p> <p><b>applied</b> 9:25 13:17 24:11 83:10</p> <p><b>applies</b> 23:21 66:13</p> <p><b>apply</b> 24:1 64:24 66:5</p> <p><b>applying</b> 18:15</p> <p><b>appropriate</b> 77:24</p> <p><b>area</b> 65:11,13 68:23 85:24 86:1 93:23</p> <p><b>areas</b> 65:14 85:12</p> <p><b>Arizona</b> 11:4,9 26:14 55:20 56:7</p> <p><b>arose</b> 76:7</p> <p><b>article</b> 12:8 61:13 67:8 98:6</p> <p><b>articles</b> 12:6 14:11</p> <p><b>arts</b> 14:2,4</p> <p><b>aside</b> 19:3 25:19</p> <p><b>asked</b> 9:6,7 13:4 24:22 31:8 44:19 54:21 90:19 91:13 91:25</p> <p><b>ASKEW</b> 2:6 5:11 10:6 20:13 21:18 24:22 34:1,9,12 34:23 35:19 36:17 37:25 38:17 39:11 42:11,25 50:23 52:9 53:15 62:13 62:16 75:10 88:5 89:6 91:15 92:12 92:19 94:17,23</p> <p><b>asking</b> 23:22,24 26:25 28:5,7 55:13 57:8,11 82:11</p> <p><b>assess</b> 49:8</p> <p><b>assessing</b> 2:21,24</p>	<p>3:5,8,11,14,17 4:6 40:1,5 42:1,6,24 43:5 44:25 45:16 46:14 47:12,16 53:13 62:22 63:20 74:8 75:7,7,9,13 75:21 76:8 82:25 83:2 91:21 92:15 92:16</p> <p><b>assessment</b> 66:23 74:7 93:5</p> <p><b>assign</b> 48:12,13 49:13 67:25</p> <p><b>assigned</b> 21:9 31:21 32:21 50:7 57:15 77:10 94:2</p> <p><b>assignment</b> 33:10 43:25 44:18 86:7 93:12,22</p> <p><b>assignments</b> 33:1 49:5</p> <p><b>Assisting</b> 74:24</p> <p><b>Assuming</b> 80:24</p> <p><b>Atlanta</b> 1:2,17,24 5:14 6:24</p> <p><b>attempt</b> 18:15</p> <p><b>attendance</b> 32:2</p> <p><b>attended</b> 24:5,18 64:20</p> <p><b>attention</b> 46:12 65:14</p> <p><b>ATTORNEY</b> 5:5</p> <p><b>ATTORNEYS</b> 5:12</p> <p><b>August</b> 16:6 34:3 34:10,16 35:2 36:2,11,16 38:6,7 51:7,10,19 52:15 88:18</p> <p><b>author</b> 60:13 71:2</p> <p><b>authors</b> 72:2</p> <p><b>available</b> 24:2 32:18 33:13 42:20 58:14 59:7 61:9 77:14 81:13,21 82:3 85:13 86:17 87:15</p> <p><b>AVENUE</b> 5:6</p> <p><b>avoided</b> 73:10</p> <p><b>aware</b> 25:22 85:5</p> <p><b>a.m</b> 1:18 95:4</p>	<p>41:11</p> <p><b>back</b> 12:24 30:24 31:6,14 32:12 35:22 36:22 50:7 53:3,5 67:21 70:20 76:11 78:6 79:4,15 80:6 81:17 85:10 88:8 94:4</p> <p><b>bad</b> 66:11</p> <p><b>ballpark</b> 12:12 30:7</p> <p><b>based</b> 35:17 38:4 63:6 74:22 75:14 78:18 80:3 82:17 82:18 86:25</p> <p><b>basic</b> 70:12</p> <p><b>BATES</b> 5:12</p> <p><b>Becker</b> 1:7 6:7</p> <p><b>beginning</b> 9:23 21:12 63:13</p> <p><b>behalf</b> 1:14</p> <p><b>Belcher</b> 9:2,4 10:3 10:15</p> <p><b>believe</b> 24:11</p> <p><b>belongs</b> 65:18</p> <p><b>best</b> 11:15 30:2 31:11 33:5 86:19 96:4 97:11</p> <p><b>better</b> 71:16</p> <p><b>beyond</b> 36:20 86:3 94:1</p> <p><b>biggest</b> 59:16</p> <p><b>bio</b> 2:15 11:13</p> <p><b>Bishop</b> 1:15,22 97:21 98:9,11,13 98:15,18,21</p> <p><b>bit</b> 7:2 78:13</p> <p><b>blank</b> 27:11,13</p> <p><b>Board</b> 29:15 98:7</p> <p><b>book</b> 41:12,25 42:6 42:23 43:5,17,21 44:24 45:4,16,20 46:18 47:12,16 58:13 63:20 64:2 65:6 70:11,11 73:3,4,16,17,19 74:4,16,17,23 75:3,10,12,23 77:13 78:22,25 79:13 85:25 86:3 86:6 91:11,23,24 92:14,16 93:1,3 93:12,13,19,20,20 93:21 94:3,6,9,10 94:13</p> <p><b>books</b> 55:8 60:20 73:15 74:12 75:2</p>	<p>76:8 84:14,21 85:3 86:8,9,12 91:6 92:8,11,18 93:23,25</p> <p><b>Bookstore</b> 59:9</p> <p><b>bookstores</b> 58:14</p> <p><b>bottom</b> 31:16 80:13</p> <p><b>bought</b> 63:14,15 74:15 75:1,17,25 76:3,10 94:2</p> <p><b>box</b> 65:9 66:8,13 67:7,18,22 68:3,4 68:8 69:6,17 70:15 72:3,5 77:5 78:7,10 79:21 81:12 90:1,5,10 90:24,25</p> <p><b>boxes</b> 80:12 88:13 88:24,25 89:3,7,9</p> <p><b>break</b> 7:14,18 24:25 50:21 52:23</p> <p><b>Brief</b> 30:23 53:1</p> <p><b>Briefly</b> 15:3</p> <p><b>briefs</b> 8:16</p> <p><b>broad</b> 71:20</p> <p><b>broader</b> 16:12</p> <p><b>Brown</b> 3:20 49:23 50:1 53:23 65:19</p> <p><b>Buck</b> 3:9 45:17,19</p> <p><b>buy</b> 32:15 59:9 73:3 74:12 75:24 85:11 94:13</p> <p><b>buying</b> 92:10</p> <p><b>B-307</b> 1:16 97:21 98:22</p>
			<b>C</b>		
			<p><b>c</b> 5:23,23 97:1,1</p> <p><b>called</b> 17:8 22:25 39:25 42:1,23 43:17 44:24 45:16 47:12 55:21 92:14</p> <p><b>Cambridge</b> 1:4 6:4</p> <p><b>campus</b> 87:12,12</p> <p><b>capacity</b> 1:8 6:7</p> <p><b>caption</b> 97:7</p> <p><b>careful</b> 9:19 11:19</p> <p><b>carefully</b> 65:24 72:17</p> <p><b>case</b> 7:25 8:16,24 9:13 21:4 22:6 34:13 76:17 88:3 97:14,17 98:16,16 98:18</p> <p><b>cases</b> 76:21</p> <p><b>categories</b> 27:11</p> <p><b>category</b> 69:13</p>		

<b>CCR</b> 1:15 97:21 98:22	81:1,13,15 83:25 87:11 88:24 89:8 89:11,12,14,18 90:5,9,25 91:7	73:22 75:20 76:20 80:23 83:11 86:6 86:9	<b>Considerations</b> 4:2 41:8	41:24 42:13 44:23 46:13 49:21 54:6 55:13 56:9,9 57:10,20 63:12 64:1 80:20,21,24 81:3 84:15 86:12 86:22,22 87:1,9 87:10
<b>Center</b> 23:15,18	<b>checked</b> 64:7 65:6,9 66:3,7,16 67:6,16 68:4 72:19 74:1 74:21 76:12,15 77:8 78:7,10,14 80:4,16 81:2 82:7 82:23,24 83:10,16 84:1,7 85:15 88:12 90:1,18	<b>classes</b> 24:9 26:7,9 26:15	<b>considering</b> 86:16	<b>copyright</b> 4:9,12 8:12 10:21 14:23 15:21 23:7,14,17 28:13,19 29:8 59:7,25 85:5 88:22
<b>central</b> 70:1,6,14,23 71:1,6,10,11,18 71:21,23	<b>checking</b> 67:7 72:5 73:10	<b>classroom</b> 76:12 77:2,6,15,24	<b>consistent</b> 90:15	<b>copyrighted</b> 18:12 72:14 88:14 89:13
<b>certain</b> 29:1,7,11,16 37:18 44:19 46:12 47:6 50:17 55:7 65:21,22 77:20 79:17 83:10	<b>checklist</b> 4:4,6 8:11 15:4,5 16:21,22 17:2,17 18:1,5,7 18:11 19:18 22:6 22:12,15,21 25:8 27:3,6,22,25 39:21 54:17 61:2 64:4,6 65:2 68:8 69:16,21 71:11 76:11 77:11 79:3 82:1,21,23 83:2 83:22 84:9 88:17 89:15,16 90:14,22 91:12,20	<b>clean</b> 82:14	<b>constructive</b> 66:11	<b>copyrights</b> 59:18,20 59:21 60:3,12 73:25,25
<b>Certified</b> 1:22 98:8	<b>checklists</b> 10:21 11:24 12:1,4,14 12:16,17,25 13:5 13:15 18:19 22:1 22:8 52:2,7,10 54:24 62:20 87:21 88:9,21,22 90:12 91:1,2	<b>clear</b> 8:2 25:10 36:18 56:6 60:11 81:25	<b>consult</b> 25:22 27:7 28:3 84:22	<b>corner</b> 31:16
<b>certify</b> 96:4 97:5,13	<b>checks</b> 59:10 82:9 82:15 84:10	<b>Clearance</b> 23:14,17	<b>consulted</b> 17:16,17	<b>Corporate</b> 1:23
<b>chair</b> 10:12 13:18 13:20 29:6	<b>choice</b> 57:16	<b>colleague</b> 9:2	<b>contact</b> 16:23 25:24 27:4,20 61:7	<b>correct</b> 27:1 30:10 32:10 34:11 38:17 53:10 68:8 82:9 84:9 88:18,22 92:15 97:10
<b>chance</b> 85:16	<b>choices</b> 27:21 64:6	<b>collective</b> 23:10	<b>contacted</b> 29:14 75:24 98:11	<b>CORRECTION</b> 96:8
<b>change</b> 46:6 71:23	<b>choose</b> 56:21 58:11 60:19 67:24 69:11 71:13 72:6 85:4,5 86:11 87:5	<b>college</b> 14:2,4	<b>contacting</b> 27:17	<b>corrections</b> 96:5
<b>changes</b> 33:2,6	<b>chose</b> 78:24 79:14 85:6	<b>column</b> 68:14 69:23 72:12 77:4 82:10 84:11	<b>contacts</b> 87:3	<b>Council</b> 98:7
<b>chapter</b> 39:8,16 40:4,7,8,18,23 41:11,12,16,16 43:4,7,9,20 44:1,4 45:3,8,19,23 46:21,21 48:11 49:15 50:9,11 56:3,11 66:10,20 66:23 70:13,22 71:1,4,5,9,13 72:7 73:1 77:14 79:8,8 80:3 87:2	<b>choosing</b> 9:19 79:24	<b>come</b> 37:23 69:12 72:18,19 73:4,6 79:4	<b>contains</b> 31:16	<b>counsel</b> 5:1 7:3,19 8:18 12:15 88:2 97:14,15 98:16
<b>chapters</b> 12:6 33:8 39:2,5 42:4,5,9,9 42:17 46:17,22 47:15,19 48:16,20 49:10,16,17 53:19 54:9 56:1,10,15 56:24 63:22 75:14 79:6,10,12,20,24 85:10,11 87:7 89:23 91:11,20 94:1	<b>circumstances</b> 87:5	<b>comment</b> 66:7 67:15	<b>content</b> 46:9 56:20 65:24	<b>count</b> 79:6
<b>charge</b> 85:25 98:18	<b>Civil</b> 1:6	<b>commentary</b> 66:14	<b>contents</b> 2:20,23 3:1,4,7,10,13,16 3:18,21 4:1 33:19 38:23 39:2,15,16 39:25 40:8 41:7 41:15,25 42:8,15 42:23 43:7,17,24 44:24 45:7,16,23 46:14,20 47:12,19 49:22 50:10 70:21 70:23 79:15	<b>counted</b> 93:5
<b>Charles</b> 3:6 44:25	<b>clarification</b> 7:13	<b>comments</b> 66:12 81:17	<b>contract</b> 98:14,15	<b>country</b> 61:6
<b>chart</b> 37:9 82:18,23 84:12	<b>class</b> 13:5 25:21 26:10 31:21 32:15 44:18 56:7 57:12 57:12 58:6 63:15 63:17 64:18 65:20 65:23 68:4,7	<b>complete</b> 18:8,11 22:21 31:21	<b>control</b> 57:14	<b>COUNTY</b> 97:4 98:4
<b>charts</b> 36:9 51:5,17 52:13,17,20		<b>completed</b> 32:6 39:21 84:12 88:17	<b>convenience</b> 21:8 21:22 86:16	<b>couple</b> 13:10,14 47:5 53:8 75:14 88:6
<b>chase</b> 36:12		<b>completing</b> 90:22	<b>convenient</b> 87:8	<b>course</b> 7:22 9:11 19:4,17,20 22:5 24:1,6 30:1,4 31:17,20,25 32:9 56:19 58:1,15,16 58:25 59:9,13 60:6 63:23 65:10 67:24 69:8 71:18 72:8 74:15,17 75:15 78:14,21 80:4 83:4 84:17 84:21,22,25 85:2 85:14,17,21,23 86:12,20 87:15 89:24 91:9 92:4 92:17
<b>chat</b> 10:17		<b>comprising</b> 79:12	<b>conversation</b> 35:4,5 53:7 75:18 92:3 94:8	
<b>chats</b> 76:9		<b>computer</b> 55:20 57:17	<b>conversations</b> 91:22 92:13,23 93:3,6,7,9,15,17 93:18	
<b>check</b> 27:3,16 63:5 64:10 67:18 68:8 68:10,16 69:6,17 69:20,24 70:7,15 72:12,13,15 73:11 77:1,10,15,24 78:4 79:1,21 80:1		<b>concept</b> 71:16	<b>cooperative</b> 35:20 36:24	
		<b>concepts</b> 66:22 67:1 70:12 72:8	<b>copies</b> 12:14 18:19 18:22 33:17 55:7 55:9 56:4,5,24 57:6,13,21 62:11 63:8 80:9,13,22 81:7,9,10 84:24 87:2	
		<b>concerns</b> 26:23 91:20	<b>copy</b> 13:3 16:24 18:11,25 19:8 20:23 21:4,5 41:6	
		<b>conclude</b> 87:20 94:17,19,22		
		<b>concluded</b> 94:24		
		<b>conference</b> 1:16 35:5		
		<b>confirm</b> 11:13 39:1		
		<b>consider</b> 58:15,19 70:23 72:17 73:18 80:22 81:5,8 87:5 94:23		
		<b>consideration</b> 81:19 82:7		

<b>coursepack</b> 25:9 58:6,10,11,13,16 58:23 59:2,6 60:1 60:3,9,14	<b>decision</b> 38:1 55:6 64:15 85:7 90:17	<b>differentiate</b> 66:21	67:4,9,14,23 68:1 68:12 72:4,10 78:19 91:4	<b>examples</b> 72:18,20 72:21,23 73:4 74:15,18 83:23 90:16,16,21
<b>coursepacks</b> 58:4	<b>defendants</b> 1:10 5:10 51:18 52:14	<b>difficult</b> 40:15 86:23	<b>effect</b> 70:16 72:13 72:24 73:8,22 83:17 88:13 89:12 89:19	<b>exception</b> 17:9 96:5
<b>courses</b> 11:9 18:20 26:16,17,18 29:24 56:4 58:21	<b>defendant's</b> 51:24	<b>disagreement</b> 37:11 51:24 52:22	<b>effort</b> 35:19 71:2	<b>exceptions</b> 23:1
<b>court</b> 1:1,22 34:10 34:12,18 35:5,17 36:2,4 37:5,13,22 51:14 52:8,10 88:2 94:25 98:7,8 98:12	<b>definitely</b> 44:10	<b>disclosure</b> 5:22 98:1,7	<b>efforts</b> 38:5	<b>excerpt</b> 41:1 49:17 63:25 66:14 69:16 70:8 78:19 79:19
<b>court's</b> 34:3 36:4,21 38:4 51:7 52:15 52:18	<b>degree</b> 37:3	<b>discount</b> 98:18	<b>either</b> 56:8,9 57:25 63:12 85:18 88:13	<b>excerpts</b> 39:22 63:16
<b>cover</b> 2:20,23 3:1,4 3:7,10,13,16,18 3:21 4:1 24:15 33:17 37:20 38:22 39:25 41:7,25 42:23 43:16 44:24 45:15 46:13 47:11 49:21,21 98:17	<b>DEKALB</b> 98:4	<b>discovery</b> 34:20 35:9,13,18 37:8	<b>electronic</b> 18:24 19:25 32:17 56:9	<b>exclusive</b> 98:15
<b>covered</b> 94:24	<b>delete</b> 83:24 84:8	<b>discuss</b> 9:12 28:3 66:10	<b>employ</b> 97:15	<b>exhibit</b> 11:11 14:15 14:21 22:25 24:14 24:17 29:21 31:3 31:6,14 41:6,13 41:16,24 42:6,25 43:15,22 45:5 46:18 47:16 49:20 50:11 53:15,16,23 70:20 83:3 88:9,9 89:15,16 90:1,5 90:11,23
<b>created</b> 56:22	<b>delivered</b> 40:23	<b>discussed</b> 9:13,14 16:9 25:11 52:3 54:23 65:22 66:9 87:23	<b>encourage</b> 36:3 57:25	<b>expectation</b> 31:20
<b>creative</b> 69:11	<b>department</b> 9:3,15 9:24,25 10:3,12 13:18,18,20,21 29:6 57:24	<b>discussion</b> 10:11 9:22 10:10 11:20 44:18 66:14	<b>endeavor</b> 66:5	<b>expectations</b> 31:17
<b>criteria</b> 64:13 80:2 82:2	<b>depend</b> 37:3	<b>discussions</b> 9:17 91:22 93:7	<b>English</b> 10:1	<b>expected</b> 32:5
<b>criterion</b> 3:19 4:4 49:22 50:4 53:22 62:21 63:21 64:5 66:21 70:12,21 74:8,16	<b>depending</b> 71:7	<b>dispute</b> 18:17	<b>enjoyed</b> 94:6	<b>experienced</b> 7:1 26:5 26:8 28:5,10 31:24 59:25 62:4 74:22 86:25 87:1 90:14 91:3,3
<b>criticism</b> 66:7 67:14	<b>depends</b> 36:17 70:25	<b>disqualified</b> 98:10	<b>entire</b> 25:17 27:25 40:23 65:20 70:15 71:18 73:3 77:14 78:22 83:22 93:20	<b>experience</b> 7:1 26:5 26:8 28:5,10 31:24 59:25 62:4 74:22 86:25 87:1 90:14 91:3,3
<b>criticize</b> 66:11	<b>deponent</b> 52:2	<b>distinguish</b> 66:24	<b>entitled</b> 15:21 23:4	<b>explains</b> 69:12 70:12
<b>customary</b> 98:18	<b>deposed</b> 6:25	<b>distributed</b> 80:9,14 80:23	<b>entry</b> 33:7 40:4 41:10,11 42:3 43:4,20 45:19 46:16 47:14 67:3 67:13 68:15	<b>explaining</b> 74:20
<b>cut</b> 7:10 36:12	<b>deposition</b> 1:13 6:2 7:20 8:5,9 9:5,13 14:16 28:22 37:20 51:21 52:5 87:24 88:1 94:18,23 95:4 96:4,4 97:6 98:5,12,13,17	<b>DISTRICT</b> 1:1,1	<b>ERes</b> 25:21 29:2 35:21 36:23 55:18 62:24 63:3 75:10 86:3 87:7	<b>explains</b> 69:12 70:12
<b>CV</b> 2:15	<b>depositions</b> 8:23	<b>DIVISION</b> 1:2	<b>EReserve</b> 20:4,18 20:22 21:6,17,21 21:23,25 24:10 35:9 54:3,10,14 54:20 58:17 79:10	<b>explains</b> 69:12 70:12
<hr/> <b>D</b> <hr/>	<b>described</b> 17:18 47:5 67:8	<b>Dixon</b> 4:11 14:16	<b>EReserves</b> 20:16,17 53:9 55:3,14 58:1 59:11 60:8 63:6,9 63:10 80:20 86:14	<b>explains</b> 69:12 70:12
<b>d</b> 2:1 5:5,23	<b>describing</b> 11:18 17:13 25:5	<b>document</b> 14:25 15:6,11,13 16:25 17:7,16,17 24:13 25:17	<b>ESL</b> 9:25 13:18	<b>explains</b> 69:12 70:12
<b>Dan</b> 2:22 40:1	<b>description</b> 2:13 64:13	<b>documents</b> 10:20	<b>especially</b> 49:9 61:5	<b>extend</b> 36:19
<b>date</b> 6:9 24:15 96:22	<b>designed</b> 58:21	<b>doing</b> 13:9 19:8 29:16 40:25 65:15 69:2,7 83:6	<b>establish</b> 18:14	<b>e-mail</b> 13:2 28:22
<b>dates</b> 51:8	<b>designing</b> 46:11	<b>doubt</b> 30:9	<b>et</b> 1:4,9 6:8	
<b>day</b> 28:24 85:19 97:18	<b>determine</b> 35:10 71:11,21	<b>Douglas</b> 2:22 40:2,4 40:19 41:1	<b>evidence</b> 37:23 97:11	<b>F</b> 97:1
<b>deal</b> 37:21	<b>determined</b> 28:16 79:20	<b>DRAKE</b> 5:18	<b>exact</b> 12:9 51:8	<b>facilitate</b> 80:4
<b>dean</b> 14:1,2	<b>develop</b> 93:4	<b>drop</b> 30:14	<b>exactly</b> 30:6	<b>fact</b> 31:25 78:18 89:24
<b>debated</b> 78:12	<b>developed</b> 26:16	<b>due</b> 87:11	<b>EXAMINATION</b> 2:5,6,7 6:14 88:4 92:21	<b>factor</b> 55:5 64:7 67:3,12 69:24 70:18,19 72:3,11 72:16 76:12 77:5 78:6 79:22 80:7,8 80:11,12 81:12 82:22 83:15 88:11 88:12 89:4,8
<b>debating</b> 77:12	<b>development</b> 74:10 74:13 91:6	<b>duly</b> 6:12	<b>Examined</b> 2:2	<b>factors</b> 17:15 25:7
<b>December</b> 12:17,24	<b>Diane</b> 9:2	<b>duplicate</b> 84:24	<b>examined</b> 6:12	
<b>decide</b> 78:3,4	<b>dichotomous</b> 27:10 27:15 78:12	<hr/> <b>E</b> <hr/>	<b>example</b> 16:21 49:16 73:6,8	
<b>decided</b> 55:23 77:16 78:18	<b>difference</b> 59:1,5,6 59:14,16	<b>E</b> 2:1,11 96:1,1,1 97:1,1,3		
	<b>differences</b> 59:17	<b>earlier</b> 49:5 80:7		
	<b>different</b> 9:11,11 14:22 20:7,25 27:18,24 37:12 49:8,12,14 60:20 66:24 71:25,25 72:1 76:17 85:10 85:12 87:8	<b>early</b> 87:23		
		<b>easier</b> 87:17		
		<b>education</b> 58:22		
		<b>educational</b> 64:8,10 64:12,23 66:17		

25:17 69:22 78:20 82:10 84:10 <b>faculty</b> 9:15,18,22 10:10 11:19 16:2 16:7,8 28:23 <b>fair</b> 17:8 18:1,12,15 25:8,17 27:3,10 28:2 57:16 61:1 68:15 69:19,23 72:12 77:4 81:11 82:9,16,22 83:16 84:11 <b>fairly</b> 37:19 <b>faith</b> 18:15 <b>fall</b> 2:17,19 10:25 12:1,5 20:4,19 21:6,20 22:20 26:13,23 29:23 31:4 56:7 57:12 76:2 84:17 <b>familiar</b> 29:18 55:22,24 58:3,18 60:1 61:6 84:6 93:22 <b>far</b> 13:2 16:19 20:2 36:17,25 37:4 66:20 <b>fashion</b> 91:10 <b>faster</b> 21:14 <b>favor</b> 72:12 82:22 83:15 89:4 <b>fax</b> 12:22 13:8 <b>February</b> 1:17 6:9 24:15 97:18 <b>fee</b> 60:13,18 61:12 61:25,25 62:7 <b>feel</b> 7:17 <b>fees</b> 73:19,19,23 <b>felt</b> 26:24 60:25 <b>field</b> 14:14 61:5 66:22 91:5 <b>fifth</b> 5:6 77:5 <b>figure</b> 77:11 <b>file</b> 1:6 19:6,14 <b>filings</b> 8:15 <b>fill</b> 12:4 18:23 19:17 22:1,6,15 54:21 54:24 68:7 88:21 <b>filled</b> 7:3 12:8 13:1 18:20,23,25 19:1 52:2 54:17 62:20 80:25 83:21 <b>filling</b> 27:25 73:7 81:22,23,24 82:1 88:25 91:1 <b>final</b> 30:16 65:10,15 65:17 66:2,4	75:20 83:6,11,12 85:7 <b>financial</b> 98:18 <b>find</b> 61:8,20 90:15 <b>fine</b> 7:14 25:15 <b>finish</b> 7:9 13:12 20:13 71:3 <b>finished</b> 11:3 26:5 <b>finishing</b> 40:15 <b>first</b> 6:12,19 7:1 9:6 11:6 15:14,16,19 16:1 20:19 24:23 26:4 31:20 59:6 72:13 78:7 83:22 90:13,13,13 <b>five</b> 12:22 13:6,8 21:21,22 22:1 <b>Flagstaff</b> 11:4 <b>flip</b> 15:16 24:21 67:2 <b>flipping</b> 32:12 <b>focus</b> 44:19 <b>folder</b> 56:19 <b>folders</b> 56:22,23,25 57:3 <b>follow</b> 36:3 <b>followed</b> 19:9 <b>following</b> 96:5 98:7 <b>follows</b> 6:13 <b>foregoing</b> 96:4 97:5 <b>form</b> 3:8 18:24 <b>formal</b> 9:21 <b>found</b> 27:25 28:13 74:9 <b>foundation</b> 86:9 93:21 <b>four</b> 17:15 21:21 22:1 <b>fourth</b> 8:9 <b>free</b> 7:18 <b>Friday</b> 1:17 <b>friendly</b> 71:14 <b>front</b> 31:2 88:8 <b>full</b> 87:4 <b>FULTON</b> 97:4 <b>Fundamental</b> 4:2 41:7 <b>further</b> 2:7 36:20 37:8 88:21 92:19 92:21 94:15 97:13 <b>future</b> 29:3 74:10 74:11 92:9 94:7	<b>Gary</b> 3:9 45:16 <b>general</b> 23:23 31:24 32:1,9 <b>generalize</b> 71:10 <b>generally</b> 15:21 28:8 <b>Georgia</b> 1:1,8,17,24 6:7,24 8:12,23 10:24 11:2,12 55:19 76:1 98:3,7 98:8 <b>give</b> 24:20 62:10 <b>given</b> 69:14,20 77:23 79:6 97:11 98:19 <b>giving</b> 93:11 94:9 <b>go</b> 7:21 19:24 30:19 31:14 32:24 33:19 36:17 37:4 38:20 39:7,24 57:2 58:13 59:11 62:2 67:21 78:6 79:15 87:11 92:7 94:1 <b>goal</b> 72:10 <b>goes</b> 7:25 <b>going</b> 17:7 26:24 33:4,16,25 36:5 36:13 38:2,11 49:7 50:25 57:16 77:16 78:4 79:15 81:17 85:10 93:11 94:9 <b>good</b> 18:14 <b>GoSolar</b> 2:16 29:18 29:22 31:7 <b>Gotshal</b> 5:6 98:12 <b>grammar</b> 2:24 4:6 42:1,6 53:13 62:22 63:20 74:7 74:24 75:7,9,13 75:21 82:25 83:2 91:21 92:15 <b>GSU</b> 2:15 4:12 14:23 28:12 29:19 29:22 <b>guarantee</b> 18:21 <b>guess</b> 9:21 17:8 59:6 63:19 68:25 70:25 71:7 76:16 84:5 86:15 <b>guessing</b> 64:15 <b>guide</b> 93:2 <b>guidelines</b> 19:25	<b>half</b> 24:11 <b>hand</b> 18:25 19:2 31:16 59:11 68:14 80:8,12 <b>handled</b> 28:20 <b>happen</b> 28:13,20 74:21 <b>happening</b> 74:22 <b>happy</b> 7:13 <b>hard</b> 28:24 84:14 86:12,18,22 87:9 87:10 <b>head</b> 13:20 <b>hear</b> 60:5 <b>heard</b> 23:17 60:4 81:1 <b>hearing</b> 97:12 <b>heart</b> 70:24 71:1,4 71:12,22,23 <b>held</b> 93:24 <b>helpful</b> 74:10 <b>helps</b> 50:7 <b>highlighted</b> 49:6 <b>highlights</b> 16:20 <b>hold</b> 70:18 87:25 <b>holding</b> 52:5 94:20 <b>homework</b> 32:6 <b>honest</b> 28:10 69:9 <b>hour</b> 1:18 7:16,17 85:18 <b>Hudson</b> 3:20 49:23 50:1 53:23 65:19	92:16 <b>Incorporated</b> 6:5,6 <b>independent</b> 83:7 <b>independently</b> 83:5 <b>indicated</b> 28:25 29:6 39:8 91:10 91:23 <b>indicates</b> 29:25 30:4 31:9 <b>informal</b> 76:9 92:2 <b>information</b> 8:8 20:2,5,7 42:12 57:9 61:8,14 80:3 93:4 <b>infringement</b> 51:13 52:12 <b>insights</b> 91:4 <b>instance</b> 27:9 40:17 68:6 70:13 72:22 72:25 74:6 75:19 <b>instances</b> 19:16 69:12 <b>instruct</b> 36:13 37:2 38:2 64:20 <b>instructed</b> 34:13 41:3 94:25 <b>instruction</b> 9:20,21 10:11 38:3 64:18 64:19 <b>instructions</b> 36:21 <b>instructs</b> 7:22 <b>intended</b> 66:17 67:9 67:22 68:1 <b>interaction</b> 91:5 <b>interest</b> 98:10 <b>interested</b> 71:8 74:3 85:12 92:10 97:17 <b>interesting</b> 74:9 <b>interlibrary</b> 20:3 20:12 55:8 <b>interpret</b> 70:25 <b>interpreted</b> 64:22 65:2 <b>introduce</b> 89:21 <b>introduced</b> 16:3,10 <b>introduction</b> 18:1 <b>investigation</b> 95:1 <b>involve</b> 93:10 <b>involved</b> 16:4 93:7 <b>involves</b> 83:7 <b>in-class</b> 66:13 <b>in-service</b> 74:11 <b>issue</b> 37:22 85:5 <b>issues</b> 66:9 <b>item</b> 27:17 <b>items</b> 37:8 51:5,12 52:15,19 74:7
	<b>G</b> <b>G</b> 97:3,3 <b>GA</b> 5:14 <b>gaining</b> 91:2	<b>H</b> <b>H</b> 2:11 96:1 <b>habit</b> 11:25	<b>I</b> <b>idea</b> 78:15 79:2 81:8 <b>ideas</b> 26:17 <b>identical</b> 25:3 <b>identified</b> 34:7 36:9 51:12 91:9,12 <b>identify</b> 14:19,21 34:19 <b>identifying</b> 23:7 37:17 <b>imagined</b> 74:3 <b>impact</b> 89:25 <b>impacted</b> 58:22 <b>importance</b> 16:21 <b>important</b> 26:21 66:22 67:3 70:14 71:2,17 73:2 89:21,23 <b>included</b> 34:2,10,22 35:14 49:17 52:16 52:18 60:13 65:17 <b>includes</b> 37:7 <b>including</b> 35:9	

<b>I.S.P</b> 3:3 43:18				
<b>J</b>	<b>L</b>			
<b>J</b> 3:5 44:25	<b>language</b> 3:3,19,22	54:9,13 55:7,13	<b>looks</b> 83:15	78:13,21 86:20
<b>James</b> 2:24 42:1	4:3,5 10:1 14:12	55:14,23,24 80:19	<b>lot</b> 19:20 71:2 83:4	89:24
<b>job</b> 11:5,6 26:4	14:12,13 38:23	81:2 84:22 85:19	83:7 84:24 87:4	<b>meeting</b> 9:15 18:4
<b>John</b> 3:12 42:24	40:5 41:8 43:18	85:21 86:12,22	87:12	31:22 93:24
<b>journal</b> 14:11,12	49:9,22 50:4	87:11	<b>Luoma</b> 3:15 46:14	<b>meetings</b> 9:18
<b>journals</b> 14:13	53:22 62:21 64:5	<b>license</b> 84:8	46:17	11:18,19
<b>Judicial</b> 98:7	70:22 71:15 74:8	<b>licensing</b> 23:11	<b>L-u-o-m-a</b> 46:15	<b>members</b> 9:22
	74:16	60:12 61:25 73:19		<b>memory</b> 63:6
<b>K</b>	<b>Languages</b> 2:21	73:23 81:12,21	<b>M</b>	<b>mention</b> 92:8 94:2
<b>KATIE</b> 5:12	40:1	82:2,6 84:1	<b>main</b> 12:7 46:9	<b>mentioned</b> 11:23
<b>keep</b> 17:7 38:10	<b>large</b> 27:14 78:11	<b>life</b> 83:22 87:16	49:10 72:6 76:18	20:16 40:15 48:8
94:14	78:17,25 79:1	<b>liked</b> 75:23	76:19	<b>met</b> 92:25
<b>KENNITH</b> 5:18	80:1,2	<b>limit</b> 35:24 37:6	<b>majority</b> 87:15	<b>method</b> 86:13 87:9
<b>Kim</b> 1:13 6:2,11,16	<b>largely</b> 37:17	38:4 52:11,19	<b>making</b> 60:1 64:11	<b>middle</b> 23:13 51:9
6:20 11:11 29:21	<b>Larson</b> 2:5,7 5:5	95:1	64:15,24 73:14	<b>mind</b> 72:23
31:3,14 33:21,22	6:15,16 10:8	<b>limitations</b> 36:4	81:3	<b>minutes</b> 16:14,14
33:22,22,22,22,22	20:15 21:19 25:1	<b>limited</b> 34:14,18,25	<b>mandatory</b> 22:3	16:16
33:22,22,23,23	30:18 31:1 34:1,5	36:7,8 51:16	40:22	<b>missed</b> 19:19,22
38:14,22 39:24	34:11,17 35:4	73:25 85:6,18	<b>Manges</b> 5:6 98:12	<b>misunderstood</b>
41:6,13,24 42:6	36:12 37:10 38:10	<b>line</b> 15:8 72:13 96:8	<b>Marietta</b> 1:16	77:18
42:22 43:15 44:23	38:13,19,21 39:13	<b>linguistics</b> 9:25	<b>mark</b> 1:7 6:6 27:3,9	<b>Modern</b> 14:12
45:5,15,20 46:13	42:14 43:1,2	13:17	27:12 73:11 84:13	<b>moment</b> 30:20
47:11,16 49:20	50:20 51:22 52:21	<b>list</b> 34:10,15 35:23	<b>marked</b> 11:11	<b>Monday</b> 8:21,21
50:10 51:2,2 53:5	53:4,18 62:15,18	38:5 53:9 81:22	14:15 24:14 31:2	<b>money</b> 64:24
62:10,21,22 64:4	62:19 75:11 87:18	81:24 82:8 84:13	62:10 89:15,16	<b>morning</b> 8:21
70:20 79:5 80:6	89:2 91:13,25	<b>listed</b> 14:12 51:5,13	90:23 91:12	<b>move</b> 27:16 50:25
82:21 83:2 88:6	92:22 94:15,19	96:5	<b>market</b> 70:16,17	51:21 52:23
89:15,16 90:1,5	<b>late</b> 36:25	<b>listen</b> 37:25	72:14,14,24,25	<b>moving</b> 38:10
90:11,23 91:9,12	<b>law</b> 5:5,12 29:8	<b>listening</b> 3:8 45:16	73:9,13,13,19,22	
91:19 96:3 98:5	<b>lawsuit</b> 9:14 16:3	49:10 92:18	74:2 83:17 88:14	<b>N</b>
<b>kin</b> 97:13	<b>lawyer</b> 16:3,11,16	<b>lists</b> 35:1 36:1	88:14 89:12,13,19	<b>N</b> 2:1
<b>kind</b> 17:2,5 26:17	22:12	<b>litigation</b> 19:4 36:6	89:25 90:2,6,10	<b>name</b> 6:16,18,19,20
64:14 73:6 87:4	<b>lawyers</b> 24:6	37:1 51:15 52:11	90:18,24	16:10
93:4	<b>learners</b> 49:9	52:19 98:19	<b>master</b> 71:15 83:4	<b>narrowly</b> 67:13
<b>KING</b> 5:13	<b>Learning</b> 3:2 14:12	<b>loan</b> 20:3,12 55:8	<b>master's</b> 26:10	72:4,9
<b>knew</b> 82:5	43:17	<b>logistics</b> 9:9	58:23 60:6 75:22	<b>Nation</b> 3:3 43:18,20
<b>know</b> 7:15 9:7	<b>leave</b> 27:11,13	<b>long</b> 9:7 38:12 78:2	<b>material</b> 46:10	<b>natural</b> 26:18
11:20 12:19 13:25	<b>left</b> 80:8,12	<b>longer</b> 87:2	<b>materials</b> 8:10	<b>nature</b> 9:17 87:11
14:5 22:11 26:20	<b>legal</b> 8:16 12:17,18	<b>look</b> 8:8,15 12:10	11:21,21 20:24,24	92:4
27:6 30:14 49:12	25:24 26:24 27:8	17:25 22:24 24:19	24:7 46:11 54:20	<b>NE</b> 6:23
57:11,15,17,18,22	27:17,20 28:3	31:6 33:20 38:14	59:15	<b>necessarily</b> 71:18
60:22 61:1,18	61:7,9,19	40:3 41:10,24	<b>matter</b> 6:3 34:18	<b>necessary</b> 27:4
62:2 65:23 69:10	<b>letter</b> 71:14	42:8,22 43:15,19	36:24 88:2	49:11 66:16,25
71:8 72:2 73:3,5	<b>let's</b> 15:15 17:7,25	44:23 45:2,18	<b>matters</b> 94:22	67:9,22,25 78:13
74:6 75:1,16,24	19:24 31:14 32:24	49:20 53:5 64:4,7	<b>mean</b> 9:10 15:3	78:19,20,21 79:25
76:3,9,9 78:25	33:7 36:12 38:8	67:12 68:14 70:20	19:7,19 24:7 26:7	<b>need</b> 7:14 24:21
81:20 82:3 85:20	38:10 64:4,9	72:11 76:11 79:3	28:21 40:24 44:9	25:8 37:13 48:16
87:13 89:22,23	67:21 68:14 70:4	79:11 82:21 83:14	58:7 59:8 60:12	87:2 92:6 93:22
91:2 93:4 94:12	70:19 71:9 72:11	88:10	60:19 64:21 69:11	<b>needed</b> 29:1,7,11
<b>knowing</b> 71:8	76:11 78:6 79:3	<b>looked</b> 8:10 11:23	69:22 70:14 73:12	46:12 80:3
<b>knowledge</b> 11:16	79:11 80:6 82:21	79:23 85:21	75:3,16 78:1 82:5	<b>needs</b> 55:7
57:5 73:25 91:7	83:14	<b>looking</b> 16:25 39:15	83:4 85:3,4 91:2	<b>never</b> 26:5,8 59:10
92:6 96:4	<b>level</b> 83:4	40:7 43:3,7,24	93:20	75:24 83:21 85:16
<b>K-i-m</b> 6:20	<b>library</b> 19:5 20:4,6	45:22 46:20 47:18	<b>meaning</b> 64:19	87:14 93:5
	20:24 21:10 22:4	49:16 50:10 67:21	<b>means</b> 68:18 81:23	<b>new</b> 5:7 14:7 16:2,7
	22:12,15 28:17	69:16 80:7 81:11	<b>meant</b> 81:9	16:8 19:7 55:19
		82:8,22	<b>meet</b> 8:18 72:7	<b>news</b> 66:7

<b>nicely</b> 66:24	54:2 70:2 77:7	3:21 4:1 15:5,14	97:16 98:18	<b>policy</b> 4:9,12 8:13
<b>nods</b> 7:6,7	89:20	15:16,19,21 17:8	<b>party</b> 69:3 98:16,19	10:21 14:23 16:9
<b>nonprofit</b> 64:7,10	<b>old</b> 26:20	17:8,9,25,25 18:2	<b>pass</b> 61:1	17:22 23:20,25
64:23 68:12	<b>once</b> 20:19 58:5	18:3,5 19:24,25	<b>password</b> 59:12	28:13,14,19 88:22
<b>nonreference</b> 66:21	<b>ones</b> 21:23,23 27:13	20:6,8 22:24,25	<b>pay</b> 46:12 59:7,7,19	<b>popular</b> 60:9
<b>nontransformative</b>	44:21 53:12 54:24	23:1,4,5,7,10	59:21 60:11,12,17	<b>portion</b> 50:6 70:1,6
68:16,18 69:10,15	75:5	31:15 32:12 38:22	60:18 61:12 65:13	78:7,11,11,14,16
69:17,25	<b>online</b> 18:24 87:15	39:17 40:8,21	<b>paying</b> 59:18 61:25	78:17,23,24 79:1
<b>Nope</b> 15:20	87:16	41:7,17,17,25	73:25	79:13,14,18,21
<b>normal</b> 7:20 19:4	<b>open</b> 52:5 88:1	42:23 43:8,16,25	<b>payment</b> 60:3	80:1,5
<b>normally</b> 85:15	94:21	44:2,24 45:9,24	<b>PEACHTREE</b> 5:13	<b>portions</b> 77:20 86:2
<b>Northern</b> 1:1 11:3,9	<b>opened</b> 57:9	46:13,21,22 47:11	<b>pending</b> 52:6 88:1	<b>position</b> 37:10
55:20	<b>opinion</b> 23:22 87:13	49:21,21 50:7	94:21	51:24
<b>NOTARY</b> 96:21	<b>opportunity</b> 88:20	54:14 56:20 67:2	<b>people</b> 30:11 76:16	<b>positive</b> 63:7
<b>note</b> 87:25	<b>opposed</b> 7:6 48:2	67:13,21 70:2,5	83:5 87:12	<b>positively</b> 89:24
<b>noted</b> 79:7	59:2 62:25 86:13	79:7 83:14 84:20	<b>percent</b> 25:14	<b>possession</b> 56:10
<b>November</b> 12:24	<b>opted</b> 72:15	84:20 86:6 88:10	<b>percentage</b> 78:16	63:12
35:23 36:22	<b>option</b> 80:9 81:16	88:10 96:8	<b>permission</b> 60:12	<b>possibility</b> 74:20,24
<b>novice</b> 61:4	82:2	<b>pages</b> 13:8 15:13	60:17,18 61:11,12	<b>possible</b> 21:14
<b>number</b> 12:9 30:6	<b>optional</b> 32:23	16:24 25:11,16	61:15,24 62:7	60:17 62:1,5
30:16 31:8,9	40:17,18,20 41:19	32:24 33:17 39:3	81:13,21 82:3,6	<b>post</b> 21:13
42:25 53:15,17,23	41:21 44:8,15	41:3 42:10,10	84:1	<b>posted</b> 54:10
61:4 78:16,21	46:7 48:6,7,9,11	44:16,17,20 46:12	<b>permissions</b> 23:5	<b>posting</b> 28:17
84:20,21	48:24 49:2 65:12	47:6,8,20 48:6,11	61:25 73:19,23	<b>potential</b> 70:17
<b>numbers</b> 12:22	76:23,24	48:12,20 49:1,6	<b>permit</b> 35:25	72:14 73:13 88:14
33:25 40:21	<b>options</b> 61:2 75:4	50:17,18 53:6	<b>person</b> 13:20 14:5	89:13
<b>numeric</b> 78:16	<b>orally</b> 40:23	54:23 65:22 77:11	<b>personal</b> 19:8 22:10	<b>Power</b> 17:4,6 25:13
<b>NY</b> 5:7	<b>order</b> 18:14 33:23	79:7,13 97:9	22:13 28:23 70:1	25:16
<b>N.E</b> 5:13	33:24 34:23 36:24	<b>paid</b> 59:23,24,25	82:23 83:1,7	<b>practical</b> 92:4,5
	37:6 38:4,15,18	62:7	<b>personally</b> 28:21	<b>practice</b> 3:22 19:12
	51:14 52:18 55:7	<b>Palmer</b> 3:23 33:8	55:2 56:14 63:11	28:7 38:23 55:10
	79:25	38:24 39:4,9,14	<b>photocopy</b> 56:1	<b>preceding</b> 97:9
<b>O</b>	<b>ordered</b> 52:11	40:18	<b>physically</b> 87:10	<b>preference</b> 55:2,5
<b>O</b> 97:3	<b>orders</b> 34:4 35:2	<b>paper</b> 75:20,20,21	<b>Ph.D</b> 11:3,7 26:5,6	<b>prepare</b> 8:4 21:10
<b>object</b> 42:11 50:25	36:2,11 38:7 51:7	83:11	26:8,9 56:3	74:12
51:20 91:13,25	51:19 52:15	<b>papers</b> 65:17	<b>pick</b> 7:7 26:20	<b>prepared</b> 32:6
<b>objection</b> 50:23	<b>organize</b> 56:20	<b>paragraph</b> 18:8	65:11 66:12	58:25
<b>objections</b> 7:19	<b>orientation</b> 16:2,5,7	32:3	<b>picked</b> 79:17	<b>preparing</b> 24:8
<b>objective</b> 78:19	16:8,12 17:12	<b>parents</b> 10:16,18	<b>piece</b> 68:25	84:22
<b>objectives</b> 67:4 72:7	24:4,18 25:4	<b>parody</b> 66:8	<b>place</b> 27:12	<b>present</b> 5:16 35:12
78:14,22 79:24	64:14	<b>part</b> 7:20 16:12,18	<b>placed</b> 54:2 56:15	<b>presentation</b> 4:9
80:4 86:20 89:24	<b>original</b> 68:24,25	17:12 25:7 27:10	56:21 84:21,24	16:16 17:4,6
<b>obviously</b> 51:23	72:25 90:2,6,10	29:18 40:17,22	<b>placing</b> 20:21	22:11 24:17 25:3
52:21 76:19	90:19,24	49:1 59:22 67:1	<b>plaintiff</b> 51:6 87:22	36:20 37:7 85:24
<b>occur</b> 26:10 58:24	<b>outcome</b> 69:1	68:24	<b>plaintiffs</b> 1:5,14 5:3	86:6,10 93:21,23
74:1	<b>outside</b> 12:6 19:20	<b>participation</b> 32:3	6:3,17 34:7 35:12	94:9
<b>October</b> 35:22	<b>overall</b> 23:21 82:8	<b>particular</b> 16:15,15	37:9 51:17,23	<b>presentations</b> 93:1
36:22	<b>owned</b> 56:5	25:11,20 27:21	<b>Plaintiff's</b> 4:8 24:14	93:2,11,25
<b>office</b> 12:17 25:25	<b>owner</b> 23:7	28:3 54:6 56:10	<b>plan</b> 7:16 37:2	<b>presenting</b> 86:5
26:24 27:17 28:17	<b>Oxford</b> 6:4	60:20 61:18 65:13	<b>please</b> 6:22 7:5,13	<b>president</b> 1:9 6:8
28:25 29:10 61:7	<b>O.C.G.A</b> 5:22 98:10	65:25 70:13 71:3	14:19 24:20 38:14	<b>president's</b> 29:10
<b>offices</b> 98:11	98:14	71:5,13 72:7	43:15	<b>Press</b> 1:4 6:4,5
<b>official</b> 1:8 6:7		74:18,23 75:3,19	<b>point</b> 13:4 17:4,6	<b>pretty</b> 26:18
<b>Oh</b> 12:16 81:8		77:1,11 79:25	25:13,16 46:6	<b>previous</b> 14:16
93:19		86:7 93:12 94:10	48:16 79:5	26:15 58:22
<b>okay</b> 7:23 8:4 14:8	<b>P</b>	<b>particularly</b> 70:14	<b>pointed</b> 46:11	<b>previously</b> 24:14
15:18 25:15,19	<b>P</b> 1:7 6:6	<b>parties</b> 34:25 97:14	<b>points</b> 7:4	<b>pre-service</b> 74:11
38:12 41:20 49:1	<b>page</b> 2:2,13,23 3:1,4			
50:18 53:14,21	3:7,10,13,16,18			



<b>print</b> 19:1 22:14 23:14 30:11 57:6 57:16,19,21 81:10	<b>provision</b> 35:8 <b>provisions</b> 98:10 <b>provost</b> 14:6 28:17 28:25	25:20 27:21 32:7 36:14 37:16 38:1 87:18 88:6 92:19 94:15 97:7	60:20 65:12 83:5 86:20 87:6,15,17	<b>refrain</b> 29:16 <b>regarding</b> 18:17 <b>Regents</b> 29:15 <b>registered</b> 59:13 <b>regular</b> 97:15 <b>Regulations</b> 98:6 <b>related</b> 25:17 <b>relating</b> 70:12 <b>relationship</b> 98:10 <b>relevant</b> 26:21 56:22 65:24 72:20 89:23
<b>printed</b> 11:12 18:24 30:13 57:9,13	<b>public</b> 58:14 59:8 96:21	<b>quick</b> 37:19	<b>really</b> 11:22 26:10 27:4 58:22,24 66:2 69:10 71:8 71:10,21 72:9 73:2 74:9 75:23 81:9 85:3,11,12 85:16 86:7,18 89:21 92:5,8 94:6	<b>reliability</b> 71:9 <b>remember</b> 12:22 13:2,3,7,8 16:10 20:2,3 21:1,23 25:7,18 30:6 33:6 44:10,18 51:8 54:8,11,12 55:21 63:24 65:1 66:20 75:4,16 78:1,11 92:25
<b>printing</b> 90:15 97:8	<b>Publications</b> 6:6	<b>quite</b> 37:5 61:6 68:22	<b>reason</b> 30:9 67:7,19 71:13 72:5,6 77:9 83:21 84:5 85:1	<b>remembered</b> 19:15 <b>remove</b> 29:1,7,8,11 <b>renew</b> 87:20 <b>repeat</b> 14:20 68:5 <b>report</b> 13:18,19 14:5 35:21 36:23
<b>printout</b> 2:16 29:21 31:7 38:16,22 39:24 41:6 42:22 43:16 45:15 47:11 49:21	<b>published</b> 14:8,10 61:13	<hr/> <b>R</b> <hr/>	<b>reasonable</b> 18:14 <b>reasonably</b> 81:13 82:3	<b>reporter</b> 98:8,16 <b>Reporters</b> 1:22 <b>reporting</b> 66:7 98:7 98:12,16,16 <b>reports</b> 13:25 35:9 <b>represent</b> 97:10 <b>representative</b> 29:14 98:9
<b>printouts</b> 33:17	<b>publisher</b> 60:13,18 61:12,25 73:23	<b>R</b> 96:1,1 97:1,3 <b>ran</b> 27:5 28:8	<b>reasons</b> 60:9 78:24	<b>representing</b> 6:17 <b>request</b> 13:14 20:3 51:25 54:13 87:21
<b>prior</b> 35:16 40:24	<b>publishers</b> 73:14	<b>range</b> 54:15	<b>recall</b> 12:5,9,20 16:19 17:5 20:1 21:16 23:1,5,8 25:10,11 40:20,25 41:3 44:21 47:8 50:18 74:14,18 75:6 92:24	<b>requested</b> 35:21 80:19
<b>probably</b> 19:19 57:15 84:7 90:13	<b>purchase</b> 74:4 91:24 94:7	<b>ranges</b> 79:7	<b>received</b> 29:11	<b>require</b> 32:14 76:19 77:13,16
<b>problematic</b> 26:11	<b>purchasing</b> 75:6,13 91:6,11,23	<b>rates</b> 98:18	<b>recess</b> 30:23 53:1	<b>required</b> 13:7 26:24 32:13,21,22 33:10 40:13 41:19 42:18 43:13 44:7 45:13 46:3,6 47:2,24 48:5,23,25 50:16 50:17 54:19 58:23 65:22 76:22,24 77:2,3,5,15,21,24 78:5 86:2 87:5
<b>proceed</b> 38:8	<b>purpose</b> 66:17 67:10,14,23 68:1 71:7 72:4 79:23 93:16	<b>read</b> 3:12 8:10 15:2 15:4,13,17,23,25 16:1 17:10,17,21 18:2 40:16,22 41:4 42:12,15,24 43:4 44:15 47:6,9 48:2,6,16,19 49:12 57:17 64:12 65:20,23 66:25 72:18 73:1,3,5 85:16,25 86:2,18 88:13 93:19,20 94:1 96:4	<b>recognize</b> 14:16,23 24:16,24 31:3 62:11	<b>requirement</b> 32:9 75:22
<b>process</b> 58:18 60:1 60:21 84:6	<b>Purposes</b> 2:22 40:1 40:5	<b>readings</b> 9:19 19:20 20:22 21:2,9,12 21:17,25 22:16,18 22:20,22 24:2,6 26:9,12,13,20,22 29:12,16 31:21,25 32:18,20,21,21 40:16 49:13 54:22 55:3,25 56:19,21 57:3,7,13,19 58:1 58:12,17 59:2	<b>Recognizing</b> 24:15	<b>requirements</b> 85:23 <b>requires</b> 10:17
<b>processes</b> 81:18	<b>Purpura</b> 2:25 42:1 42:4 53:13 75:12 79:6,19 91:21 92:14	<b>reader</b> 71:14,24,24	<b>recognition</b> 30:2,5 31:12 33:5 75:13 91:8,22	
<b>production</b> 52:6	<b>pursuant</b> 1:14 5:22 98:6	<b>readers</b> 71:25 72:1	<b>recommended</b> 86:8	
<b>professional</b> 74:10 74:13 91:6	<b>put</b> 19:6,14 20:11 20:25 21:17,25 22:9,18,21 25:19 50:23 54:13,24 55:14,25 56:18 58:12 60:24 63:8 64:1 71:2 73:10 80:20 84:14 85:7 85:14,17,18 86:3 86:11,22 87:5 92:17	<b>readership</b> 71:20	<b>record</b> 6:10,18 7:20 30:15,19,21,24 33:21 50:24 52:1 52:22,24 53:3,8 81:25 95:2	
<b>professor</b> 6:16 9:4 10:3,15 53:5 60:7 88:6	<b>putting</b> 19:3 22:5 31:2 85:1 86:14	<b>reading</b> 3:5 8:9 11:20,21 20:1 21:11 23:2,5,8 25:21 29:1,7 32:6 32:10,25 33:10 40:13 41:19 42:18 43:13,25 44:7,25 45:8,8,13 46:3 47:2,24 49:9 50:16 53:24 61:3 61:18 63:4 67:24 67:25 68:3,7 69:8 72:24 76:12,18,20 76:22,22 77:2,3,6 77:15,25 78:13 85:6 86:24 92:17	<b>reduced</b> 97:8	
<b>professors</b> 8:22 58:11	<hr/> <b>Q</b> <hr/>	<b>readings</b> 9:19 19:20 20:22 21:2,9,12 21:17,25 22:16,18 22:20,22 24:2,6 26:9,12,13,20,22 29:12,16 31:21,25 32:18,20,21,21 40:16 49:13 54:22 55:3,25 56:19,21 57:3,7,13,19 58:1 58:12,17 59:2	<b>refer</b> 40:4 41:12 42:5 43:4 46:17 47:15	
<b>profit</b> 64:12 73:14	<b>qualified</b> 28:2		<b>reference</b> 23:14 45:3,4 49:25 50:3 66:21 70:13	
<b>program</b> 11:3 58:24	<b>quality</b> 42:12		<b>referenced</b> 3:19 4:4 41:13 49:22 50:4 53:22 62:21 64:5 70:21 74:8,16	
<b>prohibited</b> 98:14	<b>question</b> 7:12,21 13:9,13,19 14:20 20:13 22:19 25:2 25:23 27:19,24 28:15 29:10 48:14 55:15 61:16,17,22 68:5 79:17,19 89:3 91:16,17 93:14		<b>referral</b> 98:17	
<b>project</b> 65:10,15,25 66:2,5 69:1 83:6 83:12 84:23	<b>questioning</b> 37:4		<b>referred</b> 36:8 51:14	
<b>properly</b> 81:1	<b>questions</b> 7:5,9 9:16 16:23 22:4 24:23		<b>referring</b> 15:11 43:21 52:16	
<b>provide</b> 12:14,16,18 13:4,15 19:5,10 26:17 33:16 35:20 44:4 45:23 47:18 52:9 54:14 55:3 56:11 61:3 98:12 98:15			<b>reflected</b> 84:19	
<b>provided</b> 9:20 12:21,24 13:6 26:14 34:3,8,15 35:1,13,17 36:1 36:10,23 37:9 39:19 40:10 43:9 45:8,11 46:23 49:17 50:14 51:4 51:6,17,18 52:1,4 52:13,13,17,20				

65:10 87:3	<b>Sage</b> 6:5	20:19 21:7,10,13	62:6 76:6	<b>step</b> 20:5,5 22:3
<b>research</b> 14:13 65:6	<b>Sales</b> 73:16,17	21:16,18 22:20	<b>situations</b> 55:12,16	54:19
65:18 66:3 67:15	<b>Sara</b> 13:24	26:13,23 29:23,25	<b>six</b> 13:8	<b>stick</b> 70:19
69:3 83:9	<b>Sari</b> 3:14 46:14	31:4 33:3 40:14	<b>skill</b> 65:11,13,14	<b>stimulates</b> 72:25
<b>reserve</b> 22:4 84:15	<b>sat</b> 51:3	46:9 63:14 77:12	85:12,24,25 93:23	74:2 90:2,6,10,18
84:25 85:2,15,17	<b>saved</b> 19:14	84:17	<b>skills</b> 49:8,11 86:5	90:24
85:22 86:12	<b>saying</b> 26:15 56:8	<b>semesters</b> 34:19,20	93:5	<b>stipulations</b> 1:14
<b>reserves</b> 19:25	71:24	35:11	<b>slightly</b> 27:18,24	<b>stop</b> 7:16
20:25 84:21 86:22	<b>says</b> 32:5,17 34:24	<b>sense</b> 28:19 37:20	<b>small</b> 27:14 75:22	<b>Street</b> 1:16 5:13
87:9,10 92:17	81:12	68:21 86:21	78:7,11,14,16,23	<b>strike</b> 48:10 50:25
<b>resources</b> 65:16	<b>SB-2</b> 1:16	<b>sent</b> 13:8	78:24 79:14,21	51:21 93:8
85:4 89:22	<b>scan</b> 20:24 21:13	<b>series</b> 33:16 92:16	80:5	<b>structural</b> 93:2
<b>respect</b> 38:5 51:2,4	56:1,4	<b>service</b> 55:24,24	<b>solely</b> 86:11	<b>student</b> 56:16 58:5
51:11 67:8 88:12	<b>scanned</b> 22:9 54:8	<b>services</b> 98:12,16	<b>soon</b> 21:13	58:7 74:25 75:19
88:25 91:8,19	<b>scenarios</b> 9:11	<b>session</b> 17:18,23	<b>sorry</b> 10:17 11:25	76:1 86:25 93:10
92:14	72:20,21	24:5,18 25:4	33:23 61:16 72:21	<b>students</b> 11:21
<b>respond</b> 38:3	<b>Schaetzel</b> 35:6	64:14,20	81:24	19:17 20:22 24:2
<b>response</b> 34:3 35:1	<b>scholarship</b> 65:7	<b>setting</b> 61:5 92:7	<b>sort</b> 7:20 19:6 37:13	26:14,21 30:5,10
36:2,10 38:6 51:6	66:3 83:10	<b>seven</b> 58:24	52:7 56:24	30:14 31:9,10,10
51:19 52:14	<b>school</b> 16:3	<b>share</b> 19:10	<b>sorting</b> 88:1 94:21	31:20,25 32:10,14
<b>rest</b> 81:23	<b>science</b> 14:3,4	<b>sheet</b> 2:20 39:25	<b>sorts</b> 14:10	33:1,11,13 39:19
<b>restate</b> 7:13 28:15	<b>scratched</b> 83:17	<b>Sheridan</b> 6:23	<b>sound</b> 79:8	40:10,15 44:4
<b>restriction</b> 85:19	84:2	<b>short</b> 16:13 22:10	<b>source</b> 61:20 66:2	45:24 46:23 47:18
<b>result</b> 74:4,17 97:17	<b>searching</b> 29:23	22:11	69:3	49:11 50:14 55:4
<b>retain</b> 18:8,11	<b>second</b> 10:1 15:21	<b>shorter</b> 49:10	<b>sources</b> 49:14 61:9	56:2 57:2,5,12
<b>retained</b> 18:19	32:12 43:24 49:9	<b>show</b> 11:11 14:15	<b>SPALDING</b> 5:13	58:13 59:2 60:7
<b>review</b> 8:12	50:7 67:2,12 70:2	16:24 20:6 24:13	<b>speak</b> 8:22 9:1	60:25 61:3 62:8
<b>reviewed</b> 10:20	70:4 78:6 79:4	30:15	10:14 26:19	64:21 65:11,21,23
18:3	81:12 83:14 88:10	<b>showed</b> 16:21 17:1	<b>speaking</b> 3:14	66:1,4,25 71:15
<b>right</b> 11:5 21:1	88:10	17:2	46:14 49:10 74:23	73:1 74:3,7,15
27:22,23 31:16	<b>section</b> 2:16 29:22	<b>showing</b> 25:7 89:22	<b>specific</b> 2:22 9:16	75:1,6,13 77:14
38:14 41:20 42:16	32:13,17	<b>shown</b> 20:8 24:17	34:23 36:5,7 37:6	80:23,24 81:6,9
45:22 48:17,21	<b>sections</b> 31:17	24:24 25:4,12	40:1,5,21 74:14	83:10 84:14 85:13
49:18 50:20 51:22	<b>see</b> 14:11 15:8 18:7	<b>shows</b> 20:5	75:12 78:24	85:16,20 86:15,16
53:19 61:20 66:6	18:9 23:13 27:18	<b>Shugart</b> 1:22 98:9	<b>specifically</b> 36:8	86:23 87:1,3,10
66:6 68:4,10,14	31:18 32:3,7 38:8	98:11,13,15,18	52:10 75:5 92:14	87:16 89:22 91:4
70:4 71:14,19	39:1,9 41:20 43:8	<b>side</b> 31:16 69:19	92:24 93:21	91:5,9,23 92:3
73:4 74:5 76:22	43:21 44:21 45:4	80:8,12 81:11	<b>spectrum</b> 78:12	93:1
76:25 77:23 79:9	45:20 46:18 47:16	82:16 83:16	<b>spell</b> 6:18	<b>studies</b> 26:8
79:11 81:4 82:8	49:15,23 50:3,8	<b>SIGNATURE</b>	<b>Square</b> 1:23	<b>study</b> 70:1 82:24
82:20 83:13,16	59:1 63:22 66:17	96:21	<b>starred</b> 41:22 46:5	83:1,7,8 88:21
84:2 94:10,13	67:2,16 76:11,13	<b>significant</b> 70:7,16	<b>start</b> 10:24 15:15	<b>subject</b> 34:18 36:6
95:1	76:17 77:5 78:8	72:13,23 83:17	24:8 33:7 42:10	67:15
<b>rise</b> 26:23	80:10,14 88:15	88:13 89:12,19	<b>started</b> 11:5 19:8	<b>subjects</b> 94:25
<b>RMR</b> 1:15 97:21	90:2,6	<b>similar</b> 24:17 25:3	77:12	<b>submissions</b> 35:15
98:22	<b>seeing</b> 20:1 23:1,8	26:9 30:16 55:20	<b>starting</b> 15:14 17:8	36:16
<b>Road</b> 6:23	<b>seek</b> 60:17 61:11	55:22 60:18,19,21	39:3,17 44:2 45:9	<b>subset</b> 44:16,17
<b>roles</b> 16:20	<b>seeking</b> 61:24	61:13	47:19	48:2,6,8,12,20,23
<b>Room</b> 1:16	<b>seen</b> 14:25 15:17,19	<b>simply</b> 78:23	<b>starts</b> 15:5 18:8	48:23 49:2,6
<b>roughly</b> 12:5	15:23 17:9 18:2	<b>single</b> 89:23	40:8 43:8 45:23	<b>substance</b> 9:12
<b>RPR</b> 1:15 97:21	<b>select</b> 68:7	<b>site</b> 2:15 11:12,13	46:21,22	<b>suggesting</b> 19:11
98:22	<b>selected</b> 28:22 66:8	17:21 20:8 22:15	<b>State</b> 1:8 6:8 8:12	27:20
<b>Rules</b> 98:6	66:19 68:3	29:19,23	8:23 10:24 11:2	<b>suit</b> 35:15
<b>runs</b> 41:16 50:11	<b>selection</b> 27:15	<b>sitting</b> 44:12 65:3	11:12 55:19 76:1	<b>Suite</b> 1:23
	<b>selling</b> 73:14	69:20,25	98:3	<b>supplemental</b> 76:12
	<b>semester</b> 2:17,19	<b>situation</b> 27:5 28:9	<b>stated</b> 77:10 97:6	76:17,18,20,22
	8:9 9:23 12:2,5	46:8 47:4 48:1,5	<b>STATES</b> 1:1	<b>supplementary</b>
<b>S</b>				
<b>S</b> 2:11 96:1				

46:10 49:13 <b>support</b> 65:16 <b>supposed</b> 65:11 93:19 <b>sure</b> 7:2,5 17:1,2 19:9 20:6 24:9 25:14 27:16 38:20 44:12 84:8 <b>survey</b> 70:11 87:14 <b>swamped</b> 44:19 <b>sworn</b> 6:12 <b>syllabi</b> 34:21,24 35:10 <b>syllabus</b> 2:18 8:10 10:22 12:10 26:20 31:4,14,17 32:13 32:25 33:18,20,25 34:8 36:15 39:5,7 40:3 41:10 42:3 43:3,19,21 44:1 45:2,18 46:5,16 47:14 49:25 50:8 53:6,14,25 54:23 63:2 78:3 84:19 84:20 87:22 <b>system</b> 20:4,18,22 21:2,6,17 22:1 29:2 40:11 53:10 54:3 55:21,23 56:15,16 57:18 60:25 62:25 86:4 <b>systematically</b> 49:7 <b>S-a-r-i</b> 46:15	<b>takes</b> 87:2 <b>talk</b> 49:8 66:10 <b>talked</b> 16:4,20 49:5 93:25 <b>talking</b> 56:6 59:24 61:19 69:2 82:25 89:7 93:10,16 <b>tape</b> 53:2 <b>tapes</b> 7:16 <b>targeting</b> 46:10 86:8 <b>taskew@kslaw.co...</b> 5:15 <b>tasks</b> 49:12 <b>taught</b> 30:1 63:14 63:17 67:15 <b>teach</b> 11:9 26:18 <b>teacher</b> 89:20 <b>teachers</b> 74:12 87:4 <b>teaching</b> 9:10 11:6 14:13 26:7,7 64:8 64:17,19 68:10 91:3 92:7 <b>tell</b> 6:21 7:2 9:4 12:11 15:16 16:18 16:19 33:5 50:6 53:12 62:13 64:8 65:9 66:1,8,19 68:17 72:5,15 76:15 78:10 79:12 79:13 80:18 81:15 82:24 83:20 84:4 86:11 90:9 <b>tells</b> 7:22 <b>tended</b> 27:11,16 <b>tenured</b> 28:23 <b>Teresa</b> 1:15 97:21 98:21 <b>term</b> 68:22 <b>terminologies</b> 66:24 <b>terms</b> 28:18 <b>test</b> 46:11 <b>testified</b> 6:12 92:24 <b>testimony</b> 7:24 51:1 51:4,11,20 77:19 77:19 <b>Testing</b> 3:20,22 4:3 4:5 38:23 41:8 49:23 50:4 53:22 62:21 64:5 70:22 74:9,16 <b>text</b> 49:10 <b>textbook</b> 12:7 19:20 32:13 46:10 76:19 76:20 82:5 92:5 <b>Thank</b> 10:9 <b>Thanks</b> 13:13	<b>thereto</b> 97:8 <b>thesis</b> 75:22 <b>thing</b> 48:3 <b>things</b> 14:10 35:25 58:23 61:15 86:19 <b>think</b> 7:16 12:21 16:2,13 17:6,14 20:4 21:8,21 22:3 24:3,22 25:13,15 26:18 27:4,19 28:2,6 31:8 35:22 36:4 37:7,11,12 37:15,18 38:11 40:14,21 44:8,10 44:11 50:21 54:12 54:16,19 57:21 59:16,21 60:7,8 60:19 61:13,17 62:1,5 63:6 64:11 65:1 70:19 71:3 73:1,2,7,8 76:23 77:9,23 78:1 82:14 83:23 85:17 89:20 90:20 <b>thinking</b> 73:18 <b>third</b> 18:7 69:3 72:3 <b>thought</b> 19:7,8 58:20 65:16,17 66:25 78:23 80:21 <b>three</b> 12:21,21 13:5 15:14 80:12 85:18 <b>time</b> 9:7 17:19 21:10 24:7,21 32:5 40:15 60:7 60:10 63:13 64:9 65:1 69:11 72:17 73:6 77:12 78:2 83:22,24 85:18 87:2,4 90:20 <b>today</b> 44:12 52:6 65:4 69:20,25 87:19 88:24,25 89:9,11,19 90:23 90:25 91:22 94:16 94:20,22 <b>Todd</b> 5:5 6:16 24:22 <b>TODD.LARSON...</b> 5:8 <b>told</b> 24:4 25:24 29:15 40:21 44:8 44:14,15 47:5,8 48:1,15,15,19 54:5 60:7 75:1,23 <b>top</b> 15:8 38:15 89:3 89:7 <b>topic</b> 75:20 83:7	<b>topics</b> 9:13 37:21 56:21 <b>total</b> 12:25 <b>totally</b> 44:12 <b>track</b> 94:14 <b>training</b> 22:11 <b>transcript</b> 7:6 97:10 <b>transformative</b> 68:19,19 69:7,9 69:15 72:22 <b>treat</b> 90:23 <b>trial</b> 7:25,25 <b>tried</b> 18:21 19:21 20:3 <b>true</b> 76:21 82:15 96:5 97:10 <b>try</b> 7:10,14 14:22 72:18 93:15 <b>trying</b> 20:9,12 33:24 74:19 83:23 84:5 90:15 <b>turn</b> 31:15 41:15 50:7 70:4 80:6 88:9,10 <b>two</b> 19:19,22 24:23 25:6 27:10,14 32:24 42:9,16 47:19 53:6 54:2 54:23 59:17 62:24 63:3,7,8,12,16 66:22,24 78:12 79:10,12,18,24 85:18 88:8 89:3 90:12,13,13 91:20 <b>types</b> 49:12	86:4,14 87:6,7 <b>unavailable</b> 84:2 <b>uncertain</b> 28:1 <b>unclear</b> 27:6 <b>undersigned</b> 96:3 <b>understand</b> 7:12 13:19 19:12 22:14 24:1 27:5 34:12 37:10 48:14 56:8 61:2 64:16,24 65:3 67:1 71:15 72:8 73:12 74:19 76:16 93:14 <b>understanding</b> 23:20,24 28:12 34:17 35:7 53:7 58:9 60:2,16 61:10,23 62:6 68:17 69:14,21 <b>understood</b> 60:15 <b>unfair</b> 27:10 84:13 <b>unfamiliar</b> 81:17 <b>uniquely</b> 70:14 <b>UNITED</b> 1:1 <b>universities</b> 20:25 <b>university</b> 1:4,8 6:4 6:5,8 11:1,4 16:11 20:18 55:20 57:25 61:5 62:8 64:25 65:5 94:5 <b>updated</b> 35:16 89:21 <b>upload</b> 56:24 <b>urban</b> 87:12 <b>use</b> 11:20 15:4 17:9 18:1,12,15,17 20:18,21 21:1,5 22:3,13,13 24:7 25:8,9,17 26:25 27:3,7,10 28:1,2 29:15 36:7 55:3 55:12,23 57:25 61:1,12,14,24 63:16,21 64:14 66:16 67:22 68:4 68:15,19 69:3,19 69:23 71:11,14,17 72:12,25 73:9,21 74:2,17 75:14 77:5 81:11 82:10 82:16,23 83:11,16 84:11,13 86:13 90:1,6,10,17,18 90:24 92:9 94:7 <b>useful</b> 85:3 92:9 <b>uses</b> 34:2 <b>usual</b> 98:18
<hr/> <b>T</b> <hr/> <b>T</b> 2:11 96:1,1 97:1,1 <b>table</b> 2:20,23 3:1,4 3:7,10,13,16,18 3:21 4:1 33:18 38:23 39:2,15,16 39:25 40:7 41:7 41:15,25 42:8,15 42:23 43:7,16,24 44:24 45:7,15,20 45:22 46:13,20 47:11,19 49:22 50:10 70:21,22 <b>tailored</b> 67:14 72:4 72:9 <b>take</b> 7:14 12:10 24:19 38:12 48:15 50:21 52:23 59:23 64:9 68:24 69:6 81:5,18 82:6 94:4 <b>taken</b> 1:13 6:2 8:23 42:5 67:13 72:4 91:12,20 97:6	<hr/> <b>U</b> <hr/> <b>uh-huh</b> 8:7 10:5 11:25 15:1 18:10 80:12 <b>ULearn</b> 21:1,5,14 21:24 22:9,16,18 22:21 23:21 24:2 24:9,11 25:21 28:18 29:1 32:18 33:14 39:19 40:11 42:20 43:11 44:5 45:11 46:1,25 47:22 49:16 50:14 53:9 54:25 55:3,9 55:12,17,17,22 56:1,12,15 57:13 57:18,25 58:17 59:3,19,22 60:8 60:17,25 62:25 63:3,9 64:1 85:8			

<b>V</b>	<b>weighs</b> 68:14 69:19 69:23 72:11 77:4 81:11 82:9,16,22 83:15 84:10 89:4 89:4	<b>worried</b> 28:21 <b>worry</b> 28:24 <b>wouldn't</b> 81:6 <b>writing</b> 3:17 47:12 47:16 69:3 92:18 93:12 <b>written</b> 66:23 <b>wrote</b> 75:19	<b>12</b> 3:18 22:24 33:23 35:2,3 49:20 50:11 51:2,8,19 53:23 70:20 <b>13</b> 1:23 3:21 23:4 33:21 38:14,22 51:2 <b>139</b> 46:22 <b>14</b> 4:1,12 23:7 33:22 41:6,13 49:25 53:24 <b>140</b> 1:23 <b>148</b> 50:12 <b>15</b> 4:4 12:11,19 23:10 62:11,14,15 62:16,21 64:4 80:6 88:9 89:15 90:1 <b>15-14-37</b> 5:23 98:14 <b>150</b> 43:8 <b>1514</b> 6:23 <b>16</b> 4:6 31:10 62:11 62:14,17,22 79:5 82:21 83:3 88:9 89:16 90:5,11,23 91:9,12,19 <b>17</b> 4:9 24:14,17 39:3 87:1,2 <b>18</b> 86:15 <b>19</b> 15:9 18:1 19:24 30:4,10 86:15 <b>1990</b> 41:11 <b>1996</b> 39:9	<b>24</b> 4:9 40:8 <b>29</b> 2:16	
<b>various</b> 16:24 <b>vary</b> 33:25 <b>Verbalize</b> 10:6 <b>verbally</b> 7:6 <b>version</b> 75:22 <b>versus</b> 6:6 69:15 78:11 <b>VIDEOGRAPHER</b> 5:18 6:1 30:21,24 52:24 53:2 95:2 <b>videotape</b> 7:15 50:21 <b>videotaped</b> 1:13 6:2 <b>view</b> 37:12 73:21 <b>violated</b> 28:14,18 <b>violation</b> 29:8 <b>Vocabulary</b> 3:2,11 42:24 43:5,17 74:8,24 75:8 76:8 <b>volume</b> 70:15 71:3 71:19 <b>volumes</b> 63:15 <b>vs</b> 1:6	<b>Weil</b> 5:6 98:11 <b>went</b> 17:3 85:20 <b>weren't</b> 36:15 49:1 <b>we'll</b> 7:16 12:10 15:16 33:4 38:11 38:19 52:7,23 79:4 87:25,25 <b>we're</b> 6:10 7:15 16:25 37:15 53:3 56:6 69:16 79:5 <b>we've</b> 79:7 93:16 94:24 <b>wide</b> 71:21 <b>widely</b> 14:14 68:22 <b>witness</b> 10:7 20:14 36:14 37:3,16 38:2 51:1 53:16 92:2,20 97:12 <b>wondering</b> 80:25 <b>word</b> 29:11 36:7 76:16 <b>words</b> 59:12 <b>work</b> 7:3 18:12 19:16 21:5 27:7 28:1,3 39:25 40:5 48:2 50:6 56:18 60:24 65:19,20 66:5 68:24,25 70:24,24 71:1,1,4 71:6 72:14,25 73:9,13,21 74:11 75:14 77:1,20 78:8 79:21,21 81:7 83:11 88:15 89:13 90:2,6,10 90:19,25 91:5,5 <b>worked</b> 74:7 94:5 <b>working</b> 26:6 44:17 65:13 <b>works</b> 22:2,5,8 23:13,25 33:18,19 34:1,6,21,21 35:11,13 36:9,15 37:18 38:6 52:3 53:8 54:7,14,18 60:13 62:24 63:8 63:12 75:9 85:21 87:22,23 89:1,8 <b>world</b> 90:16	<b>X</b>	<b>12</b> 3:18 22:24 33:23 35:2,3 49:20 50:11 51:2,8,19 53:23 70:20 <b>13</b> 1:23 3:21 23:4 33:21 38:14,22 51:2 <b>139</b> 46:22 <b>14</b> 4:1,12 23:7 33:22 41:6,13 49:25 53:24 <b>140</b> 1:23 <b>148</b> 50:12 <b>15</b> 4:4 12:11,19 23:10 62:11,14,15 62:16,21 64:4 80:6 88:9 89:15 90:1 <b>15-14-37</b> 5:23 98:14 <b>150</b> 43:8 <b>1514</b> 6:23 <b>16</b> 4:6 31:10 62:11 62:14,17,22 79:5 82:21 83:3 88:9 89:16 90:5,11,23 91:9,12,19 <b>17</b> 4:9 24:14,17 39:3 87:1,2 <b>18</b> 86:15 <b>19</b> 15:9 18:1 19:24 30:4,10 86:15 <b>1990</b> 41:11 <b>1996</b> 39:9	<b>Y</b>	<b>3</b> <b>3</b> 2:18 31:3,14 33:8 39:2 40:3 41:11 41:20 42:4,9 53:19 63:22 67:12 70:19 72:3 78:6 79:6,8,20,22 84:20,20,20 <b>30</b> 16:13,14,16 <b>30309-3521</b> 5:14 <b>30329</b> 1:24 <b>31</b> 2:18 <b>34</b> 79:7 <b>344</b> 44:2 <b>38</b> 3:21 <b>39</b> 2:20
<b>W</b>	<b>W</b> 30:15 <b>walk</b> 33:4 64:5 <b>want</b> 19:12 24:25 26:19 39:1 53:5 61:14 64:5 72:8 85:9,13 91:16 <b>wanted</b> 36:18 60:24 61:3 63:4,5 86:19 <b>wasn't</b> 58:19 61:1 77:19 82:4 <b>water</b> 30:17 <b>way</b> 14:22 15:15 21:14 60:22 66:11 66:11 76:17 81:20 82:4 85:10 89:14 93:15 <b>web</b> 2:15 11:12,13 17:21 20:8 22:15 29:19,22 <b>week</b> 30:13,15 32:25,25 33:7 39:5,7,12,14 40:3 40:16,24 41:11,20 42:3 43:3,19,25 44:1,9,9 45:2,18 46:16,23 47:14 49:25 53:14,16,24 79:25 <b>weeks</b> 13:10,14 56:20 <b>week's</b> 80:4	<b>year</b> 9:10 10:19 12:9 14:21 16:13 17:14 19:15 20:11 25:2 28:16 29:4 30:18 38:10 41:23 44:13 55:16 62:15 63:13 68:6,22 69:5,9,18 72:1 73:10 76:2 77:4 81:8 82:12 83:2 <b>year</b> 24:10 63:15 <b>years</b> 25:6 58:24 <b>Yep</b> 62:18 <b>YORK</b> 5:7 <b>Youjin</b> 1:13 6:2,11 96:3 98:5 <b>Y-o-u-j-i-n</b> 6:19	<b>2</b>	<b>4</b> <b>4</b> 1:17 2:20 15:14 17:8 33:22 39:14 39:24 41:11,12,16 46:17,21 50:9 70:19 72:11 76:12 77:5 80:7,8,11,12 81:12 83:15 88:11 88:12 89:4,8 <b>4th</b> 6:9 <b>404.572.2530</b> 5:14 <b>41</b> 2:23 4:1 <b>42</b> 3:10 <b>43</b> 3:1 39:3 <b>44</b> 3:4 <b>45</b> 3:7 79:8 <b>46</b> 3:13 <b>47</b> 3:16 <b>49</b> 3:18 42:10,16	
	<b>1</b> <b>1</b> 2:15 11:12 64:7 67:21 69:24 82:22 <b>1:08-CV-1425-O...</b> 1:7 <b>10</b> 3:13 12:11,19 33:23 35:2 43:20 44:1 46:13,16,18 46:23 51:8,19 <b>10.B</b> 98:6 <b>10:18</b> 52:25 <b>10:31</b> 53:3 <b>100</b> 25:14 42:10,16 63:7 <b>101</b> 50:11 <b>10153-0119</b> 5:7 <b>104</b> 1:16 <b>108</b> 47:20 <b>11</b> 2:15 3:16 22:24 33:23 35:2 47:11 47:14,16 51:8 <b>11-21-11</b> 97:22 <b>11:36</b> 95:3,4 <b>110</b> 41:17 <b>116</b> 45:24 <b>1180</b> 5:13	<b>3</b>	<b>5</b> <b>5</b> 2:23 33:22 39:8 40:18 41:24 42:4 42:6,9 45:19,23 47:15,19 48:11,16 48:20 53:17,19 63:22 71:9 79:6,8 79:20 86:6 <b>59</b> 46:21		
	<b>2</b> <b>2</b> 2:16 4:12 14:16 29:21 31:6 33:7,8 39:2,2 40:4,7 53:2 67:3 <b>20</b> 16:14,16 <b>2000</b> 43:4 45:3 <b>2001</b> 43:20 45:19 <b>2002</b> 47:15 50:1 <b>2004</b> 42:4 46:17 53:13 <b>2009</b> 2:17,19 10:25 11:4 12:1,5 16:6 20:4,20 21:6,20 22:20 24:16 26:13 26:23 29:23 31:4 56:7 57:12 58:16 76:2,2 84:17 88:18 <b>2011</b> 1:17 6:9 97:18 <b>202</b> 45:9 <b>212.310.8238</b> 5:7 <b>2300</b> 6:23	<b>4</b>	<b>6</b> <b>6</b> 2:5 3:1 15:7 17:25 33:22 42:3 43:4,8 43:15,22 47:15,19 48:12,17,20 53:14 53:16 <b>62</b> 4:4,6		

**65252** 62:15  
**65414** 31:16

---

**7**

---

**7** 3:4 15:5,7,8 31:17  
 33:22 43:3,19  
 44:1,23 45:3,5,8  
 46:17,21

**767** 5:6

**77** 47:20

**770** 1:24

**79** 79:7,12

---

**8**

---

**8** 3:7 31:17 32:2  
 33:22 45:2,15,20

**8/27** 39:5

**81** 41:17

**8250** 30:1,4 31:9

**85** 39:17

**8550** 2:18 30:1 31:4

31:10

**88** 2:6

---

**9**

---

**9** 3:10 19:24 33:22  
 42:22 43:1 45:18

**9th** 97:18

**9-11-28** 5:22 98:10

**9/10** 39:8

**9:15** 6:10

**9:16** 1:18

**9:48** 30:22

**9:49** 30:25

**92** 2:7

**955-5252** 1:24