

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 KAREN PETRUSKA, 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, Room 6, Atlanta, Georgia, on Thursday, April 14, 2011, commencing at the hour of 1:47 p.m.

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

I N D E X

Examinations

Page

EXAMINATION BY MR. LARSON

4

E X H I B I T S

No. Description

Page

1 printout from the GoSolar system

18

for fall 2009 semester for 4210

2 syllabus being used for film 4210

18

3 fair use checklist for Class Film

27

4210 for fall 2009

4 library confirmation for

62

reserves request

Dixon Exhibits

2 GSU's governing copyright policy

14

1 APPEARANCES OF COUNSEL:

2
3 FOR THE PLAINTIFFS:

4
5
6 TODD D. LARSON
7 ATTORNEY AT LAW
8 WEIL GOTSHAL & MANGES
9 767 FIFTH AVENUE
10 NEW YORK, NY 10153-0119
11 212.310.8238
12 TODD.LARSON@WEIL.COM

13
14 FOR THE DEFENDANTS:

15 NATASHA H. MOFFITT
16 ATTORNEYS AT LAW
17 KING & SPALDING
18 1180 PEACHTREE STREET, N.E.
19 ATLANTA, GA 30309-3521
20 404.572.2530
21 NMOFFITT@kslaw.com

22 ALSO PRESENT:

23 KENNITH DRAKE, VIDEOGRAPHER

24 - - -

25 (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 Karen Petruska
3 taken by the plaintiffs in the matter of
4 Cambridge University Press Oxford
5 University Press Inc. and Sage Publications
6 Inc., versus Mark P. Becker, in his
7 official capacity as Georgia State
8 University president, et. al.

9 The date is April the 14th, 2011. We
10 are on the record at 1:47.

11 KAREN CHRISTINE PETRUSKA,
12 having been first duly sworn, was examined and testified as
13 follows:

14 EXAMINATION

15 BY MR. LARSON:

16 Q. Could you start by spelling your name for the
17 record and providing your address?

18 A. Entire name?

19 Q. Yeah.

20 A. K-a-r-e-n. Middle name Christine,
21 C-h-r-i-s-t-i-n-e. Last name Petruska, P-e-t-r-u-s-k-a.
22 Address is 3103 Bluebird Lane in Decatur, Georgia,
23 30032.

24 Q. My name is Todd Larson, I'm here representing
25 the plaintiffs in this matter.

1 Have you been deposed before?

2 A. No.

3 Q. Okay. I'm sure your counsel gave you a sense
4 of how this is going to work, but let me give you a few
5 guidelines, if I could.

6 I'll ask you some questions and I would ask
7 that you answer verbally so that it makes its way on to
8 our transcript. Just let me finish the question before
9 you answer so that we have a clean record.

10 If I ask a question that's unclear that you
11 don't understand, feel free to let me know and I'll try
12 to rephrase it. If you need a break at any point, just
13 let me know. I will tell you that the video that we are
14 running lasts about an hour so we'll take a break in an
15 hour to change the tape.

16 A. Okay.

17 Q. If your counsel objects to the question I ask,
18 that's certainly a normal part of the routine here. You
19 can still answer unless she, you know, actually
20 instructs you not to answer. And that's about it.

21 Any questions on that?

22 A. No, I'm okay.

23 Q. Okay. Let me just start by asking what you
24 did to prepare for today's deposition?

25 A. I didn't prepare.

1 Q. Okay. Did you meet with counsel at some point
2 prior to the deposition?

3 A. Yeah, we had a meeting. She tried to tell me
4 how this would operate.

5 Q. Got you. Did you review documents of any kind
6 in preparation?

7 A. No.

8 Q. Did you speak with anyone at the university
9 about today's deposition?

10 A. No.

11 Q. No other professors or anything like that?

12 A. No.

13 Q. All right. I take it then you didn't look at
14 any of the transcripts of prior depositions?

15 A. Oh, no.

16 Q. Have you read any papers or filings related to
17 the lawsuit?

18 A. I've seen a couple web links that -- just like
19 the announcement of the trial date I saw. Our librarian
20 forwarded that.

21 Q. I see. So you haven't read like the complaint
22 in the case or --

23 A. No.

24 Q. Just let me finish before you jump in.

25 Speaking of the trial, you're aware the trial

1 has been set for May 16th start date?

2 A. Yes.

3 Q. Okay. Are you generally going to be in the
4 Atlanta area from, say, May 16th through the middle of
5 June?

6 A. No.

7 Q. Okay. Where are you planning to be?

8 A. I would be in the midwest for two weeks.

9 Q. What two weeks are those?

10 A. May 19th or 20th through June 5th. I'll be
11 back for June 6 when the new semester starts.

12 Q. Okay. And what's the purpose of the travel?

13 A. Family, 70th birthday party.

14 Q. That's May 19th to June 5th?

15 A. Yes.

16 Q. Okay. And are you going to be in Atlanta May
17 16th through the 18th?

18 A. Yes.

19 Q. Okay. Do you know at this point whether you
20 will be a trial witness?

21 A. I do not.

22 Q. Okay. Is it right, are you a graduate
23 student?

24 A. Yes.

25 Q. Are you -- how many years into your program?

1 A. Fourth year.

2 Q. Are you working on your dissertation?

3 A. Yes.

4 Q. When's that due?

5 A. One more year.

6 Q. And I take it you teach as part of your
7 program, is that right?

8 A. It's part of my assistantship.

9 Q. How long have you been teaching?

10 A. Since the first year. That was a different --
11 I was a research -- I was a teaching assistant for that
12 under a professor.

13 Q. And when did you start teaching your own
14 courses?

15 A. Second year.

16 Q. Okay. And roughly how many courses have you
17 taught?

18 MS. QUICKER: Excuse me. Is that by
19 herself?

20 BY MR. LARSON:

21 Q. By yourself.

22 A. We do three a year, so six.

23 Q. And you may be aware, your role in this
24 proceeding has to do with a course called film 4210 that
25 was taught in the fall 2009 semester?

1 A. Correct.

2 Q. Was that the first time you taught that class,
3 or had you taught it previously?

4 A. Only time, yes.

5 Q. First and only?

6 A. Yes.

7 Q. Are you teaching now?

8 A. No.

9 Q. And why not?

10 A. I'm on fellowship.

11 Q. And what does that mean?

12 A. It means that I have been relieved of teaching
13 in order to pursue other opportunities, like publishing
14 and my research.

15 Q. And have you published?

16 A. I have a book chapter in one collection, I
17 have co-edited with another author for another book and
18 then I have one that's out just being reviewed.

19 Q. Tell me about the book chapter; what book is
20 that?

21 A. It's a book about a show on the CW called "The
22 Supernatural".

23 Q. And who's the publisher?

24 A. I do not recall. It's not one of the majors,
25 it's a smaller, because it's more of a popular culture

1 general audience.

2 Q. And when did that come out?

3 A. That will be out. Nothing is out yet.

4 Q. I see. Okay. And do you have a contract for
5 that book or for that chapter?

6 A. I signed a one page contract.

7 Q. And was that with the publisher of the book
8 or --

9 A. It's an edited collection, so I worked with
10 the editors. They do all of the official.

11 Q. And were you paid for the chapter?

12 A. No.

13 Q. Did you as part of that agreement, do you
14 know, did you assign your copyright in the chapter over
15 to the editor or the publisher?

16 A. I actually do not know the answer.

17 Q. Okay. And tell me about the -- you said you
18 were a co-editor of a book, is that right?

19 A. No, it's a chapter in another book.

20 Q. And just forgive me, but what does it mean to
21 be a co-editor of a chapter?

22 A. A coauthor with my mentor.

23 Q. And what book is that?

24 A. It's a book on the iPhone that's not out yet,
25 either.

1 Q. And what's your chapter about?

2 A. It's about television distribution through
3 mobile platforms.

4 Q. And same question there, did you sign a
5 contract of any kind for that chapter?

6 A. Again, a short one, one and a half page with
7 the editors.

8 Q. With the editors of the volume?

9 A. Right. We commit to giving them the chapter
10 by this date.

11 Q. And on that one, do you know whether you
12 assigned your copyright in the chapter?

13 A. I do not know.

14 Q. And then did you mention a third?

15 A. I sent an essay to be considered.

16 Q. And where was that?

17 A. That's for Popular Communication, a journal.

18 Q. Is publishing important to your career
19 aspirations?

20 A. Yes.

21 Q. And why so?

22 A. Because you are considered to be active in
23 your field. It's one of the ways that they can gauge
24 that. There's others, but publishing is one of the
25 areas they consider.

1 Q. And in your field is that generally -- is it
2 important that you publish a book or are journal
3 articles enough, or how does that work?

4 A. As a graduate student I'm just trying to get
5 published in many ways. But a book would be what you
6 would do as an assistant professor when you're hired
7 into tenure track. It's a later career goal.

8 Q. And will that be an outgrowth of your
9 dissertation?

10 A. Depends. I don't know.

11 Q. And do you have a sense at this point of
12 whether it's important in that process of publishing, to
13 publish with a certain publisher or a publisher of a
14 certain cache or anything like that?

15 A. I wouldn't be -- I'm not the best person to
16 answer that. I know there's people who probably care
17 about certain journals, but I don't know the
18 distinctions. It's not under my purview right now.

19 Q. Understood.

20 Let me show you -- this was previously marked
21 as Dixon 2. Do you recognize the document that I've
22 just put in front of you?

23 A. I do not think so, no.

24 Q. Okay. Are you aware of whether GSU has a
25 governing copyright policy?

1 A. I do not know that I can swear to that.

2 Q. Okay. But this document isn't something
3 you've seen before?

4 A. No.

5 Q. Okay. Can you look at page 7. You see at the
6 top it says 1 of 19. Have you seen what is on page 7?

7 A. Yes.

8 Q. And you've filled out this -- one of these
9 checklists in the past, correct?

10 A. Yes.

11 Q. Just take a flip through, if you would, and
12 let me know if there are any other besides 7 and 8, if
13 there's any other pages you've seen before?

14 A. I cannot swear that this document I have seen.
15 I have seen references to orphan works. I cannot say it
16 was the University of Georgia's.

17 Q. Turn to 15 if you would for me. You see in
18 the middle there's a section called works in print?

19 A. Yes.

20 Q. And a reference to Copyright Clearance Center?

21 A. Yes.

22 Q. Have you ever heard of Copyright Clearance
23 Center?

24 A. No, I have not.

25 Q. So look back to page 7, the checklist --

1 A. Uh-huh.

2 Q. -- that you said you have seen.

3 A. Yes.

4 Q. And you have filled out before?

5 A. Yes.

6 Q. Where did you -- where did you get the
7 checklist that you filled out?

8 A. This is going to be based on memory, so I'm
9 going to do my best memory, recollection.

10 Q. Sure.

11 A. When we engage with different university's web
12 sites, screens may appear, so this is something that has
13 appeared through working my way through various screens,
14 interfaces.

15 Q. And do you mean the screens on the GSU web
16 site?

17 A. Sure.

18 Q. And have you seen this checklist or used it
19 elsewhere other than the GSU web site?

20 A. No, I've not used it any other.

21 Q. And is this something in the course of making
22 a request to the library to put certain materials on the
23 EReserve system that this --

24 A. That's most likely.

25 Q. That's something you've done, I take it,

1 right?

2 A. Yes.

3 Q. Okay. And have you filled out this checklist
4 for each of the works that you've asked the library to
5 place on the EReserve system?

6 A. I believe so. We're prompted.

7 Q. Have you attended any sort of training
8 sessions around the university policy?

9 A. I'm going to have to answer that to, again,
10 the best of my ability.

11 Directly specifically this is about copyright,
12 no. There was a federally mandated ethics training and
13 a portion of that did go over a little bit of copyright.
14 But grad students have not had a meeting like that that
15 I recall.

16 Q. And what was the ethics training?

17 A. That came down from like the federal
18 government mandated that across -- well, at least across
19 Georgia. And so one of our faculty who is also an
20 attorney led a one day session. There was also two
21 separate online components.

22 So also some of this I could have seen that
23 way. But again, the focus wasn't so much copyright per
24 se, it was more broadly ethics subjects, that sort of
25 thing. So this was just one part.

1 But the online component, one of them in
2 particular was very intensive. But it was often about
3 using human subjects, how data is accurate.

4 Q. And in the course of that, when you did touch
5 on copyright subjects, do you remember whether this
6 checklist was actually described or shown to you or --

7 A. I do not remember.

8 Q. In the course of using or requesting the
9 materials be put on the EReserve system, have you ever
10 consulted with any administrator at the library or
11 elsewhere at the university about your course materials?

12 A. We -- nothing would be a formal engagement. I
13 am friendly with one of our liaisons, so I would ask
14 her, do you know about this book, like do we have it
15 available. I would have that sort of interaction.

16 Q. And who is that?

17 A. Netta Ahmad is the media liaison.

18 Q. She's a library employee?

19 A. Yes.

20 Q. And does she -- do you know, does her role
21 cover texts and printed works or is she primarily for
22 films like that you want to use?

23 A. I don't know her job description.

24 Q. But you've had interactions with her about
25 reading materials for your courses?

1 A. Yeah, she'll say have you seen this book and
2 I'll say do you know if we have this book, that sort of
3 thing.

4 Q. And when you say do you have it, meaning --

5 A. In our library.

6 Q. And when you've asked her that, whether you
7 have a particular book in your library, is that because
8 you're considering using it as reading material in your
9 course?

10 A. Usually it's for my own research.

11 Q. Have you ever discussed with her or consulted
12 with her about how to fill out a checklist, various
13 checklists?

14 A. No.

15 Q. Have you consulted with anyone else about how
16 to fill out various checklists?

17 A. No.

18 Q. If someone from the library contacted you and
19 told you you needed to remove one of your EReserves
20 listings because it was in violation of copyright, would
21 you do it?

22 A. Of course.

23 Q. And same question for the provost's office?

24 A. Sure.

25 Q. Same question for the president's office?

1 A. Sure.

2 Q. Are you familiar with the university's GoSolar
3 system?

4 A. Yes.

5 Q. Okay. I show you Petruska 1. This is a
6 printout that we made from the GoSolar system for the
7 fall 2009 semester for your course listings.

8 Is this -- is it correct that you taught film
9 4210 in the fall 2009 semester?

10 A. Yes.

11 Q. And this indicates that there were I believe
12 24 students enrolled in the class, is that right?

13 A. I believe that's accurate.

14 Q. Put that one aside.

15 This will be Petruska 2. You recognize
16 Petruska 2 as the syllabus being used for film 4210?

17 A. Yes.

18 Q. And just tell me, if you would, the general
19 subject of the course?

20 A. It's actually the history of broadcasting
21 covering radio and television.

22 Q. And there were readings that students had to
23 do to participate in the class, is that right?

24 A. They all had a textbook. That was our main
25 text. They all purchased "Only Connect", Michele

1 Hilmes. There were supplementary essays.

2 MR. LARSON: Hold on a second. Why
3 don't we to go off the record for a moment.

4 THE VIDEOGRAPHER: Off the record at
5 2:06.

6 (Brief recess.)

7 THE VIDEOGRAPHER: Back on the record
8 at 2:07.

9 BY MR. LARSON:

10 Q. All right. Just so we have a clear record
11 here. There's a required text in the course?

12 A. Yes.

13 Q. And that's the Hilmes book here, "Only
14 Connect"?

15 A. Yes.

16 Q. And then it says supplemental readings
17 available on ERes or ULearn.

18 Just tell me, if you would, what you mean by
19 supplemental readings?

20 A. It means that they're additional. They're
21 extra.

22 Q. Additional to the text?

23 A. Additional to the text.

24 Q. Are those readings required readings?

25 A. I wanted the students to do them, largely for

1 class discussion.

2 Q. And tell me what you mean by largely for class
3 discussion?

4 A. I used -- I believe I used them as part of an
5 oral report project, so certain students would read a
6 certain essay and they would be like people that were
7 able to help encourage conversation in class.

8 Q. Just take a look at the top of page 2, if you
9 would. Says here that students are asked to complete
10 five one-page response essays to an article assigned as
11 supplemental readings?

12 A. That's it, yeah.

13 Q. And so I take it that would require the
14 students to do the readings?

15 A. To finish the assignments.

16 Q. Just let me finish the question, if you could.
17 And then flip back to page 1 for me again. I
18 also see down in the last paragraph you gave quizzes
19 covering the assigned readings as well, is that right?

20 A. I did give quizzes.

21 Q. And did those quizzes cover what you've called
22 here the supplemental readings as well?

23 A. I do not recall. Actually I probably can tell
24 you no, because I never could guarantee which essay a
25 student had read. They did not have to read all.

1 Q. So the requirement was just that they read
2 five, write a paper on five of them?

3 A. Yes.

4 Q. But in any given week --

5 Well, let's turn to back to where the page
6 that's Bates numbered 5775, weekly reading and screening
7 schedule.

8 A. Uh-huh.

9 Q. I see on week one there's an entry that says
10 EReserves, Winston, "How Media Are Born"?

11 A. Right.

12 Q. So that was a book chapter?

13 A. It's a deadline if you want to write on that
14 chapter.

15 Q. So in any given week some students would
16 choose to do their single page paper about this work?

17 A. Correct.

18 Q. But not necessarily every student?

19 A. Right.

20 Q. And if the students didn't do the one page
21 paper on it they weren't required to read it?

22 A. Right.

23 Q. Do you have any understanding of whether the
24 students who didn't choose to write about a particular
25 reading in a given week actually read the article

1 nonetheless?

2 A. I do not know.

3 Q. You use ULearn as well, correct?

4 A. Yes.

5 Q. Tell me -- I notice looking down, for example,
6 at week 9, the 10:15 class.

7 A. Uh-huh.

8 Q. There's an entry for an EReserves reading,
9 "The MTM Style", and then there's an entry for ULearn
10 reading "Good Times In Race Relations".

11 Why is it that you used EReserves for one of
12 them and ULearn for the other?

13 A. I can't speak to these particular essays, I
14 don't recall which essay why. It depends on -- ULearn
15 means somehow I had the chapter generally because we
16 have a subscription to a journal that provides the
17 chapter.

18 Q. Okay. Let me make sure I understand that. So
19 if -- let me just ask again.

20 When would you use generally use EReserves for
21 a reading and when would you choose to use ULearn for a
22 reading?

23 A. I have to look at notes and look into why I
24 made the particular decisions. But probably the most
25 common one would be that we have a subscription to a

1 journal, therefore I'm able to access it through the
2 library web site and have a copy of the article to be
3 able to -- library has it to be able to put -- make it
4 available to students.

5 Q. So which system in that situation?

6 A. Well, we would have a subscription to the
7 journal. That depends, too. It depends with whom we're
8 getting the subscription from. There's various
9 different services.

10 Q. Just the piece I'm missing. If the library
11 had a subscription to --

12 A. Everybody has access to it.

13 Q. And then would you put that on EReserves or
14 ULearn?

15 A. That would go on to ULearn.

16 Q. And what you would put on ULearn be an actual
17 like PDF copy of the article or would it be a link to a
18 journal database?

19 A. It would depend. Sometimes I have a link. It
20 depends, like I said, it depended on what kind of access
21 was provided through the subscription.

22 Q. Okay. And EReserves by contrast, what would
23 you put on EReserves or when would you choose --

24 A. That goes through the library. They have the
25 book on the shelves and therefore they're able to

1 provide the students access to it through EReserve.

2 Q. Okay. So EReserves are book chapters that
3 where the library has a copy and puts a PDF on the
4 EReserve system?

5 A. Yes. Some sort of online system, I don't know
6 if it's specifically Adobe Acrobat.

7 Q. Let's go to week 1 if we could. I just want
8 to confirm, the Winston "How Media Are Born" excerpt was
9 assigned and placed on EReserves?

10 A. Yes.

11 Q. And then in week 2 the same for the Douglas
12 article listed there?

13 A. Yes.

14 Q. And in week 3 the Douglas article listed there
15 was placed on EReserves?

16 A. Well, I'm trusting what I've written here. I
17 know offhand the Douglas is from a book.

18 Q. Okay. Are there any here just scanning
19 through that in each of the listings under each week
20 where it says EReserves, are there any that you know
21 sitting here that you didn't use?

22 A. I believe if they're on this syllabus that
23 they were used.

24 Q. Let's look at week 8. It says EReserves
25 Anderson "Disneyland"?

1 A. Uh-huh.

2 Q. Now, is that a chapter by Chris Anderson
3 called "Disneyland"?

4 A. Yes.

5 Q. And that's in a book called "Television: The
6 Critical View"?

7 A. Yes.

8 Q. That's published by Oxford?

9 A. Correct. And edited by somebody on my
10 dissertation committee.

11 Q. Now, is that Horace Newcomb?

12 A. Correct.

13 Q. Is that a GSU professor?

14 A. University of Georgia.

15 Q. Georgia.

16 Now, did you ask when you used this, did you
17 ask permission from Professor Newcomb to use this
18 particular excerpt?

19 A. I don't believe I talked to him about this
20 course.

21 Q. So looking at 10:15, "The MTM Style" you said
22 was on EReserves. And the "Good Times In Race
23 Relations" was on ULearn but the format you're not sure
24 of sitting here today?

25 A. Why I made those decisions, I don't know.

1 Q. You know whether what was on ULearn was a link
2 or an actual copy of the --

3 A. I don't recall specifically. I can't --

4 Q. And look at 11/5. It's on page 5777. There's
5 two ULearn entries there.

6 Again, same question, do you know whether
7 those particular excerpts were provided through a link
8 to a journal database or actually copies of these
9 excerpts?

10 A. I don't have the whole bibliographical
11 citation here so I can't speak specifically which
12 journal or which type of -- I'm sorry.

13 Q. That's okay. And would that be the same for
14 the two listed under November 12th?

15 A. Yes.

16 Q. Did you complete fair use checklists for each
17 of the excerpts here that are indicated as being
18 EReserves?

19 A. I believe the system prompted me to do so.

20 Q. So you believe you did complete checklists for
21 each of them?

22 A. Yes. Online through the interface.

23 Q. And then did you print them or save them in
24 some way or --

25 A. What I saved was the whole list, which said

1 fair use, claimed fair use.

2 Q. And what do you mean by the whole list?

3 A. I believe that's a document under -- but it's
4 a printout at the end. You were able to -- or save to
5 PDF a whole record of every essay that you had requested
6 from EReserve. That's what I had.

7 MR. LARSON: Let's just mark this. Let
8 me give you what will be Petruska 3?

9 MS. QUICKER: Yes.

10 BY MR. LARSON:

11 Q. I can't believe I lost track already.
12 Is this what you're talking about when you say
13 that you got a printout?

14 A. This is not the document I'm referencing.

15 Q. Is what you're talking about a printout that
16 sort of lists everything that you requested for the
17 class?

18 A. Yes. From EReserve.

19 Q. Right. And is that something that you
20 produced to counsel as part of this process?

21 A. Yes.

22 MR. LARSON: If that hasn't been
23 produced, we request it. It's possible
24 that it was.

25 BY MR. LARSON:

1 Q. And then with respect to the checklist itself,
2 looking at Petruska 3, you recognize this as the
3 checklist that you completed for the Anderson
4 "Disneyland" excerpt that we were discussing?

5 A. Yes.

6 Q. And did you complete this, or when did you
7 fill this out?

8 A. I filled this out at request.

9 Q. I'm sorry, what does that mean?

10 A. Counsel asked for documentation.

11 Q. This was last November approximately?

12 A. I do not recall the date.

13 Q. Sometime in the last few months?

14 A. Last year.

15 Q. And so did you initially fill out a checklist
16 for this excerpt when you made your request to the
17 library to have the work put on the EReserve system?

18 A. EReserve prompts us to fill out certain -- to
19 answer certain questions, I can't recall exactly. It
20 may have been separate screens saying here's one
21 question. You have to fill out a series of questions to
22 claim it as fair use. The system prompts you to do so.

23 So it doesn't look exactly like this I don't
24 think. But I don't recall exactly. I just know that
25 they have a series of questions about what qualifies.

1 Q. Okay. And so you went through this series of
2 questions for the fall 2009 semester sometime late
3 August of 2009?

4 A. Right. Yes.

5 Q. And to your recollection the questions that
6 you went through on the screens you've been describing
7 weren't exactly this fair use checklist that's in front
8 of you now?

9 A. I can't recall. I know that we were just
10 prompted to review a series of questions.

11 Q. And do you recall with any specificity what
12 the questions were?

13 A. I do not.

14 Q. And at the end of that process, did the system
15 indicate somehow whether or not the use that you were
16 intending was a fair use?

17 A. I do not remember. I do not know. I believe
18 that it depends on my statement. So like I said, I am
19 entering the data and it reflects the data.

20 Q. And I guess what I'm wondering is whether the
21 system says based on the data that you've put in this is
22 or isn't a fair use or whether you had to make that
23 determination yourself?

24 A. It did not tell me at any time this is not
25 fair use.

1 Q. So you based on the screens determined that it
2 was a fair use?

3 A. I explained to them why I believed it was fair
4 use, why based on the questions I was asked I said yes
5 or no to things.

6 Q. And so then you actually filled out the form
7 that we have in front of us as Petruska 3 at some point
8 last year at the request of counsel?

9 A. Yes. Yes. Because the system did not
10 generate it for me.

11 Q. Okay. So when you -- going back to August of
12 2009 when you went through that process, was the only
13 sort of paper result or printed result of that the
14 document you described before that listed all the --

15 A. It's the one I have. That's all I can say,
16 it's the one I have. I don't recall if I was given
17 other options that I did not --

18 Q. And the one you have is that list --

19 A. Yes.

20 Q. -- of other things you requested and an
21 indication that you believed them to be fair use?

22 A. Yes, that's the documentation I have.

23 Q. So tell me when you filled out Petruska 3,
24 were you deciding what boxes to check attempting to
25 remember what you had done before or were you basically

1 filling it out as you analyzed it as you were doing it?

2 A. I was trying to remember what I did before.

3 Q. And let me just make sure I understand. I
4 think you said what you've done before didn't involve
5 this checklist?

6 A. I do not know that that is true.

7 Q. Okay.

8 A. I can't say that it did not involve this
9 checklist. There's a series of screens, they may have
10 included every single question right here. I don't
11 recall today.

12 Q. So I take it you don't know for sure then
13 whether what you did when you filled out Petruska
14 Exhibit 3 is in fact identical to what you filled out
15 back in August of 2009?

16 A. Right. Based on my recollection, I cannot.

17 Q. And when you filled out Petruska 3, were there
18 any instances where you said, you know, where you felt
19 that -- strike that.

20 When you filled out the checklist here in
21 Exhibit 3, were there any instances where you checked a
22 box in filling it out that you hadn't checked back in
23 August of 2009?

24 A. I do not know.

25 Q. And when you did this, when you filled out

1 Exhibit 3, did you do any other checklists other than
2 this one?

3 A. I do not know. I do not -- I do not know.

4 Q. This is the only one you remember doing?

5 A. Right. Well, no, in 2009. I'm sorry, you're
6 asking about 2009 or you're asking about last year?

7 Q. Last year.

8 A. Well, I was asked to produce this document.

9 Q. For this particular excerpt?

10 A. Right.

11 Q. Back in 2009 did you do any sort of fair use
12 checklist or form for the entries that are on your
13 syllabus as ULearn entries?

14 A. That system I do not believe prompts a similar
15 set of questions.

16 Q. So the answer is no?

17 A. The answer is no, to the best of my
18 recollection.

19 Q. Let's look at factor 1 if we could. I see
20 you've checked, looking at the left hand column,
21 nonprofit educational?

22 A. Correct.

23 Q. Just tell me why you checked that.

24 A. Because the university is I believe a state
25 institution, therefore it falls under my understanding

1 of what nonprofit educational would qualify as.

2 Q. And why did you checking teaching?

3 A. I was an instructor for a course so it was
4 part of my curriculum for the students, like I said, to
5 encourage discussion.

6 Q. And why did you check, looking down at the
7 bottom entry, use is necessary to achieve your intended
8 educational purpose?

9 A. I felt the essays were useful to some exposure
10 to them. Like I said, they didn't read every one, but
11 it showed them some of what scholars do.

12 Q. Now, would those three boxes that you've
13 checked, would it be the case -- well, are those the
14 three that you checked any other time you've done this
15 list?

16 A. I believe those three are pretty -- would be
17 pretty common for me. Generally I'm -- if I'm using
18 them in a course it's for Georgia State, it's for
19 teaching, it's for educational purpose.

20 Q. So if you've gone to the trouble of selecting
21 a reading and assigned it to your students, it would get
22 those three boxes?

23 A. Right. I can't speak to specifics. I'd have
24 to have a specific essay to answer that. But I can say
25 that I suspect if I'm teaching a course for a university

1 I'm assuming it has an educational benefit.

2 Q. And if it has that educational benefit you
3 check that last box there, use is necessary to achieve
4 your intended educational purpose?

5 A. That check, that box is -- looking at it
6 today, the word necessary, I feel a little hemmed in by
7 it. So I don't want to say even a straight yes or no.
8 I would -- I mean, it would depend on the essay, I
9 suppose.

10 Q. I see here transformative is not checked. Can
11 you just tell me your understanding of transformative?

12 A. I think my understanding of transformative is
13 different today than it was probably a year ago.

14 Q. Explain, if you would.

15 A. I did an online fair use seminar just out of
16 curiosity one day.

17 Q. And when did you do that?

18 A. Two months ago.

19 Q. And where was -- where was that online?

20 A. There was a person at University of Southern
21 California who's doing a talk for a web site, it was
22 free so I was able to just log in and listen to that.

23 Q. Okay.

24 A. But that probably taught me more about
25 transformative in that that talk was about a very

1 specific site which advocates fair use, and so for them
2 transformative is a crucial value for -- you know,
3 crucial justification for fair use. It's what scholars
4 do, transform media objects through analysis.

5 Q. And in your view is the selecting of a
6 reading, course reading for students a transformative
7 use?

8 A. Any response that I'll make will be about my
9 interpretation of the term, so I can't tell you what the
10 legal definition is.

11 Q. And that's what I'm looking for.

12 A. I think in a classroom you're engaging with
13 students and their ideas and feedback and I could make a
14 case that it's transformative based on my reading of it
15 because we are engaging with text, we're finding areas
16 where there's lack, we're finding new ways to jump off
17 of it and to discuss other things. There's a lot --
18 there's such an engagement with it. You don't just read
19 it and just take it.

20 But again, I don't know what this form means,
21 yeah.

22 Q. Understood. But so is it your view then that
23 if you were filling out this -- when you do fill out
24 this checklist again for course readings that you have
25 selected that you would check transformative?

1 A. I don't know the answer to that.

2 Q. And what --

3 A. I think what I'm saying is I would like to
4 learn more about that term.

5 Q. On the other side there's an entry for
6 nontransformative. You did not check that. Just tell
7 me at the time you filled out the checklist why you
8 didn't check nontransformative?

9 A. I feel like it's very rare that a scholarly
10 object is static. That to me seems static.

11 Q. Nontransformative seems static?

12 A. Uh-huh.

13 Q. And how is that, what you just said, apply to
14 choosing to assign a reading to students in a course?

15 A. I have to clarify the question. Are you
16 asking if I would check it today or are you asking what
17 my thought process was then?

18 Q. Well, first let's start with what your thought
19 process was when you filled this out in -- whenever it
20 was last year.

21 A. I think the fact that I didn't check either
22 one suggests the term, I didn't know what it meant.

23 Q. And now sitting here today, would you check
24 nontransformative?

25 A. Now I would ask more questions before I filled

1 it out.

2 Q. And ask questions of whom?

3 A. I'd probably ask our librarian. Not that
4 she's an expert in fair use, but she would certainly
5 know who I could talk to to find out for sure what those
6 words mean before I check a box. So --

7 Q. And who specifically at the library are you
8 referring to?

9 A. I would start with Netta first and then she
10 would let me know who else I would need to talk to.

11 Q. You didn't check criticism, comment, news
12 reporting or parody. Just tell me why not?

13 A. That's an awful lot of words I'll put in one
14 check box. I think because none -- everything was
15 internal to the course. When I think of those terms I
16 think of a blog entry or an article in a newspaper or
17 something external where you're doing something with it
18 and our goal was within the classroom.

19 Q. Okay. There are no boxes checked in the
20 weighs against fair use column.

21 Do you recall ever in completing a fair use
22 checklist for any other work ever checking any box on
23 the right hand side under factor 1?

24 A. I think -- I can't answer that do I recall. I
25 don't recall ever. I can't talk about hypotheticals.

1 Q. I'm not asking hypothetical, I'm asking
2 specifically about checklists you've filled out in the
3 past.

4 A. I don't recall. Entertainment would be one
5 that there's a potentiality sometime I might check
6 entertainment because media objects can be entertaining.
7 That can be one of their elements if not -- it's not the
8 main one within a classroom structure.

9 Q. But you don't recall ever having actually
10 checked entertainment?

11 A. I don't recall. But we don't -- it's not for
12 commercial activity, we're not profiting from the use,
13 there's no, you know, financial transaction for the
14 university.

15 Q. Let's turn over to the next page. Let's look
16 under the weighs in favor of fair use column. On the
17 left hand side you checked published work, important to
18 educational objectives.

19 Tell me why you checked important to
20 educational objectives?

21 A. Part of the point I think for me with having
22 supplemental readings was just a way to enhance what you
23 get from the textbook. So if part of the goal is to see
24 other ways to discuss television, each essay could
25 potentially provide another way to consider television.

1 Q. And is that essentially the same reason that,
2 looking back at factor 1, the use is necessary to
3 achieve your intended educational purpose, is that the
4 same reason you checked that box?

5 A. I suppose they could be related. I mean, my
6 goal is to introduce students to a variety of ways to
7 think about television, a variety of ways to analyze it,
8 to comprehend it, largely new to them.

9 Q. Let me ask it a different way. Just looking
10 at the last entry under factor 1 and the last entry
11 under factor 2, sitting here do you see a difference
12 between those two entries?

13 A. Sure. Word necessary is a tricky word.
14 Important to educational objectives is something that I
15 consider a value.

16 Necessary to suggests that the course can't do
17 without it, which I would not say is true. The course
18 could do without it.

19 Q. And if there was a work, reading that for
20 which it was in fact necessary to achieve your
21 objectives, then I take it it would also be important to
22 the objectives?

23 A. If it was necessary I suppose it would also be
24 important, if you're going to weigh importance of works.

25 Q. Well actually let me stick to the left hand

1 side.

2 You did not check factual or nonfiction work.
3 Just tell me why not?

4 A. I think of nonfiction, I think of writing
5 about -- well, writing about people or historical
6 events, I suppose.

7 I thought of these as scholars interpreting
8 texts, so I didn't think of them so much as trying to
9 describe a real life -- I guess I thought of nonfiction
10 as a very specific genre of literature.

11 Q. And this is more -- this particular chapter
12 was more in the nature of sort of theoretical --

13 A. Right.

14 Q. -- analysis or -- okay.

15 Now, on the other side there's highly creative
16 work. You didn't check that. Is that because it didn't
17 fall into that category, either?

18 A. Well, they give you a parenthesis there, so is
19 it art, is it music, is it a novel, it wasn't any of
20 those things.

21 Q. There are no checks on the right hand side
22 under factor 2. Do you recall ever in any of your
23 checklists that you filled out ever checking a box on
24 the right hand side under factor 2?

25 A. I don't recall. Oh, I don't recall. I do

1 teach classes that involve films, so it's possible that
2 I would teach a class that would be considered a highly
3 creative work.

4 Q. Have you filled out a checklist with respect
5 to films that you use in your course?

6 A. There were no films in this course, no cinema
7 films.

8 Q. But there are in other courses you teach,
9 correct?

10 A. I have taught courses on film.

11 Q. And in those courses, have you actually shown
12 students film clips or made them available?

13 A. There are separate rules for film. I mean,
14 largely the most recent changes with the digital
15 copyright code allows scholars to show clips in class,
16 like some of that we're allowed to do now.

17 To show entire films our library has to have a
18 copy of it. If they don't we provide the list, they buy
19 the copy. We always want students to have that access.
20 And it's shown in a screening room. It's a separate
21 situation.

22 Q. Okay. Let's turn to factor 3.

23 A. Okay.

24 Q. You selected small portion of work used. Just
25 tell me your reason for selecting --

1 A. It's my understanding of some guidelines for
2 fair use, some guidelines suggest that it's important
3 to -- if you were going to use the whole book you should
4 assign the whole book, you should have students buy the
5 whole book. So it was something I took into account
6 that I was not using too much of any one book.

7 Q. When you say guidelines, what guidelines are
8 you referring to?

9 A. This is what I now understand to be sort of --
10 well, this is just kind of what you absorb.

11 Fair use, my understanding was one of the
12 qualifications like having it be noncommercial is an
13 important qualification, only a small part of a book or
14 an artistic object was an important factor towards fair
15 use. It's just one of the factors I had in my head that
16 was --

17 And maybe it's, like I said, reading those
18 EReserves screen, it's -- this is one of the factors
19 that I thought was a good one to consider.

20 Q. And tell me for -- this checklist is
21 specifically analyzing the Chris Anderson chapter,
22 correct?

23 A. Right.

24 Q. And with respect to that chapter, why was it
25 that you identified it as being a small portion?

1 A. Because there were like 15 to 20 essays in the
2 book, and I believe I used one. And there are many
3 wonderful essays in that collection.

4 Q. Okay. And where for you would you cross over,
5 just sticking with this book, from small portion to
6 large portion?

7 A. Well, for me it would probably -- this is my
8 personal opinion, I don't know that this is law.

9 Q. And all my questions are just looking for your
10 understanding, not a legal conclusion.

11 A. A third, anything more than a third is for me.

12 Q. A third of the chapters or a third of the
13 pages?

14 A. A third of the entire book, because I mean,
15 introductions, I'll consider those, introductions are
16 sometimes the most useful part.

17 Q. When you say a third of the book, though, I
18 just want to understand your measurement. Is that a
19 third of the total number of chapters or a third of the
20 total number of pages?

21 A. I'm not sure I've made the distinction.

22 Q. And where does that, if you can point to
23 anything, that understanding come from that a third is
24 the line between small and large?

25 A. Osmosis is the best answer I can give. We

1 come across things of fair use, I follow a lot of web
2 sites. I just -- I read things as a media scholar,
3 interested in digital media, it's just something that
4 everyone talks about all the time.

5 Q. Are there any particular web sites or blogs
6 that you can recall that you refer to regularly?

7 A. Yeah. The Electronic Frontier Foundation
8 would be a personal favorite. And that's very much
9 advocating fair use, they have a decided political
10 agenda. But they are always interesting in how they
11 approach things.

12 But I read corporate policies, I read how
13 corporations are trying to protect content. It's very
14 important to them.

15 Q. And had you been given any information
16 specifically from anyone at Georgia State as to how to
17 determine whether a portion is small or large?

18 A. No, not that I recall.

19 Q. You didn't check portion used is not central
20 or significant to entire work as a whole. Just tell me
21 your reasoning for not choosing that one?

22 A. In particular with this book it's an
23 anthology. First of all, I feel mean if I said one
24 author within the collection was more important than the
25 other.

1 But yeah, there were so many wonderful essays
2 that I don't think this one was necessarily the heart --
3 there's seven editions of this book, so I don't know,
4 you know, what -- what Newcomb would say would be the
5 heart. But I did not view this essay as crucial to
6 every version of this book.

7 Q. So maybe I'm misunderstanding. That would
8 suggest to me that you would check the box on the left,
9 portion used is not central or significant to entire
10 work as a whole?

11 A. Yeah, right, I would probably -- yeah, portion
12 is not -- I think I was interpreting that as my
13 classroom.

14 Q. Tell me what you mean by that.

15 A. I don't know how I interpreted that. Yeah,
16 because I would -- sitting here today I would say --
17 maybe I didn't feel authoritative to check that box.

18 Q. But sitting here today you probably would for
19 this particular chapter?

20 A. Again, it's an anthology, I find that a tricky
21 question for it.

22 Q. In an anthology is there any chapter that one
23 can say is central or significant when it's an anthology
24 of different separate chapters?

25 A. I'm not sure how you would ever say that.

1 Q. You're not sure how you would ever say one is
2 more central?

3 A. I mean, I haven't created an anthology, so I
4 don't know how a person thinks when they do it.

5 But yeah, I would -- to say, yeah, I think
6 that looking at it today, that box seems more relevant
7 to me today.

8 Q. You did check the third box there under factor
9 3, amount taken is narrowly tailored to educational
10 purpose.

11 Tell me about your reason for selecting that
12 one?

13 A. "Disneyland" the essay itself?

14 Q. Yeah, that's what this chart is about,
15 correct?

16 A. I like the essay. It talks about the TV show
17 "Disneyland", from what I recall. One particular moment
18 in time where that show was important to viewers. It's
19 a very specific case study of a very particular show.
20 And I liked the author's argument.

21 Q. And how does that make it what you told me,
22 narrowly tailored to the educational purpose?

23 A. Each essay addresses a different aspect of
24 television. This one very much talks about marketing,
25 it talks about product placement, talks about like what

1 Disney did to transform ABC. So it was very much about
2 a corporation working in concert with a network to have
3 a product that sells on multiple levels.

4 So for me it was the marketing aspect that I
5 thought was interesting.

6 Q. And is that, looking back up to factor 2, is
7 that the reason that you checked the box important to
8 educational objectives?

9 A. It's one example of how a person -- of how
10 television functions in culture. It serves as a
11 marketing vehicle.

12 Q. Okay. And was that conveying that, an
13 educational objective of the course?

14 A. This essay had that aspect to it. It's not
15 the only essay that had that aspect to it, but it was
16 certainly one of the reasons I liked that essay.

17 Q. I see. In factor 3 on the right hand side, I
18 see there are no checks on the right hand side in weighs
19 against fair use.

20 Do you recall in any of the checklists you
21 filled out ever checking any of those three entries
22 under factor 3 for weighs against fair use?

23 A. Well, I wouldn't take a large portion or
24 entire work and claim fair use.

25 Portion is central to the work, I don't think

1 I've ever taken something I thought was central to an
2 entire work. I can't say yes or no. Honestly I would
3 think about it for a long time what that question meant.
4 But no, I would never take more than necessary because
5 then it would be asking my students to do more than they
6 needed to.

7 Q. And let me ask a little more specifically. It
8 sounds like you're saying kind of what you would do. Do
9 you recall in actually filling out the checklist in the
10 past ever checking any of those boxes?

11 A. No.

12 Q. And if I heard you right before, you don't
13 remember for sure whether you actually filled out the
14 form in this particular form or you've gone through the
15 screens that are presented by the library interface,
16 but --

17 A. Correct. And based on my knowledge of this
18 essay and its position within the collection, those
19 check boxes do not apply to this essay.

20 MR. LARSON: I think our tape is about
21 up, so before we move on to factor 4, why
22 don't we take a little breather.

23 THE VIDEOGRAPHER: Off the record at
24 2:46.

25 (Brief recess.)

1 THE VIDEOGRAPHER: This is tape 2.

2 We're back on the record at 2:57.

3 BY MR. LARSON:

4 Q. If you could look at Petruska 3 again, and
5 turn to factor 4.

6 A. Okay.

7 Q. Second page.

8 On the left hand side under weighs in favor of
9 fair use, you checked no significant effect on market or
10 potential market for copyrighted work.

11 Please tell me why you checked that box?

12 A. Because the students had no -- well, the
13 students were perfectly free to buy the book if they
14 wanted it or needed it or had particular interest in it,
15 but I didn't feel like us discussing one essay
16 necessarily led them or deterred them from pursuing
17 more.

18 Q. And by market there, do you mean the market
19 for sales of the -- did you understand that to mean--

20 A. Of the entire collection.

21 Q. So what you are saying is your use of a
22 chapter in the course didn't in your view prevent
23 students from buying the entire book?

24 A. Right. Because we wouldn't have used -- if we
25 didn't use the essay, we wouldn't use anything else from

1 the book. Yeah.

2 Q. And did your understanding of the market take
3 into account permissions fees to use a single chapter or
4 the work?

5 A. Our library has a copy, so they always have
6 access to the library copy, which is why also this essay
7 is on EReserve, because the library owns it. So we
8 purchased the book.

9 Q. But let me ask the question again.

10 Did the market, as you understood the factor
11 here, did the market include market for permissions for
12 a particular chapter?

13 A. I do not think of market in terms of
14 permissions.

15 Q. Generally are you aware -- let's look over to
16 the other side.

17 You see the second box there, says licensing
18 or permission reasonably available. What's your
19 understanding of that, what that means?

20 A. That you -- well, what is my understanding of
21 that. I'm trying to think of when a scholar would
22 license a work.

23 We purchased a textbook because we were
24 reading the entire thing. But when it's in the library
25 I kind of think that's -- they are the ones that

1 purchase it, they are the ones that work with the
2 journals. They do that for me, I guess is the way I
3 thought. I thought of this as the same thing as being
4 in the library.

5 Q. The licensing or permission reasonably
6 available?

7 A. Right. Because we had purchased the book, we
8 had purchased rights for students to peruse the book,
9 read parts of the book.

10 Q. And is it your understanding that part of --
11 that that entitles you to provide copies of chapters of
12 that book to students?

13 A. Well, I did this one in particular through
14 EReserve, so yes, the library owns it, they are
15 providing a password protected access to this chapter.
16 That's how I was thinking of it.

17 Q. And are you aware just as a factual matter of
18 the fact that publishers grant licenses for the copying
19 of excerpts of books to professors for this kind of use?

20 A. I would assume a professor would always go
21 through -- well, like when you cite a chapter, when
22 you're analyzing it, you don't seek permission in that
23 instance.

24 So generally scholars share knowledge to
25 encourage the creation of new knowledge before I present

1 at conferences. So I guess I'm kind of coming at it
2 from a different way.

3 I have not -- I've not heard of a professor
4 paying for it, paying for the right to use a chapter in
5 a classroom.

6 Q. Okay. And do you have any understanding of
7 whether that's even possible to do?

8 A. I do not. I've never heard of a professor
9 paying a publisher for a chapter.

10 Q. You chose on the left hand side use stimulates
11 market for original work. Tell me about that, checking
12 that box and why you checked it?

13 A. Well, you hope you're going to excite
14 something. It's an optimistic check I suppose. And
15 hope students continue taking courses. You hope they go
16 to the library and check the book out, read other
17 essays.

18 Q. Are you aware of whether your use of this
19 Anderson chapter actually led to any particular student
20 purchasing the collection?

21 A. I do not.

22 Q. You checked user owns lawfully acquired or
23 purchased copy of original work. Is that the library
24 copy?

25 A. That's the library I was referring to.

1 Q. On the right hand side the only check is
2 required classroom reading.

3 A. Right.

4 Q. You did not check numerous copies made or
5 distributed. Tell me why not?

6 A. I personally did not make copies of this
7 chapter.

8 Q. Okay.

9 A. It wasn't a coursepack.

10 Q. But the library did, correct?

11 A. No, the library makes it accessible through a
12 web site. They have to put in a password and they get
13 access to the essay.

14 Q. And you have an understanding of when they do
15 that whether the students are able to download or print
16 a copy for themselves?

17 A. I believe that they can download like they
18 would copy it if they were getting it in the library.

19 Q. And in your experience do students for these
20 readings ever print them out and bring them to class?

21 A. I think that depends on the student. Some
22 would have a computer just in class. It depends on how
23 they learn. Some students have to read on paper.

24 Q. I mean, have you actually seen that, do you
25 know whether students -- if readings you put on

1 EReserves, whether students print them out and bring
2 them to class?

3 A. I can't tell you a specific student has done
4 it. I would assume some students do it.

5 Q. So am I right, just summing this up, that
6 there's 12 checks total on the left hand side in weighs
7 in favor of fair use and just one on the right hand
8 side, weighs against fair use?

9 A. I do see 12. Yeah, looks like you are
10 correct.

11 Q. And do you recall ever in any of the other
12 checklists you filled out, if any, checking any more
13 than one box on the right hand side in weighs against
14 fair use?

15 A. Well, I will say if I didn't believe it was
16 fair use I wouldn't put it in my class.

17 But as we discussed if it was a film I was
18 doing a checklist for, I suppose that would count as a
19 highly creative work. It's possible. But I can't
20 recall specifically an instance.

21 Q. I want to just ask a question about the one
22 third, small, large line that you discussed before. Do
23 you remember that?

24 A. I do.

25 Q. Is that simply the measurement you would use

1 on the checklist to decide whether to check small
2 portion or large portion or is that sort of an
3 independent test for you as to whether or not you'll use
4 a work?

5 A. It would be a factor I'd consider when I
6 consider what would even be considered for the course.
7 Right. If I needed enough of a book that I felt it was
8 more, I would ask the students to buy the book. That's
9 a personal thing.

10 Q. So it was, say, 40 percent, the excerpt you
11 wanted to use or have them read was 40 percent, even if
12 it sort of passed the checklist you would still have
13 them --

14 A. That would make me nervous. I probably would
15 say do I really need all 40 percent.

16 Q. Have you ever had any works that you've
17 requested the library to post to the EReserve system
18 flagged by the library for any reason?

19 A. They have not flagged anything I've claimed.

20 Q. And I think I asked this before, but this
21 particular course that we've been discussing is film
22 4210, is that right?

23 A. Correct.

24 Q. You hadn't taught it before the fall 2009?

25 A. I had not.

1 Q. Have you ever used this Anderson chapter from
2 Petruska 3 in a prior class?

3 A. No.

4 Q. Have you used it since?

5 A. No.

6 Q. Currently, I guess the most recent semester is
7 this spring 2011 semester, did you fill out checklists
8 for each of your -- I'm sorry, you're not teaching this
9 semester?

10 A. I'm not teaching this quarter.

11 Q. Did you teach in the fall?

12 A. No, I didn't teach the whole year.

13 Q. When was the last time you taught?

14 A. Spring.

15 Q. And last --

16 A. Yeah, spring of 2010.

17 Q. And in spring 2010, did you fill out -- did
18 you place any works on EReserves for any of your
19 courses?

20 A. I do not recall specifically. I probably did.

21 Q. Okay. Do you recall filling out various
22 checklists for those works?

23 A. I would have had the same interface that I
24 used before. Even if they'd updated it, I would still
25 have followed the screens they told me to.

1 Q. And those screens may or may not have included
2 this checklist in this particular form, is that right?

3 A. Right. Yeah, I can't remember if it was
4 exactly like this.

5 Q. You mentioned coursepack before, have you used
6 coursepacks as a professor?

7 A. No.

8 Q. And have you even considered it or --

9 A. We have a lot of students that are far away
10 and I like to encourage reading, I try to provide it in
11 a manner that is easiest for them, and that means
12 centrally located, library access are priorities for me.

13 Q. And --

14 A. Plus the coursepack system is -- requires you
15 to go through a third party.

16 Q. Who's the third party?

17 A. Copy centers.

18 Q. Okay. Explain to me how the coursepack isn't
19 centrally located, the criterion you mentioned first
20 that you like to use the library because it's centrally.

21 A. Coursepacks, they have to go to the actual
22 copy center. They're just on a shelf and say what class
23 you are and they give it to you, you pay for it.

24 But I haven't gone through the process, so I
25 don't know exactly what the professor does, what they

1 do.

2 Q. Okay. And with EReserves by comparison?

3 A. It's like them going to a library and picking
4 it up off the shelf. That's how we think of it. They
5 have the access to the books there, they have the access
6 to the books through the library web site.

7 Q. So it's through the web site rather than
8 having to go to a copy shop, they can just log in from
9 home --

10 A. Right.

11 Q. -- and get the material there?

12 A. Right.

13 Q. I guess in either case, if they purchase the
14 coursepack or access the reading through EReserves, they
15 still end up with a copy of the reading, correct?

16 A. They don't have to have a copy when they go
17 through the library, they can read it online. They can
18 read it on the screen. There's lots of ways they can
19 interact with it.

20 Q. So maybe copy is the wrong word. But in
21 either case they end up with getting access to each of
22 the readings?

23 A. Right. Plus, let's just clarify, they only
24 had to read five of what's listed here, so the
25 coursepack would have been above and beyond what they

1 needed necessarily.

2 Q. I see.

3 Just process wise, when you put works or
4 request the library to put works on the EReserve system,
5 do you provide a copy of the given excerpt or do they
6 create that?

7 A. The library?

8 Q. Uh-huh.

9 A. I think they want to have a copy, if I recall
10 correctly. I think I would have to bring them the
11 entire book if they were going to -- to show that I own
12 it or they would -- but I think they need the copy there
13 themselves.

14 Q. I'm sorry, I didn't ask a very clear question.

15 Do you -- is it generally the case, do you
16 provide the page range and they go grab it from the
17 shelf and make the copy?

18 A. Yes.

19 Q. And what happens if the library doesn't have
20 the book in its collection?

21 A. At times I just found a different book. We do
22 have interlibrary loan, I don't know what their policies
23 are. It might be that their policies allow them to
24 exchange with each other, it might not.

25 Q. Have there been instances where you've

1 provided a copy of any of the EReserves readings to the
2 library?

3 A. I don't believe so.

4 Q. If it were the case that the checklist after
5 working through it told you it wasn't a fair use or you
6 concluded that the use wasn't a fair use, what would you
7 understand the options to be in that situation?

8 A. I would probably find another essay from
9 another collection that was considered fair use or
10 remove the essay entirely and find -- just lecture on it
11 to students.

12 Q. And I take it from your answers before that
13 you're not aware of a process whereby you can seek a
14 license and get permission to use the work in any event,
15 is that right?

16 A. Right.

17 Q. Okay. And what about hard copy reserve, would
18 you ever consider putting a work on, you know, in the
19 reserve shelf in the library as an option?

20 A. Yes.

21 Q. Do you do that?

22 A. Textbooks.

23 Q. Okay. And tell me what your practice is
24 there.

25 A. I just -- I want increased access. I want my

1 students to read however, make it easy as possible for
2 them.

3 Q. And for your courses, did you put -- on this
4 4210 did you put a copy of the textbook in hard copy
5 reserve?

6 A. I believe so. I believe so.

7 Q. And do you have a sense of whether students in
8 the course rather than purchasing the textbook go and
9 read it, the one that's in the reserve room?

10 A. I don't know. I don't know what -- again,
11 convenience is important to them so they might prefer
12 just to have it. I don't know what their -- but I know
13 some students would probably find that convenient.

14 Q. And do you ever, apart from the textbook, do
15 you put like any of your EReserves chapters, do you put
16 those chapters on hard copy reserve as well?

17 A. Books, I don't think the whole book. I
18 don't -- that would be -- I go through the library's
19 process so I do what they ask me to do. I tell them
20 what checkers. I assume the book goes back to the shelf
21 once they have a digital version of it because that way
22 students could still access it.

23 Q. I guess the question is, if you weren't able
24 to put a work on EReserves for whatever reason, the
25 excerpt was too long, would you view using hard copy

1 reserve for that type of reading as a legitimate or
2 reasonable alternative?

3 A. Certainly I would consider it. I would think
4 it would lower the likelihood of everybody would read
5 it. Some students it would be great, other students it
6 would be limiting because they're so far away and I
7 would have fewer students who would read it.

8 MR. LARSON: Go off the record for a
9 minute.

10 THE VIDEOGRAPHER: Off the record at
11 3:13.

12 (Brief recess.)

13 THE VIDEOGRAPHER: Back on the record
14 at 3:16.

15 BY MR. LARSON:

16 Q. Ms. Petruska, I'm going to hand you what's
17 been marked as Petruska 4, and I'll represent that's
18 actually a submission form from a different professor.

19 But I just wanted to ask, you mentioned
20 earlier that the records you have from fall 2009 are
21 some form of library printout showing what you requested
22 from the -- to be placed on EReserves and I just wanted
23 to ask, is it a version of what you're looking at here
24 in Petruska 4 but for your class?

25 A. Right. I think this is what it looks like

1 because it says it falls under fair use according to
2 checklist completed. That's the line I remember from
3 it.

4 Q. Right. And so when you checked that or box or
5 whatever it was to indicate that it fell under fair use
6 for the readings you used, did that come as a result of
7 actually having gone elsewhere and filled out one of the
8 checklists?

9 A. There were a series of questions that you had
10 to fill out to suggest, there were a series -- there
11 were multiple criteria that you had to consider.

12 Q. And there's no printout that you're aware of
13 of those screens or questions?

14 A. I don't have it.

15 MR. LARSON: Okay. I have no more
16 questions.

17 MS. QUICKER: I have nothing.

18 THE VIDEOGRAPHER: That concludes the
19 deposition. We're off the record at 3:17.

20 (Deposition concluded at 3:17 p.m.)
21
22
23
24
25

E R R A T A S H E E T

I, the undersigned, Karen Petruska, 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:

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 20th day of April, 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 Karen Petruska

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
10 representative of Shugart & Bishop.11 I am not disqualified for a relationship of interest
12 under the provisions of O.C.G.A. 9-11-28.13 Shugart & Bishop was contacted by the offices of
14 Bondurant Mixson & Elmore to provide court reporting
15 services for this deposition.16 Shugart & Bishop will not be taking this deposition
17 under any contract that is prohibited by O.C.G.A. 15-14-37
18 (a) and (b).19 Shugart & Bishop has no exclusive contract to provide
20 reporting services with any party to the case, any counsel
21 in the case, or any reporter or reporting agency from whom
22 a referral might have been made to cover this deposition.23 Shugart & Bishop will charge its usual and customary
24 rates to all parties in the case, and a financial discount
25 will not be given to any party to this litigation.Teresa Bishop
RPR, RMR, CCR B-307

SHUGART & BISHOP

A	answer 5:7,9,19,20 10:16 12:16 15:9 28:19 32:16,17 33:24 36:1 37:24 43:25 answers 60:12 65:7 anthology 44:23 45:20,22,23 46:3 anywise 65:16 apart 61:14 appear 14:12 APPEARANCES 3:1 appeared 14:13 apply 36:13 48:19 approach 44:11 approximately 28:11 April 1:17 4:9 65:18 area 7:4 areas 11:25 35:15 argument 46:20 art 40:19 article 20:10 21:25 23:2,17 24:12,14 37:16 66:6 articles 12:3 artistic 42:14 aside 18:14 asked 15:4 17:6 20:9 28:10 30:4 32:8 55:20 asking 5:23 32:6,6 36:16,16 38:1,1 48:5 aspect 46:23 47:4 47:14,15 aspirations 11:19 assign 10:14 36:14 42:4 assigned 11:12 20:10,19 24:9 33:21 assignments 20:15 assistant 8:11 12:6 assistantship 8:8 assume 51:20 54:4 61:20 assuming 34:1 Atlanta 1:2,17,24 3:15 7:4,16 attempting 30:24 attended 15:7 attorney 3:6 15:20 ATTORNEYS 3:13	audience 10:1 August 29:3 30:11 31:15,23 author 9:17 44:24 authoritative 45:17 author's 46:20 available 16:15 19:17 23:4 41:12 50:18 51:6 AVENUE 3:7 aware 6:25 8:23 12:24 50:15 51:17 52:18 60:13 63:12 awful 37:13	B b 2:8 3:23 66:14 back 7:11 13:25 19:7 20:17 21:5 30:11 31:15,22 32:11 39:2 47:6 49:2 61:20 62:13 based 14:8 29:21 30:1,4 31:16 35:14 48:17 basically 30:25 Bates 21:6 Becker 1:7 4:6 behalf 1:14 believe 15:6 18:11 18:13 20:4 24:22 25:19 26:19,20 27:3,11 29:17 32:14,24 33:16 43:2 53:17 54:15 60:3 61:6,6 believed 30:3,21 benefit 34:1,2 best 12:15 14:9 15:10 32:17 43:25 64:4 65:11 beyond 58:25 bibliographical 26:10 birthday 7:13 Bishop 1:15,22 65:21 66:9,11,13 66:15,18,21 bit 15:13 blog 37:16 blogs 44:5 Bluebird 4:22 Board 66:7 Bondurant 66:12 book 9:16,17,19,19 9:21 10:5,7,18,19	10:23,24 12:2,5 16:14 17:1,2,7 19:13 21:12 23:25 24:2,17 25:5 42:3 42:4,5,6,13 43:2,5 43:14,17 44:22 45:3,6 49:13,23 50:1,8 51:7,8,9,12 52:16 55:7,8 59:11,20,21 61:17 61:20 books 51:19 58:5,6 61:17 Born 21:10 24:8 bottom 33:7 box 31:22 34:3,5 37:6,14,22 39:4 40:23 45:8,17 46:6,8 47:7 49:11 50:17 52:12 54:13 63:4 boxes 30:24 33:12 33:22 37:19 48:10 48:19 break 5:12,14 breather 48:22 Brief 19:6 48:25 62:12 bring 53:20 54:1 59:10 broadcasting 18:20 broadly 15:24 buy 41:18 42:4 49:13 55:8 buying 49:23 B-307 1:16 65:21 66:22	CCR 1:16 65:21 66:22 center 13:20,23 57:22 centers 57:17 central 44:19 45:9 45:23 46:2 47:25 48:1 centrally 57:12,19 57:20 certain 12:13,14,17 14:22 20:5,6 28:18,19 certainly 5:18 37:4 47:16 62:3 Certified 1:22 66:8 certify 64:4 65:5,13 change 5:15 changes 41:14 chapter 9:16,19 10:5,11,14,19,21 11:1,5,9,12 21:12 21:14 22:15,17 25:2 40:11 42:21 42:24 45:19,22 49:22 50:3,12 51:15,21 52:4,9 52:19 53:7 56:1 chapters 24:2 43:12 43:19 45:24 51:11 61:15,16 charge 66:18 chart 46:14 check 30:24 33:6 34:3,5 35:25 36:6 36:8,16,21,23 37:6,11,14 38:5 40:2,16 44:19 45:8,17 46:8 48:19 52:14,16 53:1,4 55:1 checked 31:21,22 32:20,23 33:13,14 34:10 37:19 38:10 38:17,19 39:4 47:7 49:9,11 52:12,22 63:4 checkers 61:20 checking 33:2 37:22 40:23 47:21 48:10 52:11 54:12 checklist 2:15 13:25 14:7,18 15:3 16:6 17:12 28:1,3,15 29:7 31:5,9,20 32:12 35:24 36:7
----------	---	--	--	---	--

37:22 41:4 42:20 48:9 54:18 55:1 55:12 57:2 60:4 63:2 checklists 13:9 17:13,16 26:16,20 32:1 38:2 40:23 47:20 54:12 56:7 56:22 63:8 checks 40:21 47:18 54:6 choose 21:16,24 22:21 23:23 choosing 36:14 44:21 chose 52:10 Chris 25:2 42:21 Christine 4:11,20 cinema 41:6 citation 26:11 cite 51:21 Civil 1:6 claim 28:22 47:24 claimed 27:1 55:19 clarify 36:15 58:23 class 2:15 9:2 18:12 18:23 20:1,2,7 22:6 27:17 41:2 41:15 53:20,22 54:2,16 56:2 57:22 62:24 classes 41:1 classroom 35:12 37:18 38:8 45:13 52:5 53:2 clean 5:9 clear 19:10 59:14 Clearance 13:20,22 clips 41:12,15 coauthor 10:22 code 41:15 collection 9:16 10:9 43:3 44:24 48:18 49:20 52:20 59:20 60:9 column 32:20 37:20 38:16 come 10:2 43:23 44:1 63:6 coming 52:1 commencing 1:18 comment 37:11 commercial 38:12 commission 64:23 65:22 commit 11:9	committee 25:10 common 22:25 33:17 Communication 11:17 comparison 58:2 complaint 6:21 complete 20:9 26:16,20 28:6 completed 28:3 63:2 completing 37:21 component 16:1 components 15:21 comprehend 39:8 computer 53:22 concert 47:2 concluded 60:6 63:20 concludes 63:18 conclusion 43:10 conferences 52:1 confirm 24:8 confirmation 2:17 Connect 18:25 19:14 consider 11:25 38:25 39:15 42:19 43:15 55:5,6 60:18 62:3 63:11 considered 11:15 11:22 41:2 55:6 57:8 60:9 considering 17:8 consulted 16:10 17:11,15 contacted 17:18 66:11 contained 1:15 content 44:13 continue 52:15 contract 10:4,6 11:5 66:14,15 contrast 23:22 convenience 61:11 convenient 61:13 conversation 20:7 conveying 47:12 copies 26:8 51:11 53:4,6 copy 23:2,17 24:3 26:2 41:18,19 50:5,6 52:23,24 53:16,18 57:17,22 58:8,15,16,20 59:5,9,12,17 60:1	60:17 61:4,4,16 61:25 copying 51:18 copyright 2:21 10:14 11:12 12:25 13:20,22 15:11,13 15:23 16:5 17:20 41:15 copyrighted 49:10 corporate 1:23 44:12 corporation 47:2 corporations 44:13 correct 9:1 13:9 18:8 21:17 22:3 25:9,12 32:22 41:9 42:22 46:15 48:17 53:10 54:10 55:23 58:15 65:10 CORRECTION 64:8 corrections 64:5 correctly 59:10 Council 66:7 counsel 3:1 5:3,17 6:1 27:20 28:10 30:8 65:14,15 66:16 count 54:18 COUNTY 65:4 66:4 couple 6:18 course 8:24 14:21 16:4,8,11 17:9,22 18:7,19 19:11 25:20 33:3,18,25 35:6,24 36:14 37:15 39:16,17 41:5,6 47:13 49:22 55:6,21 61:8 coursepack 53:9 57:5,14,18 58:14 58:25 coursepacks 57:6 57:21 courses 8:14,16 16:25 41:8,10,11 52:15 56:19 61:3 court 1:1,22 66:7,8 66:12 cover 16:21 20:21 66:17 covering 18:21 20:19 co-edited 9:17	co-editor 10:18,21 create 59:6 created 46:3 creation 51:25 creative 40:15 41:3 54:19 criteria 63:11 criterion 57:19 Critical 25:6 criticism 37:11 cross 43:4 crucial 35:2,3 45:5 culture 9:25 47:10 curiosity 34:16 Currently 56:6 curriculum 33:4 customary 66:18 CW 9:21 C-h-r-i-s-t-i-n-e 4:21	describing 29:6 description 2:10 16:23 determination 29:23 determine 44:17 determined 30:1 deterred 49:16 difference 39:11 different 8:10 14:11 23:9 34:13 39:9 45:24 46:23 52:2 59:21 62:18 digital 41:14 44:3 61:21 direction 65:9 Directly 15:11 disclosure 3:22 66:1,7 discount 66:18 discuss 35:17 38:24 discussed 17:11 54:17,22 discussing 28:4 49:15 55:21 discussion 20:1,3 33:5 Disney 47:1 Disneyland 24:25 25:3 28:4 46:13 46:17 disqualified 66:10 dissertation 8:2 12:9 25:10 distinction 43:21 distinctions 12:18 distributed 53:5 distribution 11:2 DISTRICT 1:1,1 DIVISION 1:2 Dixon 2:20 12:21 document 12:21 13:2,14 27:3,14 30:14 32:8 documentation 28:10 30:22 documents 6:5 doing 31:1 32:4 34:21 37:17 54:18 Douglas 24:11,14 24:17 download 53:15,17 DRAKE 3:19 due 8:4 duly 4:12
---	--	--	--	---

E	25:22 26:18 42:18 54:1 56:18 58:2 58:14 60:1 61:15 61:24 62:22 essay 11:15 20:6,24 22:14 27:5 33:24 34:8 38:24 45:5 46:13,16,23 47:14 47:15,16 48:18,19 49:15,25 50:6 53:13 60:8,10 essays 19:1 20:10 22:13 33:9 43:1,3 45:1 52:17 essentially 39:1 et 1:4,9 4:8 ethics 15:12,16,24 event 60:14 events 40:6 everybody 23:12 62:4 evidence 65:11 exactly 28:19,23,24 29:7 57:4,25 EXAMINATION 2:4 4:14 Examinations 2:2 examined 4:12 example 22:5 47:9 exception 64:5 excerpt 24:8 25:18 28:4,16 32:9 55:10 59:5 61:25 excerpts 26:7,9,17 51:19 exchange 59:24 excite 52:13 exclusive 66:15 Excuse 8:18 Exhibit 31:14,21 32:1 Exhibits 2:20 experience 53:19 expert 37:4 expires 64:23 65:22 Explain 34:14 57:18 explained 30:3 exposure 33:9 external 37:17 extra 19:21	factor 32:19 37:23 39:2,10,11 40:22 40:24 41:22 42:14 46:8 47:6,17,22 48:21 49:5 50:10 55:5 factors 42:15,18 factual 40:2 51:17 faculty 15:19 fair 2:15 26:16 27:1 27:1 28:22 29:7 29:16,22,25 30:2 30:3,21 32:11 34:15 35:1,3 37:4 37:20,21 38:16 42:2,11,14 44:1,9 47:19,22,24 49:9 54:7,8,14,16 60:5 60:6,9 63:1,5 fall 2:13,16 8:25 18:7,9 29:2 40:17 55:24 56:11 62:20 falls 32:25 63:1 familiar 18:2 Family 7:13 far 57:9 62:6 favor 38:16 49:8 54:7 favorite 44:8 federal 15:17 federally 15:12 feedback 35:13 feel 5:11 34:6 36:9 44:23 45:17 49:15 fees 50:3 fell 63:5 fellowship 9:10 felt 31:18 33:9 55:7 fewer 62:7 field 11:23 12:1 FIFTH 3:7 File 1:6 filings 6:16 fill 17:12,16 28:7,15 28:18,21 35:23 56:7,17 63:10 filled 13:8 14:4,7 15:3 28:8 30:6,23 31:13,14,17,20,25 36:7,19,25 38:2 40:23 41:4 47:21 48:13 54:12 63:7 filling 31:1,22 35:23 48:9 56:21 film 2:14,15 8:24 18:8,16 41:10,12	41:13 54:17 55:21 films 16:22 41:1,5,6 41:7,17 financial 38:13 66:18 find 37:5 45:20 60:8 60:10 61:13 finding 35:15,16 finish 5:8 6:24 20:15,16 first 4:12 8:10 9:2,5 36:18 37:9 44:23 57:19 five 20:10 21:2,2 58:24 flagged 55:18,19 flip 13:11 20:17 focus 15:23 follow 44:1 followed 56:25 following 64:5 66:7 follows 4:13 foregoing 64:4 65:5 forgive 10:20 form 30:6 32:12 35:20 48:14,14 57:2 62:18,21 formal 16:12 format 25:23 forwarded 6:20 found 59:21 Foundation 44:7 Fourth 8:1 free 5:11 34:22 49:13 friendly 16:13 front 12:22 29:7 30:7 Frontier 44:7 FULTON 65:4 functions 47:10 further 65:13	44:16 66:3,7,8 Georgia's 13:16 getting 23:8 53:18 58:21 give 5:4 20:20 27:8 40:18 43:25 57:23 given 21:4,15,25 30:16 44:15 59:5 65:11 66:19 giving 11:9 go 15:13 19:3 23:15 24:7 51:20 52:15 57:15,21 58:8,16 59:16 61:8,18 62:8 goal 12:7 37:18 38:23 39:6 goes 23:24 61:20 going 5:4 7:3,16 14:8,9 15:9 30:11 39:24 42:3 52:13 58:3 59:11 62:16 good 22:10 25:22 42:19 GoSolar 2:12 18:2 18:6 GOTSHAL 3:7 governing 2:21 12:25 government 15:18 grab 59:16 grad 15:14 graduate 7:22 12:4 grant 51:18 great 62:5 GSU 12:24 14:15 14:19 25:13 GSU's 2:21 guarantee 20:24 guess 29:20 40:9 51:2 52:1 56:6 58:13 61:23 guidelines 5:5 42:1 42:2,7,7
	F	G	H	
E 2:1,8 64:1,1,1 65:1,1,3 earlier 62:20 easiest 57:11 easy 61:1 edited 10:9 25:9 editions 45:3 editor 10:15 editors 10:10 11:7,8 educational 32:21 33:1,8,19 34:1,2,4 38:18,20 39:3,14 46:9,22 47:8,13 effect 49:9 either 10:25 36:21 40:17 58:13,21 Electronic 44:7 elements 38:7 Elmore 66:12 employ 65:15 employee 16:18 encourage 20:7 33:5 51:25 57:10 engage 14:11 engagement 16:12 35:18 engaging 35:12,15 enhance 38:22 enrolled 18:12 entering 29:19 entertaining 38:6 entertainment 38:4 38:6,10 entire 4:18 41:17 43:14 44:20 45:9 47:24 48:2 49:20 49:23 50:24 59:11 entirely 60:10 entitles 51:11 entries 26:5 32:12 32:13 39:12 47:21 entry 21:9 22:8,9 33:7 36:5 37:16 39:10,10 ERes 19:17 EReserve 14:23 15:5 16:9 24:1,4 27:6,18 28:17,18 50:7 51:14 55:17 59:4 EReserves 17:19 21:10 22:8,11,20 23:13,22,23 24:2 24:9,15,20,24	F 65:1 fact 31:14 36:21 39:20 51:18	G 65:3,3 GA 3:15 gauge 11:23 general 10:1 18:18 generally 7:3 12:1 22:15,20 33:17 50:15 51:24 59:15 generate 30:10 genre 40:10 Georgia 1:1,8,17,24 4:7,22 15:19 25:14,15 33:18	H 2:8 3:13 64:1 half 11:6 hand 32:20 37:23 38:17 39:25 40:21 40:24 47:17,18 49:8 52:10 53:1 54:6,7,13 62:16 happens 59:19 hard 60:17 61:4,16 61:25	

head 42:15 heard 13:22 48:12 52:3,8 hearing 65:12 heart 45:2,5 help 20:7 hemmed 34:6 highly 40:15 41:2 54:19 Hilmes 19:1,13 hired 12:6 historical 40:5 history 18:20 Hold 19:2 home 58:9 Honestly 48:2 hope 52:13,15,15 Horace 25:11 hour 1:18 5:14,15 human 16:3 hypothetical 38:1 hypotheticals 37:25 <hr/> I <hr/> ideas 35:13 identical 31:14 identified 42:25 importance 39:24 important 11:18 12:2,12 38:17,19 39:14,21,24 42:2 42:13,14 44:14,24 46:18 47:7 61:11 include 50:11 included 31:10 57:1 increased 60:25 independent 55:3 indicate 29:15 63:5 indicated 26:17 indicates 18:11 indication 30:21 information 44:15 initially 28:15 instance 51:23 54:20 instances 31:18,21 59:25 institution 32:25 instructor 33:3 instructs 5:20 intended 33:7 34:4 39:3 intending 29:16 intensive 16:2 interact 58:19 interaction 16:15	interactions 16:24 interest 49:14 66:10 interested 44:3 65:17 interesting 44:10 47:5 interface 26:22 48:15 56:23 interfaces 14:14 interlibrary 59:22 internal 37:15 interpretation 35:9 interpreted 45:15 interpreting 40:7 45:12 introduce 39:6 introductions 43:15 43:15 involve 31:4,8 41:1 iPhone 10:24 <hr/> J <hr/> job 16:23 journal 11:17 12:2 22:16 23:1,7,18 26:8,12 journals 12:17 51:2 Judicial 66:7 jump 6:24 35:16 June 7:5,10,11,14 justification 35:3 <hr/> K <hr/> Karen 1:13 4:2,11 64:3 66:5 KENNITH 3:19 kin 65:13 kind 6:5 11:5 23:20 42:10 48:8 50:25 51:19 52:1 KING 3:14 know 5:11,13,19 7:19 10:14,16 11:11,13 12:10,16 12:17 13:1,12 16:14,20,23 17:2 22:2 24:5,17,20 25:25 26:1,6 28:24 29:9,17 31:6,12,18,24 32:3,3 35:2,20 36:1,22 37:5,10 38:13 43:8 45:3,4 45:15 46:4 53:25 57:25 59:22 60:18 61:10,10,12,12	knowledge 48:17 51:24,25 64:4 K-a-r-e-n 4:20 <hr/> L <hr/> lack 35:16 Lane 4:22 large 43:6,24 44:17 47:23 54:22 55:2 largely 19:25 20:2 39:8 41:14 Larson 2:4 3:6 4:15 4:24 8:20 19:2,9 27:7,10,22,25 48:20 49:3 62:8 62:15 63:15 lasts 5:14 late 29:2 law 3:6,13 43:8 lawfully 52:22 lawsuit 6:17 learn 36:4 53:23 lecture 60:10 led 15:20 49:16 52:19 left 32:20 38:17 39:25 45:8 49:8 52:10 54:6 legal 35:10 43:10 legitimate 62:1 let's 21:5 24:7,24 27:7 32:19 36:18 38:15,15 41:22 50:15 58:23 levels 47:3 liaison 16:17 liaisons 16:13 librarian 6:19 37:3 library 2:17 14:22 15:4 16:10,18 17:5,7,18 23:2,3 23:10,24 24:3 28:17 37:7 41:17 48:15 50:5,6,7,24 51:4,14 52:16,23 52:25 53:10,11,18 55:17,18 57:12,20 58:3,6,17 59:4,7 59:19 60:2,19 62:21 library's 61:18 license 50:22 60:14 licenses 51:18 licensing 50:17 51:5 life 40:9 liked 46:20 47:16	likelihood 62:4 limiting 62:6 line 43:24 54:22 63:2 64:8 link 23:17,19 26:1,7 links 6:18 list 26:25 27:2 30:18 33:15 41:18 listed 24:12,14 26:14 30:14 58:24 64:5 listen 34:22 listings 17:20 18:7 24:19 lists 27:16 literature 40:10 litigation 66:19 little 15:13 34:6 48:7,22 loan 59:22 located 57:12,19 log 34:22 58:8 long 8:9 48:3 61:25 look 6:13 13:5,25 20:8 22:23,23 24:24 26:4 28:23 32:19 38:15 49:4 50:15 looking 22:5 25:21 28:2 32:20 33:6 34:5 35:11 39:2,9 43:9 46:6 47:6 62:23 looks 54:9 62:25 lost 27:11 lot 35:17 37:13 44:1 57:9 lots 58:18 lower 62:4 <hr/> M <hr/> main 18:24 38:8 majors 9:24 making 14:21 mandated 15:12,18 MANGES 3:7 manner 57:11 Marietta 1:16 mark 1:7 4:6 27:7 marked 12:20 62:17 market 49:9,10,18 49:18 50:2,10,11 50:11,13 52:11 marketing 46:24 47:4,11	material 17:8 58:11 materials 14:22 16:9,11,25 matter 4:3,25 51:17 mean 9:11 10:20 14:15 19:18 20:2 27:2 28:9 34:8 37:6 39:5 41:13 43:14 44:23 45:14 46:3 49:18,19 53:24 meaning 17:4 means 9:12 19:20 22:15 35:20 50:19 57:11 meant 36:22 48:3 measurement 43:18 54:25 media 16:17 21:10 24:8 35:4 38:6 44:2,3 meet 6:1 meeting 6:3 15:14 memory 14:8,9 mention 11:14 mentioned 57:5,19 62:19 mentor 10:22 Michele 18:25 middle 4:20 7:4 13:18 midwest 7:8 minute 62:9 missing 23:10 misunderstanding 45:7 Mixson 66:12 mobile 11:3 MOFFITT 3:13 moment 19:3 46:17 months 28:13 34:18 move 48:21 MTM 22:9 25:21 multiple 47:3 63:11 music 40:19 <hr/> N <hr/> N 2:1 name 4:16,18,20,21 4:24 narrowly 46:9,22 NATASHA 3:13 nature 40:12 necessarily 21:18 45:2 49:16 59:1 necessary 33:7 34:3
---	--	---	---	---

34:6 39:2,13,16 39:20,23 48:4 need 5:12 37:10 55:15 59:12 needed 17:19 48:6 49:14 55:7 59:1 nervous 55:14 Netta 16:17 37:9 network 47:2 never 20:24 48:4 52:8 new 3:8 7:11 35:16 39:8 51:25 Newcomb 25:11,17 45:4 news 37:11 newspaper 37:16 NMOFFITT@ksl... 3:16 noncommercial 42:12 nonfiction 40:2,4,9 nonprofit 32:21 33:1 nontransformative 36:6,8,11,24 normal 5:18 NORTHERN 1:1 NOTARY 64:21 notes 22:23 notice 22:5 novel 40:19 November 26:14 28:11 number 43:19,20 numbered 21:6 numerous 53:4 NY 3:8 N.E 3:14	7:22 8:16 10:4,17 12:24 13:2,5 15:3 18:5 22:18 23:22 24:2,18 26:13 29:1 30:11 31:7 34:23 37:19 40:14 41:22,23 43:4 47:12 49:6 52:6 53:8 56:21 57:18 58:2 60:17,23 63:15 once 61:21 ones 50:25 51:1 one-page 20:10 online 15:21 16:1 24:5 26:22 34:15 34:19 58:17 operate 6:4 opinion 43:8 opportunities 9:13 optimistic 52:14 option 60:19 options 30:17 60:7 oral 20:5 order 9:13 original 52:11,23 orphan 13:15 Osmosis 43:25 outgrowth 12:8 owns 50:7 51:14 52:22 Oxford 4:4 25:8 O.C.G.A 3:22 66:10 66:14	participate 18:23 particular 16:2 17:7 21:24 22:13 22:24 25:18 26:7 32:9 40:11 44:5 44:22 45:19 46:17 46:19 48:14 49:14 50:12 51:13 52:19 55:21 57:2 parties 65:14,16 66:18 parts 51:9 party 7:13 57:15,16 66:16,19 passed 55:12 password 51:15 53:12 pay 57:23 paying 52:4,4,9 PDF 23:17 24:3 27:5 PEACHTREE 3:14 people 12:16 20:6 40:5 percent 55:10,11,15 perfectly 49:13 permission 25:17 50:18 51:5,22 60:14 permissions 50:3 50:11,14 person 12:15 34:20 46:4 47:9 personal 43:8 44:8 55:9 personally 53:6 peruse 51:8 Petruska 1:13 4:2 4:11,21 18:5,15 18:16 27:8 28:2 30:7,23 31:13,17 49:4 56:2 62:16 62:17,24 64:3 66:5 picking 58:3 piece 23:10 place 15:5 56:18 placed 24:9,15 62:22 placement 46:25 plaintiffs 1:5,14 3:3 4:3,25 planning 7:7 platforms 11:3 Please 49:11 Plus 57:14 58:23	point 5:12 6:1 7:19 12:11 30:7 38:21 43:22 policies 44:12 59:22 59:23 policy 2:21 12:25 15:8 political 44:9 popular 9:25 11:17 portion 15:13 41:24 42:25 43:5,6 44:17,19 45:9,11 47:23,25 55:2,2 position 48:18 possible 27:23 41:1 52:7 54:19 61:1 post 55:17 potential 49:10 potentiality 38:5 potentially 38:25 practice 60:23 preceding 65:9 prefer 61:11 preparation 6:6 prepare 5:24,25 present 3:17 51:25 presented 48:15 president 1:9 4:8 president's 17:25 Press 1:4 4:4,5 pretty 33:16,17 prevent 49:22 previously 9:3 12:20 primarily 16:21 print 13:18 26:23 53:15,20 54:1 printed 16:21 30:13 printing 65:8 printout 2:12 18:6 27:4,13,15 62:21 63:12 prior 6:2,14 56:2 priorities 57:12 probably 12:16 20:23 22:24 34:13 34:24 37:3 43:7 45:11,18 55:14 56:20 60:8 61:13 proceeding 8:24 process 12:12 27:20 29:14 30:12 36:17 36:19 57:24 59:3 60:13 61:19 produce 32:8 produced 27:20,23	product 46:25 47:3 professor 8:12 12:6 25:13,17 51:20 52:3,8 57:6,25 62:18 professors 6:11 51:19 profiting 38:12 program 7:25 8:7 prohibited 66:14 project 20:5 prompted 15:6 26:19 29:10 prompts 28:18,22 32:14 protect 44:13 protected 51:15 provide 24:1 38:25 41:18 51:11 57:10 59:5,16 66:12,15 provided 23:21 26:7 60:1 provides 22:16 providing 4:17 51:15 provisions 66:10 provost's 17:23 PUBLIC 64:21 Publications 4:5 publish 12:2,13 published 9:15 12:5 25:8 38:17 publisher 9:23 10:7 10:15 12:13,13 52:9 publishers 51:18 publishing 9:13 11:18,24 12:12 purchase 51:1 58:13 purchased 18:25 50:8,23 51:7,8 52:23 purchasing 52:20 61:8 purpose 7:12 33:8 33:19 34:4 39:3 46:10,22 pursuant 1:14 3:22 66:6 pursue 9:13 pursuing 49:16 purview 12:18 put 12:22 14:22 16:9 18:14 23:3 23:13,16,23 28:17
---	---	---	---	--

29:21 37:13 53:12 53:25 54:16 59:3 59:4 61:3,4,15,15 61:24 puts 24:3 putting 60:18 P-e-t-r-u-s-k-a 4:21 p.m 1:18 63:20	53:25 58:22 60:1 63:6 real 40:9 really 55:15 reason 39:1,4 41:25 46:11 47:7 55:18 61:24 reasonable 62:2 reasonably 50:18 51:5 reasoning 44:21 reasons 47:16 recall 9:24 15:15 20:23 22:14 26:3 28:12,19,24 29:9 29:11 30:16 31:11 37:21,24,25 38:4 38:9,11 40:22,25 40:25 44:6,18 46:17 47:20 48:9 54:11,20 56:20,21 59:9 recess 19:6 48:25 62:12 recognize 12:21 18:15 28:2 recollection 14:9 29:5 31:16 32:18 record 4:10,17 5:9 19:3,4,7,10 27:5 48:23 49:2 62:8 62:10,13 63:19 records 62:20 reduced 65:8 refer 44:6 reference 13:20 references 13:15 referencing 27:14 referral 66:17 referring 37:8 42:8 52:25 reflects 29:19 regular 65:15 regularly 44:6 Regulations 66:6 related 6:16 39:5 Relations 22:10 25:23 relationship 66:10 relevant 46:6 relieved 9:12 remember 16:5,7 29:17 30:25 31:2 32:4 48:13 54:23 57:3 63:2 remove 17:19 60:10	rephrase 5:12 report 20:5 reporter 66:8,16 Reporters 1:22 reporting 37:12 66:7,12,16,16 represent 62:17 65:10 representative 66:9 representing 4:24 request 2:18 14:22 27:23 28:8,16 30:8 59:4 requested 27:5,16 30:20 55:17 62:21 requesting 16:8 require 20:13 required 19:11,24 21:21 53:2 requirement 21:1 requires 57:14 research 8:11 9:14 17:10 reserve 60:17,19 61:5,9,16 62:1 reserves 2:18 respect 28:1 41:4 42:24 response 20:10 35:8 result 30:13,13 63:6 65:17 review 6:5 29:10 reviewed 9:18 right 6:13 7:22 8:7 10:18 11:9 12:18 15:1 18:12,23 19:10 20:19 21:11 21:19,22 27:19 29:4 31:10,16 32:5,10 33:23 37:23 40:13,21,24 42:23 45:11 47:17 47:18 48:12 49:24 51:7 52:4 53:1,3 54:5,7,13 55:7,22 57:2,3 58:10,12 58:23 60:15,16 62:25 63:4 rights 51:8 RMR 1:16 65:21 66:22 role 8:23 16:20 room 1:16 41:20 61:9 roughly 8:16 routine 5:18	RPR 1:16 65:21 66:22 rules 41:13 66:6 running 5:14 <hr/> S <hr/> S 2:8 64:1 Sage 4:5 sales 49:19 save 26:23 27:4 saved 26:25 saw 6:19 saying 28:20 36:3 48:8 49:21 says 13:6 19:16 20:9 21:9 24:20 24:24 29:21 50:17 63:1 scanning 24:18 schedule 21:7 scholar 44:2 50:21 scholarly 36:9 scholars 33:11 35:3 40:7 41:15 51:24 screen 42:18 58:18 screening 21:6 41:20 screens 14:12,13,15 28:20 29:6 30:1 31:9 48:15 56:25 57:1 63:13 se 15:24 second 8:15 19:2 49:7 50:17 section 13:18 see 6:21 10:4 13:5 13:17 20:18 21:9 32:19 34:10 38:23 39:11 47:17,18 50:17 54:9 59:2 seek 51:22 60:13 seen 6:18 13:3,6,13 13:14,15 14:2,18 15:22 17:1 53:24 selected 35:25 41:24 selecting 33:20 35:5 41:25 46:11 sells 47:3 semester 2:13 7:11 8:25 18:7,9 29:2 56:6,7,9 seminar 34:15 sense 5:3 12:11 61:7 sent 11:15 separate 15:21	28:20 41:13,20 45:24 series 28:21,25 29:1 29:10 31:9 63:9 63:10 serves 47:10 services 23:9 66:12 66:16 session 15:20 sessions 15:8 set 7:1 32:15 seven 45:3 share 51:24 shelf 57:22 58:4 59:17 60:19 61:20 shelves 23:25 she'll 17:1 shop 58:8 short 11:6 show 9:21 12:20 18:5 41:15,17 46:16,18,19 59:11 showed 33:11 showing 62:21 shown 16:6 41:11 41:20 Shugart 1:22 66:9 66:11,13,15,18 side 36:5 37:23 38:17 40:1,15,21 40:24 47:17,18 49:8 50:16 52:10 53:1 54:6,8,13 sign 11:4 SIGNATURE 64:21 signed 10:6 significant 44:20 45:9,23 49:9 similar 32:14 simply 54:25 single 21:16 31:10 50:3 site 14:16,19 23:2 34:21 35:1 53:12 58:6,7 sites 14:12 44:2,5 sitting 24:21 25:24 36:23 39:11 45:16 45:18 situation 23:5 41:21 60:7 six 8:22 small 41:24 42:13 42:25 43:5,24 44:17 54:22 55:1
---	---	--	---	---

<p>smaller 9:25</p> <p>somebody 25:9</p> <p>sorry 26:12 28:9 32:5 56:8 59:14</p> <p>sort 15:7,24 16:15 17:2 24:5 27:16 30:13 32:11 40:12 42:9 55:2,12</p> <p>sounds 48:8</p> <p>Southern 34:20</p> <p>SPALDING 3:14</p> <p>speak 6:8 22:13 26:11 33:23</p> <p>Speaking 6:25</p> <p>specific 33:24 35:1 40:10 46:19 54:3</p> <p>specifically 15:11 24:6 26:3,11 37:7 38:2 42:21 44:16 48:7 54:20 56:20</p> <p>specificity 29:11</p> <p>specifics 33:23</p> <p>spelling 4:16</p> <p>spring 56:7,14,16 56:17</p> <p>Square 1:23</p> <p>start 4:16 5:23 7:1 8:13 36:18 37:9</p> <p>starts 7:11</p> <p>state 1:8 4:7 32:24 33:18 44:16 66:3</p> <p>stated 65:6</p> <p>statement 29:18</p> <p>STATES 1:1</p> <p>static 36:10,10,11</p> <p>stick 39:25</p> <p>sticking 43:5</p> <p>stimulates 52:10</p> <p>stipulations 1:15</p> <p>straight 34:7</p> <p>Street 1:16 3:14</p> <p>strike 31:19</p> <p>structure 38:8</p> <p>student 7:23 12:4 20:25 21:18 52:19 53:21 54:3</p> <p>students 15:14 18:12,22 19:25 20:5,9,14 21:15 21:20,24 23:4 24:1 33:4,21 35:6 35:13 36:14 39:6 41:12,19 42:4 48:5 49:12,13,23 51:8,12 52:15 53:15,19,23,25</p>	<p>54:1,4 55:8 57:9 60:11 61:1,7,13 61:22 62:5,5,7</p> <p>study 46:19</p> <p>Style 22:9 25:21</p> <p>subject 18:19</p> <p>subjects 15:24 16:3 16:5</p> <p>submission 62:18</p> <p>subscription 22:16 22:25 23:6,8,11 23:21</p> <p>suggest 42:2 45:8 63:10</p> <p>suggests 36:22 39:16</p> <p>Suite 1:23</p> <p>summing 54:5</p> <p>Supernatural 9:22</p> <p>supplemental 19:16 19:19 20:11,22 38:22</p> <p>supplementary 19:1</p> <p>suppose 34:9 39:5 39:23 40:6 52:14 54:18</p> <p>sure 5:3 14:10,17 17:24 18:1 22:18 25:23 31:3,12 37:5 39:13 43:21 45:25 46:1 48:13</p> <p>suspect 33:25</p> <p>swear 13:1,14</p> <p>sworn 4:12</p> <p>syllabus 2:14 18:16 24:22 32:13</p> <p>system 2:12 14:23 15:5 16:9 18:3,6 23:5 24:4,5 26:19 28:17,22 29:14,21 30:9 32:14 55:17 57:14 59:4</p> <hr/> <p>T</p> <p>T 2:8 64:1,1 65:1,1</p> <p>tailed 46:9,22</p> <p>take 5:14 6:13 8:6 13:11 14:25 20:8 20:13 31:12 35:19 39:21 47:23 48:4 48:22 50:2 60:12</p> <p>taken 1:13 4:3 46:9 48:1 65:6</p> <p>talk 34:21,25 37:5 37:10,25</p>	<p>talked 25:19</p> <p>talking 27:12,15</p> <p>talks 44:4 46:16,24 46:25,25</p> <p>tape 5:15 48:20 49:1</p> <p>taught 8:17,25 9:2 9:3 18:8 34:24 41:10 55:24 56:13</p> <p>teach 8:6 41:1,2,8 56:11,12</p> <p>teaching 8:9,11,13 9:7,12 33:2,19,25 56:8,10</p> <p>television 11:2 18:21 25:5 38:24 38:25 39:7 46:24 47:10</p> <p>tell 5:13 6:3 9:19 10:17 18:18 19:18 20:2,23 22:5 29:24 30:23 32:23 34:11 35:9 36:6 37:12 38:19 40:3 41:25 42:20 44:20 45:14 46:11 49:11 52:11 53:5 54:3 60:23 61:19</p> <p>tenure 12:7</p> <p>Teresa 1:15 65:21 66:21</p> <p>term 35:9 36:4,22</p> <p>terms 37:15 50:13</p> <p>test 55:3</p> <p>testified 4:12</p> <p>text 18:25 19:11,22 19:23 35:15</p> <p>textbook 18:24 38:23 50:23 61:4 61:8,14</p> <p>Textbooks 60:22</p> <p>texts 16:21 40:8</p> <p>theoretical 40:12</p> <p>thereto 65:8</p> <p>they'd 56:24</p> <p>thing 15:25 17:3 50:24 51:3 55:9</p> <p>things 30:5,20 35:17 40:20 44:1 44:2,11</p> <p>think 12:23 28:24 31:4 34:12 35:12 36:3,21 37:14,15 37:16,24 38:21 39:7 40:4,4,8 45:2 45:12 46:5 47:25</p>	<p>48:3,20 50:13,21 50:25 53:21 55:20 58:4 59:9,10,12 61:17 62:3,25</p> <p>thinking 51:16</p> <p>thinks 46:4</p> <p>third 11:14 43:11 43:11,12,12,14,17 43:19,19,23 46:8 54:22 57:15,16</p> <p>thought 36:17,18 40:7,9 42:19 47:5 48:1 51:3,3</p> <p>three 8:22 33:12,14 33:16,22 47:21</p> <p>Thursday 1:17</p> <p>time 9:2,4 29:24 33:14 36:7 44:4 46:18 48:3 56:13</p> <p>times 22:10 25:22 59:21</p> <p>today 25:24 31:11 34:6,13 36:16,23 45:16,18 46:6,7</p> <p>today's 5:24 6:9</p> <p>Todd 3:6 4:24</p> <p>TODD.LARSON... 3:9</p> <p>told 17:19 46:21 56:25 60:5</p> <p>top 13:6 20:8</p> <p>total 43:19,20 54:6</p> <p>touch 16:4</p> <p>track 12:7 27:11</p> <p>training 15:7,12,16</p> <p>transaction 38:13</p> <p>transcript 5:8 65:10</p> <p>transcripts 6:14</p> <p>transform 35:4 47:1</p> <p>transformative 34:10,11,12,25 35:2,6,14,25</p> <p>travel 7:12</p> <p>trial 6:19,25,25 7:20</p> <p>tricky 39:13 45:20</p> <p>tried 6:3</p> <p>trouble 33:20</p> <p>true 31:6 39:17 64:5 65:10</p> <p>trusting 24:16</p> <p>try 5:11 57:10</p> <p>trying 12:4 31:2 40:8 44:13 50:21</p>	<p>turn 13:17 21:5 38:15 41:22 49:5</p> <p>TV 46:16</p> <p>two 7:8,9 15:20 26:5,14 34:18 39:12</p> <p>type 26:12 62:1</p> <hr/> <p>U</p> <p>Uh-huh 14:1 21:8 22:7 25:1 36:12 59:8</p> <p>ULearn 19:17 22:3 22:9,12,14,21 23:14,15,16 25:23 26:1,5 32:13</p> <p>unclear 5:10</p> <p>undersigned 64:3</p> <p>understand 5:11 22:18 31:3 42:9 43:18 49:19 60:7</p> <p>understanding 21:23 32:25 34:11 34:12 42:1,11 43:10,23 50:2,19 50:20 51:10 52:6 53:14</p> <p>understood 12:19 35:22 50:10</p> <p>UNITED 1:1</p> <p>university 1:4,8 4:4 4:5,8 6:8 13:16 15:8 16:11 25:14 32:24 33:25 34:20 38:14</p> <p>university's 14:11 18:2</p> <p>updated 56:24</p> <p>use 2:15 16:22 22:3 22:20,20,21 24:21 25:17 26:16 27:1 27:1 28:22 29:7 29:15,16,22,25 30:2,4,21 32:11 33:7 34:3,15 35:1 35:3,7 37:4,20,21 38:12,16 39:2 41:5 42:2,3,11,15 44:1,9 47:19,22 47:24 49:9,21,25 49:25 50:3 51:19 52:4,10,18 54:7,8 54:14,16,25 55:3 55:11 57:20 60:5 60:6,6,9,14 63:1,5</p> <p>useful 33:9 43:16</p>
---	---	---	--	--

user 52:22 usual 66:18 Usually 17:10 <hr/> V value 35:2 39:15 variety 39:6,7 various 14:13 17:12 17:16 23:8 56:21 vehicle 47:11 verbally 5:7 version 45:6 61:21 62:23 versus 4:6 video 5:13 VIDEOGRAPHER 3:19 4:1 19:4,7 48:23 49:1 62:10 62:13 63:18 videotaped 1:13 4:2 view 25:6 35:5,22 45:5 49:22 61:25 viewers 46:18 violation 17:20 volume 11:8 vs 1:6 <hr/> W want 16:22 21:13 24:7 34:7 41:19 43:18 54:21 59:9 60:25,25 wanted 19:25 49:14 55:11 62:19,22 wasn't 15:23 40:19 53:9 60:5,6 way 5:7 14:13 15:23 26:24 38:22,25 39:9 51:2 52:2 61:21 ways 11:23 12:5 35:16 38:24 39:6 39:7 58:18 web 6:18 14:11,15 14:19 23:2 34:21 44:1,5 53:12 58:6 58:7 week 21:4,9,15,25 22:6 24:7,11,14 24:19,24 weekly 21:6 weeks 7:8,9 weigh 39:24 weights 37:20 38:16 47:18,22 49:8 54:6,8,13	WEIL 3:7 went 29:1,6 30:12 weren't 21:21 29:7 61:23 we'll 5:14 we're 15:6 23:7 35:15,16 38:12 41:16 49:2 63:19 we've 55:21 When's 8:4 Winston 21:10 24:8 wise 59:3 witness 7:20 65:12 wonderful 43:3 45:1 wondering 29:20 word 34:6 39:13,13 58:20 words 37:6,13 work 5:4 12:3 21:16 28:17 37:22 38:17 39:19 40:2,16 41:3,24 44:20 45:10 47:24,25 48:2 49:10 50:4 50:22 51:1 52:11 52:23 54:19 55:4 60:14,18 61:24 worked 10:9 working 8:2 14:13 47:2 60:5 works 13:15,18 15:4 16:21 39:24 55:16 56:18,22 59:3,4 wouldn't 12:15 47:23 49:24,25 54:16 write 21:2,13,24 writing 40:4,5 written 24:16 wrong 58:20 <hr/> X X 2:1,8 <hr/> Y yeah 4:19 6:3 17:1 20:12 35:21 44:7 45:1,11,11,15 46:5,5,14 50:1 54:9 56:16 57:3 year 8:1,5,10,15,22 28:14 30:8 32:6,7 34:13 36:20 56:12 years 7:25	YORK 3:8 <hr/> 1 1 2:12 13:6 18:5 20:17 24:7 32:19 37:23 39:2,10 1:08-CV-1425-O... 1:7 1:47 1:18 4:10 10.B 66:6 10:15 22:6 25:21 10153-0119 3:8 104 1:16 11-21-11 65:22 11/5 26:4 1180 3:14 12 54:6,9 12th 26:14 13 1:23 14 1:17 2:21 14th 4:9 140 1:23 15 13:17 43:1 15-14-37 3:23 66:14 16th 7:1,4,17 18 2:12,14 18th 7:17 19 13:6 19th 7:10,14 <hr/> 2 2 2:14,21 12:21 18:15,16 20:8 24:11 39:11 40:22 40:24 47:6 49:1 2:06 19:5 2:07 19:8 2:46 48:24 2:57 49:2 20 43:1 20th 7:10 65:18 2009 2:13,16 8:25 18:7,9 29:2,3 30:12 31:15,23 32:5,6,11 55:24 62:20 2010 56:16,17 2011 1:17 4:9 56:7 65:18 212.310.8238 3:8 24 18:12 27 2:15 <hr/> 3 3 2:15 24:14 27:8 28:2 30:7,23	31:14,17,21 32:1 41:22 46:9 47:17 47:22 49:4 56:2 3:13 62:11 3:16 62:14 3:17 63:19,20 30032 4:23 30309-3521 3:15 30329 1:24 3103 4:22 <hr/> 4 4 2:4,17 48:21 49:5 62:17,24 40 55:10,11,15 404.572.2530 3:15 4210 2:13,14,16 8:24 18:9,16 55:22 61:4 <hr/> 5 5th 7:10,14 5775 21:6 5777 26:4 <hr/> 6 6 1:16 7:11 62 2:17 <hr/> 7 7 13:5,6,12,25 70th 7:13 767 3:7 770 1:24 <hr/> 8 8 13:12 24:24 <hr/> 9 9 22:6 9-11-28 3:22 66:10 955-5252 1:24
--	--	--	--