

Q. Professor Jodi Kaufmann

805. Professor Jodi Kaufmann is currently employed as a professor at Georgia State University.

806. Professor Jodi Kaufmann has encountered a situation where the library has rejected a request to place an excerpt on Georgia State University's ERes system because the portion Professor Jodi Kaufmann attempted to place on ERes was too large.

807. When determining whether to even consider undertaking a fair use analysis for an excerpt, Professor Jodi Kaufmann considers the size of the excerpt she intends to use before performing a complete fair use analysis using Georgia State University's fair use checklist, and if she believes based on that preliminary analysis that the excerpt would be too large for her use to be fair, Professor Jodi Kaufmann does not perform further analysis, and either does not place the excerpt on ERes, or reduces the amount of her use.

1) **EPRS8500 – QUALITATIVE/INTERPRETIVE RESEARCH IN EDUCATION I (MAYMESTER 2009)**

808. Professor Jodi Kaufmann taught EPRS8500 during Maymester 2009.

809. Thirteen students enrolled in Professor Jodi Kaufmann's section of EPRS8500.

810. Professor Jodi Kaufmann required her students to purchase the following works for EPRS8500: Qualitative Research for Education, Foundations of Social Research, Critical Reading and Writing for Postgraduates.

i. **The Craft of Inquiry: Theories, Methods, Evidence**

811. Professor Jodi Kaufmann used an excerpt from the work The Craft of Inquiry: Theories, Methods, Evidence while teaching EPRS8500 during Maymester 2009.

812. The Craft of Inquiry: Theories, Methods, Evidence is published by Oxford.

813. The Craft of Inquiry: Theories, Methods, Evidence is 185 pages long.

814. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpt of The Craft of Inquiry: Theories, Methods, Evidence on Georgia State University's ERes system.

815. In preparing the fair use checklist for The Craft of Inquiry: Theories, Methods, Evidence, Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

816. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence*.

817. The excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that was placed on Georgia State University's ERes system was 11 pages long, and constituted one chapter and approximately 5.9% of the work.

818. The excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpt was used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence*.

819. The excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that was placed on Georgia State University's ERes system was not used for commercial purposes.

820. The excerpt of The Craft of Inquiry: Theories, Methods, Evidence that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

821. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpt of The Craft of Inquiry: Theories, Methods, Evidence that was placed on Georgia State University's ERes system.

822. Professor Jodi Kaufmann used the excerpt of The Craft of Inquiry: Theories, Methods, Evidence that she placed on Georgia State University's ERes system for the purpose of criticism and/or comment.

823. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of The Craft of Inquiry: Theories, Methods, Evidence that she placed on Georgia State University's ERes system.

824. Professor Jodi Kaufmann's use of the excerpt of The Craft of Inquiry: Theories, Methods, Evidence that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

825. The Craft of Inquiry: Theories, Methods, Evidence is a published work.

826. The Craft of Inquiry: Theories, Methods, Evidence is a factual work of nonfiction.

827. The excerpt of The Craft of Inquiry: Theories, Methods, Evidence that Professor Jodi Kaufmann used in her course amounts to 5.9% of the work, and as such, was a small portion of The Craft of Inquiry: Theories, Methods, Evidence.

828. The excerpt of The Craft of Inquiry: Theories, Methods, Evidence that Professor Jodi Kaufmann used in her course was not central to the work because it was one essay in a text of similar essays.

829. The excerpt of The Craft of Inquiry: Theories, Methods, Evidence that Professor Jodi Kaufmann used in her course was narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portion of the work that she needed to illustrate her lesson.

830. Professor Jodi Kaufmann's use of the excerpt of The Craft of Inquiry: Theories, Methods, Evidence did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

831. Professor Jodi Kaufmann's use of the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

832. The publisher of *The Craft of Inquiry: Theories, Methods, Evidence* does not market any similar product.

833. A small number of copies of the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* were distributed—specifically, the ERes records indicate that the work was accessed one time.

834. Access to the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* was limited to the students in the class by a password protected website.

835. The excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* was removed from the ERes system after the semester ended.

836. The Georgia State University Library lawfully owns a copy of *The Craft of Inquiry: Theories, Methods, Evidence*.

(b) **Handbook of Feminist Research: Theory and Praxis**

837. Professor Jodi Kaufmann used an excerpt from the work Handbook of Feminist Research: Theory and Praxis while teaching EPRS8500 during Maymester 2009.

838. Handbook of Feminist Research: Theory and Praxis is published by SAGE.

839. Handbook of Feminist Research: Theory and Praxis is 767 pages long.

840. Handbook of Feminist Research: Theory and Praxis is a collective work made up of works from several different contributors.

841. The excerpt of Handbook of Feminist Research: Theory and Praxis Professor Jodi Kaufmann placed on Georgia State University's ERes system is a single work provided by one contributor, and that contributor did not assign or grant an exclusive license to the work to SAGE.

842. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpt of Feminist Research: Theory and Praxis on Georgia State University's ERes system.

843. In preparing the fair use checklist for Feminist Research: Theory and Praxis, Professor Jodi Kaufmann considered each of the fair use factors

on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

844. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence*.

845. The excerpt of *Handbook of Feminist Research: Theory and Praxis* that was placed on Georgia State University's ERes system was 20 pages long, and constituted one chapter and approximately 2.8% of the work.

846. The excerpt of *Handbook of Feminist Research: Theory and Praxis* that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpt was used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpt of *Feminist Research: Theory and Praxis*.

847. The excerpt of *Handbook of Feminist Research: Theory and Praxis* that was placed on Georgia State University's ERes system was not used for commercial purposes.



848. The excerpt of Handbook of Feminist Research: Theory and Praxis that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

849. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpt of Handbook of Feminist Research: Theory and Praxis that was placed on Georgia State University's ERes system.

850. Professor Jodi Kaufmann did not use the excerpt of Handbook of Feminist Research: Theory and Praxis that she placed on Georgia State University's ERes system for the purpose of entertainment.

851. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of Handbook of Feminist Research: Theory and Praxis that she placed on Georgia State University's ERes system.

852. Professor Jodi Kaufmann's use of the excerpt of Handbook of Feminist Research: Theory and Praxis that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

853. Handbook of Feminist Research: Theory and Praxis is a published work.

854. Handbook of Feminist Research: Theory and Praxis is a factual work of nonfiction.

855. The excerpt of Handbook of Feminist Research: Theory and Praxis that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpt illustrated the lesson she was attempting to teach her class.

856. The excerpt of Handbook of Feminist Research: Theory and Praxis that Professor Jodi Kaufmann used in her course amounts to 2.8% of the work, and as such, was a small portion of Handbook of Feminist Research: Theory and Praxis.

857. The excerpt of Handbook of Feminist Research: Theory and Praxis that Professor Jodi Kaufmann used in her course was not central to the work because it was one essay in a text of similar essays.

858. The excerpt of Handbook of Feminist Research: Theory and Praxis that Professor Jodi Kaufmann used in her course was narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portion of the work that she needed to illustrate her lesson.

859. Professor Jodi Kaufmann's use of the excerpt of Handbook of Feminist Research: Theory and Praxis did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

860. Professor Jodi Kaufmann's use of the excerpt of Handbook of Feminist Research: Theory and Praxis stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

861. The publisher of Handbook of Feminist Research: Theory and Praxis does not market any similar product.

862. A small number of copies of the excerpt of Handbook of Feminist Research: Theory and Praxis were distributed—specifically, the ERes records indicate that the work was accessed 56 times.

863. Access to the excerpt of Handbook of Feminist Research: Theory and Praxis was limited to the students in the class by a password protected website.

864. The excerpt of Handbook of Feminist Research: Theory and Praxis was removed from the ERes system after the semester ended.

865. The Georgia State University Library lawfully owns a copy of Handbook of Feminist Research: Theory and Praxis.

(c) **Handbook of Social Theory**

866. Professor Jodi Kaufmann used an excerpt from the work Handbook of Social Theory while teaching EPRS8500 during Maymester 2009.

867. Handbook of Social Theory is published by SAGE.

868. Handbook of Social Theory is 564 pages long.

869. Handbook of Social Theory is a collective work made up of works from several different contributors.

870. The excerpt of Handbook of Social Theory Professor Jodi Kaufmann placed on Georgia State University's ERes system is a single work provided by one contributor, and that contributor did not assign or grant an exclusive license to the work to SAGE.

871. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpt of Handbook of Social Theory on Georgia State University's ERes system.

872. In preparing the fair use checklist for Handbook of Social Theory, Professor Jodi Kaufmann considered each of the fair use factors on the

checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

873. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpt of Handbook of Social Theory.

874. The excerpt of Handbook of Social Theory that was placed on Georgia State University's ERes system was 12 pages long, and constituted one chapter and approximately 2.1% of the work.

875. The excerpt of Handbook of Social Theory that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpt was used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpt of Handbook of Social Theory.

876. The excerpt of Handbook of Social Theory that was placed on Georgia State University's ERes system was not used for commercial purposes.

877. The excerpt of Handbook of Social Theory that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

878. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpt of Handbook of Social Theory that was placed on Georgia State University's ERes system.

879. Professor Jodi Kaufmann did not use the excerpt of Handbook of Social Theory that she placed on Georgia State University's ERes system for the purpose of entertainment.

880. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of Handbook of Social Theory that she placed on Georgia State University's ERes system.

881. Professor Jodi Kaufmann's use of the excerpt of Handbook of Social Theory that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

882. Handbook of Social Theory is a published work.

883. Handbook of Social Theory is a factual work of nonfiction.

884. The excerpt of Handbook of Social Theory that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpt illustrated the lesson she was attempting to teach her class.

885. The excerpt of Handbook of Social Theory that Professor Jodi Kaufmann used in her course amounts to 2.2% of the work, and as such, was a small portion of Handbook of Social Theory.

886. The excerpt of Handbook of Social Theory that Professor Jodi Kaufmann used in her course was not central to the work because it was one essay in a text of similar essays.

887. The excerpt of Handbook of Social Theory that Professor Jodi Kaufmann used in her course was narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portion of the work that she needed to illustrate her lesson.

888. Professor Jodi Kaufmann's use of the excerpt of Handbook of Social Theory did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

889. Professor Jodi Kaufmann's use of the excerpt of Handbook of Social Theory stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

890. The publisher of Handbook of Social Theory does not market any similar product.

891. A small number of copies of the excerpt of Handbook of Social Theory were distributed—specifically, the ERes records indicate that the work was accessed 26 times.

892. Access to the excerpt of Handbook of Social Theory was limited to the students in the class by a password protected website.

893. The excerpt of Handbook of Social Theory was removed from the ERes system after the semester ended.

**(d) The Sage Handbook of Qualitative Research (3rd edition)**

894. Professor Jodi Kaufmann used an excerpt from the work The SAGE Handbook of Qualitative Research (3rd edition) while teaching EPRS8500 during Maymester 2009.

895. The SAGE Handbook of Qualitative Research (3rd edition) is published by SAGE.

896. The SAGE Handbook of Qualitative Research (3rd edition) is 1229 pages long.

897. The SAGE Handbook of Qualitative Research (3rd edition) is a collective work made up of works from several different contributors.



898. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) Professor Jodi Kaufmann placed on Georgia State University's ERes system are four individual works provided by individual contributors, and those contributors did not assign or grant an exclusive license to the work to SAGE.

899. Professor Jodi Kaufmann prepared fair use checklists prior to requesting that the library put the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) on Georgia State University's ERes system.

900. In preparing the fair use checklist for The SAGE Handbook of Qualitative Research (3rd edition), Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

901. Professor Jodi Kaufmann lost or misplaced her fair use checklists for excerpts of The SAGE Handbook of Qualitative Research (3rd edition), and recreated fair use checklists that fairly and accurately represent the initial fair use checklists that she filled out for the excerpts.

902. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that was placed on Georgia State University's ERes system were 103 pages long, and constituted approximately 9.1% of the work.

903. The excerpt of The SAGE Handbook of Qualitative Research (3rd edition) that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpt was used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpt of The SAGE Handbook of Qualitative Research (3rd edition).

904. The excerpt of The SAGE Handbook of Qualitative Research (3rd edition) that was placed on Georgia State University's ERes system was not used for commercial purposes.

905. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that was placed on Georgia State University's ERes system were used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

906. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpt of The SAGE Handbook of Qualitative Research (3rd edition) that was placed on Georgia State University's ERes system.

907. Professor Jodi Kaufmann did not use the excerpt of The SAGE Handbook of Qualitative Research (3rd edition) that she placed on Georgia State University's ERes system for the purpose of entertainment.

908. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

909. Professor Jodi Kaufmann did not publish or publicly distribute the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that she placed on Georgia State University's ERes system.

910. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

911. The SAGE Handbook of Qualitative Research (3rd edition) is a published work.

912. SAGE Handbook of Qualitative Research (3rd edition) is a factual work of nonfiction.

913. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that Professor Jodi Kaufmann used in her course were important to her educational objectives because the excerpts illustrated the lessons she was attempting to teach her class.

914. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that Professor Jodi Kaufmann used in her course amount to 9.1% of the work, and as such, are a small portion of The SAGE Handbook of Qualitative Research (3rd edition).

915. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that Professor Jodi Kaufmann used in her course were not central to the work because they were a few small essays in a much larger text of similar essays on related topics.

916. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that Professor Jodi Kaufmann used in her course were narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portions of the work that she needed to illustrate her lessons.

917. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) did not have a significant effect on

the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

918. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

919. The publisher of The SAGE Handbook of Qualitative Research (3rd edition) does not market any similar product.

920. A small number of copies of the excerpt of The SAGE Handbook of Qualitative Research (3rd edition) were distributed—specifically, the distribution was limited to her class by a password protected website.

921. Access to the excerpt of The SAGE Handbook of Qualitative Research (3rd edition) was limited to the students in the class by a password protected website.

922. The excerpt of The SAGE Handbook of Qualitative Research (3rd edition) was removed from the ERes system after the semester ended.

923. The Georgia State University library lawfully owns a copy of The SAGE Handbook of Qualitative Research (3rd edition).

(e) **The Sage Handbook of Qualitative Research (2nd edition)**

924. Professor Jodi Kaufmann used three excerpts from the work The SAGE Handbook of Qualitative Research (2nd edition) while teaching EPRS8500 during Maymester 2009.

925. The SAGE Handbook of Qualitative Research (2nd edition) is published by SAGE.

926. The SAGE Handbook of Qualitative Research (2nd edition) is 1142 pages long.

927. The SAGE Handbook of Qualitative Research (2nd edition) is a collective work made up of works from several different contributors.

928. The excerpts of The SAGE Handbook of Qualitative Research (2nd edition) Professor Jodi Kaufmann placed on Georgia State University's ERes system are single works provided by individual contributors, and those contributors did not assign or grant an exclusive license to the work to SAGE.

929. Professor Jodi Kaufmann prepared fair use checklists prior to requesting that the library put the excerpts of The SAGE Handbook of Qualitative Research (2nd edition) on Georgia State University's ERes system.

930. In preparing the fair use checklist for The SAGE Handbook of Qualitative Research (2nd edition), Professor Jodi Kaufmann considered each of

the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

931. Professor Jodi Kaufmann lost or misplaced her fair use checklists, and recreated fair use checklists that fairly and accurately represents the initial fair use checklists that she filled out for the excerpts of The SAGE Handbook of Qualitative Research (2nd edition).

932. The excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that was placed on Georgia State University's ERes system was 78 pages long, and constituted one chapter and approximately 6.8% of the work.

933. The excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that were placed on Georgia State University's ERes system were used for a nonprofit, educational purpose. Namely, the excerpts were used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpts.

934. The excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that were placed on Georgia State University's ERes system were not used for commercial purposes.

935. The excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that were placed on Georgia State University's ERes system were used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

936. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that were placed on Georgia State University's ERes system.

937. Professor Jodi Kaufmann did not use the excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that she placed on Georgia State University's ERes system for the purpose of entertainment.

938. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

939. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that she placed on Georgia State University's ERes system.



940. Professor Jodi Kaufmann's use of the excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

941. The SAGE Handbook of Qualitative Research (2nd edition) is a published work.

942. The SAGE Handbook of Qualitative Research (2nd edition) is a factual work of nonfiction.

943. The excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpts illustrated the lessons she was attempting to teach her class.

944. The excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that Professor Jodi Kaufmann used in her course amounts to 6.8% of the work, and as such, was a small portion of The SAGE Handbook of Qualitative Research (2nd edition).

945. The excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that Professor Jodi Kaufmann used in her course were not central to

the work because they were a few small essays in a much larger text of similar essays on related topics.

946. The excerpts of *The SAGE Handbook of Qualitative Research* (2nd edition) that Professor Jodi Kaufmann used in her course were narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portions of the work that she needed to illustrate her lessons.

947. Professor Jodi Kaufmann's use of the excerpts of *The SAGE Handbook of Qualitative Research* (2nd edition) did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

948. Professor Jodi Kaufmann's use of the excerpts of *The SAGE Handbook of Qualitative Research* (2nd edition) stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

949. The publisher of *The SAGE Handbook of Qualitative Research* (2nd edition) does not market any similar product.

950. A small number of copies of the excerpt of *The SAGE Handbook of Qualitative Research* (2nd edition) were distributed—specifically, the

ERes records indicate that the works were accessed, respectively 8 times, 2 times, and 45 times.

951. Access to the excerpt of The SAGE Handbook of Qualitative Research (2nd edition) was limited to the students in the class by a password protected website.

952. The excerpt of The SAGE Handbook of Qualitative Research (2nd edition) was removed from the ERes system after the semester ended.

953. Professor Jodi Kaufmann lawfully owns a copy of The SAGE Handbook of Qualitative Research (2nd edition).

(f) **Handbook of Critical and Indigenous Methodologies**

954. Professor Jodi Kaufmann used two excerpts from the work Handbook of Critical and Indigenous Methodologies while teaching EPRS8500 during Maymester 2009.

955. Handbook of Critical and Indigenous Methodologies is published by SAGE.

956. Handbook of Critical and Indigenous Methodologies is 619 pages long.

957. Handbook of Critical and Indigenous Methodologies is a collective work made up of works from several different contributors.

958. *Handbook of Critical and Indigenous Methodologies* is not owned by SAGE by an assignment.

959. The excerpts of *Handbook of Critical and Indigenous Methodologies* Professor Jodi Kaufmann placed on Georgia State University's ERes system are single works provided by individual contributors, and the contributors did not assign or grant an exclusive license to the work to SAGE.

960. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpts of *Handbook of Critical and Indigenous Methodologies* on Georgia State University's ERes system.

961. In preparing the fair use checklist for *Handbook of Critical and Indigenous Methodologies*, Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

962. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpts of *Handbook of Critical and Indigenous Methodologies*.

963. The excerpts of Handbook of Critical and Indigenous Methodologies that was placed on Georgia State University's ERes system are 37 pages long, and constitute two chapters and approximately 6.1% of the work.

964. The excerpts of Handbook of Critical and Indigenous Methodologies that were placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpts were used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpts of Handbook of Critical and Indigenous Methodologies.

965. The excerpts of Handbook of Critical and Indigenous Methodologies that was placed on Georgia State University's ERes system was not used for commercial purposes.

966. The excerpts of Handbook of Critical and Indigenous Methodologies that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

967. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpts of Handbook of

Critical and Indigenous Methodologies that were placed on Georgia State University's ERes system.

968. Professor Jodi Kaufmann did not use the excerpts of Handbook of Critical and Indigenous Methodologies that she placed on Georgia State University's ERes system for the purpose of entertainment.

969. Professor Jodi Kaufmann's use of the excerpts of Handbook of Critical and Indigenous Methodologies that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

970. Professor Jodi Kaufmann did not publish or publicly distribute the excerpts of Handbook of Critical and Indigenous Methodologies that she placed on Georgia State University's ERes system.

971. Professor Jodi Kaufmann's use of the excerpts of Handbook of Critical and Indigenous Methodologies that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

972. Handbook of Critical and Indigenous Methodologies is a published work.

973. Handbook of Critical and Indigenous Methodologies is a factual work of nonfiction.

974. The excerpts of Handbook of Critical and Indigenous Methodologies that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpts illustrated the lessons she was attempting to teach her class.

975. The excerpts of Handbook of Critical and Indigenous Methodologies that Professor Jodi Kaufmann used in her course amounts to 6.1% of the work, and as such, was a small portion of Handbook of Critical and Indigenous Methodologies.

976. The excerpts of Handbook of Critical and Indigenous Methodologies that Professor Jodi Kaufmann used in her course was not central to the work because they were two small essays in a much larger text of similar essays on related topics.

977. The excerpts of Handbook of Critical and Indigenous Methodologies that Professor Jodi Kaufmann used in her course were narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portions of the work that she needed to illustrate her lessons.

978. Professor Jodi Kaufmann's use of the excerpt of Handbook of Critical and Indigenous Methodologies did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

979. Professor Jodi Kaufmann's use of the excerpts of Handbook of Critical and Indigenous Methodologies stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

980. A small number of copies of the excerpts of Handbook of Critical and Indigenous Methodologies were distributed—specifically, the ERes records indicate that the excerpts were accessed 25 and 35 times, respectively.

981. Access to the excerpts of Handbook of Critical and Indigenous Methodologies was limited to the students in the class by a password protected website.

982. The excerpt of Handbook of Critical and Indigenous Methodologies was removed from the ERes system after the semester ended.

**(g) Qualitative Research Practice**

983. Professor Jodi Kaufmann used an excerpt from the work Qualitative Research Practice while teaching EPRS8500 during Maymester 2009.



984. Qualitative Research Practice is published by SAGE.

985. Qualitative Research Practice is 639 pages long.

986. Qualitative Research Practice is a collective work made up of works from several different contributors.

987.. No application to register Qualitative Research Practice was ever filed with the U.S. Copyright Office.

988. The excerpt of Qualitative Research Practice Professor Jodi Kaufmann placed on Georgia State University's ERes system is a single work provided by one contributor, and that contributor did not assign or grant an exclusive license to the work to SAGE.

989. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpt of the work on Georgia State University's ERes system.

990. In preparing the fair use checklist for Qualitative Research Practice, Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

991. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the

initial fair use checklist that she filled out for the excerpt of Qualitative Research Practice.

992. The excerpt of Qualitative Research Practice that was placed on Georgia State University's ERes system was 16 pages long, and constituted one chapter and approximately 2.6% of the work.

993. The excerpt of Qualitative Research Practice that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpt was used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpt of Qualitative Research Practice.

994. The excerpt of Qualitative Research Practice that was placed on Georgia State University's ERes system was not used for commercial purposes.

995. The excerpt of Qualitative Research Practice that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

996. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpt of Qualitative Research Practice that was placed on Georgia State University's ERes system.

997. Professor Jodi Kaufmann did not use the excerpt of Qualitative Research Practice that she placed on Georgia State University's ERes system for the purpose of entertainment.

998. Professor Jodi Kaufmann's use of the excerpt of Qualitative Research Practice that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

999. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of Qualitative Research Practice that she placed on Georgia State University's ERes system.

1000. Professor Jodi Kaufmann's use of the excerpt of Qualitative Research Practice that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

1001. Qualitative Research Practice is a published work.

1002. Qualitative Research Practice is a factual work of nonfiction.

1003. The excerpt of Qualitative Research Practice that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpt illustrated the lessons she was attempting to teach her class.

1004. The excerpt of Qualitative Research Practice that Professor Jodi Kaufmann used in her course amounts to 2.5% of the work, and as such, was a small portion of Qualitative Research Practice.

1005. The excerpt of Qualitative Research Practice that Professor Jodi Kaufmann used in her course was not central to the work because it was a small essay in a much larger text of similar essays on related topics.

1006. The excerpt of Qualitative Research Practice that Professor Jodi Kaufmann used in her course was narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portion of the work that she needed to illustrate her lessons.

1007. Professor Jodi Kaufmann's use of the excerpt of Qualitative Research Practice did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

1008. Professor Jodi Kaufmann's use of the excerpt of Qualitative Research Practice stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

1009. A small number of copies of the excerpt of Qualitative Research Practice were distributed—specifically, the ERes records indicate that the work was accessed four times.

1010. Access to the excerpt of Qualitative Research Practice was limited to the students in the class by a password protected website.

1011. The excerpt of Qualitative Research Practice was removed from the ERes system after the semester ended.

1012. The Georgia State University library lawfully owns a copy of Qualitative Research Practice.

**(h) Handbook of Narrative Inquiry**

1013. Professor Jodi Kaufmann used one excerpt from the work Handbook of Narrative Inquiry while teaching EPRS8500 during Maymester 2009.

1014. Handbook of Narrative Inquiry is published by SAGE.

1015. Handbook of Narrative Inquiry is 710 pages long.

1016. Handbook of Narrative Inquiry is a collective work made up of works from several different contributors.

1017. Handbook of Narrative Inquiry is not owned by SAGE by an assignment.

1018. The excerpts of Handbook of Narrative Inquiry Professor Jodi Kaufmann placed on Georgia State University's ERes system are single works provided by individual contributors, and the contributors did not assign or grant an exclusive license to the work to SAGE.

1019. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpt of Handbook of Narrative Inquiry on Georgia State University's ERes system.

1020. In preparing the fair use checklist for Handbook of Narrative Inquiry, Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

1021. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpts of Handbook of Narrative Inquiry.

1022. The excerpt of Handbook of Narrative Inquiry that was placed on Georgia State University's ERes system is 32 pages long, and constitutes one chapter and approximately 4.5% of the work.

1023. The excerpt of Handbook of Narrative Inquiry that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpts were used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpts of Handbook of Narrative Inquiry.

1024. The excerpt of Handbook of Narrative Inquiry that was placed on Georgia State University's ERes system was not used for commercial purposes.

1025. The excerpt of Handbook of Narrative Inquiry that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

1026. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpts of Handbook of Narrative Inquiry that were placed on Georgia State University's ERes system.

1027. Professor Jodi Kaufmann did not use the excerpts of Handbook of Narrative Inquiry that she placed on Georgia State University's ERes system for the purpose of entertainment.

1028. Professor Jodi Kaufmann's use of the excerpt of Handbook of Narrative Inquiry that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

1029. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of Handbook of Narrative Inquiry that she placed on Georgia State University's ERes system.

1030. Professor Jodi Kaufmann's use of the excerpt of Handbook of Narrative Inquiry that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

1031. Handbook of Narrative Inquiry is a published work.

1032. Handbook of Narrative Inquiry is a factual work of nonfiction.

1033. The excerpts of Handbook of Narrative Inquiry that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpts illustrated the lessons she was attempting to teach her class.

1034. The excerpts of Handbook of Narrative Inquiry that Professor Jodi Kaufmann used in her course amounts to 4.5% of the work, and as such, was a small portion of Handbook of Narrative Inquiry.



1035. The excerpts of Handbook of Narrative Inquiry that Professor Jodi Kaufmann used in her course was not central to the work because they were two small essays in a much larger text of similar essays on related topics.

1036. The excerpts of Handbook of Narrative Inquiry that Professor Jodi Kaufmann used in her course were narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portions of the work that she needed to illustrate her lessons.

1037. Professor Jodi Kaufmann's use of the excerpt of Handbook of Narrative Inquiry did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

1038. Professor Jodi Kaufmann's use of the excerpt of Handbook of Narrative Inquiry stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

1039. A small number of copies of the excerpt of Handbook of Narrative Inquiry were distributed—specifically, the ERes records indicate that the excerpt was accessed 17 times.

1040. Access to the excerpts of Handbook of Narrative Inquiry was limited to the students in the class by a password protected website.

1041. The excerpt of Handbook of Narrative Inquiry was removed from the ERes system after the semester ended.

1042. The Georgia State University library lawfully owns a copy of Handbook of Narrative Inquiry.

2) **EPRS8510 – Qualitative Research in Education II (Summer 2009)**

1043. Professor Jodi Kaufmann taught EPR8510 during Summer 2009.

1044. Nine students enrolled in Professor Jodi Kaufmann's section of EPRS8510.

1045. Professor Jodi Kaufmann required her students to purchase the following works for EPRS8510: Participant Observation; Using Documents in Social Research; Qualitative Interviewing.

i. **The SAGE Handbook of Qualitative Research (2nd edition)**

1046. Professor Jodi Kaufmann used two excerpts from the work The SAGE Handbook of Qualitative Research (2nd edition) while teaching EPRS8510 during Summer 2009.

1047. The SAGE Handbook of Qualitative Research (2nd edition) is published by SAGE.

1048. The SAGE Handbook of Qualitative Research (2nd edition) is 1142 pages long.

1049. The SAGE Handbook of Qualitative Research (2nd edition) is a collective work made up of works from several different contributors.

1050. The excerpts of The SAGE Handbook of Qualitative Research (2nd edition) Professor Jodi Kaufmann placed on Georgia State University's ERes system are single works provided by individual contributors, and those contributors did not assign or grant an exclusive license to the work to SAGE.

1051. Professor Jodi Kaufmann prepared fair use checklists prior to requesting that the library put the excerpts of The SAGE Handbook of Qualitative Research (2nd edition) on Georgia State University's ERes system.

1052. In preparing the fair use checklist for The SAGE Handbook of Qualitative Research (2nd edition), Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

1053. Professor Jodi Kaufmann lost or misplaced her fair use checklists, and recreated fair use checklists that fairly and accurately represents the initial fair use checklists that she filled out for the excerpts of The SAGE Handbook of Qualitative Research (2nd edition).

1054. The excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that was placed on Georgia State University's ERes system was 78 pages long, and constituted one chapter and approximately 6.8% of the work.

1055. The excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that were placed on Georgia State University's ERes system were used for a nonprofit, educational purpose. Namely, the excerpts were used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpts.

1056. The excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that were placed on Georgia State University's ERes system were not used for commercial purposes.

1057. The excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that were placed on Georgia State University's ERes system were used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

1058. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpts of The SAGE

Handbook of Qualitative Research (2nd edition) that were placed on Georgia State University's ERes system.

1059. Professor Jodi Kaufmann did not use the excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that she placed on Georgia State University's ERes system for the purpose of entertainment.

1060. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

1061. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that she placed on Georgia State University's ERes system.

1062. Professor Jodi Kaufmann's use of the excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

1063. The SAGE Handbook of Qualitative Research (2nd edition) is a published work.

1064. The SAGE Handbook of Qualitative Research (2nd edition) is a factual work of nonfiction.

1065. The excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpts illustrated the lessons she was attempting to teach her class.

1066. The excerpt of The SAGE Handbook of Qualitative Research (2nd edition) that Professor Jodi Kaufmann used in her course amounts to 6.8% of the work, and as such, was a small portion of The SAGE Handbook of Qualitative Research (2nd edition).

1067. The excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that Professor Jodi Kaufmann used in her course were not central to the work because they were a few small essays in a much larger text of similar essays on related topics.

1068. The excerpts of The SAGE Handbook of Qualitative Research (2nd edition) that Professor Jodi Kaufmann used in her course were narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portions of the work that she needed to illustrate her lessons.

1069. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (2nd edition) did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

1070. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (2nd edition) stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

1071. The publisher of The SAGE Handbook of Qualitative Research (2nd edition) does not market any similar product.

1072. A small number of copies of the excerpt of The SAGE Handbook of Qualitative Research (2nd edition) were distributed—specifically, the ERes records indicate that the works were accessed, respectively 8 times, 2 times, and 45 times.

1073. Access to the excerpt of The SAGE Handbook of Qualitative Research (2nd edition) was limited to the students in the class by a password protected website.

1074. The excerpt of The SAGE Handbook of Qualitative Research (2nd edition) was removed from the ERes system after the semester ended.

1075. Professor Jodi Kaufmann lawfully owns a copy of The SAGE Handbook of Qualitative Research (2nd edition).

(b) **Inside Interviewing: New Lenses, New Concerns**

1076. Professor Jodi Kaufmann used an excerpt from the work Inside Interviewing: New Lenses, New Concerns while teaching EPRS8510 during Summer 2009.

1077. Inside Interviewing: New Lenses, New Concerns is published by SAGE.

1078. Inside Interviewing: New Lenses, New Concerns is 564 pages long.

1079. Inside Interviewing: New Lenses, New Concerns is a collective work made up of works from several different contributors.

1080. The excerpt of Inside Interviewing: New Lenses, New Concerns Professor Jodi Kaufmann placed on Georgia State University's ERes system is a single work provided by individual contributors, and those contributors did not assign or grant an exclusive license to the work to SAGE.

1081. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpt of Inside Interviewing: New Lenses, New Concerns on Georgia State University's ERes system.



1082. In preparing the fair use checklist for *Inside Interviewing: New Lenses, New Concerns*, Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

1083. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpt of *Inside Interviewing: New Lenses, New Concerns*.

1084. The excerpt of *Inside Interviewing: New Lenses, New Concerns* that was placed on Georgia State University's ERes system was 14 pages long, and constituted one chapter and approximately 2.5% of the work.

1085. The excerpt of *Inside Interviewing: New Lenses, New Concerns* that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpt was used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpt.

1086. The excerpt of Inside Interviewing: New Lenses, New Concerns that was placed on Georgia State University's ERes system was not used for commercial purposes.

1087. The excerpt of Inside Interviewing: New Lenses, New Concerns that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

1088. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpt of Inside Interviewing: New Lenses, New Concerns that was placed on Georgia State University's ERes system.

1089. Professor Jodi Kaufmann did not use the excerpt of Inside Interviewing: New Lenses, New Concerns that she placed on Georgia State University's ERes system for the purpose of entertainment.

1090. Professor Jodi Kaufmann's use of the excerpt of Inside Interviewing: New Lenses, New Concerns that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

1091. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of *Inside Interviewing: New Lenses, New Concerns* that she placed on Georgia State University's ERes system.

1092. Professor Jodi Kaufmann's use of the excerpt of *Inside Interviewing: New Lenses, New Concerns* that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

1093. *Inside Interviewing: New Lenses, New Concerns* is a published work.

1094. *Inside Interviewing: New Lenses, New Concerns* is a factual work of nonfiction.

1095. The excerpt of *Inside Interviewing: New Lenses, New Concerns* that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpts illustrated the lessons she was attempting to teach her class.

1096. The excerpt of *Inside Interviewing: New Lenses, New Concerns* that Professor Jodi Kaufmann used in her course amounts to 2.5% of the

work, and as such, was a small portion of *Inside Interviewing: New Lenses, New Concerns*.

1097. The excerpt of *Inside Interviewing: New Lenses, New Concerns* that Professor Jodi Kaufmann used in her course was not central to the work because it was a few small essays in a much larger text of similar essays on related topics.

1098. The excerpt of *Inside Interviewing: New Lenses, New Concerns* that Professor Jodi Kaufmann used in her course was narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portion of the work that she needed to illustrate her lessons.

1099. Professor Jodi Kaufmann's use of the excerpt of *Inside Interviewing: New Lenses, New Concerns* did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

1100. Professor Jodi Kaufmann's use of the excerpt of *Inside Interviewing: New Lenses, New Concerns* stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

1101. The publisher of Inside Interviewing: New Lenses, New Concerns does not market any similar product.

1102. A small number of copies of the excerpt of Inside Interviewing: New Lenses, New Concerns were distributed—specifically, the ERes records indicate that the excerpt was accessed 31 times.

1103. Access to the excerpt of Inside Interviewing: New Lenses, New Concerns was limited to the students in the class by a password protected website.

1104. The excerpt of Inside Interviewing: New Lenses, New Concerns was removed from the ERes system after the semester ended.

3) **EPRS8500 – QUALITATIVE/INTERPRETIVE RESEARCH IN EDUCATION I (FALL 2009)**

1105. Professor Jodi Kaufmann taught EPRS8500 during Fall 2009.

1106. Twenty-one students enrolled in Professor Jodi Kaufmann's section of EPRS8500.

1107. Professor Jodi Kaufmann required her students to purchase the following works for EPRS8500: Qualitative Research for Education, Foundations of Social Research, Critical Reading and Writing for Postgraduates.

**i. The Craft of Inquiry: Theories, Methods, Evidence**

1108. Professor Jodi Kaufmann used an excerpt from the work *The Craft of Inquiry: Theories, Methods, Evidence* while teaching EPRS8500 during Fall 2009.

1109. *The Craft of Inquiry: Theories, Methods, Evidence* is published by Oxford.

1110. *The Craft of Inquiry: Theories, Methods, Evidence* is 185 pages long.

1111. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* on Georgia State University's ERes system.

1112. In preparing the fair use checklist for *The Craft of Inquiry: Theories, Methods, Evidence*, Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

1113. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence*.

1114. The excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that was placed on Georgia State University's ERes system was 11 pages long, and constituted one chapter and approximately 5.9% of the work.

1115. The excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpt was used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence*.

1116. The excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that was placed on Georgia State University's ERes system was not used for commercial purposes.

1117. The excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

1118. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpt of *The Craft of Inquiry:*

Theories, Methods, Evidence that was placed on Georgia State University's ERes system.

1119. Professor Jodi Kaufmann used the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that she placed on Georgia State University's ERes system for the purpose of criticism and/or comment.

1120. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that she placed on Georgia State University's ERes system.

1121. Professor Jodi Kaufmann's use of the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

1122. *The Craft of Inquiry: Theories, Methods, Evidence* is a published work.

1123. *The Craft of Inquiry: Theories, Methods, Evidence* is a factual work of nonfiction.

1124. The excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that Professor Jodi Kaufmann used in her course amounts to 5.9% of the



work, and as such, was a small portion of *The Craft of Inquiry: Theories, Methods, Evidence*.

1125. The excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that Professor Jodi Kaufmann used in her course was not central to the work because it was one essay in a text of similar essays.

1126. The excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* that Professor Jodi Kaufmann used in her course was narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portion of the work that she needed to illustrate her lesson.

1127. Professor Jodi Kaufmann's use of the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

1128. Professor Jodi Kaufmann's use of the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence* stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

1129. The publisher of *The Craft of Inquiry: Theories, Methods, Evidence* does not market any similar product.

1130. A small number of copies of the excerpt of The Craft of Inquiry: Theories, Methods, Evidence were distributed—specifically, the ERes records indicate that the work was accessed one time.

1131. Access to the excerpt of The Craft of Inquiry: Theories, Methods, Evidence was limited to the students in the class by a password protected website.

1132. The excerpt of The Craft of Inquiry: Theories, Methods, Evidence was removed from the ERes system after the semester ended.

(b) **Approaches to Qualitative Research: A Reader on Theory and Practice**

1133. Professor Jodi Kaufmann used an excerpt from the work Approaches to Qualitative Research: A Reader on Theory and Practice while teaching EPRS8500 during Fall 2009.

1134. Approaches to Qualitative Research: A Reader on Theory and Practice is published by Oxford.

1135. Approaches to Qualitative Research: A Reader on Theory and Practice is 564 pages long.

1136. Approaches to Qualitative Research: A Reader on Theory and Practice is a collective work made up of works from several different contributors.

1137. The excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* Professor Jodi Kaufmann placed on Georgia State University's ERes system is a single work provided by one contributor, and that contributor did not assign or grant an exclusive license to the work to SAGE.

1138. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpt of *Feminist Research: Theory and Praxis* on Georgia State University's ERes system.

1139. In preparing the fair use checklist for *Feminist Research: Theory and Praxis*, Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

1140. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpt of *The Craft of Inquiry: Theories, Methods, Evidence*.

1141. The excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that was placed on Georgia State University's ERes system was 26 pages long, and constituted one chapter and approximately 4.6% of the work.

1142. The excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpt was used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpt of *Feminist Research: Theory and Praxis*.

1143. The excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that was placed on Georgia State University's ERes system was not used for commercial purposes.

1144. The excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

1145. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that was placed on Georgia State University's ERes system.

1146. Professor Jodi Kaufmann did not use the excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that she placed on Georgia State University's ERes system for the purpose of entertainment.

1147. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that she placed on Georgia State University's ERes system.

1148. Professor Jodi Kaufmann's use of the excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

1149. *Approaches to Qualitative Research: A Reader on Theory and Practice* is a published work.

1150. *Approaches to Qualitative Research: A Reader on Theory and Practice* is a factual work of nonfiction.

1151. The excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpt illustrated the lesson she was attempting to teach her class.

1152. The excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that Professor Jodi Kaufmann used in her course amounts to 4.6% of the work, and as such, was a small portion of *Approaches to Qualitative Research: A Reader on Theory and Practice*.

1153. The excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that Professor Jodi Kaufmann used in her course was not central to the work because it was one essay in a text of similar essays.

1154. The excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* that Professor Jodi Kaufmann used in her course was narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portion of the work that she needed to illustrate her lesson.

1155. Professor Jodi Kaufmann's use of the excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

1156. Professor Jodi Kaufmann's use of the excerpt of *Approaches to Qualitative Research: A Reader on Theory and Practice* stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

1157. The publisher of Approaches to Qualitative Research: A Reader on Theory and Practice does not market any similar product.

1158. A small number of copies of the excerpt of Approaches to Qualitative Research: A Reader on Theory and Practice were distributed—specifically, the ERes records indicate that the work was accessed 16 times.

1159. Access to the excerpt of Approaches to Qualitative Research: A Reader on Theory and Practice was limited to the students in the class by a password protected website.

1160. The excerpt of Approaches to Qualitative Research: A Reader on Theory and Practice was removed from the ERes system after the semester ended.

(c) **Handbook of Feminist Research: Theory and Praxis**

1161. Professor Jodi Kaufmann used an excerpt from the work Handbook of Feminist Research: Theory and Praxis while teaching EPRS8500 during Fall 2009.

1162. Handbook of Feminist Research: Theory and Praxis is published by SAGE.

1163. Handbook of Feminist Research: Theory and Praxis is 767 pages long.

1164. Handbook of Feminist Research: Theory and Praxis is a collective work made up of works from several different contributors.

1165. The excerpt of Handbook of Feminist Research: Theory and Praxis Professor Jodi Kaufmann placed on Georgia State University's ERes system is a single work provided by one contributor, and that contributor did not assign or grant an exclusive license to the work to SAGE.

1166. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpt of Feminist Research: Theory and Praxis on Georgia State University's ERes system.

1167. In preparing the fair use checklist for Feminist Research: Theory and Praxis, Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

1168. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpt of The Craft of Inquiry: Theories, Methods, Evidence.



1169. The excerpt of Handbook of Feminist Research: Theory and Praxis that was placed on Georgia State University's ERes system was 74 pages long and approximately 9.6% of the work.

1170. The excerpt of Handbook of Feminist Research: Theory and Praxis that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpt was used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpt of Feminist Research: Theory and Praxis.

1171. The excerpt of Handbook of Feminist Research: Theory and Praxis that was placed on Georgia State University's ERes system was not used for commercial purposes.

1172. The excerpt of Handbook of Feminist Research: Theory and Praxis that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

1173. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpt of Handbook of Feminist Research: Theory and Praxis that was placed on Georgia State University's ERes system.

1174. Professor Jodi Kaufmann did not use the excerpt of Handbook of Feminist Research: Theory and Praxis that she placed on Georgia State University's ERes system for the purpose of entertainment.

1175. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of Handbook of Feminist Research: Theory and Praxis that she placed on Georgia State University's ERes system.

1176. Professor Jodi Kaufmann's use of the excerpt of Handbook of Feminist Research: Theory and Praxis that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

1177. Handbook of Feminist Research: Theory and Praxis is a published work.

1178. Handbook of Feminist Research: Theory and Praxis is a factual work of nonfiction.

1179. The excerpt of Handbook of Feminist Research: Theory and Praxis that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpt illustrated the lesson she was attempting to teach her class.

1180. The excerpt of Handbook of Feminist Research: Theory and Praxis that Professor Jodi Kaufmann used in her course amounts to 9.6% of the work, and as such, was a small portion of Handbook of Feminist Research: Theory and Praxis.

1181. The excerpt of Handbook of Feminist Research: Theory and Praxis that Professor Jodi Kaufmann used in her course was not central to the work because it was one essay in a text of similar essays.

1182. The excerpt of Handbook of Feminist Research: Theory and Praxis that Professor Jodi Kaufmann used in her course was narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portion of the work that she needed to illustrate her lesson.

1183. Professor Jodi Kaufmann's use of the excerpt of Handbook of Feminist Research: Theory and Praxis did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

1184. Professor Jodi Kaufmann's use of the excerpt of Handbook of Feminist Research: Theory and Praxis stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

1185. The publisher of Handbook of Feminist Research: Theory and Praxis does not market any similar product.

1186. A small number of copies of the excerpt of Handbook of Feminist Research: Theory and Praxis were distributed—specifically, access to the excerpt was limited to the students in the class.

1187. Access to the excerpt of Handbook of Feminist Research: Theory and Praxis was limited to the students in the class by a password protected website.

1188. The excerpt of Handbook of Feminist Research: Theory and Praxis was removed from the ERes system after the semester ended.

**(d) Handbook of Social Theory**

1189. Professor Jodi Kaufmann used an excerpt from the work Handbook of Social Theory while teaching EPRS8500 during Fall 2009.

1190. Handbook of Social Theory is published by SAGE.

1191. Handbook of Social Theory is 564 pages long.

1192. Handbook of Social Theory is a collective work made up of works from several different contributors.

1193. The excerpt of Handbook of Social Theory Professor Jodi Kaufmann placed on Georgia State University's ERes system is a single work

provided by one contributor, and that contributor did not assign or grant an exclusive license to the work to SAGE.

1194. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpt of Handbook of Social Theory on Georgia State University's ERes system.

1195. In preparing the fair use checklist for Handbook of Social Theory, Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

1196. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpt of Handbook of Social Theory.

1197. The excerpt of Handbook of Social Theory that was placed on Georgia State University's ERes system was 12 pages long, and constituted one chapter and approximately 2.1% of the work.

1198. The excerpt of Handbook of Social Theory that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpt was used as part of Professor Jodi Kaufmann's

course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpt of Handbook of Social Theory.

1199. The excerpt of Handbook of Social Theory that was placed on Georgia State University's ERes system was not used for commercial purposes.

1200. The excerpt of Handbook of Social Theory that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

1201. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpt of Handbook of Social Theory that was placed on Georgia State University's ERes system.

1202. Professor Jodi Kaufmann did not use the excerpt of Handbook of Social Theory that she placed on Georgia State University's ERes system for the purpose of entertainment.

1203. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of Handbook of Social Theory that she placed on Georgia State University's ERes system.

1204. Professor Jodi Kaufmann's use of the excerpt of Handbook of Social Theory that she placed on Georgia State University's ERes system did not

exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

1205. Handbook of Social Theory is a published work.

1206. Handbook of Social Theory is a factual work of nonfiction.

1207. The excerpt of Handbook of Social Theory that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpt illustrated the lesson she was attempting to teach her class.

1208. The excerpt of Handbook of Social Theory that Professor Jodi Kaufmann used in her course amounts to 2.1% of the work, and as such, was a small portion of Handbook of Social Theory.

1209. The excerpt of Handbook of Social Theory that Professor Jodi Kaufmann used in her course was not central to the work because it was one essay in a text of similar essays.

1210. The excerpt of Handbook of Social Theory that Professor Jodi Kaufmann used in her course was narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portion of the work that she needed to illustrate her lesson.

1211. Professor Jodi Kaufmann's use of the excerpt of Handbook of Social Theory did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

1212. Professor Jodi Kaufmann's use of the excerpt of Handbook of Social Theory stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

1213. The publisher of Handbook of Social Theory does not market any similar product.

1214. A small number of copies of the excerpt of Handbook of Social Theory were distributed—specifically, the ERes records indicate that the work was accessed 26 times.

1215. Access to the excerpt of Handbook of Social Theory was limited to the students in the class by a password protected website.

1216. The excerpt of Handbook of Social Theory was removed from the ERes system after the semester ended.

(e) **The Sage Handbook of Qualitative Research (3rd edition)**

1217. Professor Jodi Kaufmann used an excerpt from the work The SAGE Handbook of Qualitative Research (3rd edition) while teaching EPRS8500 during Fall 2009.



1218. The SAGE Handbook of Qualitative Research (3rd edition) is published by SAGE.

1219. The SAGE Handbook of Qualitative Research (3rd edition) is 1229 pages long.

1220. The SAGE Handbook of Qualitative Research (3rd edition) is a collective work made up of works from several different contributors.

1221. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) Professor Jodi Kaufmann placed on Georgia State University's ERes system are four individual works provided by individual contributors, and those contributors did not assign or grant an exclusive license to the work to SAGE.

1222. Professor Jodi Kaufmann prepared fair use checklists prior to requesting that the library put the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) on Georgia State University's ERes system.

1223. In preparing the fair use checklist for The SAGE Handbook of Qualitative Research (3rd edition), Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

1224. Professor Jodi Kaufmann lost or misplaced her fair use checklists for excerpts of The SAGE Handbook of Qualitative Research (3rd

edition), and recreated fair use checklists that fairly and accurately represent the initial fair use checklists that she filled out for the excerpts.

1225. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that was placed on Georgia State University's ERes system were 187 pages long, and constituted approximately 17.1% of the work.

1226. The excerpt of The SAGE Handbook of Qualitative Research (3rd edition) that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpt was used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpt of The SAGE Handbook of Qualitative Research (3rd edition).

1227. The excerpt of The SAGE Handbook of Qualitative Research (3rd edition) that was placed on Georgia State University's ERes system was not used for commercial purposes.

1228. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that was placed on Georgia State University's ERes system were used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

1229. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpt of The SAGE Handbook of Qualitative Research (3rd edition) that was placed on Georgia State University's ERes system.

1230. Professor Jodi Kaufmann did not use the excerpt of The SAGE Handbook of Qualitative Research (3rd edition) that she placed on Georgia State University's ERes system for the purpose of entertainment.

1231. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

1232. Professor Jodi Kaufmann did not publish or publicly distribute the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that she placed on Georgia State University's ERes system.

1233. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

1234. The SAGE Handbook of Qualitative Research (3rd edition) is a published work.

1235. SAGE Handbook of Qualitative Research (3rd edition) is a factual work of nonfiction.

1236. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that Professor Jodi Kaufmann used in her course were important to her educational objectives because the excerpts illustrated the lessons she was attempting to teach her class.

1237. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that Professor Jodi Kaufmann used in her course amount to 17.1% of the work, and as such, are a small portion of The SAGE Handbook of Qualitative Research (3rd edition).

1238. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that Professor Jodi Kaufmann used in her course were not central to the work because they were a few small essays in a much larger text of similar essays on related topics.

1239. The excerpts of The SAGE Handbook of Qualitative Research (3rd edition) that Professor Jodi Kaufmann used in her course were narrowly

tailored for Professor Jodi Kaufmann's educational purpose because she only used the portions of the work that she needed to illustrate her lessons.

1240. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

1241. Professor Jodi Kaufmann's use of the excerpts of The SAGE Handbook of Qualitative Research (3rd edition) stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

1242. The publisher of The SAGE Handbook of Qualitative Research (3rd edition) does not market any similar product.

1243. A small number of copies of the excerpt of The SAGE Handbook of Qualitative Research (3rd edition) were distributed—specifically, the distribution was limited to her class by a password protected website.

1244. Access to the excerpt of The SAGE Handbook of Qualitative Research (3rd edition) was limited to the students in the class by a password protected website.

1245. The excerpt of The SAGE Handbook of Qualitative Research (3rd edition) was removed from the ERes system after the semester ended.

1246. The Georgia State University library lawfully owns a copy of The SAGE Handbook of Qualitative Research (3rd edition).

(f) **Handbook of Narrative Inquiry**

1247. Professor Jodi Kaufmann used one excerpt from the work Handbook of Narrative Inquiry while teaching EPRS8500 during Fall 2009.

1248. Handbook of Narrative Inquiry is published by SAGE.

1249. Handbook of Narrative Inquiry is 710 pages long.

1250. Handbook of Narrative Inquiry is a collective work made up of works from several different contributors.

1251. Professor Jodi Kaufmann prepared a fair use checklist prior to requesting that the library put the excerpt of Handbook of Narrative Inquiry on Georgia State University's ERes system.

1252. In preparing the fair use checklist for Handbook of Narrative Inquiry, Professor Jodi Kaufmann considered each of the fair use factors on the checklist and determined whether each factor favored fair use, and checked the boxes according to her analysis.

1253. Professor Jodi Kaufmann lost or misplaced her fair use checklist, and recreated a fair use checklist that fairly and accurately represents the initial fair use checklist that she filled out for the excerpts of Handbook of Narrative Inquiry.

1254. The excerpt of Handbook of Narrative Inquiry that was placed on Georgia State University's ERes system is 41 pages long, and constitutes one chapter and approximately 5.9% of the work.

1255. The excerpt of Handbook of Narrative Inquiry that was placed on Georgia State University's ERes system was used for a nonprofit, educational purpose. Namely, the excerpts were used as part of Professor Jodi Kaufmann's course materials for the purpose of teaching her class, and neither Professor Jodi Kaufmann, Georgia State University, nor the named defendants profited from the use of the excerpts of Handbook of Narrative Inquiry.

1256. The excerpt of Handbook of Narrative Inquiry that was placed on Georgia State University's ERes system was not used for commercial purposes.

1257. The excerpt of Handbook of Narrative Inquiry that was placed on Georgia State University's ERes system was used by Professor Jodi Kaufmann for the purpose of teaching the students in her course.

1258. Neither Georgia State University, Professor Jodi Kaufmann, nor the named Defendants profited from the use of the excerpts of Handbook of Narrative Inquiry that were placed on Georgia State University's ERes system.

1259. Professor Jodi Kaufmann did not use the excerpts of Handbook of Narrative Inquiry that she placed on Georgia State University's ERes system for the purpose of entertainment.

1260. Professor Jodi Kaufmann's use of the excerpt of Handbook of Narrative Inquiry that she placed on Georgia State University's ERes system was necessary to achieve her intended educational purpose.

1261. Professor Jodi Kaufmann did not publish or publicly distribute the excerpt of Handbook of Narrative Inquiry that she placed on Georgia State University's ERes system.

1262. Professor Jodi Kaufmann's use of the excerpt of Handbook of Narrative Inquiry that she placed on Georgia State University's ERes system did not exceed her intended educational purpose because she used only the amount of the work that she needed to illustrate her intended lesson to the class.

1263. Handbook of Narrative Inquiry is a published work.

1264. Handbook of Narrative Inquiry is a factual work of nonfiction.



1265. The excerpts of Handbook of Narrative Inquiry that Professor Jodi Kaufmann used in her course was important to her educational objectives because the excerpts illustrated the lessons she was attempting to teach her class.

1266. The excerpts of Handbook of Narrative Inquiry that Professor Jodi Kaufmann used in her course amounts to 4.5% of the work, and as such, was a small portion of Handbook of Narrative Inquiry.

1267. The excerpts of Handbook of Narrative Inquiry that Professor Jodi Kaufmann used in her course was not central to the work because they were two small essays in a much larger text of similar essays on related topics.

1268. The excerpts of Handbook of Narrative Inquiry that Professor Jodi Kaufmann used in her course were narrowly tailored for Professor Jodi Kaufmann's educational purpose because she only used the portions of the work that she needed to illustrate her lessons.

1269. Professor Jodi Kaufmann's use of the excerpt of Handbook of Narrative Inquiry did not have a significant effect on the market or potential market for the copyrighted work because the ERes excerpt was restricted to her class.

1270. Professor Jodi Kaufmann's use of the excerpt of Handbook of Narrative Inquiry stimulated the market for the original work because it exposed students to a portion of a work that they may not have otherwise experienced.

1271. A small number of copies of the excerpt of Handbook of Narrative Inquiry were distributed—specifically, the ERes records indicate that the excerpt was accessed 17 times.

1272. Access to the excerpts of Handbook of Narrative Inquiry was limited to the students in the class by a password protected website.

1273. The excerpt of Handbook of Narrative Inquiry was removed from the ERes system after the semester ended.

1274. The Georgia State University library lawfully owns a copy of Handbook of Narrative Inquiry.