

**Exhibit A: Plaintiff Works Alleged to be Infringed at GSU
2009 Maymester**

Course Title (Books Required for Purchase)	Instructor	Title of Work	Publisher Plaintiff	Total # of Pages and Chapters in Work	# of Chapters Allegedly Used	Page Range of Alleged Use	# of Pages Allegedly Used	Percent Allegedly Used	Class Size	Hit Count (including library staff and counsel)	Defendants' Other Challenges (in addition to Fair Use)
AL8480 - Classroom Practices in Teaching ESL/EFL (4 books required for purchase)	Murphy	Pronunciation Games	Cambridge	7 chapters, 112 pages (Plaintiffs contend 108 pages)	Selections	8-27	20 (11 of these expressly photocopiable)	8.0%** (Plaintiffs contend: 8.3%)**	10	3	<ul style="list-style-type: none"> • Work not used in class • Work not listed on syllabus • 11 of 20 pages expressly photocopiable (9, 11, 13-14, 17-18, 20-21, 23, and 25-26); use without permission at most 9 pages (8.0%) • No statutory presumption (foreign work)
		Keep Talking: Communicative Fluency Activities for Language Teaching	Cambridge	4 chapters with additional worksheets and activities, 208 pages (Plaintiffs contend 193 pages)	1 (partial)	58-98	41	19.7% (Plaintiffs contend 21.2%)	10	2	<ul style="list-style-type: none"> • Students required to purchase book • No statutory presumption (foreign work)
		More Grammar Games: Cognitive, Affective and Drama Activities for EFL Students	Cambridge	9 chapters, 192 pages (Plaintiffs contend 174 pages)	Selections	58-93	36 (10 of these not protectable)	18.8%** (Plaintiffs contend 20.7%)**	10	5	<ul style="list-style-type: none"> • Work not used in class • Work not listed on syllabus • No evidence license available • 10 pages not protectable (63, 67-68, 74, 77, 80-82, & 87-88); use without permission at most 26 pages (13.5%) • No statutory presumption (registration filed >5 years after first publication)
		Grammar Practice Activities (1st edition)	Cambridge	4 chapters, with additional activities, 296 Pages (Plaintiffs contend 282 pages)	Selections	44-102	59 (37 of these not protectable)	19.9%** (Plaintiffs contend 20.9%)**	10	2	<ul style="list-style-type: none"> • Students required to purchase book • 37 pages not protectable (45-46, 49-51, 56-61, 65-67, 69-71, 73-74, 76-77, 81, 83-88, 91-93, 95-97 and 100-102); use without permission at most 22 pages (7.4%) • No statutory presumption (foreign work)
		Five-Minute Activities: A Resource Book of Short Activities	Cambridge	Activities and advice for language teaching. 117 pages (Plaintiffs contend 101 pages)	Selections	1-23	23	19.7% (Plaintiffs contend 22.8%)	10	3	<ul style="list-style-type: none"> • Work not used in class • Work not listed on syllabus • No evidence license available • Assignment document lacks signature • No statutory presumption (registration filed >5 years after first publication)

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AL8480 - Classroom Practices in Teaching ESL/EFL (continued)	Murphy	Newspapers	Oxford	6 chapters, 144 pages (Plaintiffs contend 129 pages)	1	30-58	29	20.1%** (Plaintiffs contend 22.5%)**	10	3	<ul style="list-style-type: none"> • Work not used in class • Work not listed on syllabus • No evidence license available • Inadequate assignment to Plaintiff Publisher • 2 pages not protectable (457-58); use without permission at most 27 pages (18.8%) • No statutory presumption (foreign work)
		Role Play: Resource Books for Teachers	Oxford	191 pages (Plaintiffs contend 182 pages)	Selections	24-62	39 (9 of these not protectable)	20.4%** (Plaintiffs contend 21.4%)**	10	3	<ul style="list-style-type: none"> • Work not used in class • Work not listed on syllabus • No evidence license available • Inadequate assignment to Plaintiff Publisher • 9 pages not protectable (40, 42-44, 46-47, 53-54, and 62); use without permission at most 30 pages (15.7%) • No statutory presumption (foreign work)

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EPRS8500 - Qualitative/ Interpretive Research in Education I (3 books required for purchase)	Kaufmann	The Craft of Inquiry: Theories, Methods, Evidence	Oxford	8 chapters, 185 pages (Plaintiffs contend 134 pages)	1	21-31	11	5.9% (Plaintiffs contend 8.2%)	13	1	
		Handbook of Feminist Research: Theory and Praxis	SAGE	43 chapters, 767 pages (Plaintiffs contend 712 pages)	1	515-534	20	2.6% (Plaintiffs contend 2.8%)	13	56	
		Handbook of Social Theory	SAGE	39 chapters, 564 pages (Plaintiffs contend 537 pages)	1	217-228	12 (for all 12 of these, only 1 of 3 contributing author agreements)	2.1% (Plaintiffs contend 2.2%)	13	26	<ul style="list-style-type: none"> • Excerpt has three authors; assignment from only one provided; use without these pages zero (0.0%) • No statutory presumption (foreign work)
		The SAGE Handbook of Qualitative Research (3rd edition)	SAGE	44 chapters, 1229 pages (Plaintiffs contend 1126 pages)	4	1-32 357-375 443-465 651-679	103	8.4% (Plaintiffs contend 9.1%)	13	31; 21; 34; 71 (157 total for all excerpts)	
		The SAGE Handbook of Qualitative Research (2nd edition)	SAGE	Original research and analysis concerning the theory and practice of qualitative inquiry. 36 chapters, 1142 pages (Plaintiffs contend 1065 pages)	3	717-732 733-768 923-948 (only 1 chapter, pp 733-768, actually used)	78 (16; 36; 26) (42 of these not actually posted to EReserves; for the remaining 36, no contributing author agreement)	3.15%** (Plaintiffs contend 7.3%, but includes 2 chapters not used)**	13	2; 45; 1 (48 total for all excerpts)	<ul style="list-style-type: none"> • Plaintiffs' claim that the chapters at pages 717-732 & 923-948 were used in Maymester is contrary to the evidence; these portions were used in Summer 2009; actual use is at most 36 pages (3.15%) • No contributing author agreement for excerpt at pp. 733-768
		Handbook of Critical and Indigenous Methodologies	SAGE	30 chapters, 619 pages (Plaintiffs contend 570 pages)	2	85-99 135-156	37	6.1% (Plaintiffs contend 6.5%)	13	25; 35 (60 total for both excerpts)	
		Qualitative Research Practice	SAGE	38 chapters, 639 pages (Plaintiffs contend 608 pages)	1	391-406	16 (none placed on EReserves)	0.0%** (Plaintiffs contend 2.6%, but includes chapter not used)	13	2	<ul style="list-style-type: none"> • Work not placed on EReserves (DX 534); Defendants calculate pages 391-406 as 2.2% of work • Work not assigned to class (DX 534) • No statutory presumption (foreign work)
		Handbook of Narrative Inquiry	SAGE	24 chapters, 710 pages (Plaintiffs contend 650 pages)	1	3-34	32	4.5% (Plaintiffs contend 4.9%)	13	17	

** Pages alleged contain material clearly not protectable. See further explanation under Defendants' Other Challenges