

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

CAMBRIDGE UNIVERSITY PRESS; )  
OXFORD UNIVERSITY PRESS, INC.; )  
SAGE PUBLICATIONS, INC., )

Plaintiffs )

v. )

MARK P. BECKER, in his official )  
capacity as President of Georgia State )  
University, et al. )

Defendants. )

CIVIL ACTION NO.  
1:08-CV-1425-ODE

**DEFENDANTS’ THIRD SUPPLEMENTAL STATEMENT TO  
DEFENDANTS’ DETAILED REQUEST FOR AN AWARD OF  
ATTORNEYS’ FEES AND OTHER COSTS**

Defendants respectfully provide the following third supplemental statement to their Detailed Request for an Award of Attorneys’ Fees and Other Costs.

Defendants filed their Detailed Request for an Award of Attorneys’ Fees and Costs and accompanying Memorandum in Support (hereinafter referred to as “Detailed Request”) on August 24, 2012. Defendants thereafter filed a Supplemental Statement to Defendants’ Detailed Request for an Award of Attorneys’ Fees and Other Costs (hereinafter referred to as “First Supplemental Statement”) on September 6, 2012. After conferring with opposing counsel regarding Plaintiffs’

objections to the Detailed Request, Defendants filed a Second Supplemental Statement to Defendants' Detailed Request for an Award of Attorneys' Fees and Other Costs (hereinafter referred to as "Second Supplemental Statement") on September 7, 2012. Plaintiffs filed their Objections to Defendants' Request for Attorneys' Fees and Costs (hereinafter referred to as "Plaintiffs' Objections") on September 10, 2012.

At the request of the Court in its August 10, 2012 Order, Defendants conferred with Plaintiffs' counsel regarding Plaintiffs' objections to the Detailed Request. In Defendants' Second Supplemental Statement, Defendants withdrew their request for attorneys' fees related to raising the sovereign immunity defense. *See* Dkt. No. 448 at 2. In Plaintiffs' Objections, Plaintiffs identified additional time entries related to raising the sovereign immunity defense. *See* Dkt. No. 451, at 10 and Ex. 5. After reviewing these additional time entries, Defendants agree that the additional time entries identified by Plaintiffs do relate to raising the sovereign immunity defense. The attorneys' fees associated with these additional time entries are in the amount of \$16,577.25. Defendants hereby withdraw their request for attorneys' fees as to these additional time entries related to raising the sovereign immunity defense.

Therefore, based on the foregoing, Defendants respectfully request that the award of attorneys' fees and costs be adjusted to the following amounts:

Attorneys' fees:	\$2,953,493.71
Costs:	\$85,746.39

Defendants further note that in Plaintiffs' Objections, Plaintiffs moved this Court to stay a determination of attorneys' fees and costs pending appeal. Defendants will oppose such a stay and will respond by the deadline for such a response. Defendants will address Plaintiffs' objections to the Detailed Request at the hearing on September 14, 2012.

Respectfully submitted this 11th day of September, 2012.

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*Counsel for Defendants*

## CERTIFICATE OF COMPLIANCE

I hereby certify, pursuant to L.R. 5.1B and 7.1D of the Northern District of Georgia, that the foregoing **DEFENDANTS' THIRD SUPPLEMENTAL STATEMENT TO DEFENDANTS' DETAILED REQUEST FOR AN AWARD OF ATTORNEYS' FEES AND OTHER COSTS** complies with the font and point selections approved by the Court in L.R. 5.1B. The foregoing pleading was prepared on a computer using 14-point Times New Roman font.

/s/ Anthony B. Askew  
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	)	
Defendants	)	

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on this 11th day of September 2012, I have electronically filed the foregoing **DEFENDANTS' THIRD SUPPLEMENTAL STATEMENT TO DEFENDANTS' DETAILED REQUEST FOR AN AWARD OF ATTORNEYS' FEES AND OTHER COSTS** with the Clerk of the Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the following attorneys of

record:

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