

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

SEP 30 2012

James W. Patton, Clerk
By: *AmCauler*
Deputy Clerk

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

Plaintiffs,

v.

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

MARK P. BECKER, in his official capacity as President of Georgia State University; RISA PALM, in her official capacity as Senior Vice President for Academic Affairs and Provost of Georgia State University; J.L. ALBERT, in his official capacity as Georgia State University Associate Provost for Information Systems and Technology; NANCY SEAMANS, in her official capacity as Dean of Libraries at Georgia State University; ROBERT F. HATCHER, in his official capacity as Vice Chair of the Board of Regents of the University System of Georgia; KENNETH R. BERNARD, JR., LARRY R. ELLIS, W. MANSFIELD JENNINGS, JR., JAMES R. JOLLY, DONALD M. LEEBERN, JR., WILLIAM NESMITH, JR., DOREEN STILES POITEVINT, WILLIS J. POTTS, JR., C. DEAN ALFORD, KESSEL STELLING, JR., BENJAMIN J. TARBUTTON, III, RICHARD L. TUCKER, LARRY WALKER, RUTLEDGE A. GRIFFIN, JR., C. THOMAS HOPKINS, JR., NEIL L. PRUITT, JR., and PHILIP A. WILHEIT, SR., in their official capacities as members of the Board of Regents of the University System of Georgia,

Defendants.

ORDER

This civil suit is before the Court on a Consent Motion to Join Parties filed September 28, 2012 by Plaintiffs [Doc. 459]. Defendants have consented to the motion.

The motion explains that the Plaintiff, Oxford University Press, Inc. has been converted into a limited liability company called OUP, LLC, a Delaware limited liability company. In addition, an entity called Oxford University Press USA (OUP USA) "administers the assets that OUP, Inc. transferred to the University in March 2012" [Doc. 459 at 1].

The trial of this case occurred in the summer of 2011; the Court's findings of fact and conclusions of law issued in May 2012. All of the trial evidence, insofar as Oxford is concerned, was directed to (or against) Oxford University Press, a not-for-profit corporation organized in the United States. Therefore, the Court's findings of fact and conclusions of law, insofar as Oxford is concerned, were directed only to Oxford University Press, a not-for-profit corporation formed in the United States.


The instant Consent Motion to Join Parties was filed on the eve of entry of the final judgment.

Given that Oxford University Press, Inc. was converted into a limited liability company, OUP, LLC, it appears that OUP, LLC, a Delaware limited liability company, is the successor to all of the rights and liabilities of Oxford University Press, a corporation formed in the United States. It is unclear why it is necessary to make OUP, LLC a party plaintiff. Similarly, it is unclear why OUP

USA's administration of the assets of OUP, Inc. which were transferred to the University in March 2012 necessitates making OUP USA a party plaintiff. The motion does not state whether the assets that OUP, Inc. transferred to Oxford University in March 2012 included the copyrights at issue in this case.

Accordingly, the Consent Motion to Join Parties [Doc. 459] is DENIED.

SO ORDERED, this 30th day of September, 2012.



ORINDA D. EVANS
UNITED STATES DISTRICT JUDGE