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

CAMBRIDGE UNIVERSITY PRESS,  
et al,

Plaintiffs,

-vs.-

CARL V. PATTON, in his official  
capacity as Georgia State University  
President, et al,

Defendants.

Civil Action No.  
1:08-CV-1425-ODE

**DEFENDANTS' RESPONSE TO PLAINTIFFS' FIRST SET OF  
INTERROGATORIES TO DEFENDANTS**

Defendants CARL V. PATTON, in his official capacity as Georgia State University President, RON HENRY, in his official capacity as Georgia State University Provost, CHARLENE HURT, in her official capacity as Georgia State University Dean of Libraries (now Retired), and J.L. ALBERT, in his official capacity as Georgia State University Associate Provost for Information Systems and Technology ("University Administrators" or "Defendants"), and only in said capacities, respond and object to Plaintiff's First Set of Interrogatories to Defendants ("First Set of Interrogatories") as follows:

**Interrogatory No. 3:**

Identify each and every person at GSU who participates or has participated in any way in copying, scanning, posting, and/or transmitting Course Reading Material on ERes or any Course Management System, and his or her job title. (This need not include every instructor or professor that has distributed Electronic Course Reading Material.)

**Response:** The University Administrators object to Interrogatory No. 3 on the basis of the Scope Objection, the Burden Objection, and the Vague Objection. Based on Plaintiffs' broad definition of the term "transmitting," Interrogatory No. 3 requires the University Administrators to identify "each and every person who has in any way participated" in viewing such materials in an Internet web browser window, in opening and viewing such materials in Adobe Acrobat, in downloading such materials whether viewed or not, and/or in printing such materials. Further, it is unclear who Plaintiffs are carving out of the interrogatory in stating, "This need not include every instructor or professor that has distributed Electronic Course Reading Material."

Subject to and without waiving these objections, the University Administrators respond as follows:

Denise Dimsdale, Library Media & Reserves Coordinator, and Malia Cargile, Library Assistant II – Digital Reserves, receive requests from faculty members to make excerpts of course reading materials (which the faculty members have certified comply with GSU’s copyright policy) available via ERes, collect the requested excerpts, and perform a secondary review of the excerpts for compliance with the GSU copyright policy. Jim Palmour, Information Systems Specialist Lead, performs a third-level review for compliance with the GSU copyright policy, creates PDFs of the excerpts which he has determined comply with the policy, and makes the PDFs available via ERes.

Michael Tillman-Davis, Reference-Faculty Services Librarian for the College of Law, receives requests from faculty members at the College of Law to make excerpts available via ERes, collects the requested excerpts, and reviews the excerpts to ensure they comply with the GSU copyright policy as practiced by the College of Law. Once Mr. Tillman-Davis determines the excerpts comply, he scans the excerpts and makes them available via ERes. Terrance Manion, Director of Information Technology for the College of Law, Ron Wheeler, Associate Director for Public Services for the College of Law Library, and Pam Brannon, Law Librarian, from time to time assist Michael Tillman-Davis in reviewing the

excerpts to ensure they comply with the GSU copyright policy as practiced by the College of Law.

Zoe Salloom, Project Manager, has relevant knowledge regarding how digitized course information may be made available via uLearn. J.L. Albert, Associate Provost and CIO, Keith Campbell, Assistant Director of University Computing and Communication Services, Carl Stucke, Assistant Professor and Associate Chair of the Computer Information Systems Department at the Robinson College of Business, Martin Grace, Professor of Risk Management and Insurance in the Robinson College of Business, and Randy Jones, Director of Information Systems and Technology for the College of Education have relevant knowledge regarding how digitized course information may be made available via faculty web pages and course web pages.

**Interrogatory No. 4:**

Identify each and every person at GSU with responsibility for or knowledge of the development, construction, programming, function, structure, management, maintenance, repair, and/or monitoring of ERes or any Course Management System for the purposes of technical operation, legal compliance, or any other purpose, and his or her job title.

**Response:** The University Administrators object to Interrogatory No. 4 on the basis of the Scope Objection, the Burden Objection, and the Vague Objection. The meaning of the terms “function,” “structure,” “management,” and “monitoring” is unclear and the phrases “or knowledge of,” “legal compliance” and “any other purpose” is indefinite. The interrogatory, as worded, literally asks for the identification of every faculty member, teaching assistant, administrative assistant, secretary, staff member, and/or student with knowledge regarding the operation of ERes, ULearn, and faculty and course web pages.

Subject to and without waiving these objections, the University Administrators respond that the GSU staff with relevant knowledge include Jim Palmour, Information Systems Specialist Lead, Zoe Salloom, Project Manager, J.L. Albert, Associate Provost and CIO, Laura Burtle, Associate Dean and Associate University Librarian for Learning and Technology Initiatives, Charlene Hurt, former Dean of Libraries (retired), Nancy Seamans, Dean of Libraries, Keith Campbell, Assistant Director of University Computing and Communication Services, Carl Stucke, Assistant Professor and Associate Chair of the Computer Information Systems Department at the Robinson College of Business, Martin Grace, Professor of Risk Management and Insurance in the Robinson College of Business Randy Jones, Director of Information Systems and Technology for the

College of Education, Terrance Manion, Director of Information Technology for the College of Law, and Michael Tillman-Davis, Reference-Faculty Services Librarian for the College of Law.

**Interrogatory No. 5:**

Identify each and every person at GSU responsible for determining whether a license is required for the distribution of any Electronic Course Reading Material or Course Reading Material in hard copy form and his or her job title.

**Response:** The University Administrators object to Interrogatory No. 5 on the basis of the Scope Objection, the Burden Objection, and the Vague Objection. The phrase “responsible for determining whether a license is required” is vague and indefinite. The phrase “Electronic Course Reading Material ... in hard copy form” is also vague and indefinite.

Subject to and without waiving these objections, as stated in response to Interrogatory No. 1, the University Administrators believe and understand that all relevant persons at GSU follow GSU copyright policy. Therefore, naming all such persons is burdensome. The University Administrators further respond that Jim Palmour, Information Systems Specialist Lead, determines whether a license is required for materials in coursepacks prepared by GSU IS&T sold at the Georgia State University Bookstore.