

E
X
H
I
B
I
T
E

KING & SPALDING

King & Spalding LLP
1180 Peachtree Street, NE
Atlanta, Georgia 30309-3521
www.kslaw.com

Kristen A. Swift
Direct Dial: 404 572-4762
Direct Fax: 404 572-5134
kswift@kslaw.com

April 16, 2009

VIA ELECTRONIC MAIL

Edward Krugman
Bondurant, Mixson & Elmore, LLP
1201 West Peachtree Street NW
Suite 3900
Atlanta, Georgia 30309

**RE: *Cambridge University Press, et al. v. Becker, et al.*,
United States District Court for the Northern District of Georgia
Case No. 1:08-CV-1425-ODE**

Dear Edward:

We are in receipt of your April 13, 2009 letter to Tony Askew, regarding Plaintiffs' First Set of Requests for Admission and depositions in the above-referenced matter.

With respect to plaintiffs' requests for admission, we can offer assurances that defendants will either admit, deny or provide an appropriate explanatory response to plaintiffs' requests within the time permitted by the applicable rules. We would welcome the opportunity to explore with you the possibility of changing the wording of requests to conform with any explanatory responses that defendants may provide.

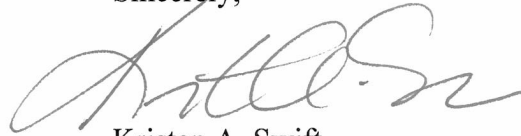
Regarding depositions, defendants object to any depositions in excess of the ten allotted by the Federal Rules. To date, plaintiffs have noticed the depositions of two administrators, five library staff members and seven faculty members. Including the two depositions that have already taken place, plaintiffs are currently seeking a total of fourteen depositions, with twelve of them to take place over the next three weeks. Since plaintiffs are only permitted an additional eight depositions, we request that you let us know as soon as possible which eight witnesses (among the twelve recently noticed) you intend to depose. Please also let us know as soon as

Edward Krugman, Esq.
April 16, 2009
Page 2 of 2

possible whether the depositions of Jim Palmour and Laura Burtle, which are currently scheduled for Thursday (April 23) and Friday (April 24) of next week, respectively, will go forward as scheduled.

Given that depositions are scheduled to begin next week, we ask that you please respond with the eight witnesses that plaintiffs seek to depose by tomorrow, April 17, 2009. We look forward to your response.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kristen A. Swift".

Kristen A. Swift

cc: Edward B. Krugman, Esq. (via email)
R. Bruce Rich, Esq. (via email)
Randi W. Singer, Esq. (via email)
Todd Larson, Esq. (via email)
Cynthia V. Hall, Esq. (via email)
Burns Newsome, Esq. (via email)
Mary Jo Volkert, Esq. (via email)
Anthony B. Askew, Esq. (via email)
Stephen M. Schaetzel, Esq. (via email)
Glenda R. Smith (file)