EXHIBIT

M

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:

EXHIBIT M - 2

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

11

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.