

EXHIBIT I

CODE REVISION COMMISSION

September 28, 2015
Meeting Minutes

In Attendance:

Members: Chairman Johnnie Caldwell, Vice-chairman Senator Jesse Stone (via telephone), Senator William Ligon, Senator Josh McKoon, Senator Curt Thompson, Representative Stacey Evans, Representative Tom Weldon, Representative Wendell Willard, Albert J. Bolet, Ashley Wright (via telephone)

Office of Legislative Counsel: Ms. Betsy Howerton, Mr. Wayne Allen, Ms. Joyce Hall, Ms. Doris Ragland

Other legislative staff: Mr. Jourdan Reed (Representative Willard's legal counsel)

LexisNexis: Mr. Anders Ganten, Mr. Brian Kennedy, Mr. Kermit Lowery

Outside Counsel for the Commission: Mr. Tony Askew, Ms. Lisa Pavento

1. Lexis discussion

Chairman Caldwell confirmed that a quorum is present for the meeting. He stated that LexisNexis requested this meeting after correspondence they received from the Commission concerning the pending lawsuit and demand for assistance with legal fees.

Mr. Kermit Lowery, legal counsel for LexisNexis, addressed the Commission. Their position is that there are questions concerning the requirements of the contract and that the contract does to require LexisNexis to pay 50 percent of the legal fees regarding the copyright lawsuit. LexisNexis wants to work with the Commission but they are not sure what is needed by outside counsel for the Commission. LexisNexis does not have a list of what they are willing to provide to the Commission but are willing to go beyond what is considered reasonable cooperation. Mr. Lowery has been in contact with the Commission's outside counsel.

Mr. Anders Ganten then stated the cost incurred by them to correct the copyright registrations was more than \$10K and they are therefore, he said, willing to pay the \$15K toward legal fees relating to the copyright registrations.

Chairman Caldwell read to the Commission the letter dated June 11, 2013, from Brian Kennedy of LexisNexis to Ms. Howerton. In this letter, Lexis notified Ms. Howerton of a potential copyright violation. The letter further stated that the Commission owns the copyright to the O.C.G.A. and that LexisNexis requested that the Commission take action to defend such copyright.

Mr. Anders Ganten responded, stating that under the contract LexisNexis has the exclusive license to publish and sell the Code. He stated that the Georgia contract with publisher is very unique. LexisNexis produces the annotated Code and does the work up front. The challenge is that Lexis still needs to recoup costs they put up front for Code publication. In other states, the work on annotations is done in house or contracted as a fee for service arrangement. The implications going forward with the contract going into 2017, they cannot guarantee that they will recoup their costs. The current arrangement is most cost efficient with LexisNexis doing the work up front.

Chairman Caldwell stated he has been a lawyer in Georgia for 43 years. He buys the Code for the annotations and that is the reason LexisNexis sells the Code. He stated that under the current contract, LexisNexis should participate and help with the expense of the lawsuit.

Representative Wendell Willard stated that under Section 6.1(d) of the contract, the publisher is required to cooperate and assist with the defense of the copyright.

Mr. Kermit Lowery stated that reasonable assistance is understandable but he does not feel LexisNexis is obliged to pay half of the legal fees of the Commission's lawsuit but that LexisNexis is willing to provide some assistance, which needs to be determined.

Representative Wendell Willard stated that there are two sides of this issue with the Commission's position and LexisNexis's position. He stated that the state started with the Harrison Company publishing the Code and that they are now out of business. The Code is a product protected by the state copyright and is a valuable commodity that LexisNexis has been selling for many years. We are trying to protect the copyright and the business right. He further questioned whether LexisNexis's position would be considered by Legislative Counsel to be a material breach of the contract.

Mr. Wayne Allen was asked his opinion but for certain reasons declined comment. Representative Willard said that LexisNexis has had the sole license to the O.C.G.A. since 1982. Ms. Betsy Howerton stated that the contract is effective through March 2017. Chairman Caldwell told the Commission that there is a 90 day provision to terminate the contract.

Mr. Anders Ganten stated that it is hard to put a dollar figure on the value of their contract with Georgia. The cost of publishing the Code rises each year and the figures differ. He stated that in publishing the Georgia Code, LexisNexis may break even or do slightly better monetarily. He also stated that LexisNexis has not been successful in requesting price increases for the Code and that the print publication is a struggle each year.

Senator Josh McKoon asked LexisNexis what they were willing to offer the Commission.

Mr. Kermit Lowery said they were looking into options of what they will offer including an amicus brief.

In response to Mr. Ganten's statement, Mr. Wayne Allen reminded the Commission that LexisNexis entered into the current contract with the understanding as a gentleman's agreement that LexisNexis would not ask for an increase in the cost of the Code during the first five years of the contract.

Chairman Caldwell asked for a motion to go into Executive Session to discuss litigation matters. A motion was made, seconded, and passed unanimously. Executive Session ensued and concluded.

Chairman Caldwell addressed LexisNexis and requested that they put in writing what they are willing to provide to the Commission with respect to litigation assistance. Legislative Counsel will put in writing for the Commission's review a proposal stating the minimum expectations of LexisNexis going forward to include cooperation concerning witnesses, interrogatories, notice to produce documents, and responsibility for the expense of witnesses. Once received, LexisNexis will have ten days to respond.

Mr. Anders Ganten thanked the Commission and felt that the outcome of the meeting resulted in a good approach going forward for both parties. LexisNexis also wants a solution and he reiterated that they will pay the \$15K toward correcting the copyright registrations.

Adjournment

There being no further business, Chairman Caldwell requested a motion to adjourn. A motion was made and seconded and passed unanimously.