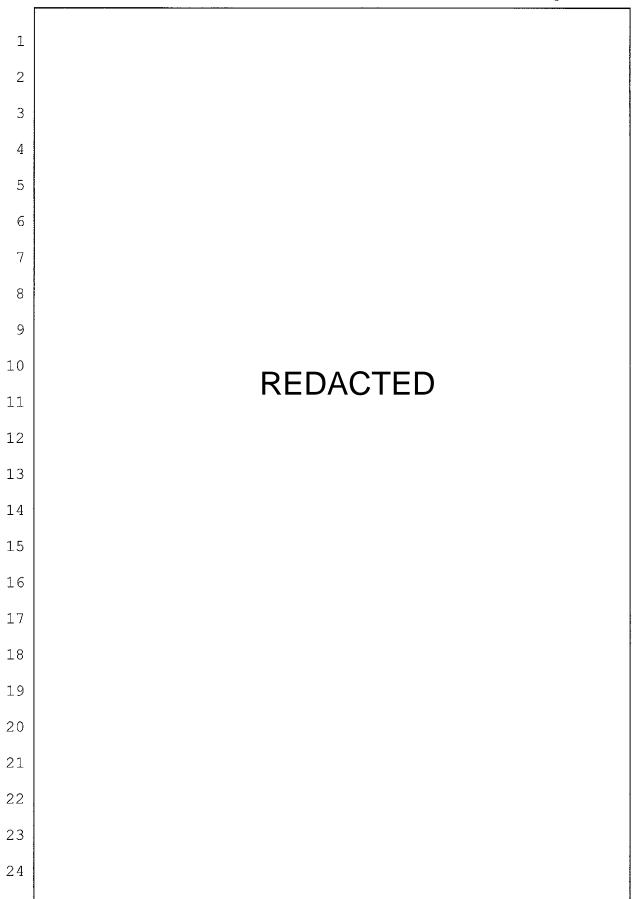
Page 1

Volume: 1 Pages: 1-64 Exhibits: 1-15 2 3 IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK 4 5 ******* 6 THE AUTHORS GUILD, INC., et al., 7 Plaintiffs 8 C.A. No. 11-cv-6351 (HB) vs. 9 HATHITRUST, et al., 10 Defendants ************* 11 12 Rule 30(b)(6) Videotaped Deposition of 1.3 14 THE COPYRIGHT CLEARANCE CENTER by its designee 15 FREDERIC L. HABER, a witness called by counsel for 16 the Defendants National Federation of the Blind, 17 et als., taken pursuant to the applicable provisions of the Federal Rules of Civil 18 19 Procedure, before Janet L. Wynne, CSR No. 131793, 20 Registered Professional Reporter, a Notary Public 21 in and for the Commonwealth of Massachusetts, at 22 the Offices of Sugarman, Rogers, Barshak & Cohen, 23 P.C., 101 Merrimac Street, Boston, Massachusetts, 24 on Monday, June 4, 2012, commencing at 10:00 a.m.



| 1 | APPEARANCES: |
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| 2 | KILPATRICK TOWNSEND & STOCKTON LLP by ROBERT N. POTTER, ESQ. |
| 3 | 1114 Avenue of the Americas New York, New York 10036 |
| 4 | (212) 775-8733 on behalf of the Defendant Hathitrust |
| 5 | |
| 6 | THE LAW OFFICE OF ROBERT J. BERNSTEIN by ROBERT J. BERNSTEIN, ESQ. |
| 7 | 380 Lexington Avenue, 17th Floor New York, New York 10168 (212) 551-1068 |
| 8 | on behalf of the Defendant National Federation of the Blind, et als. |
| 9 | WEIL GOTSHAL & MANGES LLP |
| 10 | by ARIANE NEWELL, ESQ. 767 Fifth Avenue |
| 11 | New York, New York 10153 (212) 310-8647 |
| 12 | on behalf of the Deponent, The Copyright Clearance Center |
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CONFIDENTIAL Page 64

| 1 | CERTIFICATE |
|----|--|
| 2 | COMMONWEALTH OF MASSACHUSETTS |
| 3 | MIDDLESEX, ss. |
| 4 | I, Janet L. Wynne, Certified |
| 5 | Shorthand/Registered Professional Reporter, a |
| 6 | Notary Public in and for the Commonwealth of |
| 7 | Massachusetts, do hereby certify: |
| 8 | That FREDERIC L. HABER, the witness |
| 9 | whose videotaped deposition is hereinbefore set |
| 10 | forth, was duly sworn by me and that such |
| 11 | deposition is a true record of the testimony given |
| 12 | by said witness. |
| 13 | I further certify that I am not related |
| 14 | to any of the parties to this action by blood or |
| 15 | marriage and that I am in no way interested in the |
| 16 | outcome of this matter. |
| 17 | IN WITNESS WHEREOF, I have hereunto set |
| 18 | my hand and affixed my seal of office this 5th day |
| 19 | of June, 2012. |
| 20 | |
| 21 | Janet L. Wynne, Notary Public |
| 22 | My/Commission expires: March 3, 2017 |
| 23 | wiaich 3, 2017 |

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CONFIDENTIAL

| THE AUTHORS GUILD, INC., et al. vs. HATHITRUST, et al. I, FREDERIC L. HABER, do hereby certify that I have read the foregoing transcript of my testimony taken on June 4, 2012, and further certify that it is a true and accurate record of said testimony (with the exception of the following corrections listed below): Page Line Correction Line allowing Signed under the pains and penalties of perjury this 27 % day of free perjury this 27 % day of f | | Page 63 |
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