

**CONFIDENTIAL**

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Volume:  
Pages: 1-64  
Exhibits: 1-15

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF NEW YORK

\*\*\*\*\*x  
THE AUTHORS GUILD, INC.,  
et al.,

Plaintiffs

vs. C.A. No. 11-cv-6351 (HB)

HATHITRUST, et al.,

Defendants

\*\*\*\*\*x

Rule 30(b)(6) Videotaped Deposition of  
**THE COPYRIGHT CLEARANCE CENTER** by its designee  
**FREDERIC L. HABER**, a witness called by counsel for  
the Defendants National Federation of the Blind,  
et als., taken pursuant to the applicable  
provisions of the Federal Rules of Civil  
Procedure, before Janet L. Wynne, CSR No. 131793,  
Registered Professional Reporter, a Notary Public  
in and for the Commonwealth of Massachusetts, at  
the Offices of Sugarman, Rogers, Barshak & Cohen,  
P.C., 101 Merrimac Street, Boston, Massachusetts,  
on Monday, June 4, 2012, commencing at 10:00 a.m.

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APPEARANCES:

KILPATRICK TOWNSEND & STOCKTON LLP  
by ROBERT N. POTTER, ESQ.  
1114 Avenue of the Americas  
New York, New York 10036  
(212) 775-8733  
on behalf of the Defendant Hathitrust

THE LAW OFFICE OF ROBERT J. BERNSTEIN  
by ROBERT J. BERNSTEIN, ESQ.  
380 Lexington Avenue, 17th Floor  
New York, New York 10168  
(212) 551-1068  
on behalf of the Defendant National  
Federation of the Blind, et als.

WEIL GOTSHAL & MANGES LLP  
by ARIANE NEWELL, ESQ.  
767 Fifth Avenue  
New York, New York 10153  
(212) 310-8647  
on behalf of the Deponent, The Copyright  
Clearance Center

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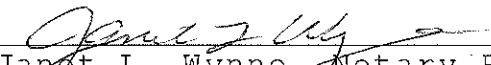
MIDDLESEX, ss.

I, Janet L. Wynne, Certified  
Shorthand/Registered Professional Reporter, a  
Notary Public in and for the Commonwealth of  
Massachusetts, do hereby certify:

That **FREDERIC L. HABER**, the witness  
whose videotaped deposition is hereinbefore set  
forth, was duly sworn by me and that such  
deposition is a true record of the testimony given  
by said witness.

I further certify that I am not related  
to any of the parties to this action by blood or  
marriage and that I am in no way interested in the  
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set  
my hand and affixed my seal of office this 5th day  
of June, 2012.

  
\_\_\_\_\_  
Janet L. Wynne, Notary Public  
My Commission expires:  
March 3, 2017

1 THE AUTHORS GUILD, INC., et al.  
vs.  
2 HATHITRUST, et al.  
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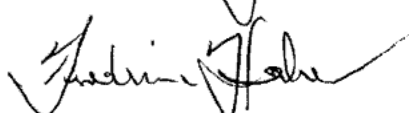
4 I, FREDERIC L. HABER, do hereby certify  
that I have read the foregoing transcript of my  
testimony taken on June 4, 2012, and further  
5 certify that it is a true and accurate record of  
said testimony (with the exception of the  
6 following corrections listed below):

7 Page Line Correction

8 [see attached page]  
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Signed under the pains and penalties of  
perjury this 27<sup>th</sup> day of June, 2012.



FREDERIC L. HABER