I, NIKIA L. GRAY, declare:

1. I am an attorney with Quarles & Brady LLP, attorneys for Plaintiffs, American Educational Research Association, Inc., American Psychological Association, Inc. and National Council on Measurement in Education, Inc. Unless otherwise stated, I have knowledge of all facts set forth in this declaration, and I would, and could, testify competently thereto if called upon to do so.

2. I submit this Declaration in support of Plaintiffs’ Reply in Support of its Motion for Summary Judgment and Permanent Injunction and Opposition to Defendant’s Motion for Summary Judgment.

3. Attached as Exhibit VVV is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) on the WorldCat website.

4. Attached as Exhibit WWW is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Arizona State University Library.
5. Attached as Exhibit XXX is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Baylor University Library.

6. Attached as Exhibit YYY is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Boston College Library.

7. Attached as Exhibit ZZZ is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Boston University Library.

8. Attached as Exhibit AAAA is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the California State University library.

9. Attached as Exhibit BBBB is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Columbia University Library.

10. Attached as Exhibit CCCC is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Cornell University Library.

11. Attached as Exhibit DDDD is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Dartmouth College Library.

12. Attached as Exhibit EEEE is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Duke University Library.

13. Attached as Exhibit FFFF is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Emory University Library.

14. Attached as Exhibit GGGG is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Florida Atlanta University Library.
15. Attached as Exhibit HHHH is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Florida International University Library.

16. Attached as Exhibit IIII is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the George Mason University Library.

17. Attached as Exhibit JJJJ is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the George Washington University Library.

18. Attached as Exhibit KKKK is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Harvard University Library.

19. Attached as Exhibit LLLL is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Indiana University Library.

20. Attached as Exhibit MMMM is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Lehigh University Library.

21. Attached as Exhibit NNNN is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Lewis and Clark College Library.

22. Attached as Exhibit OOOO is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Louisiana State University Library.
23. Attached as Exhibit PPPP is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Loyola Marymount University Library.

24. Attached as Exhibit QQQQ is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Marian University Library.

25. Attached as Exhibit RRRR is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Northwestern University Library.

26. Attached as Exhibit SSSS is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Oregon State University Library.

27. Attached as Exhibit TTTT is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Pepperdine University Library.

28. Attached as Exhibit UUUU is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Purdue University Library.

29. Attached as Exhibit VVVV is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Rutgers University Library.

30. Attached as Exhibit WWWW is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the San Diego State University Library.
31. Attached as Exhibit XXXX is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Seattle Pacific University Library.

32. Attached as Exhibit YYYYY is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Southern Utah University Library.

33. Attached as Exhibit ZZZZZ is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Stanford University Library.

34. Attached as Exhibit AAAAA is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Suffolk University Library.

35. Attached as Exhibit BBBBB is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the Trinity International University Library.

36. Attached as Exhibit CCCCC is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the University of Alabama Library.

37. Attached as Exhibit DDDDD is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the University of California Library.

38. Attached as Exhibit EEEEE is a true and correct copy of the catalog record for Standards for Educational and Psychological Testing (1999) at the University of Chicago Library.
39. Attached as **Exhibit FFFFF** is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of Connecticut Library.

40. Attached as **Exhibit GGGGG** is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of Florida Library.

41. Attached as **Exhibit HHHHH** is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of Maryland Library.

42. Attached as **Exhibit IIIII** is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of Miami Library.

43. Attached as **Exhibit JJJJJ** is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of Minnesota Library.

44. Attached as **Exhibit KKKKK** is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of Mississippi Library.

45. Attached as **Exhibit LLLLL** is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of Nevada Library.

46. Attached as **Exhibit MMMMM** is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of New Mexico Library.
47. Attached as Exhibit NNNNN is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of North Carolina Library.

48. Attached as Exhibit OOOOO is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of Oregon Library.

49. Attached as Exhibit PPPPP is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of Pittsburgh Library.

50. Attached as Exhibit QQQQQ is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of South Carolina Library.

51. Attached as Exhibit RRRRR is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the University of Washington Library.

52. Attached as Exhibit SSSSS is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Vanderbilt University Library.

53. Attached as Exhibit TTTTT is a true and correct copy of the catalog record for *Standards for Educational and Psychological Testing* (1999) at the Yale University Library.


56. Attached as Exhibit WWWWW is a true and correct copy of the resume of S. E. Phillips, Ph.D., J.D.

57. Attached as Exhibit XXXXX is a true and correct copy of the deposition transcript of Wayne J. Camara, Ph.D., taken on May 1, 2015.

58. Attached as Exhibit YYYYY is a true and correct copy of the deposition transcript of Dianne L. Schneider, Ph.D., taken on April 23, 2015.

59. Attached as Exhibit ZZZZZ is a true and correct copy of information from Bookshare’s website.

60. Attached as Exhibit AAAAA is a true and correct copy of the deposition transcript of Marianne Ernesto, taken on April 29, 2015.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on February 18, 2016, in Washington, D.C.

/s/ Nikia L. Gray

Nikia L. Gray