

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CODE REVISION COMMISSION)	
on Behalf of and For the Benefit of the)	
GENERAL ASSEMBLY OF GEORGIA,)	CIVIL ACTION
and the STATE OF GEORGIA,)	NO. 1:15-cv-2594-MHC
)	
Plaintiffs,)	
)	
v.)	
)	
PUBLIC.RESOURCE.ORG, INC.,)	
)	
Defendant.)	

**DEFENDANT PUBLIC.RESOURCE.ORG, INC.’S FIRST REQUESTS FOR
PRODUCTION OF DOCUMENTS TO PLAINTIFF CODE REVISION
COMMISSION**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure (the “Federal Rules”), Public.Resource.Org, Inc. (“Public Resource”) serves these First Requests for Production of Documents upon the Code Revision Commission (the “Commission”). Responsive documents and information should be served upon Public Resource through its counsel, Jason D. Rosenberg, Esq., at Alston & Bird LLP, 1201 West Peachtree Street, Atlanta, Georgia, 30309, within thirty (30) days of service hereof.

Each Request set forth below is addressed to the knowledge of the Commission and, through it, the State of Georgia (“the State”), as well as the knowledge, information and documents in the possession, custody, or control of the Commission or the State’s attorneys, accountants, agents, employees, officers, directors, investigators, consultants and other representatives. Thus, when a Request is directed to the Commission, it is also directed to each of the above-described persons.

DEFINITIONS AND INSTRUCTIONS

Public Resource incorporates herein by reference the Definitions and Instructions set forth in Public.Resource.Org, Inc.’s First Set of Interrogatories to the Code Revision Commission served concurrently herewith.

REQUESTS FOR PRODUCTION

1. Documents establishing ownership, title, assignment or licensing of the copyright of any portion of the O.C.G.A. or the annotations thereof, including, but not limited to, the certificates of registration from the U.S. Copyright Office, assignment agreements, and license agreements.

2. Any applications or other filings made on behalf of the State of Georgia with any federal governmental agency for registration of the copyright of any portion of the O.C.G.A. or the annotations, thereof.

3. Documents relating to any communications between the Commission, the State or those acting on its behalf and any federal governmental agency regarding the registration of the copyright of any portion of the O.C.G.A. or the annotations thereof.

4. Documents relating to any communications on behalf of the State of Georgia, the legislature, or the Commission regarding the scope of copyright claimed in any portion of the O.C.G.A.

5. All documents that support your assertion in Paragraphs 29 and 35 of the Amended Complaint that “there is no adequate remedy at law” for Plaintiff.

6. All documents that support your assertion in Paragraphs 29 and 35 of the Amended Complaint that "Defendant’s conduct will continue to cause severe and irreparable harm to Plaintiff.”

7. All documents that support your assertion in Paragraph 2 of the Amended Complaint that “[w]ithout providing the publisher the ability to recoup its costs for the development of these copyrighted annotations, the State of Georgia will be required to either stop publishing the annotations altogether or pay for development of the annotations using state tax dollars.”

8. All documents that support your assertion in Paragraph 2 of the Amended Complaint that “[u]nless Defendant’s infringing activities are enjoined,

Plaintiff and the citizens of the State of Georgia, will face losing valuable analysis and guidance regarding their state laws.”

9. All documents upon which you rely regarding the effect of Public Resource’s use of the O.C.G.A. upon the potential market for, or value of, the copyrighted works.

10. Documents relating to usage reports regarding users accessing the unannotated O.C.G.A. on the website operated by Matthew Bender and Company, a member of the LexisNexis Group, a division of Reed Elsevier Properties, Inc., as described in Paragraph 2.5(a)(1) of the Agreement for Publication. [COMM000011-12].

11. All correspondence received by David Ralston, Speaker of the House, Georgia House of Representatives, and Mr. Wayne Allen, Legislative Counsel, Office of Legislative Counsel, Georgia General Assembly, from citizens of the State of Georgia regarding the initiation of this litigation.

Respectfully submitted,

By: /s/ Jason D. Rosenberg
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Attorneys for Defendant

CERTIFICATE OF SERVICE

Pursuant to Local Rule 5.4, I hereby certify that on this day, Friday, January 15, 2016, I served a true and correct copy of DEFENDANT PUBLIC.RESOURCE.ORG, INC.'S FIRST REQUESTS FOR PRODUCTION TO PLAINTIFF CODE REVISION COMMISSION by e-mail, pursuant to the agreement of the parties, upon Plaintiffs' counsel listed below:

Anthony B. Askew
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Dated: January 15, 2016

By: /s/ Jason A. Englund
Jason A. Englund