

EXHIBIT G

Case No. 1:14-cv-00857-TSC

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

AMERICAN EDUCATIONAL RESEARCH
ASSOCIATION, INC., AMERICAN
PSYCHOLOGICAL ASSOCIATION, INC., and
NATIONAL COUNCIL ON MEASUREMENT IN
EDUCATION, INC.,

Plaintiffs,

v.

PUBLIC.RESOURCE.ORG, INC.,

Defendant.

PUBLIC.RESOURCE.ORG, INC.,

Counterclaimant,

v.

AMERICAN EDUCATIONAL RESEARCH
ASSOCIATION, INC., AMERICAN
PSYCHOLOGICAL ASSOCIATION, INC., and
NATIONAL COUNCIL ON MEASUREMENT IN
EDUCATION, INC.,

Counterdefendants.

Case No. 1:14-cv-00857-CRC

**DEFENDANT-COUNTERCLAIMANT
PUBLIC.RESOURCE.ORG, INC.'S
INITIAL DISCLOSURES PURSUANT
TO FED. R. CIV. P. 26(a)(1)**

Filed: May 23, 2014

Defendant and Counterclaimant Public.Resource.Org, Inc. (“Public Resource”) makes the following initial disclosures to Plaintiff American Educational Research Association, Inc. (“AERA”), Plaintiff American Psychological Association, Inc. (“APA”), and Plaintiff National Council on Measurement in Education, Inc. (“NCME”) (collectively “Plaintiff Organizations”) pursuant to Federal Rule of Civil Procedure 26(a)(1). Because Public Resource’s investigation and discovery in this matter are ongoing, it reserves the right to supplement and amend this disclosure pursuant to Rule 26(e), to identify additional individuals, to produce additional information it acquires during the course of discovery, and to rely on such additional information as evidence in this action and include individuals not identified in these initial disclosures in Public Resource’s list of trial witnesses. Public Resource makes these disclosures without waiver of, or prejudice to, any objection that Public Resource may have to the use at trial of any of the information disclosed in this document, this document itself, or any document or thing produced pursuant to Rule 26.

I. RULE 26(a)(1)(a)(i): INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION THAT PUBLIC RESOURCE MAY USE TO SUPPORT ITS CLAIMS OR DEFENSES

Name	Contact Information	Subject(s)
Carl Malamud, President and Founder of Public.Resource.Org	c/o Public Resource's counsel of record in this action	The public domain status of standards that any governmental entity has incorporated by reference into law ("Incorporated Standards") to which any Plaintiff Organization claims authorship; Public Resource's non-infringement of the 1999 Standard; the absence of contributory copyright infringement by Public Resource relating to the 1999 Standard; Public Resource's fair use of the 1999 Standard; Plaintiff Organizations' activities in lobbying for and promoting the incorporation by reference of standards to which they claim authorship into law; the absence of harm to Plaintiff Organizations as a result of Public Resource's posting of Incorporated Standards.
Other witnesses identified now or in the future in the Plaintiff Organizations' disclosures	See Plaintiff Organizations' disclosures	See also Plaintiff Organizations' disclosures.

Public Resource's investigation, research, and analysis of the issues in this proceeding are ongoing. If Public Resource identifies additional individuals likely to have discoverable information that it may use to support its claims or defenses, such as third parties in possession of information, it will supplement this disclosure pursuant to FED R. CIV. P. 26(e).

II. RULE 26(a)(1)(a)(ii): DOCUMENTS THAT PUBLIC RESOURCE MAY USE TO SUPPORT ITS CLAIMS OR DEFENSES

Category	Location
Requests for Information and Notices of Proposed Rulemaking by the Office of Management and Budget and the Office of the Federal Register regarding incorporation by reference, communications with the Office of the Federal Register and the National Archives and Records Administration on the question of incorporation by reference, communications and prepared statements for Pipeline and Hazardous Materials Safety Administration workshop regarding incorporation by reference.	Public Resource
Documents reporting on or memorializing the standard development and/or lobbying activities of Plaintiff Organizations.	Public Resource
Documents relating to Public Resource's income and finances.	Public Resource
Documents relating to Public Resource's processes for posting standards that various jurisdictions have incorporated into law.	Public Resource
Documents relating to Public Resource's fair use of the 1999 Standard.	Public Resource

Public Resource's investigation, research, and analysis of the issues in this proceeding are ongoing. Public Resource expressly reserves the right to supplement its identification of categories of documents pursuant to FED R. CIV. P. 26(e) as its investigation continues. Public Resource will produce discoverable, non-privileged documents and things in its possession, custody, or control for inspection and copying pursuant to a proper inspection demand. Nothing in this initial disclosure is a representation that any particular document or thing is relevant to any issue in this action or that any particular document or thing exists or is in Public Resource's possession, custody, or control.

III. RULE 26(a)(1)(A)(iii): COMPUTATION OF DAMAGES CLAIMED BY PUBLIC RESOURCE

Public Resource does not seek damages at this time. Public Resource will seek attorneys' fees and costs of this action, in an amount to be determined based on discovery and expert testimony. Public Resource's investigation, research and analysis of the issues in this case are ongoing. Public Resource reserves the right to supplement its disclosures, under FED R. CIV. P. 26(e), as its investigation continues.

IV. RULE 26(a)(1)(A)(iv): INSURANCE AGREEMENTS

Public Resource does not maintain insurance that is available to satisfy part or all of any potential judgment, or to indemnify or reimburse payments made to satisfy a judgment.

Dated: November 14, 2014

/s/ Andrew Bridges

Andrew P. Bridges (admitted)
abridges@fenwick.com
FENWICK & WEST LLP
555 California Street, 12th Floor
San Francisco, CA 94104
Telephone: (415) 875-2300
Facsimile: (415) 281-1350

David Halperin (D.C. Bar No. 426078)
davidhalperindc@gmail.com
1530 P Street NW
Washington, DC 20005
Telephone: (202) 905-3434

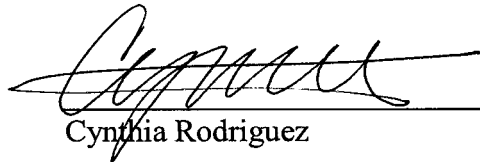
Mitchell L. Stoltz (D.C. Bar No. 978149)
mitch@eff.org
Corynne McSherry (admitted)
corynne@eff.org
ELECTRONIC FRONTIER FOUNDATION
815 Eddy Street
San Francisco, CA 94109
Telephone: (415) 436-9333
Facsimile: (415) 436-9993

*Attorneys for Defendant-Counterclaimant
Public.Resource.Org, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on November 14, 2014, a copy of the foregoing **DEFENDANT-COUNTERCLAIMANT PUBLIC.RESOURCE.ORG, INC.'S INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26(a)(1)** was served via e-mail to the following counsel of record for Plaintiffs-Counterdefendants:

Jonathan Hudis
Kathleen Cooney-Porter
OBLON, SPIVACK, McCLELLAND,
MAIER & NEUSTADT, LLP
1940 Duke Street
Alexandria, VA 22314
Telephone: (703) 413-3000
Fax: (703) 413-2220
Email: jhudis@oblon.com
Email: kcooney-porter@oblon.com


Cynthia Rodriguez