

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

CAMBRIDGE UNIVERSITY PRESS, et al.,

*Appellants-Plaintiffs,*

v.

MARK BECKER, et al.,

*Appellees-Defendants.*

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*Appeal from the United States District Court  
For The Northern District Of Georgia*

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**JOINT MOTION FOR EXTENSION OF TIME TO FILE  
APPELLANTS' REPLY BRIEF**

Edward B. Krugman  
Georgia Bar No. 429927  
John H. Rains IV  
Georgia Bar No. 556052  
BONDURANT, MIXSON & ELMORE, LLP  
1201 W. Peachtree Street NW, Suite 3900  
Atlanta, GA 30309  
Phone: (404) 881-4100  
Facsimile: (404) 881-4111

*Counsel for Appellees-Defendants*

April 19, 2013

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The parties to these appeals jointly move this Court for a seventeen-day extension of time (through May 20, 2013) for Appellants to file their reply brief in these consolidated appeals.

The status of these appeals is as follows. Appellants filed their first Notice of Appeal resulting in Case No. 12-1476 (the “First Appeal”) on September 10, 2012 and a second Notice of Appeal resulting in Case No. 12-15147 (the “Second Appeal”) on October 2, 2012. Appellants Brief in the First Appeal was originally due on or before October 22, 2012. *See* USCA Acknowledgement of Doc. No. 449 Notice of Appeal, Doc. No. 457 (Sept. 26, 2012). Appellants moved for an extension of time through and including November 21, 2012 to file their initial Brief. Appellees consented to the motion. This Court granted the Motion on October 9, 2012.

Appellants’ Brief in the Second Appeal was originally due on or before November 14, 2012. Appellants moved for a seven-day extension of time to and including November 21, 2012. Appellees consented to the motion. The Court Clerk granted that motion on November 1, 2012.

On October 12, 2012, after Appellants moved for an extension of time to file their Brief in the First Appeal, Appellees filed a Motion to Dismiss or Consolidate the two appeals, which automatically stayed the time for Appellants initial Brief.

11<sup>th</sup> Cir. Rule 31-1. The Court denied the Motion to Dismiss and consolidated the two appeals on December 18, 2012. As a result, Appellants initial brief was due on January 28, 2013 instead of November 21, 2012. The Appellants filed their initial Brief on January 28, 2013.

On January 18, 2013, the parties filed a joint motion to extend Appellees' deadline to file their response brief by 45 days, and on February 1, 2013, this Court granted that motion, extending Appellees' time to file their response brief until April 18, 2013. Under this Court's rules, Appellants' reply brief will be due on May 2, 2013, 14 days after Appellees file their reply brief.


The Appellants now request an extension of seventeen days to file their reply brief, so that they have a total of 31 days to prepare and file that brief. If this extension is granted, Appellants' reply brief would be due May 20, 2013. This extension is requested in view of the complex set of issues involving application of the fair use doctrine of copyright law involved in this case, the lengthy bench trial, extensive pre-trial proceedings and the District Court's lengthy opinions below (one of which exceeds three hundred and forty pages), and the responsibilities and the schedules of the various counsel in these appeals. The instant motion is a first

request for an extension of time for this brief and is filed more than seven (7) days in advance of the due date for Appellants' reply brief.<sup>1</sup>

It is submitted that the foregoing presents good cause for the requested extensions in accordance with 11<sup>th</sup> Cir. R. 31-2. Accordingly, the parties submit that good cause has been shown for the requested extensions and they request that the extensions be granted.

Respectfully submitted,

**BONDURANT, MIXSON &  
ELMORE LLP**

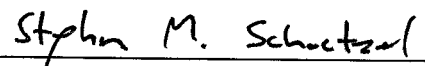

  
Edward B. Krugman  
*krugman@bmelaw.com*  
Georgia Bar No. 429927  
John H. Rains IV  
*rains@bmelaw.com*  
Georgia Bar No. 556052

**BONDURANT, MIXSON &  
ELMORE, LLP**

1201 W. Peachtree Street NW, Ste 3900  
Atlanta, GA 30309  
Phone: (404) 881-4100  
Facsimile: (404) 881-4111

R. Bruce Rich  
*Bruce.rich@weil.com*

**MEUNIER CARLIN & CURFMAN, LLC**

 w/ permission by  
  
Stephen M. Schaetzel  
*sschaetzel@mcciplaw.com*  
Special Assistant Attorney General  
Georgia Bar No. 628653  
Anthony B. Askew  
*taskew@mcciplaw.com*  
Special Assistant Attorney General  
Georgia Bar No. 025300  
Robin L. Gentry  
*rgentry@mcciplaw.com*  
Georgia Bar No. 289899  
Walter Hill Levie, III  
*tlevie@mcciplaw.com*  
Georgia Bar No. 415569

**MEUNIER CARLIN & CURFMAN, LLC**

<sup>1</sup> The parties January 18 joint motion had included a request for an extension for Appellants' reply brief, but the Clerk's office informed the parties that the motion would be construed as only requesting an extension with respect to Appellees' brief. Accordingly, this is in fact the first request for an extension for Appellants' reply brief.

Jonathan Bloom  
*Jonathan.bloom@weil.com*  
Randi W. Singer  
*Randi.singer@weil.com*  
Todd D. Larson  
*Todd.larson@weil.com*  
**WEIL, GOTSHAL & MANGES  
LLP**  
767 Fifth Avenue  
New York, New York 10153  
Phone: (212) 310-8000  
Fax: (212) 310-8007

817 W. Peachtree Street, N.W., Suite 500  
Atlanta, Georgia 30308  
Phone: (404) 645-7700  
Fax: (404) 645-7707

John Harbin  
*jharbin@kslaw.com*  
Mary Katherine Bates  
*kbates@kslaw.com*  
**KING & SPALDING**  
1180 Peachtree Street  
Atlanta, GA 30309  
Phone: (404) 572-4600

Katrina M. Quicker  
*quickerk@ballardspahr.com*  
Special Assistant Attorney General  
Georgia Bar No. 590859  
Richard W. Miller  
*millerr@ballardspahr.com*  
Georgia Bar No. 065257  
**BALLARD SPAHR LLP**  
999 Peachtree Street, Suite 1000  
Atlanta, GA 30309-3915  
Phone: (678) 420-9300

MARY JO VOLKERT  
*mjvolkert@law.ga.gov*  
Georgia Bar No. 728755  
Senior Assistant Attorney General  
40 Capitol Square, SW  
Atlanta, GA 39334  
Phone: (404) 656-3343  
Direct: (404) 651-5809  
Fax: (404) 657-3239

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that, on this 19th day of April, 2013, I have electronically filed the foregoing **JOINT MOTION FOR EXTENSION OF TIME TO FILE APPELLANTS' REPLY BRIEF** with the Clerk of the Court using the CM/ECF system, which will automatically send e-mail notification of such filing to the following attorneys of record:

Stephen M. Schaetzel  
Anthony B. Askew  
Robin L. Gentry  
Walter Hill Levie, III  
MEUNIER CARLIN & CURFMAN, LLC  
817 W. Peachtree Street, N.W., Suite 500  
Atlanta, Georgia 30308

John Harbin  
Mary Katherine Bates  
KING & SPALDING LLP  
1180 Peachtree Street  
Atlanta, GA 30309

Katrina M. Quicker  
Richard W. Miller  
BALLARD SPAHR LLP  
999 Peachtree Street, Suite 1000  
Atlanta, GA 30309-3915

MARY JO VOLKERT  
40 Capitol Square, SW  
Atlanta, GA 39334

  
\_\_\_\_\_  
John H. Rains IV