

# 11-1197-CV

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## United States Court of Appeals FOR THE SECOND CIRCUIT

RICHARD PRINCE,  
GAGOSIAN GALLERY, INC.,  
and LAWRENCE GAGOSIAN,  
*Defendant-Appellants,*

v.

PATRICK CARIOU,  
*Plaintiff-Appellee.*

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On Appeal from the United States District Court  
for the Southern District of New York

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### Declaration of Joshua I. Schiller

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**DECLARATION OF JOSHUA I. SCHILLER IN SUPPORT OF DEFENDANTS-  
APPELLANTS' MOTION FOR EXTENSION OF DEADLINE TO FILE REPLY  
BRIEF**

I, **JOSHUA I. SCHILLER** declare:

1. I am an attorney from the law firm of BOIES, SCHILLER AND FLEXNER, LLP, and I make this Declaration in Support of Defendants-Appellants' Motion for Extension of Deadline to File Reply Brief.

2. On Wednesday January 25, 2012, Plaintiff-Appellee Patrick Cariou filed his Brief. In accordance with Local Rule 31.2(a)(2), I calculate that Defendants-Appellants' Reply Brief is currently due 14 days thereafter or on February 8, 2012.

3. Because of the importance and complicated nature of the copyright issues presented in this appeal, Defendants-Appellants respectfully request an extension of an additional 14 days to the deadline for the Reply Brief extending the due date to February 22, 2012.

4. Currently, no oral argument has been scheduled for this appeal. The submission of the Reply Brief on February 22, 2012 would likely not interfere with the scheduling of the oral argument.

5. This afternoon, I spoke on the phone with Mr. Cariou's attorney Daniel Brooks to alert him that Defendants-Appellants were seeking an extension of 14 days on their deadline for submitting the reply. I asked Mr. Brooks whether he would oppose the extension. After consideration, Mr. Brooks called me back and told me that Plaintiff-Appellee had no objection to an extension of 14 days.

6. Defendants-Appellants seek this relief with the support of Plaintiff-Appellee who does not oppose extending the deadline for the Reply Brief to February 22, 2012.

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

EXECUTED on this 27th day of January, 2012.

/s/ Joshua I. Schiller

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