

# MANDATE

S.D.N.Y. - N.Y.C.  
05-cv-8136  
Chin, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

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At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 14th day of August, two thousand twelve.

Present: Richard C. Wesley,  
Peter W. Hall,  
*Circuit Judges.\**

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The Authors Guild, Inc., Associational Plaintiff, *et al.*,

*Plaintiffs-Respondents,*

v.

12-2402

Google, Inc.,

*Defendant-Petitioner.*

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Petitioner, through counsel, moves, pursuant to Federal Rule of Civil Procedure 23(f), for leave to appeal the district court's order granting Respondents' motion for class certification. Upon

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\* Judge Denny Chin, an original member of this panel, has recused himself from consideration of this motion. Pursuant to Second Circuit Internal Operating Procedure E(b), the matter is being decided by the two remaining members of the panel.

SAO-MWV

MANDATE ISSUED ON 07/01/2013

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due consideration, it is hereby ORDERED that the petition is GRANTED. *See Sumitomo Copper Litig. v. Credit Lyonnais Rouse, Ltd.*, 262 F.3d 134, 139-40 (2d Cir. 2001).

For the Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  
Catherine O'Hagan Wolfe



A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

  
Catherine O'Hagan Wolfe



# MANDATE

UNITED STATES COURT OF APPEALS  
FOR THE  
SECOND CIRCUIT

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At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 1<sup>st</sup> day of July, two thousand and thirteen.

Before: PIERRE N. LEVAL,  
JOSÉ A. CABRANES,  
BARRINGTON D. PARKER,  
*Circuit Judges.*

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The Authors Guild, Inc., Associated Plaintiff, Betty Miles,  
Joseph Goulden, and Jim Bouton, individually and on behalf  
of all others similarly situated,

Appellee,

**JUDGMENT**  
Docket No. 12-3200

v.

Google, Inc.,

Defendant - Appellant.

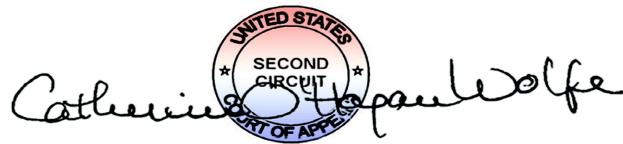
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The appeal in the above captioned case from an order of the United States District Court for the Southern District of New York was argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the order of the district court is VACATED, and the case is REMANDED in accordance with the opinion of this court.

For The Court:

Catherine O'Hagan Wolfe,  
Clerk of Court

  
Catherine O'Hagan Wolfe

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Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit



  
Catherine O'Hagan Wolfe

**MANDATE ISSUED ON 07/01/2013**