

# 12-3200

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## UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

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THE AUTHORS GUILD, INC., Associational Plaintiff, BETTY MILES,  
JOSEPH GOULDEN, and JIM BOUTON, individually and  
on behalf of all others similarly situated,  
*Plaintiffs-Appellees,*

v.

GOOGLE INC.,  
*Defendant-Appellant.*

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On Appeal from an Order Granting Certification of a Class Action, Entered on  
May 31, 2012, by the United States District Court for the Southern District of New  
York, No. 1:05-cv-08136-DC Before the Honorable Denny Chin

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### JOINT APPENDIX—Volume I of IV (A1-225)

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**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:05-cv-08136-DC**

The Authors Guild et al v. Google Inc.  
Assigned to: Judge Denny Chin  
Related Cases: [1:05-cv-08881-DC](#)  
[1:10-cv-02977-DC](#)

Date Filed: 09/20/2005  
Jury Demand: Both  
Nature of Suit: 820 Copyright  
Jurisdiction: Federal Question

Case in other court: USCA 2nd Circuit, 09-02224-cv  
Cause: 17:101 Copyright Infringement

Date Filed	#	Docket Text
09/20/2005	<u>1</u>	COMPLAINT against Google Inc. (Filing Fee \$ 250.00, Receipt Number 555987) Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman.(laq, ) (Entered: 09/22/2005)
09/20/2005		SUMMONS ISSUED as to Google Inc.. (laq, ) (Entered: 09/22/2005)
09/20/2005	2	RULE 7.1 DISCLOSURE STATEMENT. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman.(laq, ) (Entered: 09/22/2005)
09/20/2005		Magistrate Judge Douglas F. Eaton is so designated. (laq, ) (Entered: 09/22/2005)
09/20/2005		Case Designated ECF. (laq, ) (Entered: 09/22/2005)
10/10/2005	<u>3</u>	SUMMONS RETURNED EXECUTED. Google Inc. served on 9/23/2005, answer due 10/13/2005. Service was accepted by Ashok Ramani, Legal Representative, authorized to accept service of Summons in a Civil Action, Class Action Complaint, Rule 7.1 Statement, Civil Case Cover Sheet, Magistrate Judge Eaton's and Judge Sprizzo Rules along with ECF Procedures and Guidelines, on behalf of Google Inc. Document filed by The Author's Guild. (Attachments: # <u>1</u> )(Dumain, Sanford) (Entered: 10/10/2005)
10/11/2005	<u>4</u>	STIPULATION AND ORDER that the time for deft to respond to the complaint is extended 20 days from 10/13 to and including 11/2/05. (Signed by Judge John E. Sprizzo on 10/7/05) (cd, ) (Entered: 10/12/2005)
10/11/2005		Set Answer Due Date purs. to <u>4</u> Stipulation and Order as to Google Inc. answer due on 11/2/2005. (cd, ) (Entered: 10/12/2005)
10/11/2005	<u>5</u>	MOTION for Joseph M. Beck to Appear Pro Hac Vice. Document filed by Google Inc. (jco, ) (Entered: 10/12/2005)
10/11/2005	<u>6</u>	MOTION for Adam H. Charnes to Appear Pro Hac Vice. Document filed by Google Inc. (jco, ) (Entered: 10/12/2005)
10/24/2005	<u>7</u>	MOTION for an order, admitting Michael J. Boni to Appear Pro Hac Vice as counsel for Plaintiffs. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. Affidavit of Sanford P. Dumain attached.(sac, ) (Entered: 10/25/2005)
10/24/2005	<u>8</u>	MOTION for an order, admitting J. Kate Reznick to Appear Pro Hac Vice as counsel for Plaintiffs. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. Affidavit of Sanford P. Dumain attached.(sac, ) (Entered: 10/25/2005)
10/25/2005	<u>9</u>	ORDER granting <u>5</u> Motion for Joseph M. Beck to Appear Pro Hac Vice . (Signed by Judge John E. Sprizzo on 10/24/05) (jco, ) (Entered: 10/25/2005)
10/25/2005		Transmission to Attorney Admissions Clerk. Transmitted re: <u>9</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco, ) (Entered: 10/25/2005)

10/25/2005	<u>10</u>	ORDER granting <u>6</u> Motion for Adam H. Charnes to Appear Pro Hac Vice . (Signed by Judge John E. Sprizzo on 10/24/05) (jco, ) (Entered: 10/25/2005)
10/25/2005		Transmission to Attorney Admissions Clerk. Transmitted re: <u>10</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco, ) (Entered: 10/25/2005)
10/27/2005		CASHIERS OFFICE REMARK on <u>10</u> Order on Motion to Appear Pro Hac Vice, <u>9</u> Order on Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 10/27/2005, Receipt Number 559555. (gm, ) (Entered: 10/27/2005)
10/28/2005	<u>11</u>	ORDER that dft is granted leave to submit its motion for summary judgment not to exceed 25 pages on or before 11/30/05; plaintiffs shall submit their response to dft's motion and any cross motion; together not to exceed 25 pages on or before 1/6/06; dft shall submit its reply to plaintiffs' cross motion, if any, limited to the issues raised therein not to exceed fifteen pages, on or before 1/24/06 and oral argument shall occur on 1/30/06 at 3:00 pm. in courtroom 705, 40 Centre Street. (Signed by Judge John E. Sprizzo on 10/26/05) (dle, ) (Entered: 10/31/2005)
10/28/2005		Set Deadlines/Hearings: Motions due by 11/30/2005. Replies due by 1/24/2006. Responses due by 1/6/2006 Oral Argument set for 1/30/2006 03:00 PM before Judge John E. Sprizzo. (dle, ) (Entered: 10/31/2005)
11/18/2005	<u>12</u>	NOTICE of Appearance by Laura Helen Gundersheim on behalf of all plaintiffs (Gundersheim, Laura) (Entered: 11/18/2005)
11/30/2005	<u>13</u>	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Google Inc..(Bernstein, Robert) (Entered: 11/30/2005)
11/30/2005	<u>14</u>	ANSWER to Complaint with JURY DEMAND. Document filed by Google Inc..(Bernstein, Robert) (Entered: 11/30/2005)
12/09/2005	<u>15</u>	AFFIDAVIT of Sanford P. Dumain in Support re: <u>7</u> MOTION for Michael J. Boni to Appear Pro Hac Vice.. Document filed by The Author's Guild. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(Gundersheim, Laura) (Entered: 12/09/2005)
12/09/2005	<u>16</u>	AFFIDAVIT of Sanford P. Dumain in Support re: <u>8</u> MOTION for J. Kate Reznick to Appear Pro Hac Vice.. Document filed by The Author's Guild. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(Gundersheim, Laura) (Entered: 12/09/2005)
12/15/2005	<u>17</u>	MOTION for Alex S. Fonoroff to Appear Pro Hac Vice. Attached is Affidavit of Robert J. Bernstein in support Document filed by Google Inc.. (djc, ) (Entered: 12/16/2005)
12/15/2005	<u>18</u>	ORDER granting <u>8</u> Motion for J. Kate Reznick to Appear Pro Hac Vice . (Signed by Judge John E. Sprizzo on 12/13/05) (jco, ) (Entered: 12/16/2005)
12/15/2005		Transmission to Attorney Admissions Clerk. Transmitted re: <u>18</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco, ) (Entered: 12/16/2005)
12/15/2005	<u>19</u>	ORDER granting <u>7</u> Motion for Michael J. Boni to Appear Pro Hac Vice . (Signed by Judge John E. Sprizzo on 12/13/05) (jco, ) (Entered: 12/16/2005)
12/29/2005		CASHIERS OFFICE REMARK on <u>19</u> Order on Motion to Appear Pro Hac Vice, <u>18</u> Order on Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 12/22/2005, Receipt Number 564907. (jd, ) (Entered: 12/29/2005)
03/16/2006	<u>20</u>	ORDER; granting <u>17</u> Motion for Alex S. Fonoroff, Esq. to Appear Pro Hac Vice (Signed by Judge John E. Sprizzo on 3/14/06) (sac, ) (Entered: 03/16/2006)
03/16/2006		Transmission to Attorney Admissions Clerk. Transmitted re: <u>20</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (sac, ) (Entered: 03/16/2006)
03/29/2006	<u>21</u>	NOTICE OF APPEARANCE by Alex Seth Fonoroff, S on behalf of Google Inc. (Fonoroff, Alex) (Entered: 03/29/2006)
04/12/2006	<u>22</u>	NOTICE OF APPEARANCE by Jeffrey A. Conciatori on behalf of Google Inc. (Conciatori, Jeffrey) (Entered: 04/12/2006)



04/13/2006	<u>23</u>	MOTION for Ronald L. Raider to Appear Pro Hac Vice. Document filed by Google Inc. (jco, ) (Entered: 04/14/2006)
04/19/2006	<u>24</u>	ORDER granting <u>23</u> Motion for Ronald L. Raider to Appear Pro Hac Vice . (Signed by Judge John E. Sprizzo on 4/18/06) (jco, ) (Entered: 04/20/2006)
04/19/2006		Transmission to Attorney Admissions Clerk. Transmitted re: <u>24</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco, ) (Entered: 04/20/2006)
05/09/2006	<u>25</u>	NOTICE of Substitution of Attorney. Old Attorney: Robert J. Bernstein, New Attorney: Jeffrey A. Conciatori, Address: Quinn Emanuel Urquhart Oliver &Hedges, LLP, 51 Madison Avenue, 22nd fl., New York, New York, United States 10010, 212-849-7000. Document filed by Google Inc.. (Conciatori, Jeffrey) (Entered: 05/09/2006)
05/11/2006	<u>26</u>	STIPULATION AND ORDER; that the law firm of Quinn Emanuel Urquhart Oliver &Hedges, LLP be substituted as counsel for dft. in the place of The Law Offices of Robert J. Bernstein. (Signed by Judge John E. Sprizzo on 4/27/06) (pl, ) (Entered: 05/11/2006)
05/11/2006	<u>27</u>	NOTICE OF CHANGE OF ADDRESS by Jeffrey A. Conciatori on behalf of Google Inc.. New Address: Quinn Emanuel Urquhart Oliver &Hedges, LLP, 51 Madison Avenue, 22nd Fl., New York, New York, United States 10010, 212-849-7000. (Conciatori, Jeffrey) (Entered: 05/11/2006)
05/17/2006	<u>28</u>	PROTECTIVE ORDER; regarding procedures to be followed that shall govern the handling of confidential information. (Signed by Judge John E. Sprizzo on 5/16/2006) (kkc, ) (Entered: 05/18/2006)
05/22/2006	<u>29</u>	CASE MANAGEMENT PLAN: Amended Pleadings due by 6/19/2006. Motions due by 7/2/2007. Discovery due by 4/9/2007. Pretrial Conference set for 10/23/2006 03:00 PM before Judge John E. Sprizzo; initial disclosures under Rule 26(a)(1) shall be exchanged by 5/19/06; disclosure of expert witnesses required under Rule 26(a)(2) (A) shall be exchanged on 2/16/07; initial expert reports shall be exchanged on 3/16/07; rebuttal expert reports shall be exchanged on 4/4/07; expert deposition shall be taken from 4/4/07 through 5/15/07. (Signed by Judge John E. Sprizzo on 5/12/06) (dle, ) (Entered: 05/22/2006)
06/09/2006	<u>30</u>	RULE 26 DISCLOSURE.Document filed by Google Inc..(Raider, Ronald) (Entered: 06/09/2006)
06/12/2006	<u>31</u>	RULE 26 DISCLOSURE.Document filed by Google Inc..(Raider, Ronald) (Entered: 06/12/2006)
06/19/2006	<u>32</u>	MOTION to Amend/Correct <i>the Complaint</i> . Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Certificate of Service)(Dumain, Sanford) (Entered: 06/19/2006)
06/19/2006	<u>33</u>	DECLARATION of J Kate Reznick in Support re: <u>32</u> MOTION to Amend/Correct <i>the Complaint</i> .. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Attachments: # <u>1</u> Exhibit A (Amended Complaint)# <u>2</u> Certificate of Service)(Dumain, Sanford) (Entered: 06/19/2006)
06/19/2006	<u>34</u>	MEMORANDUM OF LAW in Support re: <u>32</u> MOTION to Amend/Correct <i>the Complaint</i> .. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Attachments: # <u>1</u> Certificate of Service)(Dumain, Sanford) (Entered: 06/19/2006)
06/29/2006	<u>35</u>	STIPULATION AND ORDER: The parties agree as follows: Plaintiffs may amend their complaint as set forth in their moving papers, and the amended class action complaint attached to the moving papers is deemed filed on June 19, 2006. Defendant shall file a responsive pleading within thirty days of the date of this stipulation and order. (Signed by Judge John E. Sprizzo on 6/28/06) (js, ) (Entered: 06/30/2006)

07/26/2006	<u>36</u>	AMENDED COMPLAINT amending <u>1</u> Complaint against Google Inc. Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. Related document: <u>1</u> Complaint filed by Betty Miles,, Daniel Hoffman, The Author's Guild, Herbert Mitgang.(db, ) (Entered: 07/26/2006)
07/26/2006	<u>37</u>	ANSWER to Amended Complaint. Document filed by Google Inc.. Related document: <u>36</u> Amended Complaint, filed by Betty Miles,, Daniel Hoffman,, The Author's Guild,, Herbert Mitgang,, Paul Dickson,, Joseph Goulden.,(Charnes, Adam) (Entered: 07/26/2006)
09/14/2006	<u>38</u>	NOTICE OF APPEARANCE by Ronald Lee Raider on behalf of Google Inc. (Raider, Ronald) (Entered: 09/14/2006)
09/26/2006	<u>39</u>	PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material.... (Signed by Judge John E. Sprizzo on 9/22/2006) (lb, ) (Entered: 09/26/2006)
09/29/2006	<u>40</u>	NOTICE of Intent to Serve Subpoenas. Document filed by Google Inc.. (Attachments: # <u>1</u> Attachment (Part 1)# <u>2</u> Attachment (Part 2)# <u>3</u> Attachment (Part 3))(Raider, Ronald) (Entered: 09/29/2006)
10/04/2006	<u>41</u>	NOTICE of Intent to Serve Subpoena. Document filed by Google Inc.. (Attachments: # <u>1</u> Attachment A)(Raider, Ronald) (Entered: 10/04/2006)
10/06/2006	<u>42</u>	NOTICE/ORDER OF WITHDRAWAL; Shannon M. McKenna an atty at Milberg Weiss Bershad & Schulman LLP and one of the attorney for Plaintiff- The Author's Guild, hereby withdraws as counsel for said plaintiff. Milberg Weiss Bershad & Schulman LLP continues to serve as counsel for plaintiff -The Author's Guild through its atty Sanford P. Dumain who requests that all future correspondence and papers in ths action continue to be directed to him. (Signed by Judge John E. Sprizzo on 10/3/06) (djc, ) (Entered: 10/10/2006)
10/06/2006	<u>43</u>	MOTION for Hadley Perkins Roeltgen to Appear Pro Hac Vice. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (jco, ) (Entered: 10/10/2006)
10/16/2006	<u>44</u>	AMENDED CASE MANAGEMENT ORDER AND SCHEDULING ORDER: Amended Pleadings due by 6/19/2006. Motions due by 1/11/2008. Pretrial Conference set for 3/12/2007 03:00 PM before Judge John E. Sprizzo. (Signed by Judge John E. Sprizzo on 10/12/06) (kco, ) (Entered: 10/17/2006)
10/16/2006	<u>45</u>	ORDER ADMITTING ATTORNEY PRO HAC VICE. Hadley Perkins Roeltgen is permitted to argue this case. (Signed by Judge John E. Sprizzo on 10/12/06) (kco, ) (Entered: 10/17/2006)
10/17/2006		Transmission to Attorney Admissions Clerk. Transmitted re: <u>45</u> Order Admitting Attorney Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (kco, ) (Entered: 10/17/2006)
10/19/2006		CASHIERS OFFICE REMARK on <u>45</u> Order Admitting Attorney Pro Hac Vice in the amount of \$25.00, paid on 10/19/2006, Receipt Number 593992. (jd, ) (Entered: 10/19/2006)
11/22/2006	<u>46</u>	NOTICE of Intent To Serve Subpoena. Document filed by Google Inc.. (Raider, Ronald) (Entered: 11/22/2006)
01/08/2007	<u>47</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDIANTION AND SCHEDULING;the actions penidng in this Court are hereby coordinated for all pre-trial purposes before this Court....; The joint Protective order shall be entered simultaneously with the entry of this Order. Motions for Summary Judgment, if any, shall be filed Tuesday, March 11, 2008. The pretrial conference previously scheduled for 3/12/07 is adjourned. (Signed by Judge John E. Sprizzo on 1/3/07) (djc, ) (Entered: 01/09/2007)
02/27/2007	<u>48</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING; The captioned actions pending in this Court are hereby coordinated for a pre-trial purposes before this Court. These actions shall be referred to herein as "Coordinated Actions". Motions due by 6/9/2007., Pretrial

		Conference set for 7/26/2007 03:00 PM before Judge John E. Sprizzo. (Signed by Judge John E. Sprizzo on 2/26/07) (djc) (Entered: 02/28/2007)
04/03/2007	<u>49</u>	NOTICE of Change of Firm Affiliation and Entry of Appearance. Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Boni, Michael) (Entered: 04/03/2007)
05/23/2007	<u>50</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING: Third party discovery due by 4/20/2006, Merits discovery due by 5/12/2008, Disclosure of expert witnesses under Rule 26(a)(2)(A) due by 3/17/2008, Initial expert reports to be exchanged 4/14/2008. Rebuttal experts reports shall be exchanged on 5/5/2008, Expert disposition taken from 5/5/2008 – 6/16/2008. Summary Judgment Motions due by 8/11/2008; responses due 60 days. Responses due 30 days of service of the motion. Pretrial Conference set for 9/24/2007 03:00 PM before Judge John E. Sprizzo. SO ORDERED. (Signed by Judge John E. Sprizzo on 5/17/2007) (jar) (Entered: 05/24/2007)
07/25/2007	<u>51</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING: Motions for Summary Judgment due by 10/13/2008. Pretrial Conference set for 11/27/2007 at 03:00 PM before Judge John E. Sprizzo. All other deadlines are set forth in this order. (Signed by Judge John E. Sprizzo on 7/20/07) (kco) (Entered: 07/26/2007)
10/02/2007	<u>52</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING: IT IS HEREBY ORDERED that the above-captioned actions pending in this Court are hereby coordinated for all pre-trial purposes before this Court and as further set forth in this Order. Motions for Summary Judgment due by 12/15/2008. If parties wish to file motions they shall request a pre-motion conference prior to any filings. Oppositions to Motions for Summary Judgment shall be filed within 30 days of service of the motion for summary judgment. Merits Discovery due by 9/15/2008. Production of Documents deadline due by 11/26/07. Expert Depositions shall be taken from Monday, 9/8/08 through Monday, 10/20/08. Defendant's Opposition to any Motion for Class Certification shall be filed 60 days after the motion for class certification has been filed. Plaintiffs' Reply in support of Class Certification shall be filed 30 days after the Opposition is filed. All conference previously scheduled in the Coordinated Actions are hereby adjourned. The Pretrial Conference shall take place on Tues., Nov. 18, 2008. (Signed by Judge Kevin Thomas Duffy on 9/28/07)– Part I (tro) (Entered: 10/02/2007)
11/21/2007	<u>53</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING: The production of documents requests served shall be completed by 1/28/2008. Merit discovery due 11/17/2008. Disclosure of expert witnesses shall be exchanged on 9/22/2008. Initial expert reports shall be exchanged on 10/20/2008. Rebuttal expert reports due 11/10/2008. Expert depositions to be taken from 11/10/2008 through 12/22/2008. Motions for summary judgment due by 2/16/2009. Oppositions to Motion for summary judgment due within 30 days of service of the motion. Plaintiffs' Motion for Class Certification due 30 days after the Courts decision with respect to summary judgment. Defendant's Opposition to Motion for Class Certification due 60 days after the motion for class certification, Plaintiffs' reply in support of Class Certification due 30 days after the Opposition is filed. The pretrial conference shall take place on 11/18/2008 for the purpose of informing the Court of the status of the case. However, the parties must, in addition, contact the Court to schedule a pre-motion conference before filing any motion. (Signed by Judge Peter K. Leisure for Judge John E. Sprizzo on 11/19/2007) (jar) (Entered: 11/21/2007)
01/29/2008	<u>54</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING ( Expert Witness List due by 11/24/2008. Discovery due by 1/20/2009. Motions due by 4/16/2009.) Defendant's Opposition to any Motion for Class Certification shall be 60 days after the motion for class certification shall be filed 60 days after the motion for class certification has been filed. Plaintiffs' Reply in support of Class Certification shall be filed 30 days after the Opposition is filed. All conferences previously scheduled in the Coordinated Actions are hereby adjourned. So Ordered. (Signed by Judge John E. Sprizzo on 1/29/08) (js) (Entered: 01/30/2008)

10/28/2008	<u>55</u>	MOTION to Approve <i>/Notice of Motion for Preliminary Settlement Approval</i> . Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman.(Boni, Michael) (Entered: 10/28/2008)
10/28/2008	<u>56</u>	DECLARATION of Michael J. Boni and Exhibits in Support re: <u>55</u> MOTION to Approve <i>/Notice of Motion for Preliminary Settlement Approval</i> .. Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Boni, Michael) (Entered: 10/28/2008)
10/28/2008	<u>57</u>	MEMORANDUM OF LAW in Support re: <u>55</u> MOTION to Approve <i>/Notice of Motion for Preliminary Settlement Approval</i> .. Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Boni, Michael) (Entered: 10/28/2008)
10/29/2008	<u>60</u>	MOTION for Daralyn J. Durie to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 11/03/2008)
10/29/2008	<u>61</u>	MOTION for David J. Silbert to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 11/03/2008)
10/29/2008	<u>62</u>	MOTION for Joseph C. Gratz to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 11/03/2008)
10/29/2008	<u>63</u>	MOTION for Melissa J. Miksch to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 11/03/2008)
10/30/2008	<u>58</u>	STIPULATION AND ORDER FOR AMENDMENT OF PLEADINGS; that pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, the parties to the above-captioned case and to The McGraw-Hill Companies, Inc., et al. v. Google Inc., No. 05 CY 8881, by and through their undersigned counsel, hereby agree that plaintiffs may. (Signed by Judge John E. Sprizzo on 10/29/08) (pl) (Entered: 10/30/2008)
10/31/2008	<u>59</u>	SECOND AMENDED COMPLAINT amending <u>36</u> Amended Complaint, against Google Inc. Document filed by Association of American Publishers, Inc., Associational Plaintiffs, The McGraw-Hill Companies, Inc., Pearson Education, Inc., Simon & Schuster, Inc., John Wiley & Sons, Inc., Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. Related document: <u>36</u> Amended Complaint, filed by The Author's Guild, Betty Miles, Joseph Goulden, Paul Dickson, Herbert Mitgang, Daniel Hoffman.(dle) (Entered: 11/03/2008)
11/17/2008	<u>64</u>	ORDER GRANTING PRELIMINARY SETTLEMENT APPROVAL: Accordingly, it is hereby ORDERED as follows: The motion is GRANTED. The Settlement Agreement is hereby preliminarily approved. Unless otherwise specified, all defined terms herein shall have the same meaning as in the Settlement Agreement. The Settlement Class set forth within and two Sub-Classes are provisionally certified for settlement purposes only. A final settlement/fairness hearing shall be held on June 11, 2009, at 1:00 p.m., before the undersigned in Courtroom 14C, United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007. The Notice Commencement Date shall be January 5, 2009. The Opt-Out Deadline shall be May 5, 2009.. (Signed by Judge John E. Sprizzo on 11/14/2008) (jfe) (Entered: 11/17/2008)
11/17/2008		Set/Reset Hearings: Settlement Conference set for 6/11/2009 at 01:00 PM in Courtroom 14C, 500 Pearl Street, New York, NY 10007 before Judge John E. Sprizzo. (jfe) (Entered: 11/21/2008)
11/19/2008		CASHIERS OFFICE REMARK on <u>63</u> Motion to Appear Pro Hac Vice, <u>60</u> Motion to Appear Pro Hac Vice, <u>62</u> Motion to Appear Pro Hac Vice, <u>61</u> Motion to Appear Pro Hac Vice in the amount of \$100.00, paid on 10/31/2008, Receipt Number 667652. (jd) (Entered: 11/19/2008)
12/04/2008	<u>65</u>	MEMORANDUM OF LAW in Opposition // <i>JOINT OPPOSITION by Plaintiffs and Defendant to Claudia Pearson's Motion Requesting Change of Date for Final Fairness Hearing (N.B.: Motion has not yet been filed in the ECF System)</i> . Document filed by Association of American Publishers, Inc., The McGraw-Hill

		Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc.. (Keller, Bruce) (Entered: 12/04/2008)
12/10/2008	<u>66</u>	ORDER It is hereby ordered that Claudia Pearsons motion shall be and hereby is denied; and it is further ordered that the Fairness Hearing shall occur on June 11, 2009 at 1:00 p.m. in Courtroom 14C, 500 pearl Street. (Signed by Judge Peter K. Leisure for John E. Sprizzo on 12/9/08) (mme) (Entered: 12/10/2008)
12/18/2008	<u>67</u>	MOTION to Approve Claim Forms / <i>Notice of Motion on Consent for Approval of Claim Forms</i> . Document filed by Association of American Publishers, Inc., The McGraw-Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc..(Keller, Bruce) (Entered: 12/18/2008)
12/18/2008	<u>68</u>	MEMORANDUM OF LAW in Support re: <u>67</u> MOTION to Approve Claim Forms / <i>Notice of Motion on Consent for Approval of Claim Forms</i> . / <i>Memorandum of Law in Support of Motion on Consent for Approval of Claim Forms</i> . Document filed by Association of American Publishers, Inc., The McGraw-Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc.. (Attachments: # <u>1</u> Part 2 of 4, # <u>2</u> Part 3 of 4, # <u>3</u> Part 4 of 4)(Keller, Bruce) (Entered: 12/18/2008)
12/23/2008	<u>69</u>	ORDER APPROVING CLAIM FORMS: granting <u>67</u> Motion to Approve Claims Forms. The Motion is GRANTED. The Court approves as to forms attached to the to the Motions as Exhibits B and C, respectively. (Signed by Judge Paul A. Crotty on 12/23/2008) (tve) (Entered: 12/23/2008)
01/08/2009	<u>70</u>	NOTICE OF CASE REASSIGNMENT to Judge Denny Chin. Judge John E. Sprizzo is no longer assigned to the case. (mbe) (mbe). (Entered: 01/09/2009)
02/02/2009	<u>71</u>	NOTICE of Substitution of Attorney. Old Attorney: Asim Bhansali, New Attorney: Daralyn J. Durie, Address: Durie Tangri Lemley Roberts &Kent LLP, 332 Pine Street, Suite 200, San Francisco, CA, USA 94104, 415-362-6666. Document filed by Google Inc.. (Gratz, Joseph) (Entered: 02/02/2009)
03/20/2009	72	NOTICE of Opt-Out of proposed settlement agreement to this case, in both the author and the publisher sub-class. Filed by Joe Landwehr, author and publisher (DBA Ancient Tower Press). (djc) (Entered: 03/23/2009)
03/24/2009	<u>73</u>	MEMO ENDORSEMENT: So ordered on: <u>71</u> Notice of Substitution of Attorney, filed by Google Inc. (Signed by Judge Denny Chin on 3/24/09) (cd) (Entered: 03/24/2009)
03/30/2009	81	Objection to Proposed Settlement. (filed by Robert M. Kunstadt). (djc) (Entered: 04/14/2009)
03/31/2009	<u>74</u>	OBJECTION TO PROPOSED SETTLEMENT: Google pursued its copying project in calculated disregard of authors' rights. Its business plan was: "So, sue me". To approve the proposed settlement would vindicate Google's street ethics: that the law is whatever you can grab and get away with. Google's added twist -- its update on the Dickensian street pickpocket -- is that if you take very little from very many people, with a technological efficiency unimaginable to Fagan and outsourced at a low cost that he would have envied, you have some real money. Google's case should be referred to the U.S. Attorney for prosecution. Equal Justice demands no less. Filed by Robert M. Kunstadt (jpo) (Entered: 03/31/2009)
04/01/2009	<u>75</u>	ENDORSED LETTER addressed to Judge Denny Chin from Daniel Kornstein dated 3/27/09 re: Request that the Institute file its brief by 5/5/09. ENDORSEMENT: Approved. ( Brief due by 5/5/2009.) (Signed by Judge Denny Chin on 4/1/09) (cd) (Entered: 04/01/2009)
04/08/2009	<u>76</u>	MOTION for Joseph C. Gratz to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 04/09/2009)
04/08/2009	<u>77</u>	MOTION for Daralyn J. Durie to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 04/09/2009)
04/09/2009	<u>78</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Dr. Erik H. Fournier dated 3/21/2009 re: Requesting the reimbursement of necessary attorney

		costs by Google Inc., Defendant, from cause of the authors copyright perception in this procedure in accordance with F.R.C.P. Rule 54 (b) (1) and (2). (jpo) (Entered: 04/09/2009)
04/10/2009	<u>79</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>60</u> Motion for Daralyn J. Duri to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 4/14/2009) (jfe) (jfe). (Entered: 04/14/2009)
04/14/2009	<u>80</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>62</u> Motion for Joseph C. Gratz to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 4/14/2009) (jfe) (Entered: 04/14/2009)
04/14/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>79</u> Order on Motion to Appear Pro Hac Vice, <u>80</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jfe) (Entered: 04/14/2009)
04/16/2009	82	Objection to Class Action Settlement. (filed by Anthony L. DeWitt, Atty at Law Pro Se here). (djc) (Entered: 04/20/2009)
04/23/2009	83	LETTER addressed to Judge Denny Chin and Mr. McMahon from Linda Tadic dated 4/7/2009 re: Author and member of the Author Class writes to raise objections to the parts of the settlement that will potentially impact how archives and libraries preserve access to orphan works. (tve) (Entered: 04/24/2009)
04/23/2009	<u>84</u>	LETTER addressed to J. Michael McMahon from Hope Ryden dated 4/17/2009 re: Author writes to raise objections to language in the Google Book Settlement. (tve) (Entered: 04/24/2009)
04/23/2009	85	LETTER addressed to J. Michael McMahon from John J. Hubbard dated 4/6/2009 re: Author wishes to opt-out of the proposed settlement and instructs Google not to include copies of any of his work, in whole or in part, including but not limited to the list further set forth in this letter in any of its databases. (tve) (Entered: 04/24/2009)
04/23/2009	<u>86</u>	LETTER addressed to J. Michael McMahon from Barbara Burke aka Barbara Burke Hubbard dated 4/6/2009 re: Author writes to confirm that she opted-out of the settlement and instruct Google not to include copies of any of her work, in whole or in part, including but not limited to the list further set forth in this letter in any of its databases. (tve) (Entered: 04/24/2009)
04/24/2009	<u>92</u>	ORDER re letters requesting a pre-motion conference from proposed interveners, Internet Archive, Lewis Hyde, Harry Lewis, and the Open Access Trust seeking leave to intervene: I have construed their letters as motions to intervene, and the motions are denied. The proposed interveners are, however, free to file objections to the proposed settlement or amicus briefs, either of which must be filed by the 5/5/09 objection deadline. (Signed by Judge Denny Chin on 4/24/09) (cd) (Entered: 04/30/2009)
04/27/2009	<u>87</u>	NOTICE OF APPEARANCE by Daniel Joseph Kornstein on behalf of New York Law School, Institute for Information Law and Policy (Kornstein, Daniel) (Entered: 04/27/2009)
04/27/2009	<u>88</u>	NOTICE OF APPEARANCE by Mikaela Ann McDermott on behalf of New York Law School, Institute for Information Law and Policy (McDermott, Mikaela) (Entered: 04/27/2009)
04/27/2009		CASHIERS OFFICE REMARK on <u>77</u> Motion to Appear Pro Hac Vice, <u>76</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 04/08/2009, Receipt Number 683670. (jd) (Entered: 04/27/2009)
04/28/2009	<u>89</u>	ORDER: Upon consideration of the letters, I will grant approximately a four-month extension, as follows:(1) Paragraph 15 of the Preliminary Approval Order is amended to extend the Opt-Out deadline to September 4, 2009 ("Extended Opt-Out Deadline"). (2) References in Paragraphs 22 and 23 of the Preliminary Approval Order to May 5, 2009 (the original "Opt-Out Deadline") are amended to refer to the Extended Opt-Out Deadline of September 4, 2009. To the extent the Court gave objectors and amici curiae until May 5, 2009 to submit their views to

		the Court, that date is also extended to September 4, 2009. (3) No other deadlines or provisions set forth in the Settlement Agreement will be affected by this Order. (4) Paragraph 10 of the Preliminary Approval Order is amended to provide that the Final Fairness Hearing will be held on October 7, 2009 at 10:00 a.m. before the undersigned in Courtroom IIA, United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007.(5) Class Counsel will promptly (a) post notice of the Extended Opt-Out Deadline and Final Fairness Hearing date at the top of the home page of the official Settlement website, (b)issue a press release to announce these dates, and (c) notify IFRRO and the other major rights organizations that have assisted the Notice Provider. So Ordered. (Signed by Judge Denny Chin on 4/28/09) (js) (Entered: 04/28/2009)
04/28/2009	<u>90</u>	LETTER addressed to J. Michael McMahon, Clerk of Court from Lee Killough dated April 20, 2009 re: I am writing to object to one provision of the Google settlement. (rw) (Entered: 04/29/2009)
04/28/2009	<u>91</u>	LETTER addressed to J. Michael McMahon, Clerk of Court from Donica Bettanin dated 20 April 2009 re: We wish to object the impending Google Book Settlement, the Fairness Hearing for which is scheduled for 11 June 2009. Our objection is enclosed. (rw) (Entered: 04/29/2009)
04/30/2009	<u>93</u>	ENDORSED LETTER addressed to Judge Denny Chin from Jeffrey Pearlman dated 4/28/2009 re: We write to request permission for Public Knowledge to file a brief amicus curiae on behalf of itself and other similarly interested amici in the above-captioned case on the issue of the proposed settlement's effects on orphan works-copyrighted works whose owners cannot be located. The brief, in support of neither party, will be no longer than 25 pages, and will be filed no later than May 5,2009, the date set for opt-outs and objections to the proposed settlement agreement. ENDORSEMENT: Approved. The brief shall be filed by the new opt-out date. ( Brief due by 5/5/2009.) (Signed by Judge Denny Chin on 4/30/2009) (jmi) (Entered: 05/01/2009)
05/01/2009	<u>94</u>	LETTER addressed to J. Michael McMahon from Mayer Brenner dated 4/24/09 re: Counsel writes to objection to several provisions of the Settlement. (mme) (Entered: 05/01/2009)
05/01/2009	<u>95</u>	LETTER addressed to J. Michael McMahon from Shirley A. Young dated 4/23/09 re: Counsel writes to objection to Google scanning or displaying any part of her book and it is so noted on the cover page that all rights reserved including the rights to reproduce this book or parts thereof in any form without prior written permission from the author. (mme) (Entered: 05/01/2009)
05/01/2009	<u>96</u>	LETTER addressed to J. Michael McMahon from John Moore dated 4/22/09 re: Counsel objects to the "opt-out" provisions of the settlement and request that the Court reject the settlement unless it is modified to "opt-in." (mme) (Entered: 05/01/2009)
05/01/2009	<u>97</u>	LETTER addressed to Settlement Administrator from Dennis Eddings dated 4/22/09 re: Counsel writes this letter to serve as an official notice that on behalf of his brother David Eddings, he is opting out of the Google Settlement for works by David Eddings, per the attached sheet. (mme) (Entered: 05/01/2009)
05/06/2009	<u>98</u>	NOTICE OF APPEARANCE by Joanne E. Zack on behalf of Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman (Zack, Joanne) (Entered: 05/06/2009)
05/06/2009	<u>99</u>	MOTION for John W. Davis to Appear Pro Hac Vice. Document filed by David Meininger.(dle) (Entered: 05/08/2009)
05/12/2009	<u>100</u>	LIBRARY ASSOCIATION COMMENTS ON THE PROPOSED SETTLEMENT. (tro) (Entered: 05/13/2009)
05/12/2009	<u>101</u>	LETTER addressed to J. Michael McMahon from Elanor Wood dated 5/5/09 re: Copies of the opt-out letters signed by authors and estate proprietors, as well as their lists of published works, are available upon request. (tro) (Entered: 05/13/2009)

05/12/2009	<u>102</u>	LETTER addressed to Judge Denny Chin from Australian Society of Authors dated 4/29/09 re: Submission to Fairness Hearing, Google books settlement, New York 11 June, by Australian Society of Authors. (tro) (Entered: 05/13/2009)
05/13/2009	<u>103</u>	NOTICE of opt out. Document filed by Linda D. Delgado. (djc) Modified on 5/18/2009 (tro). (tro). (Entered: 05/13/2009)
05/13/2009	<u>104</u>	Notice of Opt Out of Habibullah Saleem. (djc) (tro). (Entered: 05/13/2009)
05/13/2009	<u>105</u>	NOTICE of opt out of Maryann Mahmoodian. (djc) (tro). (Entered: 05/13/2009)
05/13/2009	<u>106</u>	NOTICE of opt out of Linda Kay Jitmoud. (djc) (tro). (Entered: 05/13/2009)
05/13/2009	<u>107</u>	NOTICE of Opt Out of Shirley Gavin Anjum. (djc) (tro). (Entered: 05/13/2009)
05/13/2009	<u>108</u>	NOTICE of Opt Out of Saaleh E. Bhamjee. (djc) (tro). (Entered: 05/13/2009)
05/14/2009		CASHIERS OFFICE REMARK on <u>99</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 05/06/2009, Receipt Number 687220. (jd) (Entered: 05/14/2009)
05/15/2009	<u>109</u>	ORDER granting <u>99</u> Motion for John W. Davis to Appear Pro Hac Vice for class member David Meininger.. (Signed by Judge Denny Chin on 5/15/09) (cd) (Entered: 05/15/2009)
05/15/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>109</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (cd) (Entered: 05/15/2009)
05/15/2009	<u>110</u>	LETTER addressed to the Clerk of Court from Dr. Else Maria Wischermann dated 5/5/09 re: Google settlement agreement (letter in German, no translation provided). (cd) (Entered: 05/15/2009)
05/15/2009	<u>111</u>	Submission To Fairness Hearing, Google Books Settlement, NY 6/11, by Australian Society of Authors, dated 4/29/09. (cd) (Entered: 05/15/2009)
05/22/2009	<u>112</u>	ENDORSED LETTER addressed to Judge Denny Chin from Michael J. Boni dated 5/20/2009 re: We write on behalf of all the settling parties to inform the Court of our position on an issue raised by Your Honor's Order of April 24, 2009. That Order states that the proposed intervenors are "free to file objections to the proposed settlement or amicus briefs..." (emphasis added). While the April 24 Order does not expressly state that any proposed intervenors who are not also members of the Settlement Class have standing to object, out of an abundance of caution we write now only to state our position that those persons lack such standing. ENDORSEMENT: My 4/24/09 Order does not purport to bestow standing on any persons who do not have standing. SO ORDERED. (Signed by Judge Denny Chin on 5/22/2009) (jmi) Modified on 5/27/2009 (jmi). (Entered: 05/22/2009)
05/26/2009	<u>113</u>	NOTICE OF APPEAL from <u>92</u> Order. Document filed by Lewis Hyde, Harry Lewis, Open Access Trust Inc. Filing fee \$ 455.00, receipt number E 688957. (nd) (Entered: 05/26/2009)
05/26/2009		Transmission of Notice of Appeal to the District Judge re: <u>113</u> Notice of Appeal. (nd) (Entered: 05/26/2009)
05/26/2009		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>113</u> Notice of Appeal. (nd) (Entered: 05/26/2009)
06/01/2009	<u>114</u>	LETTER addressed to J. Michael McMahan, Clerk of Court from A. Michael Noll, Ph. D dated 5/19/09 re: Mr. Noll writes to object to the Google class action settlement. (tro) (Entered: 06/01/2009)
06/01/2009	<u>115</u>	LETTER addressed to J. Michael McMahan, Clerk of Court from Barbara Ann Gorte dated 4/3/09 re: Comments and Objections to Settlement for the Court's Consideration. (tro) (Entered: 06/01/2009)
06/05/2009	<u>116</u>	LETTER addressed to Judge Denny Chin from Takasu Jiro, Chairman of Ryutaikyo, Tokyo, Japan dated (no date provided), Re: As the chairman of a Japanese publishers' association comprising of 98 members, I hereby declare that



		we oppose to the Settlement so as to protect our publishing tradition from unlawful digitization by Google. (ae) (Entered: 06/05/2009)
06/12/2009	<u>117</u>	The Publishers' Association on Book Distribution, dated 5/18/09. (pl) (Entered: 06/12/2009)
06/15/2009		USCA Case Number 09-2224-cv from the USCA 2nd Circuit assigned to <u>113</u> Notice of Appeal filed by Lewis Hyde, Open Access Trust Inc., Harry Lewis. (tp) (Entered: 06/15/2009)
06/24/2009	<u>118</u>	MOTION for James Grimmelman to Appear Pro Hac Vice. Document filed by New York Law School, Institute for Information Law and Policy.(dle) (Entered: 06/25/2009)
07/01/2009	<u>119</u>	LETTER addressed to Judge Denny Chin from Angela EBer, Jurgen Kehrer and Andreas Izquierdo re: Representing more than 500 crime writers from Germany, Austria and Switzerland we as spokesmen for the "SYNDIKAT – Autorengruppe deutschsprachige Kriminalliteratur" are deeply concerned about the unauthorized scanning of literary texts and whole books by the Google cooperation for use in their online library on the internet. This kind of action is a violation of German and European copyright laws that calls for legal punishment. Among the authors concerned are a huge number of writers of the German language whose personal rights and private contracts for their books that they have signed with German publishers are violated by Google. (jmi) (Entered: 07/01/2009)
07/01/2009		CASHIERS OFFICE REMARK on <u>118</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 06/24/2009, Receipt Number 691944. (jd) (Entered: 07/01/2009)
07/02/2009	<u>120</u>	ORDER, that by letter dated July 2, 2009, a copy of which is attached hereto, the Government advises the Court that it has opened an antitrust investigation into the proposed settlement in this case.The fairness hearing is scheduled for October 7, 2009. The Court intends to conduct the hearing on that date. If the Government wishes to present its views in writing, it must do so by September 18, 2009. The Government may also appear at the hearing to present its views orally. (Signed by Judge Denny Chin on 7/2/09) (pl) (Entered: 07/02/2009)
07/02/2009	<u>121</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION, granting <u>118</u> Motion for James Grimmelman to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 7/2/09) (pl) (Entered: 07/02/2009)
07/02/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>121</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (pl) (Entered: 07/02/2009)
07/23/2009	<u>122</u>	ENDORSED LETTER addressed to Judge Denny Chin from R. Emmett McAuliffe dated July 16,2009 re: Pursuant to Your Honor's Individual Practice 2(A), we write on behalf of The Media Exchange Company, Inc. ("TMEC") to request a clarification of TMEC's right to object to the Settlement as anon-class member and/or file an amicus curiae brief. Despite not being a class member, TMEC believes it and its customers have an interest in the proceeding. ENDORSEMENT: Application GRANTED. TMEC may object as a non-class member and/or file an amicus brief. The Court prefers one submission. This is without prejudice to any argument the parities may make that TMEC lacks standing to object. SO ORDERED. (Signed by Judge Denny Chin on 7/23/2009) (jmi) (Entered: 07/23/2009)
07/23/2009	<u>123</u>	LETTER addressed to Clerk of the Court from Claude Almansi-Beguin dated 7/9/09 re: Objections to the Google Book Search Settlement Agreement. (db) (Entered: 07/23/2009)
07/23/2009	<u>124</u>	LETTER addressed to Administrator from John Larry Ray dated 7/12/09 re: Questions regarding the Google lawsuit settlement. (db) (Entered: 07/23/2009)
07/30/2009	<u>133</u>	MOTION for Matthew Christian Schruers to Appear Pro Hac Vice. Document filed by Computer and Communications Industry Association.(dle) (Entered: 08/17/2009)

08/05/2009	<u>125</u>	LETTER addressed to Judge Denny Chin from Andrew J. Imparato dated 7/27/2009 re: Counsel writes on behalf of The American Association of People with Disabilities (AAPD) to respectfully ask that the Court approve the proposed settlement between the Authors Guild and Google in the above captioned case. (tve) (Entered: 08/06/2009)
08/05/2009	<u>126</u>	LETTER addressed to Judge Denny Chin from Kathy Rowland dated 8/3/2009 re: Counsel writes to inform the Court that an objection is made to the proposed settlement. (tve) (Entered: 08/06/2009)
08/05/2009	<u>127</u>	LETTER from Robert Pullman dated 7/30/2009 re: The Chair of the Australian Society of Authors writes to inform the the Court that they welcomes the agreement and does not oppose it. (tve) (Entered: 08/06/2009)
08/07/2009	<u>128</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Prof. Dr. Thomas Meir dated 8/1/2009 re: I want to object to the settlement as actually proposed that there is no choice to accept the digitalization of my works under the condition that they are made accessible on an open access basis only. (jpo) (Entered: 08/07/2009)
08/07/2009	<u>129</u>	LETTER addressed to Judge Denny Chin from John B. Forkenbrock dated 8/7/2009 re: I request the Court's permission to submit this letter in support of final settlement approval in the aforementioned case. (jpo) (Entered: 08/07/2009)
08/12/2009	<u>130</u>	LETTER addressed to Judge Denny Chin from Brent Wilkes, LULAC National Executive Director, dated 8/10/2009 re: The League of United Latin American Citizens wishes to formally submit this letter as amicus curiae in support of the final settlement approval. (tve) (Entered: 08/12/2009)
08/13/2009	<u>131</u>	LETTER addressed to Judge Denny Chin from Scott James aka Kemble Scott, author of the novels SoMa and The Sower dated August 10, 2009 re: I'm a published author whose work is at stake in the proposed settlement for The Authors Guild et al., vs. Google, Inc. I'm not a lawyer, so you'll have to excuse my lack of legalese, but... this deal stinks. Please put an end to it. It's wrong on so many levels. (rw) (Entered: 08/14/2009)
08/13/2009	<u>132</u>	LETTER addressed to Judge Denny Chin from Scott James dated 8/10/09 re: I'm a published author whose work is at stake in the proposed settlement for The Authors Guild, et al., vs. Google, Inc. I object to The Authors Guild, et al., vs. Google, Inc. settlement. Please intervene and stop it. (pl) (Entered: 08/14/2009)
08/17/2009		CASHIERS OFFICE REMARK on <u>133</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 07/30/2009, Receipt Number 696015. (jd) (Entered: 08/17/2009)
08/17/2009	<u>134</u>	LETTER addressed to J. Michael McMahon from Mary Croughan, Henry Powell et al, dated 8/13/09 re: Not opposed to the settlement. (cd) (Entered: 08/18/2009)
08/17/2009	<u>135</u>	Objection To Proposed Class Action Settlement On Behalf Of Author's Rights Class Member Ian Franckenstein, dated 8/13/09. (cd) (Entered: 08/18/2009)
08/18/2009	<u>136</u>	MANDATE of USCA WITHDRAWING APPEAL (Certified Copy) as to <u>113</u> Notice of Appeal filed by Lewis Hyde, Open Access Trust Inc., Harry Lewis USCA Case Number 09-2224-cv....that the appeal is hereby WITHDRAWN pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure. Catherine O'Hagan Wolfe, Clerk USCA. Certified: 8/17/2009. (nd) (Entered: 08/18/2009)
08/18/2009		Transmission of USCA Mandate/Order to the District Judge re: <u>136</u> USCA Mandate Withdrawing Appeal,. (nd) (Entered: 08/18/2009)
08/18/2009		***REJECTION OF ATTEMPTED PAPER FILING IN ECF CASE. The following document(s) Objection to propose class action settlement on behalf of author's rights class member Ian Franckenstein/ by Attorney Jerome M. Garchik, was rejected by the Clerk's Office and must be FILED ELECTRONICALLY on the Court's ECF System. (eef) (Entered: 08/18/2009)
08/19/2009	<u>137</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>133</u> Motion for Matthew Christian Schruers to Appear Pro Hac Vice. Matthew Christian Schruers is admitted to practice pro hac vice as counsel for Computer and

		Communications Industry Association in the above captioned case in this action. Counsel shall forward the pro hac vice fee to the Clerk of Court. (Signed by Judge Denny Chin on 8/18/09) (tro) (Entered: 08/19/2009)
08/19/2009	<u>138</u>	LETTER addressed to Denny Chin from Gregory Cendana dated 8/17/2009 re: The United States Student Association (USSA) hereby requests this court's permission to submit this letter as an amicus curiae supporting final settlement approval in the above-referenced case. (tve) (Entered: 08/19/2009)
08/19/2009	<u>139</u>	LETTER addressed to Judge Denny Chin from John G. Flores dated 8/17/2009 re: The United States Distance Learning Association (USDLA) requests the court's permission to submit this letter as an amicus curiae supporting final settlement approval in The Authors Guild et al. v. Google, Inc, Case. (tve) (Entered: 08/19/2009)
08/19/2009	140	NOTICE of Intent to appear. I, Scott E. Gant, hereby notify the Court of my intent to appear at the Fairness Hearing in the above-captioned case, currently scheduled for October 7, 2009. As Explained in my Objection, being filed contemporaneously with this Notice, I will be appearing in my individual capacity, as a member of the proposed Author Sub-Class. (mbe) (Entered: 08/20/2009)
08/19/2009	141	Objection of Scott E. Gant to proposed settlement, and to certification of the proposed settlement class and sub-classes. (mbe) (Entered: 08/20/2009)
08/19/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>137</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (tro) (Entered: 08/21/2009)
08/20/2009	142	NOTICE of Urban Libraries Council Comments on the Proposed Settlement. (mbe) (Entered: 08/20/2009)
08/20/2009	<u>143</u>	Objection of Scott E. Gant to proposed settlement, and to certification of the proposed settlement class and sub-classes. (jfe) (Entered: 08/20/2009)
08/20/2009	<u>144</u>	LETTER addressed to Judge Denny Chin from E. Ted Fox dated 8/19/2009 re: Counsel request the court's permission to submit this letter as an amicus curiae supporting final settlement approval in the above-referenced case. (jfe) (Entered: 08/20/2009)
08/20/2009	<u>154</u>	MOTION for Jennifer Lynch to Appear Pro Hac Vice. Document filed by Class Member Objectors.(dle) (Entered: 08/27/2009)
08/20/2009	<u>156</u>	MOTION for Cindy Cohn to Appear Pro Hac Vice. Document filed by Class Member Objectors.(dle) (Entered: 08/27/2009)
08/24/2009	<u>145</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – (WRONG FILER SELECTED) – NOTICE OF APPEARANCE by Joseph Solomon Hall on behalf of The Author's Guild (Hall, Joseph) Modified on 8/25/2009 (lb). (Entered: 08/24/2009)
08/25/2009	<u>146</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – NOTICE OF APPEARANCE by Joseph Solomon Hall on behalf of Harold Bloom (Hall, Joseph) Modified on 8/26/2009 (jar). (Entered: 08/25/2009)
08/25/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Joseph Hall to RE-FILE Document <u>146</u> Notice of Appearance. ERROR(S): Each individual plaintiff listed on the Notice of Appearance must be added on to the docket. (jar) (Entered: 08/26/2009)
08/26/2009	<u>147</u>	NOTICE OF APPEARANCE by Joseph Solomon Hall on behalf of Elliot Abrams, Charlotte Allen, Phyllis Ammons, Richard Arney, Jacques Barzun, Nicholas Basbanes, Stephen Bates, Shawn J. Bayern, Jack Beerman, Michael Behe, Michael Cox, Douglas Crase, Frank Gonzalez-Crussi, Midge Decter, John Derbyshire, Thomas M. Disch, Gerald Early, Mel Eisenberg, Richard A. Epstein, Henry Fetter, David D. Friedman, David Gelernter, Gabrielle Glaser, Mary Ann Glendon, Victor Davis Hanson, Robert Herbold, Arthur Herman, Charles Hill, Manuela Hoelterhoff, Richard Howard, Ishmael Jones, Donald Kagan, David Kuo, Michael Ledeen, Susan Lee, Mary Lefkowitz, David Lehman, John Lehman, Howard

		Markel, Sherwin B. Nuland, Steven Ozment, Michael Perry, Norman Podhoretz, Diane Ravitch, Ralph Reed, Harriet Rubin, Sarah Ruden, Peter Schweizer, Roger Simon, Roy Spencer, Geoffrey R. Stone, Charles Sykes, Terry Teachout, Paco Underhill, Ruth Wisse, Elizabeth Wurtzel, John Yoo, Harold Bloom (Hall, Joseph) (Entered: 08/26/2009)
08/26/2009	<u>151</u>	MOTION for David Nimmer to Appear Pro Hac Vice. Document filed by Amazon.com, Inc.(dle) (Entered: 08/27/2009)
08/26/2009	<u>152</u>	MOTION for Alexander F. Wiles to Appear Pro Hac Vice. Document filed by Amazon.com, Inc.(dle) (Entered: 08/27/2009)
08/27/2009	<u>148</u>	ENDORSED LETTER addressed to Judge Denny Chin from Jennifer B. Caplan dated 8/26/2009 re: Requesting permission for Sony Electronics Inc. to file an amicus curiae brief in support of approval of the proposed settlement in this matter. ENDORSEMENT: Application granted, but the amicus brief must be filed by September 4, 2009. (Signed by Judge Richard J. Sullivan on 8/27/2009) (jpo) (Entered: 08/27/2009)
08/27/2009	<u>149</u>	LETTER addressed to Judge Denny Chin from Kenneth L. Frazier dated 8/14/2009 re: Requesting that the Court approve the settlement agreement among the parties in this case. (jpo) (Entered: 08/27/2009)
08/27/2009	<u>150</u>	LETTER addressed to Judge Denny Chin from E. Ted Fox dated 8/19/2009 re: The Court should approve the Settlement in such a manner as to maximize benefits to the public and to create a platform for similar developments relating to photo imaging. (jpo) (Entered: 08/27/2009)
08/27/2009	<u>153</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Yin Po Tschang re: Digitization is good. Google has the freedom to do whatever it wants. But it has no right to impose a new principle of law on us, especially one that goes against the spirit and letter of the principle of common heritage of mankind. (jpo) (Entered: 08/27/2009)
08/27/2009	<u>155</u>	LETTER addressed to Judge Denny Chin from Sallie Lowenstein dated 8/17/2009 re: Requesting that the Court does not approve the settlement and hence deny Google permission to change how ownership of intellectual property is protected through a settlement that is so dense that lawyers can't agree on what it means and which is clearly close to incomprehensible to the average author. (jpo) (Entered: 08/27/2009)
08/27/2009	<u>157</u>	LETTER addressed to Judge Denny Chin from Jonathan Brown dated 8/14/2009 re: We believe the proposed settlement will offer benefits to users of content in colleges and universities large and small. We hope that the proposed settlement will be approved.(jpo) (Entered: 08/27/2009)
08/27/2009	<u>158</u>	LETTER addressed to Judge Denny Chin from Susan Benton dated 8/19/2009 re: Requesting that the Court require the parties to address the issues raised in this document before approving the proposed settlement. (jpo) (Entered: 08/27/2009)
08/27/2009		CASHIERS OFFICE REMARK on <u>154</u> Motion to Appear Pro Hac Vice, <u>156</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 08/20/2009, Receipt Number 697871. (jd) (Entered: 08/27/2009)
08/27/2009		CASHIERS OFFICE REMARK on <u>151</u> Motion to Appear Pro Hac Vice, <u>152</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 08/26/2009, Receipt Number 698403. (jd) (Entered: 08/27/2009)
08/28/2009	<u>159</u>	LETTER addressed to Judge Denny Chin from Jeanine Varner, Ph.D., Provost, Abilene Christian Inversity, dated August 26, 2009 re: We, the undersigned, request your permission to submit this letter as an amicus curiae in support of final settlement approval in the above case. (rw) (Entered: 08/28/2009)
08/28/2009	<u>160</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon, from Arthur Ramous dated August 21, 2009 re: I'm staying in the Settlement; however I have the following comment to make. (rw) Modified on 8/28/2009 (rw). (Entered: 08/28/2009)

08/28/2009	<u>161</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Virginia Aronson dated 8/19/2009 re: I am writing to file my objection to the settlement by Google Books with copyright holders (case NO 05CV8136 (SDNY). I am a writer with more than 30 titles for which I am the author or coauthor. Two of these titles have already been scanned and added to Google's electronic database without my knowledge or permission. I am the copyright holder in both cases. I object to this infringement of copyright and I object to the settlement on my behalf undertaken without my knowledge.(rw) (Entered: 08/28/2009)
08/28/2009	<u>162</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Erika Mailman dated August 21, 2009 re: I'm writing to object to, and express my horror at, the Google Book Settlement currently on Judge Denny Chin's desk. (rw) (Entered: 08/28/2009)
08/31/2009	<u>163</u>	NOTICE OF APPEARANCE by Alexandra A. E. Shapiro on behalf of Harrasowitz, Media24, Studentlitteratur AB, Norstedts Forlagsgrupp AB, Norstedts Kartor AB, Leopard Forlag AB, Borsenverein des Deutschen Buchhandels, Schweizer Buchhandler – und Verleger–Verband SBVV, Hauptverband des Osterreichischen Buchhandels, Svenska Forlaggareforeningen (Shapiro, Alexandra) (Entered: 08/31/2009)
08/31/2009	<u>164</u>	NOTICE OF APPEARANCE by Daniel J. Fetterman on behalf of Consumer Watchdog (Fetterman, Daniel) (Entered: 08/31/2009)
08/31/2009	<u>165</u>	NOTICE OF APPEARANCE by Peter Jonathan Toren on behalf of Consumer Watchdog (Toren, Peter) (Entered: 08/31/2009)
08/31/2009	<u>166</u>	NOTICE OF APPEARANCE by Cynthia S. Arato on behalf of Harrasowitz, Media24, Studentlitteratur AB, Norstedts Forlagsgrupp AB, Norstedts Kartor AB, Leopard Forlag AB, Borsenverein des Deutschen Buchhandels, Schweizer Buchhandler – und Verleger–Verband SBVV, Hauptverband des Osterreichischen Buchhandels, Svenska Forlaggareforeningen (Arato, Cynthia) (Entered: 08/31/2009)
08/31/2009	<u>167</u>	Objection <i>To Proposed Settlement</i> . Document filed by Harrasowitz, Media24, Studentlitteratur AB, Norstedts Forlagsgrupp AB, Norstedts Kartor AB, Leopard Forlag AB, Borsenverein des Deutschen Buchhandels, Schweizer Buchhandler – und Verleger–Verband SBVV, Hauptverband des Osterreichischen Buchhandels, Svenska Forlaggareforeningen. (Shapiro, Alexandra) (Entered: 08/31/2009)
08/31/2009	<u>168</u>	DECLARATION of Barbara Krauss in Support re: <u>167</u> Objection (non–motion), Objection (non–motion). Document filed by Harrasowitz. (Shapiro, Alexandra) (Entered: 08/31/2009)
08/31/2009	<u>169</u>	DECLARATION of Ashoek Adhikari in Support re: <u>167</u> Objection (non–motion), Objection (non–motion). Document filed by Media24. (Attachments: # <u>1</u> Appendix Appendix A)(Shapiro, Alexandra) (Entered: 08/31/2009)
08/31/2009	<u>170</u>	DECLARATION of Jerker Fransson in Support re: <u>167</u> Objection (non–motion), Objection (non–motion). Document filed by Studentlitteratur AB. (Shapiro, Alexandra) (Entered: 08/31/2009)
08/31/2009	<u>171</u>	DECLARATION of Maria Hamrefors in Support re: <u>167</u> Objection (non–motion), Objection (non–motion). Document filed by Norstedts Forlagsgrupp AB, Norstedts Kartor AB. (Shapiro, Alexandra) (Entered: 08/31/2009)
08/31/2009	<u>172</u>	DECLARATION of Dan Israel in Support re: <u>167</u> Objection (non–motion), Objection (non–motion). Document filed by Leopard Forlag AB. (Shapiro, Alexandra) (Entered: 08/31/2009)
08/31/2009	<u>173</u>	ENDORSED LETTER addressed to Judge Denny Chin from John B. Morris, Jr. dated 8/28/2009 re: Counsel writes on behalf of CDT, to request permission for CDT to file a brief amicus curiae, to be filed in support of neither party, will not exceed 25 pages, and will be filed by 9/4/2009. ENDORSEMENT: Approved. (Signed by Judge Denny Chin on 8/31/2009) (tve) (Entered: 08/31/2009)
08/31/2009	<u>174</u>	NOTICE OF APPEARANCE by Theodore Conrad Max on behalf of Federal Republic of Germany (Max, Theodore) (Entered: 08/31/2009)

08/31/2009	<u>175</u>	DECLARATION of Christian Sprang in Support re: <u>167</u> Objection (non-motion), Objection (non-motion). Document filed by Borsenverein des Deutschen Buchhandels. (Attachments: # <u>1</u> Appendix Pages 11-20 of Sprang Declaration, # <u>2</u> Exhibit A (1 of 4), # <u>3</u> Exhibit A (2 of 4), # <u>4</u> Exhibit A (3 of 4), # <u>5</u> Exhibit A (4 of 4), # <u>6</u> Exhibit B (1 of 4), # <u>7</u> Exhibit B (2 of 4), # <u>8</u> Exhibit B (3 of 4), # <u>9</u> Exhibit B (4 of 4), # <u>10</u> Exhibit C, # <u>11</u> Exhibit D (1 of 4), # <u>12</u> Exhibit D (2 of 4), # <u>13</u> Exhibit D (3 of 4), # <u>14</u> Exhibit D (4 of 4), # <u>15</u> Exhibit E, # <u>16</u> Exhibit F (1 of 4), # <u>17</u> Exhibit F (2 of 4), # <u>18</u> Exhibit F (3 of 4), # <u>19</u> Exhibit F (4 of 4), # <u>20</u> Exhibit G, # <u>21</u> Exhibit H, # <u>22</u> Exhibit I, # <u>23</u> Exhibit J, # <u>24</u> Exhibit K)(Shapiro, Alexandra) (Entered: 08/31/2009)
08/31/2009	<u>176</u>	DECLARATION of Dani Landolf in Support re: <u>167</u> Objection (non-motion), Objection (non-motion). Document filed by Schweizer Buchhändler – und Verleger-Verband SBVV. (Shapiro, Alexandra) (Entered: 08/31/2009)
08/31/2009	<u>177</u>	DECLARATION of Inge Kralupper in Support re: <u>167</u> Objection (non-motion), Objection (non-motion). Document filed by Hauptverband des Osterreichischen Buchhandels. (Attachments: # <u>1</u> Exhibit A)(Shapiro, Alexandra) (Entered: 08/31/2009)
08/31/2009	<u>178</u>	DECLARATION of Kristina Ahlinder in Support re: <u>167</u> Objection (non-motion), Objection (non-motion). Document filed by Svenska Forlaggareforeningen. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B (1 of 4), # <u>3</u> Exhibit B (2 of 4), # <u>4</u> Exhibit B (3 of 4), # <u>5</u> Exhibit B (4 of 4), # <u>6</u> Exhibit C)(Shapiro, Alexandra) (Entered: 08/31/2009)
08/31/2009	<u>179</u>	MEMORANDUM OF LAW in Opposition to the Settlement Proposal on Behalf of the Federal Republic of Germany. Document filed by Federal Republic of Germany. (Max, Theodore) (Entered: 08/31/2009)
08/31/2009	<u>180</u>	DECLARATION of Ministerialdirigent Dr. Johannes Christian Wichard in Opposition re: <u>179</u> Memorandum of Law in Opposition. Document filed by Federal Republic of Germany. (Max, Theodore) (Entered: 08/31/2009)
08/31/2009	<u>183</u>	ENDORSED LETTER addressed to Judge Denny Chin from Hadrian R. Katz dated 8/31/2009 re: Counsel respectfully seek leave from the Court to file, in addition, an amicus brief on behalf of the Open Book Alliance, a coalition of diverse organizations including Amazon.com, Inc., The American Society of Journalists and Authors, The Council of Literary Magazines and Presses, Microsoft Corporation, The New York Library Association, Small Press Distribution, The Special Libraries Association, and Yahoo! Inc., as well as the Internet Archive. With the Court's permission, that amicus brief as well will be filed by the September 4, 2009 objection deadline. ENDORSEMENT: Application Granted. So Ordered. (Signed by Judge Denny Chin on 8/31/2009) (jfe) (Entered: 09/01/2009)
08/31/2009	<u>233</u>	MOTION for Michael John Guzman to Appear Pro Hac Vice. Document filed by Harold Bloom, Elliot Abrams, Charlotte Allen, Phyllis Ammons, Richard Arme, Jacques Barzun, Nicholas Basbanes, Stephen Bates, Shawn J. Bayern, Jack Beerman, Michael Behe, Michael Cox, Douglas Crase, Frank Gonzalez-Crussi, Midge Decter, John Derbyshire, Thomas M. Disch, Gerald Early, Mel Eisenberg, Richard A. Epstein, Henry Fetter, David D. Friedman, David Gelernter, Gabrielle Glaser, Mary Ann Glendon, Victor Davis Hanson, Robert Herbold, Arthur Herman, Charles Hill, Manuela Hoelterhoff, Richard Howard, Ishmael Jones, Donald Kagan, David Kuo, Michael Ledeen, Susan Lee, Mary Lefkowitz, David Lehman, John Lehman, Howard Markel, Sherwin B. Nuland, Steven Ozment, Michael Perry, Norman Podhoretz, Diane Ravitch, Ralph Reed, Harriet Rubin, Sarah Ruden, Peter Schweizer, Roger Simon, Roy Spencer, Geoffrey R. Stone, Charles Sykes, Terry Teachout, Paco Underhill, Ruth Wisse, Elizabeth Wurtzel, John Yoo.(dle) (Entered: 09/03/2009)
08/31/2009	<u>370</u>	LETTER addressed to Office of the Clerk from Ian Muller dated 8/31/09 re: Koninklijke Van Gorcum B.V. objects to Settlement Agreement. Document filed by Koninklijke Van Gorcum B.V..(dle) (Entered: 09/10/2009)
09/01/2009	<u>181</u>	NOTICE OF APPEARANCE by Alexandra A. E. Shapiro on behalf of Czernin Verlag (Shapiro, Alexandra) (Entered: 09/01/2009)

09/01/2009	<u>182</u>	NOTICE OF APPEARANCE by Cynthia S. Arato on behalf of Czernin Verlag (Arato, Cynthia) (Entered: 09/01/2009)
09/01/2009	<u>184</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU (Joinder) – NOTICE of Joinder re: <u>167</u> Objection (non–motion), Objection (non–motion). Document filed by Czernin Verlag. (Arato, Cynthia) Modified on 9/2/2009 (jar). (Entered: 09/01/2009)
09/01/2009	<u>185</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – (LINKED TO A DEFICIENT DOCKET ENTRY, SEE DOCUMENT #220) – DECLARATION of Benedikt Foeger in Support re: <u>184</u> Notice (Other), <u>167</u> Objection (non–motion), Objection (non–motion). Document filed by Czernin Verlag. (Arato, Cynthia) Modified on 9/8/2009 (lb). (Entered: 09/01/2009)
09/01/2009	<u>186</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Harrasowitz, Studentlitteratur AB, Norstedts Forlagsgrupp AB, Norstedts Kartor AB, Leopard Forlag AB, Borsenverein des Deutschen Buchhandels, Schweizer Buchhändler – und Verleger–Verband SBVV, Hauptverband des Osterreichischen Buchhandels, Svenska Forlaggareforeningen, Czernin Verlag.(Arato, Cynthia) (Entered: 09/01/2009)
09/01/2009	<u>187</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Naspers Ltd. as Corporate Parent. Document filed by Media24.(Arato, Cynthia) (Entered: 09/01/2009)
09/01/2009	<u>188</u>	LETTER addressed to Judge Denny Chin from Robert Cooper Ramo dated 8/31/2009 re: In light of the objections set within, the Institute requests that the Court decline to approve the GBS as currently drafted. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>189</u>	LETTER addressed to Judge Colleen McMahon from Martine Schaap dated 8/27/2009 re: We (Uitgeverij Ploegsma BV) are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. We would like to raise the following concerns and objections to this Settlement. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>190</u>	LETTER addressed to Judge Colleen McMahon from Barbel Dorweiler dated 8/27/2009 re: We (Queridos Childrens Books ) are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. We would like to raise the following concerns and objections to this Settlement. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>191</u>	LETTER addressed to Judge Colleen McMahon from Manja Heerze dated 8/27/2009 re: We (Uitgeverij Leopold BV ) are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. We would like to raise the following concerns and objections to this Settlement. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>192</u>	LETTER addressed to Sir Michael McMahon from Mark Pieters dated 8/27/2009 re: We (Em. Queridos Uitgeverij B.V ) are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. We would like to raise the following concerns and objections to this Settlement. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>193</u>	LETTER addressed to Sir Michael McMahon from Paul Roosenstein dated 8/27/2009 re: We, SWP publisher, are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. We would like to raise the following concerns and objections set forth within to this Settlement. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>194</u>	LETTER addressed to Sir Michael McMahon from Mark Pieters dated 8/27/2009 re: We (Athenaeum – Polak & Van Gennepe) are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. We would like to raise the following concerns and objections to this Settlement. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>195</u>	LETTER addressed to Sir Michael McMahon from Vic Van de Reijt dated 8/27/2009 re: We (Nijgh & Van Ditmar) are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and

		the Association of American Publishers. We would like to raise the following concerns and objections to this Settlement. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>196</u>	LETTER addressed to Sir Michael McMahon from Jerker Nilsson dated 8/28/2009 re: We (Liber AB, herein after called "Liber") are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>197</u>	NOTICE OF APPEARANCE by David A. Zapolsky on behalf of Amazon.com, Inc. (Zapolsky, David) (Entered: 09/01/2009)
09/01/2009	<u>198</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Amazon.com, Inc..(Zapolsky, David) (Entered: 09/01/2009)
09/01/2009	<u>199</u>	LETTER addressed to Mr. McMahon from Peter Van Haaften dated 8/27/2009 re: Counsel writes to make the following objections and comments set forth within to the Google Book Settlement. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>200</u>	LETTER addressed to Mr. McMahon from Peter Van Haaften dated 8/27/2009 re: Counsel writes to make the following objections and comments set forth within to the Google Book Settlement. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>201</u>	LETTER addressed to Mr J. Michael McMahon from Miss Lynne Garner dated 8/27/2009 re: Counsel writes to object to the Google Book Settlement.. (jfe) (Entered: 09/01/2009)
09/01/2009	<u>202</u>	LETTER addressed to Judge Denny Chin from Scott James dated 8/27/2009 re: For all of the reasons set forth within, Counsel objects to The Authors Guild, et al., vs. Google, Inc. settlement. Please intervene and stop it.(jfe) (Entered: 09/01/2009)
09/01/2009	<u>203</u>	NOTICE OF APPEARANCE by Andrew C. DeVore on behalf of Arlo Guthrie, Julia Wright, Catherine Ryan Hyde, Eugene Linden (DeVore, Andrew) (Entered: 09/01/2009)
09/01/2009	<u>204</u>	NOTICE OF APPEARANCE by Shirley Othmana Saed on behalf of The American Society of Media Photographers, Inc., Graphic Artists Guild, Picture Archive Council of America, North American Nature Photography Association, Joel Meyerowitz, Dan Budnick, Peter Turner, Lou Jacobs, Jr (Saed, Shirley) (Entered: 09/01/2009)
09/01/2009	<u>205</u>	NOTICE OF APPEARANCE by Amin S. Kassam on behalf of Arlo Guthrie, Julia Wright, Catherine Ryan Hyde, Eugene Linden (Kassam, Amin) (Entered: 09/01/2009)
09/01/2009	<u>206</u>	Objection of Amazon.com, Inc. to Proposed Settlement. Document filed by Amazon.com, Inc.. (Zapolsky, David) (Entered: 09/01/2009)
09/01/2009	<u>207</u>	DECLARATION of David Nimmer in Support re: <u>206</u> Objection (non-motion). Document filed by Amazon.com, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F)(Zapolsky, David) (Entered: 09/01/2009)
09/01/2009	<u>208</u>	NOTICE of Intent to Appear by Amazon.com, Inc. re: <u>206</u> Objection (non-motion). Document filed by Amazon.com, Inc.. (Zapolsky, David) (Entered: 09/01/2009)
09/01/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - EVENT TYPE ERROR. Note to Attorney Cynthia Arato to RE-FILE Document <u>184</u> Notice (Other). Use the event type Joinder found under the event list Other Documents. (jar) (Entered: 09/02/2009)
09/01/2009	<u>232</u>	MOTION for Edwin C. Komen to Appear Pro Hac Vice. Document filed by Federal Republic of Germany.(dle) (Entered: 09/03/2009)
09/02/2009	<u>209</u>	Objection to Proposed Settlement. Document filed by Arlo Guthrie, Julia Wright, Catherine Ryan Hyde, Eugene Linden. (DeVore, Andrew) (Entered: 09/02/2009)
09/02/2009	<u>210</u>	DECLARATION of Annie Guthrie on Behalf of Arlo Guthrie in Support re: <u>209</u> Objection (non-motion). Document filed by Arlo Guthrie. (DeVore, Andrew)



		(Entered: 09/02/2009)
09/02/2009	<u>211</u>	DECLARATION of Julia Wright in Support re: <u>209</u> Objection (non-motion). Document filed by Julia Wright. (DeVore, Andrew) (Entered: 09/02/2009)
09/02/2009	<u>212</u>	DECLARATION of Catherine Ryan Hyde in Support re: <u>209</u> Objection (non-motion). Document filed by Catherine Ryan Hyde. (DeVore, Andrew) (Entered: 09/02/2009)
09/02/2009	<u>213</u>	DECLARATION of Eugene Linden in Support re: <u>209</u> Objection (non-motion). Document filed by Eugene Linden. (DeVore, Andrew) (Entered: 09/02/2009)
09/02/2009	<u>214</u>	DECLARATION of Laura Leslie on Behalf of the Estate of Philip K. Dick in Support re: <u>209</u> Objection (non-motion). Document filed by Arlo Guthrie, Julia Wright, Catherine Ryan Hyde, Eugene Linden. (DeVore, Andrew) (Entered: 09/02/2009)
09/02/2009	<u>215</u>	DECLARATION of Andrew C. DeVore in Support re: <u>209</u> Objection (non-motion). Document filed by Arlo Guthrie, Julia Wright, Catherine Ryan Hyde, Eugene Linden. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B1, # <u>3</u> Exhibit B2, # <u>4</u> Exhibit B3, # <u>5</u> Exhibit B4, # <u>6</u> Exhibit B5, # <u>7</u> Exhibit C, # <u>8</u> Exhibit D, # <u>9</u> Exhibit E, # <u>10</u> Exhibit F, # <u>11</u> Exhibit G, # <u>12</u> Exhibit H, # <u>13</u> Exhibit I, # <u>14</u> Exhibit J, # <u>15</u> Exhibit K, # <u>16</u> Exhibit L)(DeVore, Andrew) (Entered: 09/02/2009)
09/02/2009	<u>216</u>	ENDORSED LETTER addressed to Judge Denny Chin from Daniel Fetterman dated 9/1/2009 re: request permission to file an amicus curiae brief, and to appear at the hearing, to address certain antitrust and copyright concerns with the proposed settlement agreement in this proceeding. ENDORSEMENT: This application is granted, but in light of the volume of materials being submitted to the Court, I would suggest that a 25-page brief would be more effective than a 40-page brief. As for permission to speak at the hearing, the Court will address this question in a future order. We need to see how many requests there are to speak. (Signed by Judge Denny Chin on 9/2/2009) (jar) (Entered: 09/02/2009)
09/02/2009	<u>217</u>	ORDER: The deadline for filing objections and amicus curiae briefs in this case is hereby extended to 10:00 a.m. EST on Tuesday, September 8, 2009. Objectors and amici are also reminded that they are required to send a courtesy copy of any documents filed electronically to my Chambers. (Brief due by 9/8/2009.) (Signed by Judge Denny Chin on 9/2/2009) (jar) (Entered: 09/02/2009)
09/02/2009	<u>218</u>	Objection to Proposed Settlement. Document filed by The American Society of Media Photographers, Inc., Graphic Artists Guild, Picture Archive Council of America, North American Nature Photography Association, Joel Meyerowitz, Dan Budnick, Peter Turner, Lou Jacobs, Jr. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit Exhibit D, # <u>5</u> Exhibit E)(Saed, Shirley) (Entered: 09/02/2009)
09/02/2009	<u>219</u>	JOINDER to join re: <u>167</u> Objection (non-motion), Objection (non-motion). Document filed by Czernin Verlag.(Arato, Cynthia) (Entered: 09/02/2009)
09/02/2009	<u>220</u>	DECLARATION of Benedikt Foeger re: <u>219</u> Joinder, <u>167</u> Objection (non-motion), Objection (non-motion)., DECLARATION of Benedikt Foeger in Support. Document filed by Czernin Verlag. (Arato, Cynthia) (Entered: 09/02/2009)
09/02/2009	<u>221</u>	LETTER addressed to Office of the Clerk J. Michael McMahon from Uitgeverij Balans dated 8/27/09 re: The hearing in October 2009 regarding the Google settlement. (pl) (Entered: 09/02/2009)
09/02/2009	<u>222</u>	LETTER addressed to Michael McMahon, Clerk of Court from Uitgeverij Agon dated 8/27/09 re: The hearing in October 2009 regarding the Google settlement. We would like to draw your attention to the copyrights of the Dutch books owned by our publishing house which appear to be included in the settlement reached between Google and the Authors Guild and Association of American Publishers. (pl) (Entered: 09/02/2009)
09/02/2009	<u>223</u>	LETTER addressed to J. Michael McMahon, Clerk of Court from Uitgeverij De Arbeiderspers dated 8/27/09 re: The hearing in October 2009 regarding the Google

		settlement. (pl) (Entered: 09/02/2009)
09/02/2009	<u>224</u>	LETTER addressed to J. Michael McMahon, Clerk of Court from Uitgeverij Singel Pockets dated 8/27/09 re: The hearing in October 2009 regarding the Google settlement. (pl) (Entered: 09/02/2009)
09/02/2009	<u>225</u>	LETTER addressed to Judge Denny Chin from Michael A. Banks dated 9/1/2009 re: Author writes to request this court's permission to submit this letter as an amicus curiae supporting final settlement approval. (tve) (Entered: 09/02/2009)
09/02/2009	<u>226</u>	LETTER addressed to Judge Denny Chin from Filomena Periera re: Author writes requesting this Court's permission to submit this letter as an amicus curiae supporting final settlement approve in the above referenced case. (tve) (Entered: 09/02/2009)
09/02/2009	<u>227</u>	ENDORSED LETTER addressed to Judge Denny Chin from Matthew D. Ingber dated 9/2/2009 re: The Amici respectfully request that the Court grant them leave to file a brief amicus curiae. ENDORSEMENT: APPLICATION GRANTED. SO ORDERED. (Signed by Judge Denny Chin on 9/2/2009) (tve) (Entered: 09/02/2009)
09/02/2009	<u>228</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>151</u> Motion for David Nimmer to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 9/2/2009) (tve) (Entered: 09/02/2009)
09/02/2009	<u>229</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>152</u> Motion for Alexander F. Wiles to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 9/2/2009) (tve) (Entered: 09/02/2009)
09/02/2009	<u>230</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION: granting <u>154</u> Motion for Jennifer Lynch to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 9/2/2009) (tve) (Entered: 09/02/2009)
09/02/2009	<u>231</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION: granting <u>156</u> Motion for Cindy Cohn to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 9/2/2009) (tve) (Entered: 09/02/2009)
09/02/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>229</u> Order on Motion to Appear Pro Hac Vice, <u>231</u> Order on Motion to Appear Pro Hac Vice, <u>228</u> Order on Motion to Appear Pro Hac Vice, <u>230</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (tve) (Entered: 09/02/2009)
09/02/2009	<u>266</u>	MOTION for John B. Morris, Jr. to Appear Pro Hac Vice. Document filed by Amicus Curaie..(mro) (Entered: 09/08/2009)
09/02/2009	<u>428</u>	ORDER: The Court has received requests for pre-motion conferences by the American Society of Media Photographers, Inc., the Graphic Artists Guild, the Picture Archive Council of America, the North American Nature Photographers Association, Joel Meyerowitz, Dan Budnik, Peter Turner, and Lou Jacobs, Jr., seeking leave to intervene in this action. I have construed their letters as motions to intervene and the motions are denied. The proposed interveners are free to file objections to the proposed settlement, but they must do so by the September 4, 2009 deadline. (Signed by Judge Denny Chin on 9/2/2009) (jar) (Entered: 09/10/2009)
09/02/2009	<u>506</u>	LETTER addressed to J. Michael McMahon from Mai Spijkers dated 8/26/2009 re: We Prometheus/Bert Bakker are writing to you in regards to the propose settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. We would like to raise the following concerns and Objections to this Settlement. (jmi) (Entered: 09/11/2009)
09/03/2009	<u>234</u>	NOTICE OF APPEARANCE by Joseph Solomon Hall on behalf of Ishmael Jones, Wendy Shalit, American Society of Journalists and Authors, Charlotte Allen, Harold Bloom, Elliot Abrams, Richard Armeey, Jacques Barzun, Nicholas Basbanes, Stephen Bates, Shawn J. Bayern, Jack Beerman, Michael Behe, Michael Cox, Douglas Crase, Frank Gonzalez-Crussi, Midge Decter, John Derbyshire, Thomas M. Disch, Gerald Early, Mel Eisenberg, Richard A. Epstein, Henry Fetter,

		David D. Friedman, David Gelernter, Gabrielle Glaser, Mary Ann Glendon, Victor Davis Hanson, Robert Herbold, Arthur Herman, Charles Hill, Manuela Hoelterhoff, Richard Howard, Donald Kagan, David Kuo, Michael Ledeen, Susan Lee, Mary Lefkowitz, David Lehman, John Lehman, Howard Markel, Sherwin B. Nuland, Steven Ozment, Michael Perry, Norman Podhoretz, Diane Ravitch, Ralph Reed, Harriet Rubin, Sarah Ruden, Peter Schweizer, Roger Simon, Roy Spencer, Geoffrey R. Stone, Charles Sykes, Terry Teachout, Paco Underhill, Ruth Wisse, Elizabeth Wurtzel, John Yoo (Hall, Joseph) (Entered: 09/03/2009)
09/03/2009	<u>235</u>	NOTICE OF APPEARANCE by Katherine B Forrest on behalf of DC Comics (Forrest, Katherine) (Entered: 09/03/2009)
09/03/2009		CASHIERS OFFICE REMARK on <u>233</u> Motion to Appear Pro Hac Vice,,, in the amount of \$25.00, paid on 08/31/2009, Receipt Number 698602. (jd) (Entered: 09/03/2009)
09/03/2009	<u>236</u>	NOTICE OF APPEARANCE by Mark Lloyd Silverstein on behalf of DC Comics (Silverstein, Mark) (Entered: 09/03/2009)
09/03/2009	<u>237</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. E.C. Publications, Inc., Time Warner Communications Inc. and Warner Communications Inc as Corporate Parents. Document filed by DC Comics.(Forrest, Katherine) (Entered: 09/03/2009)
09/03/2009	<u>238</u>	Objection to the Proposed Settlement Agreement. Document filed by DC Comics. (Forrest, Katherine) (Entered: 09/03/2009)
09/03/2009	<u>239</u>	BRIEF Amicus Curiae. Document filed by New York Law School, Institute for Information Law and Policy.(Grimmelmann, James) (Entered: 09/03/2009)
09/03/2009	<u>240</u>	NOTICE OF APPEARANCE by Thomas Cort Rubin on behalf of Microsoft Corporation (Rubin, Thomas) (Entered: 09/03/2009)
09/04/2009	<u>298</u>	ORDER. The Electronic Privacy Information Center moves, pursuant to FRCP 24(b), to intervene in this action. The motion is denied. This case was filed some four years ago and has been conditionally settled; it is simply too late to permit new parties into the case. EPIC is free to file an objections to the proposed settlement, but it must do so by 10:00 a.m. EST on September 8, 2009 (Signed by Judge Denny Chin on 9/4/09) (djc) (Entered: 09/08/2009)
09/04/2009	<u>304</u>	MOTION for Philip Roberts to Appear Pro Hac Vice. Document filed by Canadian Standard Association, Paul Dickson, Joseph Goulden, Association of American Publishers, Inc., Associational Plaintiffs, The McGraw-Hill Companies, Inc., Pearson Education, Inc., Simon & Schuster, Inc., John Wiley & Sons, Inc., The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman.(mro) (Entered: 09/09/2009)
09/07/2009	<u>241</u>	Amicus Curiae APPEARANCE entered by Nelson E. Roth on behalf of Cornell University. (Attachments: # <u>1</u> Amicus Curiae Letter from Cornell University)(Roth, Nelson) (Entered: 09/07/2009)
09/08/2009	<u>242</u>	NOTICE OF APPEARANCE by Nidhi Yadava on behalf of Hachette Livre SA, Librarie Arthme Fayard SA, Dunod Editeur SA, Les Editions Hatier SNC, Editions Larousse SAS, Editorial Salvat SL, Grupo Anaya SA, Algaida Editores, S.A., Alianza Editorial, S.A., Edicions Xerais De Galicia, S.A., Editorial Barcanova, S.A., Larousse Editorial, S.L, Grupo Editorial Bruno, S.L., Edelsa Grupo Didascalía, S.A., Hachette UK Limited (Yadava, Nidhi) (Entered: 09/08/2009)
09/08/2009	<u>243</u>	NOTICE OF APPEARANCE by Robert C. Micheletto on behalf of Hachette Livre SA, Librarie Arthme Fayard SA, Dunod Editeur SA, Les Editions Hatier SNC, Editions Larousse SAS, Editorial Salvat SL, Grupo Anaya SA, Algaida Editores, S.A., Alianza Editorial, S.A., Edicions Xerais De Galicia, S.A., Editorial Barcanova, S.A., Larousse Editorial, S.L, Grupo Editorial Bruno, S.L., Edelsa Grupo Didascalía, S.A., Hachette UK Limited (Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>244</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Hachette, S.A. as Corporate Parent. Document filed by Hachette Livre SA.(Micheletto, Robert) (Entered: 09/08/2009)

09/08/2009	<u>245</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Hachette Livre, S.A as Corporate Parent. Document filed by Librairie Arthme Fayard SA.(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>246</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Hachette Livre, S.A. as Corporate Parent. Document filed by Dunod Editeur SA.(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>247</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Hachette Livre, S.A. as Corporate Parent. Document filed by Les Editions Hatier SNC.(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>248</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Hachette Livre, S.A. as Corporate Parent. Document filed by Editions Larousse SAS.(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>249</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Hachette Livre Espana, S.A.U. as Corporate Parent. Document filed by Grupo Anaya SA.(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>250</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Hachette Livre Espana, S.A.U. as Corporate Parent. Document filed by Editorial Salvat SL.(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>251</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Grupo Anaya, S.A. as Corporate Parent. Document filed by Algaida Editores, S.A..(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>252</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Grupo Anaya, S.A. as Corporate Parent. Document filed by Alianza Editorial, S.A..(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>253</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Hachette Livre, S.A. as Corporate Parent. Document filed by Edelsa Grupo Didascalía, S.A..(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>254</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Grupo Anaya, S.A. as Corporate Parent. Document filed by Edicions Xerais De Galicia, S.A..(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>255</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Grupo Anaya, S.A. as Corporate Parent. Document filed by Editorial Barcanova, S.A..(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>256</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Hachette Livre Espana, S.A.U. as Corporate Parent. Document filed by Grupo Editorial Bruno, S.L..(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>257</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Grupo Anaya S.A. and Education Management, S.A. as Corporate Parent. Document filed by Larousse Editorial, S.L.(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>258</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Hachette U.K. Holding Ltd. as Corporate Parent. Document filed by Hachette UK Limited.(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>259</u>	NOTICE OF APPEARANCE by Matthew Christian Schruers on behalf of Computer and Communications Industry Association (Schruers, Matthew) (Entered: 09/08/2009)
09/08/2009	<u>260</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Computer and Communications Industry Association.(Schruers, Matthew) (Entered: 09/08/2009)
09/08/2009	<u>261</u>	MOTION to File Amicus Brief of <i>Computer &amp; Communications Industry Association</i> . Document filed by Computer and Communications Industry Association. (Attachments: # <u>1</u> CCIA Amicus Curiae Brief)(Schruers, Matthew) (Entered: 09/08/2009)

09/08/2009	<u>262</u>	NOTICE OF APPEARANCE by Yasuhiro Saito on behalf of Takashi Atouda, Susumu Nakanishi, Akiko Shimojyu, Jiro Asada, Takeaki Hori, Yuko Matsumoto, Chihaya Takahashi, Shinobu Yoshioka, Kenta Yamada, Tomotsuyo Aizawa, Yu Ohara, Yasumasa Kiyohara, Takashi Tsujii, Akira Nogami, Hiroyuki Shinoda, Toshihiko Yuasa, Koichi Kato, Masahiko Motoki, Hidehiko Nakanishi, Yashio Uemura, Nobuo Uda, Tsukasa Yoshida (Attachments: # <u>1</u> Certificate of Seervice)(Saito, Yasuhiro) (Entered: 09/08/2009)
09/08/2009	<u>263</u>	BRIEF <i>AMICUS CURIAE</i> of Consumer Watchdog in Opposition to the Proposed Settlement Agreement. Document filed by Consumer Watchdog.(Fetterman, Daniel) (Entered: 09/08/2009)
09/08/2009	<u>264</u>	Objection to the Proposed Settlement and to Certification of the Proposed Settlement Class and Sub-Class by Members of Japan P.E.N. Club. Document filed by Takashi Atouda, Susumu Nakanishi, Akiko Shimojyu, Jiro Asada, Takeaki Hori, Yuko Matsumoto, Chihaya Takahashi, Shinobu Yoshioka, Kenta Yamada, Tomotsuyo Aizawa, Yu Ohara, Yasumasa Kiyohara, Takashi Tsujii, Akira Nogami, Hiroyuki Shinoda, Toshihiko Yuasa, Koichi Kato, Masahiko Motoki, Hidehiko Nakanishi, Yashio Uemura, Nobuo Uda, Tsukasa Yoshida. (Attachments: # <u>1</u> Declaration of Jiro Makino in Support of Objection, # <u>2</u> Declaration of Naoki Gokita in Support of Objection, # <u>3</u> Certificate of Service)(Saito, Yasuhiro) (Entered: 09/08/2009)
09/08/2009	<u>265</u>	NOTICE of of Intent To Appear and Be Heard At The Fairness Hearing. Document filed by Takashi Atouda, Susumu Nakanishi, Akiko Shimojyu, Jiro Asada, Takeaki Hori, Yuko Matsumoto, Chihaya Takahashi, Shinobu Yoshioka, Kenta Yamada, Tomotsuyo Aizawa, Yu Ohara, Yasumasa Kiyohara, Takashi Tsujii, Akira Nogami, Hiroyuki Shinoda, Toshihiko Yuasa, Koichi Kato, Masahiko Motoki, Hidehiko Nakanishi, Yashio Uemura, Nobuo Uda, Tsukasa Yoshida. (Attachments: # <u>1</u> Certificate of Service)(Saito, Yasuhiro) (Entered: 09/08/2009)
09/08/2009	<u>267</u>	NOTICE OF APPEARANCE by Joseph Solomon Hall on behalf of Harold Bloom, Elliot Abrams, Richard Armye, Jacques Barzun, Nicholas Basbanes, Stephen Bates, Shawn J. Bayern, Jack Beerman, Michael Behe, Michael Cox, Douglas Crase, Frank Gonzalez-Crussi, Midge Decter, John Derbyshire, Thomas M. Disch, Gerald Early, Mel Eisenberg, Richard A. Epstein, Henry Fetter, David D. Friedman, David Gelernter, Gabrielle Glaser, Mary Ann Glendon, Robert Herbold, Arthur Herman, Charles Hill, Manuela Hoelterhoff, Richard Howard, Ishmael Jones, Donald Kagan, David Kuo, Michael Ledeen, Susan Lee, Mary Lefkowitz, David Lehman, John Lehman, Howard Markel, Steven Ozment, Michael Perry, Norman Podhoretz, Diane Ravitch, Ralph Reed, Harriet Rubin, Sarah Ruden, Peter Schweizer, Roger Simon, Roy Spencer, Geoffrey R. Stone, Charles Sykes, Terry Teachout, Paco Underhill, Ruth Wisse, Elizabeth Wurtzel, John Yoo, Wendy Shalit, American Society of Journalists and Authors, Charlotte Allen (Hall, Joseph) (Entered: 09/08/2009)
09/08/2009	<u>268</u>	NOTICE OF APPEARANCE by Kristin Hackett Neuman on behalf of Canadian Standard Association (Neuman, Kristin) (Entered: 09/08/2009)
09/08/2009	<u>269</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying None as Corporate Parent. No Corporate Parent. Document filed by Microsoft Corporation.(Rubin, Thomas) (Entered: 09/08/2009)
09/08/2009	<u>270</u>	NOTICE of OF FILING OF OBJECTIONS TO PROPOSED SETTLEMENT BY HACHETTE LIVRE, S.A., LIBRARIE ARTHME FAYARD, S.A., DUNOD EDITEUR, S.A., LES EDITIONS HATIER, S.N.C., EDITIONS, LAROUSSE, S.A.S., EDITORIAL SALVAT, S.L., GRUPO ANAYA, S.A., ALGAIDA EDITORES, S.A., ALIANZA EDITORIAL, S.A., EDICIONS XERAIS DE GALICIA, S.A., EDITORIAL BARCANOVA, S.A., LAROUSSE EDITORIAL, S.L., GRUPO EDITORIAL BRUO, S.L., EDELSA GRUPO DIDASCALIA, S.A., AND HACHETTE U.K. LIMITED. Document filed by Akiko Shimojyu. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10)(Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009	<u>271</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Canadian Standards Association.(Neuman, Kristin) (Entered: 09/08/2009)

		09/08/2009)
09/08/2009	<u>272</u>	Objection of Canadian Standards Association to Proposed Settlement. Document filed by Canadian Standards Association. (Neuman, Kristin) (Entered: 09/08/2009)
09/08/2009	<u>273</u>	Objection to Proposed Settlement and Notice of Intent to Appear. Document filed by Eric Jager, Harold Bloom, Elliot Abrams, Richard Armev, Jacques Barzun, Nicholas Basbanes, Stephen Bates, Shawn J. Bayern, Michael Behe, Michael Cox, Douglas Crase, Frank Gonzalez-Crussi, Midge Decter, John Derbyshire, Thomas M. Disch, Gerald Early, Mel Eisenberg, Richard A. Epstein, Henry Fetter, David D. Friedman, David Gelernter, Gabrielle Glaser, Mary Ann Glendon, Victor Davis Hanson, Robert Herbold, Arthur Herman, Charles Hill, Manuela Hoelterhoff, Richard Howard, Ishmael Jones, Donald Kagan, David Kuo, Michael Ledeen, Susan Lee, Mary Lefkowitz, David Lehman, John Lehman, Howard Markel, Sherwin B. Nuland, Steven Ozment, Norman Podhoretz, Diane Ravitch, Ralph Reed, Harriet Rubin, Sarah Ruden, Peter Schweizer, Roger Simon, Roy Spencer, Geoffrey R. Stone, Charles Sykes, Terry Teachout, Paco Underhill, Ruth Wisse, Elizabeth Wurtzel, John Yoo, Wendy Shalit, American Society of Journalists and Authors, Charlotte Allen. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G)(Hall, Joseph) (Entered: 09/08/2009)
09/08/2009	<u>274</u>	BRIEF Amicus Curiae Brief of Sony Electronics Inc. In Support Of Proposed Google Book Search Settlement. Document filed by Sony Electronics Inc..(Coplan, Jennifer) (Entered: 09/08/2009)
09/08/2009	<u>275</u>	BRIEF Amicus Brief of Antitrust Law and Economics Professors In Support Of The Settlement. Document filed by Antitrust Law and Economics Professors.(Ingber, Matthew) (Entered: 09/08/2009)
09/08/2009	<u>276</u>	Objection re: <u>64</u> Order on Motion to Approve,,, <i>Objections of Microsoft Corporation to Proposed Settlement and Certification of Proposed Settlement Class and Sub-Classes</i> . Document filed by Microsoft Corporation. (Attachments: # <u>1</u> Exhibit A to G, # <u>2</u> Exhibit H to O, # <u>3</u> Exhibit P to Q, # <u>4</u> Exhibit R, # <u>5</u> Exhibit S to T, # <u>6</u> Exhibit U part 1 of 6, # <u>7</u> Exhibit U part 2 of 6, # <u>8</u> Exhibit U part 3 of 6, # <u>9</u> Exhibit U part 4 of 6, # <u>10</u> Exhibit U part 5 of 6, # <u>11</u> Exhibit U part 6 of 6, # <u>12</u> Exhibit V to Z)(Rubin, Thomas) (Entered: 09/08/2009)
09/08/2009	<u>277</u>	Amicus Curiae APPEARANCE entered by Gary M. Becker on behalf of Richard Blumenthal CT Attorney General.(Becker, Gary) (Entered: 09/08/2009)
09/08/2009	<u>278</u>	OPPOSITION BRIEF re: <u>64</u> Order on Motion to Approve,,, <i>Objection to Proposed Settlement: Proposed Settlement Violates State Unclaimed Property Laws and Charitable Trust Laws, State May Not Be Included in Class Without its Consent</i> . Document filed by Richard Blumenthal CT Attorney General.(Becker, Gary) (Entered: 09/08/2009)
09/08/2009	<u>279</u>	NOTICE of Intent to Appear. Document filed by Privacy Authors and Publishers. (Rudman, Samuel) (Entered: 09/08/2009)
09/08/2009	<u>280</u>	Objection to Settlement Agreement. Document filed by Charles D Weller, weller. (Attachments: # <u>1</u> Exhibit A ---- Class Action Reports)(Horowitz, Eric) (Entered: 09/08/2009)
09/08/2009	<u>281</u>	BRIEF IN OBJECTION TO PROPOSED SETTLEMENT. Document filed by Privacy Authors and Publishers. (Attachments: # <u>1</u> Appendix A)(Rudman, Samuel) (Entered: 09/08/2009)
09/08/2009	<u>282</u>	MEMORANDUM OF LAW MEMORANDUM OF AMICUS CURIAE OPEN BOOK ALLIANCE IN OPPOSITION TO THE PROPOSED SETTLEMENT BETWEEN THE AUTHORS GUILD, INC., ASSOCIATION OF AMERICAN PUBLISHERS, INC., ET AL., AND GOOGLE INC.. Document filed by Open Book Alliance. (Boccanfuso, Anthony) (Entered: 09/08/2009)
09/08/2009	<u>283</u>	MOTION for Discovery of Putative Class Representatives and Defendant Google Inc.. Document filed by Eric Jager, Harold Bloom, Elliot Abrams, Phyllis Ammons, Jacques Barzun, Nicholas Basbanes, Stephen Bates, Shawn J. Bayern, Michael Behe, Michael Cox, Douglas Crase, Frank Gonzalez-Crussi, Midge

		Decter, John Derbyshire, Thomas M. Disch, Gerald Early, Mel Eisenberg, Richard A. Epstein, Henry Fetter, David D. Friedman, David Gelernter, Gabrielle Glaser, Mary Ann Glendon, Victor Davis Hanson, Robert Herbold, Arthur Herman, Charles Hill, Manuela Hoelterhoff, Richard Howard, Ishmael Jones, Donald Kagan, David Kuo, Michael Ledeen, Susan Lee, Mary Lefkowitz, David Lehman, John Lehman, Howard Markel, Sherwin B. Nuland, Steven Ozment, Norman Podhoretz, Diane Ravitch, Ralph Reed, Harriet Rubin, Sarah Ruden, Peter Schweizer, Roger Simon, Roy Spencer, Geoffrey R. Stone, Charles Sykes, Terry Teachout, Paco Underhill, Ruth Wisse, Elizabeth Wurtzel, John Yoo, Julia Wright, Wendy Shalit, American Society of Journalists and Authors, Charlotte Allen. Return Date set for 9/18/2009 at 05:00 PM. (Attachments: # <u>1</u> Exhibit Discovery Requests)(Hall, Joseph) (Entered: 09/08/2009)
09/08/2009	<u>284</u>	NOTICE OF APPEARANCE by Robert William Clarida on behalf of Lyrasis, Inc., NYLINK, Bibliographical Center for Research Rocky Mountain, Inc. (Clarida, Robert) (Entered: 09/08/2009)
09/08/2009	<u>285</u>	NOTICE OF APPEARANCE by Robert Cunningham Turner on behalf of Yahoo! Inc. (Turner, Robert) (Entered: 09/08/2009)
09/08/2009	<u>286</u>	Objection to Settlement Agreement. Document filed by Dirk Sutro. (Attachments: # <u>1</u> Exhibit A — Class Action Reports)(Horowitz, Eric) (Entered: 09/08/2009)
09/08/2009	<u>287</u>	MEMORANDUM OF LAW in Opposition To The Settlement Proposal On Behalf of the French Republic. Document filed by French Republic. (Max, Theodore) (Entered: 09/08/2009)
09/08/2009	<u>288</u>	MEMORANDUM OF LAW in Opposition re: <u>55</u> MOTION to Approve /Notice of Motion for Preliminary Settlement Approval.. Document filed by Yahoo! Inc.. (Turner, Robert) (Entered: 09/08/2009)
09/08/2009	<u>289</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Lyrasis, Inc., NYLINK, Bibliographical Center for Research Rocky Mountain, Inc..(Clarida, Robert) (Entered: 09/08/2009)
09/08/2009	<u>290</u>	DECLARATION of Nicolas Georges in Opposition re: <u>287</u> Memorandum of Law in Opposition. Document filed by French Republic. (Max, Theodore) (Entered: 09/08/2009)
09/08/2009	<u>291</u>	MEMORANDUM OF LAW MEMORANDUM OF AMICUS CURIAE THE INTERNET ARCHIVE IN OPPOSITION TO SETTLEMENT AGREEMENT. Document filed by The Internet Archive. (Boccanfuso, Anthony) (Entered: 09/08/2009)
09/08/2009	<u>292</u>	BRIEF AMICI CURIAE OF LYRASIS, INC., NYLINK AND BIBLIOGRAPHICAL CENTER FOR RESEARCH ROCKY MOUNTAIN, INC. IN SUPPORT OF MODIFICATION OF PROPOSED SETTLEMENT. Document filed by Lyrasis, Inc., NYLINK, Bibliographical Center for Research Rocky Mountain, Inc..(Clarida, Robert) (Entered: 09/08/2009)
09/08/2009	<u>293</u>	Objection to Proposed Settlement. Document filed by Free Software Foundation, Inc.. (Williamson, Aaron) (Entered: 09/08/2009)
09/08/2009	<u>294</u>	NOTICE of Intent to Appear at the Fairness Hearing on October 7, 2009, on behalf of the aforementioned members of the Publisher Sub-Class.. Document filed by Hachette Livre SA, Librairie Arthme Fayard SA, Dunod Editeur SA, Les Editions Hatier SNC, Editions Larousse SAS, Editorial Salvat SL, Grupo Anaya SA, Algaida Editores, S.A., Alianza Editorial, S.A., Edicions Xerais De Galicia, S.A., Editorial Barcanova, S.A., Larousse Editorial, S.L, Grupo Editorial Bruno, S.L., Edelsa Grupo Didascalía, S.A., Hachette UK Limited. (Micheletto, Robert) (Entered: 09/08/2009)
09/08/2009		***REJECTION OF ATTEMPTED PAPER FILING IN ECF CASE. The following document(s) Epic's Motion to Intervene, by Mark Rotenberg, was rejected by the Clerk's Office and must be FILED ELECTRONICALLY on the Court's ECF System. (eef) (Entered: 09/08/2009)

09/08/2009	<u>295</u>	AFFIDAVIT OF SERVICE. Document filed by French Republic. (Max, Theodore) (Entered: 09/08/2009)
09/08/2009	<u>296</u>	Objection Of Proquest LLC To Proposed Settlement. (rw) (rw). (Entered: 09/08/2009)
09/08/2009	<u>297</u>	AFFIRMATION of Charles J. Sanders in Opposition re: <u>55</u> MOTION to Approve /Notice of Motion for Preliminary Settlement Approval.. Document filed by Songwriters Guild of America. (Attachments: # <u>1</u> Civil Cover Sheet Cover letter explaining delay in filing.)(Fedele, John) (Entered: 09/08/2009)
09/08/2009	<u>299</u>	MOTION to Intervene. Document filed by Lewis Hyde, Harry Lewis, Open Access Trust Inc.. Return Date set for 9/30/2009 at 09:30 AM. (Attachments: # <u>1</u> Supplement Affirmation of Charles R. Nesson, # <u>2</u> Supplement Objections and Memorandum of Law)(Garbus, Martin) (Entered: 09/08/2009)
09/08/2009	<u>300</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU – MOTION to Intervene <i>Objections to Proposed Settlement and Memorandum in Support of Motion to Intervene</i> . Document filed by Lewis Hyde, Harry Lewis, Open Access Trust Inc.. Return Date set for 9/30/2009 at 09:30 AM.(Garbus, Martin) Modified on 9/9/2009 (jar). (Entered: 09/08/2009)
09/08/2009	<u>301</u>	REQUEST TO PARTICIPATE of Darlene Marshall <i>Objection to Class Action Settlement and Notice of Intent to Appear</i> . Document filed by Darlene Marshall.(Weiss, Matthew) (Entered: 09/08/2009)
09/08/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Martin Garbus to RE-FILE Document <u>300</u> MOTION to Intervene <i>Objections to Proposed Settlement and Memorandum in Support of Motion to Intervene</i> . Use the event type Memorandum of Law in Opposition found under the event list Replies, Oppositions, Supporting Documents. (jar) (Entered: 09/09/2009)
09/08/2009	<u>700</u>	MOTION for Gary Leland Reback to Appear Pro Hac Vice. Document filed by Open Book Alliance.(pl) (Entered: 09/15/2009)
09/09/2009	<u>302</u>	LETTER addressed to Judge Denny Chin from Edward Feigenbaum, Jennifer Widom, Daphne Koller, Monica Lam, Nils Nilsson, Jeffrey Ullman, Terry Winograd, Jure Leskovec, John Ousterhout, Mehran Sahami, Russ Altman, Gary Bradski, Stuart Card, Goeff Gordon and Shirley Tessler dated September 3, 2009 re: Amicus curiae in support of the approval of the final settlement. (ad) (Entered: 09/09/2009)
09/09/2009	<u>303</u>	LETTER addressed to Judge Denny Chin from Erez Lieberman-Aiden and Jean-Baptiste Michel dated September 3, 2009 re: Amici curiae in support of the settlement. Document filed by Darlene Marshall.(ad) (Entered: 09/09/2009)
09/09/2009	<u>305</u>	LETTER addressed to Office of the Clerk from Anette Ziethen dated 9/1/09 re: join in the objections that have been presented to this court by Scott Gant and the group of foreign publishers and publishing associations...; (djc) (Entered: 09/09/2009)
09/09/2009	<u>306</u>	ORDER The Computer and Communications Industry Association ("CCIA") moves for leave to file an amicus curiae brief in this case. CCIA's motion is granted, and its brief is accepted. SO ORDERED. (Signed by Judge Denny Chin on 9/9/2009) (jmi) (Entered: 09/10/2009)
09/09/2009	<u>307</u>	ORDER denying <u>283</u> Motion for Discovery.The Bloom Objectors' motion is denied. (Signed by Judge Denny Chin on 9/9/2009) (jmi) (Entered: 09/10/2009)
09/09/2009	<u>308</u>	ORDER denying <u>299</u> Motion to Intervene. Lewis Hyde, Harry Lewis, and the Open Access Trust, Inc. (the "proposed interveners") move, pursuant to Federal Rule of Civil Procedure 24(b), to intervene in this action. The motion is denied. This case was filed some four years ago and has been conditionally settled; it is simply too late to permit new parties into the case. The Court will, however, consider the objections raised by the proposed interveners. SO ORDERED.(Signed by Judge Denny Chin on 9/9/2009) (jmi) (Entered: 09/10/2009)



09/09/2009	<u>309</u>	ORDER granting <u>233</u> Motion for Michael J. Guzman to Appear Pro Hac Vice for Harold Bloom, Elliot Abrams, Charlotte Allen, Phyllis Ammons, Dick Arme, Jacques Barzun, Nicholas A. Basbanes, Stephen Bates, Shawn J. Bayem, Jack Beerman, Michael Behe, Michael Cox, Douglas Crase, Frank Gonzalez-Crussi, Midge Deeter, John Derbyshire, The Estate of Thomas M. Disch, Gerald Early, Mel Eisenberg, Richard A. Epstein, Henry Fetter, David D. Friedman, David Gelemter, Gabrielle Glaser, Mary Ann Glendon, Victor Davis Hanson, Robert Herbold, Arthur Herman, Charles Hill, Manuela Hoelterhoff, Richard Howard, Ishmael Jones, Donald Kagan, David Kuo, Michael Ledeen, Susan Lee, Mary Lefkowitz, David Lehman, John Lehman, Howard Markel, Sherwin B. Nuland, Steven Ozment, Michael Perry, Norman Podhoretz, Diane Ravitch, Ralph Reed, Harriet Rubin, Sarah Ruden, Peter Schweizer, Roger Simon, Roy Spencer, Geoffrey R. Stone, Charles Sykes, Terry Teachout, Paco Underhill, Ruth Wisse, Elizabeth Wurtzel, and John Yoo. (Signed by Judge Denny Chin on 9/9/2009) (jmi) (Entered: 09/10/2009)
09/09/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>309</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jmi) (Entered: 09/10/2009)
09/09/2009	<u>310</u>	ORDER granting <u>232</u> Motion for Edwin C. Komen to Appear Pro Hac Vice for Federal Republic of Germany. (Signed by Judge Denny Chin on 9/9/2009) (jmi) (Entered: 09/10/2009)
09/09/2009	<u>311</u>	ORDER granting <u>304</u> Motion for Philip Roberts to Appear Pro Hac Vice for Canadian Standard Association, Paul Dickson, Joseph Goulden, Association of American Publishers, Inc., Associational Plaintiffs, The McGraw-Hill Companies, Inc., Pearson Education, Inc., Simon & Schuster, Inc., John Wiley & Sons, Inc., The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Signed by Judge Denny Chin on 9/9/2009) (jmi) (Entered: 09/10/2009)
09/09/2009	<u>312</u>	QUESTIA MEDIA, INC.'S AMICUS CURIAE OPPOSITION BRIEF TO THE SETTLEMENT AGREEMENT: Questia Media, Inc. ("Questia") urges the Court not to approve the Settlement Agreement between Google, Inc. and the Plaintiffs. (jmi) (Entered: 09/10/2009)
09/09/2009	<u>313</u>	BRIEF AMICUS CURIAE OF CONSUMER WATCHDOG IN OPPOSITION TO THE PROPOSED SETTLEMENT AGREEMENT The proposed Settlement Agreement would strip rights from millions of absent class members, worldwide, in violation of national and international copyright law, for the sole benefit of Google. If, as Google claims, its "limited" search-engine activities were protected by fair use, the public deserves an adjudication on this matter, to allow the creation of a competitive book-search market. And it is up to Congress to create a solution to the orphan-works problem that would allow all potential users to benefit, while protecting the copyright holders as well as international interests. The parties simply cannot justify this "solution" which does not adequately protect the Rightsholders and unfairly benefits a single party. Accordingly, Consumer Watchdog respectfully asks that the Court not approve the settlement. (jmi) (Entered: 09/10/2009)
09/09/2009	<u>314</u>	BRIEF AMICUS CURIAE OF THE CENTER FOR DEMOCRACY & TECHNOLOGY IN SUPPORT OF APPROVAL OF THE SETTLEMENT AND PROTECTION OF READER PRIVACY The New Services enabled by the Proposed Settlement will be extraordinarily valuable, and will make available to the public a vast amount of knowledge and information that is largely inaccessible today. The Settlement should be approved. But the New Services create serious privacy concerns, and the Court must take affirmative action - as part of the settlement approval - to protect reader privacy. (jmi) (Entered: 09/10/2009)
09/09/2009	<u>315</u>	BRIEF OF AMICUS CURIAE The Court should advise the parties to amend the settlement to uphold the rights of book owners, all copyright owners and embody the principles of a digital media exchange. Amicus request permission to appear at the Fairness Hearing currently set to be held on October 7, 2009. (jmi) (Entered: 09/10/2009)
09/09/2009	<u>316</u>	LETTER addressed to Denny Chin from Edward John Hasbrouck dated 8/31/2009 re: By this letter, I opt out of the proposed settlement in this case. Although the

		settlement notice claims that, "your opt-out request., must state which Sub-Class you wish to opt out of (either the Author Sub-Class or Publisher Sub-Class)," I believe that this is both incorrect and improper: Since I am opting out of the proposed settlement, I am not subject to its purported division of the proposed class into sub-classes. (jmi) (Entered: 09/10/2009)
09/09/2009	<u>317</u>	OBJECTION TO PROPOSED SETTLEMENT Unless both the foregoing concerns can be resolved, I respectfully request that the proposed settlement agreement be rejected by this Court. I am submitting this in my capacity as an author and a member of the Authors Guild, not in my capacity as a lawyer. (jmi) (Entered: 09/10/2009)
09/09/2009	<u>318</u>	LETTER addressed to The Office of the Clerk from Susanne Franzkeit dated 9/1/09 re: I am the managing director of the VRunipress GmbH, a book publisher located in Gottingen, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/09/2009	<u>319</u>	LETTER addressed to Office of the Clerk from Reinhard Kawohl dated 9/1/09 re: I am proprietor and managing director of the Kawohl Verlag, a publisher of books, calendars and gifts located in Wesel, Germany; We write to object to the settlement agreement; In addition, we wish to inform this Court that our company did not receive any written notice of the settlement agreement, nor did we see any published notice of the settlement agreement. (mro) (Entered: 09/10/2009)
09/09/2009	<u>320</u>	LETTER addressed to Office of the Clerk from Ludwig Paulmichl dated 9/1/09 re: I am publisher of the Folio publishing house, a book publisher located in Vienna. We write to object to the settlement agreement. (mro) (Entered: 09/10/2009)
09/09/2009	<u>321</u>	LETTER addressed to Judge Denny Chin from Rayan Radia dated 9/4/2009 re: The Competitive Enterprise Institute, a 501(3) non-profit public interest organization that studies the intersection of risk, regulation and markets, hereby requests the Courts permission to submit this letter as an amicus curiae in the Authors Guild et al. v Google, Inc. (jmi) (Entered: 09/10/2009)
09/09/2009	<u>322</u>	LETTER addressed to Office of the Clerk from Michael Schmitt dated 9/1/09 re: I am Managing Director of the Fachverlag Hans Carl GmbH, a book publisher located in Nuremberg, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Federal Republic of Germany.(mro) (Entered: 09/10/2009)
09/09/2009	<u>323</u>	LETTER addressed to Sir Michael McMahon from Uitgeverij Malmberg, Johan Leenaars dated 8/25/09 re: We, uitgeverij Malmberg, are writing in regards to the proposed settlement agreement. We would like to raise the following concerns and objections to this settlement: Consequences for European right holders; Determination of commercial availability; Bad quality of the database; Uncertainty about digitization status; Lack of representation of non-US rights holders in the Book Rights Registry; Deadline for making objections or opting out still too short. (mro) (Entered: 09/10/2009)
09/09/2009	<u>324</u>	LETTER addressed to Office of the Clerk from Dr. Manfred Biehal dated 9/1/09 re: I am CEO of the Deutscher Genossenschafts-Verlag eG, a book publisher located in Wiesbaden, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/09/2009	<u>325</u>	PRIVACY AUTHORS AND PUBLISHERS' OBJECTION TO PROPOSED SETTLEMENT. (jmi) (Entered: 09/10/2009)

09/09/2009	<u>326</u>	LETTER addressed to Office of the Clerk from Alexandra Eib dated 9/1/09 re: I am the lawyer for the Bibliographisches Institut AG, a book publisher located in Mannheim, Germany; We write to object to the settlement agreement; In addition, we wish to inform this Court that the written notice that our company received of the Settlement agreement in German was extremely difficult to read and included a number of meaningless or nonsensical terms and had been translated very poorly.(mro) (Entered: 09/10/2009)
09/09/2009	<u>327</u>	LETTER addressed to Office of the Clerk from Wolf Dieter Eggert dated 9/1/09 re: I am Managing Director of the Hueber Verlag GmbH &Co. KG, a book publisher located in Ismaning, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/09/2009	<u>328</u>	LETTER addressed to Judge Denny Chin from Liana Levi dated 9/3/2009 re: My name is Liana Levi, and I am Manager and Editor in Chief of the Editions Liana Levi, a book publisher located in France. Editions Liana Levi is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/10/2009)
09/09/2009	<u>329</u>	LETTER addressed to Judge Denny Chin from Jay Starkman dated 9/1/2009 re: I am the author and copyright holder of The Sex of a Hippopotamus: A Unique History of Taxes and Accounting (Twinset, 2008). It is detestable that the court would write judicial legislation through a "settlement" vehicle abridging my rights (and those of others) and granting those involuntarily ceded rights to Google or any other entity. (jmi) (Entered: 09/10/2009)
09/09/2009	<u>330</u>	LETTER addressed to Office of the Clerk from Jan Weitendorf dated 9/1/09 re: I represent "Verlagsgrupe Oetinger" as CEO and publisher, a book publisher located in Hamburg, Germany; We write to object to the settlement agreement; We cannot afford to loose rights to Google via internet–this way of selling books has to be one of our "recoupment" possibilities for the future. (mro) (Entered: 09/10/2009)
09/09/2009	<u>331</u>	LETTER addressed to Office of the Clerk from Joachim Schmidt dated 9/1/09 re: I am CEO of the Erich Schmidt Verlag GmbH &Co., a book publisher located in Berlin, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/09/2009	<u>332</u>	LETTER addressed to Michael McMahon from Lex Jansen dated 8/27/09 re: The hearing in October 2009 regarding the Google settlement; We would like to draw your attention to the copyrights of the Dutch books owned by our publishing house which appear to be included in the settlement reached between Google and the Authors Guild and Association of American Publishers. We should first like to point out that we have not yet been consulted or heard in this settlement, even though our copyrights are involved; We have no problem with snippets of works published by our publishing house appearing in search results on Google, but we do intend to retain all rights on works jointly owned by us, our authors and/or our translators now and in the future. (mro) (Entered: 09/10/2009)
09/09/2009	<u>333</u>	LETTER addressed to Office of the Clerk from Detlef Holtgreffe dated 9/1/09 re: I am Publisher and President of the Brunnen Verlag GmbH, a book publisher located in GieBen, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)

09/09/2009	<u>334</u>	LETTER addressed to Judge Denny Chin from Jennifer Jackson (Attorney General of Texas) dated 9/4/09 re: Texas asks the Court to modify the settlement agreement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>335</u>	LETTER addressed to Office of the Clerk from Stephan D. Job dated 9/1/09 re: I am managing director of the Carl Hanser Verlag GmbH & Co. KG, a book publisher located in Munich, Germany; We write to object to the settlement agreement. (mro) (Entered: 09/10/2009)
09/09/2009	<u>336</u>	LETTER addressed to Judge Denny Chin from Pamela Samuelson (Berkeley Law) dated 9/3/09 re: Google should not have a monopoly on a digital database of books. (cd) (Entered: 09/10/2009)
09/09/2009	<u>337</u>	LETTER addressed to Office of the Clerk from Gerhard Grossmann dated 9/1/09 re: I am Corporate Counsel of the et+k, edition text + kritik in Richard Boorberg Verlag GmbH & Co. KG, a book publisher located in Munchen, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations; We also wish to inform this Court that our company has not received any written notice of the settlement agreement, nor did we see any published notice of settlement agreement. (mro) (Entered: 09/10/2009)
09/09/2009	<u>338</u>	LETTER addressed to Office of the Clerk from Gerhard Grossmann dated 9/1/09 re: I am corporate counsel of the Richard Boorberg Verlag GmbH & Co KG, a book publisher located in Stuttgart, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/09/2009	<u>339</u>	LETTER addressed to Mr. Michael McMahon from Mr. Kees Holierhoek dated 8/31/09 re: We, the foundation of Dutch Authors, Stichting Lira, hereinafter Lira, are writing to you with regard to the proposed settlement agreement between Google and the Authors Guild and the Association of American Publishers. Lira has decided to join the settlement and to file claims with regard to one time cash payments, only on behalf of our rights holders who have mandated Lira hereto. In relation to future "Display Use" under the settlement, Lira is still surveying and evaluating which Lira member authors are interested in giving consent to Google with regard to (future) display use under the settlement. (mro) (Entered: 09/10/2009)
09/09/2009	<u>340</u>	LETTER addressed to Office of the Clerk from Ulrike Metzger dated 9/2/09 re: Ulrike Metzger, Managing Director of Ravensburger joins in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations as further set forth in this letter. Document filed by Ravensburger Buchverlag Otto Maier GmbH.(dle) (Entered: 09/10/2009)
09/09/2009	<u>341</u>	LETTER addressed to Madam or Sir from Dr. A. Nagele dated 9/1/09 re: My name is Andreas Nagele, one of the partners of Gebr. Borntraeger Verlagsbuchhandlung of Stuttgart, Germany, a publisher of scholarly books and journals since 1790. Our books and journals are in distributed and read in US, and elsewhere; We write to object the settlement agreement; Further, roughly 90% of the data on Gebr. Borntraeger's publications, that Google Inc. has made available in the preview of its planned book registry is flawed, incomplete and downright incorrect, especially when it concerns the commercial availability of our copyrighted works; It appears to us that Google Inc. has simply chosen to label everything out of print, with very few exceptions. (mro) (Entered: 09/10/2009)
09/09/2009	<u>342</u>	LETTER addressed to Judge Denny Chin from Wade Henderson (Leadership Conference on Civil Rights) dated 9/3/09 re: Failure to approve the settlement would be tragic. (cd) (Entered: 09/10/2009)
09/09/2009	<u>343</u>	LETTER addressed to Madam or Sir from Dr. Walt Obermiller dated 9/1/09 re: I am partner of E. Schweizerbart'sche Verlagsbuchhandlung of Stuttgart, Germany, a

		publisher of scholarly books and journals since 1826. Our books and journals are in considerable circulation in the US and elsewhere; We write to object to the settlement agreement. (mro) (Entered: 09/10/2009)
09/09/2009	<u>344</u>	LETTER addressed to Office of the Clerk from Sven H. Koeltz re: I am owner of the Koeltz Scientific Books, a book publisher located in Konigstein, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/09/2009	<u>345</u>	LETTER addressed to Judge Denny Chin from Edward Feigenbaum et al (Stanford Computer Science) dated 9/3/09 re: In support of approval of the final settlement. Document filed by Peter Schweizer.(cd) (Entered: 09/10/2009)
09/09/2009	<u>346</u>	LETTER addressed to Office of the Clerk from Dietrich zu Klampen, publisher dated 9/1/09 re: Dietrich zu Klampen Verlag GbR joins in the objections that have been presented to this Court by Scott Gant et al. Document filed by Dietrich zu Klampen Verlag GbR.(dle) (Entered: 09/10/2009)
09/09/2009	<u>347</u>	LETTER addressed to Office of the Clerk from Jan Mucha dated 9/1/09 re: I am the CEO of the IZ Immobilienzeitung Verlagsgesellschaft mbH, a book publisher located in Wiesbaden, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/09/2009	<u>348</u>	LETTER addressed to Office of the Clerk from Christian Schumacher–Gebler dated I am CFO of the Ullstein Buchverlage GmbH, a publisher located in Berlin, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations; We also wish to inform the Court that the written notice that our company received of the settlement agreement in German was extremely difficult to read.(mro) (Entered: 09/10/2009)
09/09/2009	<u>349</u>	LETTER addressed to Office of the Clerk from Rainer Schneider dated 9/1/09 re: I am general director and owner of the Schneider Verlag Hohengehren GmbH, a book publisher located in Baltmannsweiler, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/09/2009	<u>350</u>	LETTER addressed to Judge Denny Chin from Lezi Baskerville (NAFEO) dated 8/20/09 re: Request for approval of the proposed settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>351</u>	LETTER addressed to Office of the Clerk from Dr. Stefan Krummow, Legal Advisor dated 9/1/09 re: legal advisor to Aufbau Verlag GmbH &Co. KG joins the objections that have been presented to this Court by Scott Gant, et al. (dle) (Entered: 09/10/2009)
09/09/2009	<u>352</u>	LETTER addressed to Office of the Clerk from Dr. Tilmann Michaletz and Martin Huppe dated 9/1/09 re: Cornelsen Verlag GmbH joins in the objections that have been presented to this Court by Scott Gant, et al. Document filed by Cornelsen Verlag GmbH.(dle) (Entered: 09/10/2009)
09/09/2009	<u>353</u>	LETTER addressed to Judge Denny Chin from Lateef Mitima (Institute of Intellectual Property) dated 9/8/09 re: Request for approval of settlement. (cd) (Entered: 09/10/2009)

09/09/2009	<u>354</u>	LETTER addressed to Judge Denny Chin from Roberta Adelman (CUNY LEADS) dated 9/4/09 re: Request for approval of the settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>355</u>	LETTER addressed to Office of the Clerk from Gregor Rauh dated 9/1/09 re: Cornelsen Verlag Scriptor GmbH &Co. KG joins in the objections presented to this Court by Scott Gant et al. Document filed by Cornelsen Verlag Scriptor GmbH &Co. KG.(dle) (Entered: 09/10/2009)
09/09/2009	<u>356</u>	LETTER addressed to Office of the Clerk from Bernhard Schmid dated 9/2/09 re: Karl-May-Verlag joins in the objections that have been presented to this Court by Scott Gant et al. Document filed by Karl-May-Verlag.(dle) (Entered: 09/10/2009)
09/09/2009	<u>357</u>	LETTER addressed to Judge Denny Chin from Michael Keller and Lauren Schoenthaler (Stanford University Libraries) dated 9/8/09 re: Request for approval of the Proposed Settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>358</u>	LETTER addressed to Office of the Clerk from Raymond Johnson-Ohla dated 9/1/09 re: VDI Verlag GmbH joins in the objections presented to this Court by Scott Gant et al. Document filed by VDI Verlag GmbH.(dle) (Entered: 09/10/2009)
09/09/2009	<u>359</u>	LETTER addressed to Judge Denny Chin from Leroy Watson (The National Grange) dated 9/3/09 re: Request for approval of the final settlement agreement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>360</u>	LETTER addressed to Office of the Clerk from Joachim Nourney dated 9/2/09 re: Verlag- Europa Lehrmittel joins in the objections that have been presented to this Court by Scott Gant et al.. Document filed by Verlag Europa-Lehrmittel.(dle) (Entered: 09/10/2009)
09/09/2009	<u>361</u>	LETTER addressed to Judge Chin from Rodney Erickson et al (Committee on Institutional Cooperation) dated 9/4/09 re: Request for approval of the settlement agreement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>362</u>	LETTER addressed to Judge Denny Chin from Martin Wichert dated 9/1/09 re: Martin Wichert, Sales Director of the Hatje Cantz Verlag, a book publisher located in Ostfildern, Germany writes to object to the Settlement Agreement. Document filed by Martin Wichert.(ae) (Entered: 09/10/2009)
09/09/2009	<u>363</u>	LETTER addressed to Office of the Clerk from Joachim Nourney dated 9/2/09 re: Fachbuchverlag Pfanneberg joins in the objections that have been presented to this Court by Scott Gant et al. Document filed by Fachbuchverlag Pfanneberg.(dle) (Entered: 09/10/2009)
09/09/2009	<u>364</u>	LETTER addressed to Judge Denny Chin from Tom Kraushaar, Publisher dated 9/2/09 re: Tom Kraushaar, Publisher of the J.G. Cotta'sche Buchhandlung Nachfolger GmbH, writes to object to the Settlement Agreement. Filed by Tom Kraushaar. (ae) (Entered: 09/10/2009)
09/09/2009	<u>365</u>	LETTER addressed to Judge Denny Chin from Sakari Laiho dated 9/1/09 re: Sakari Laiho, Director of the The Finnish Book Publishers Association writes to oppose the Settlement Agreement. Filed by Sakari Laiho(ae) (Entered: 09/10/2009)
09/09/2009	<u>366</u>	LETTER addressed to Office of the Clerk from Ludger Kieyboldt dated 9/1/09 re: Friedrich Kiehl Verlag GmbH joins in the objections that have been presented to this Court by Scott Gant, et al. Document filed by Friedrich Kiehl Verlag GmbH.(dle) (Entered: 09/10/2009)
09/09/2009	<u>367</u>	LETTER addressed to Judge Denny Chin from Peter Gollasch dated 9/2/09 re: Peter Gollasch, CFO of the Thienemann Verlag GmbH writes to the Court objecting to the Settlement Agreement. Filed by Peter Gollasch.(ae) (Entered: 09/10/2009)
09/09/2009	<u>368</u>	LETTER addressed to Judge Denny Chin from Klaus W. Mueller, Carl-Auer Publ. dated 9/1/09 re: Klaus W. Mueller, General Manager of Carl-Auer Publishers writes to the Court objecting to the Settlement Agreement. Filed by Klaus W. Mueller.(ae) (Entered: 09/10/2009)
09/09/2009	<u>369</u>	LETTER addressed to Office of the Clerk from Peter Kirchheim dated 9/1/09 re: P. Kirchheim Verlag joins in the objections that have been presented to this Court by

		Scott Gant et al. Document filed by P. Kerchheim Verlag.(dle) (Entered: 09/10/2009)
09/09/2009	<u>371</u>	LETTER addressed to Judge Denny Chin from Jesus Sanchez Garcia dated 9/3/09 re: Grupo Anaya objects to the proposed Settlement Agreement. Document filed by Grupo Anaya SA.(dle) (Entered: 09/10/2009)
09/09/2009	<u>372</u>	LETTER addressed to Judge Denny Chin from Ulich Pokern and Tilo Knoche dated 9/1/09 re: Parties Ulrich Pokern and Tilo Knoche, Executive Directors of Erns Klett Verlag GmbH jointly object the Settlement Agreement. Filed by Ulich Pokern, Tilo Knoche. (ae) (Entered: 09/10/2009)
09/09/2009	<u>373</u>	LETTER addressed to Judge Denny Chin from Dr. W. Georg Olms dated 9/1/09 re: Dr. W. Georg Olms, Managing Director of the Georg Olms Verlag writes to object to the Settlement Agreement. Document filed by W. Georg Olms.(ae) (Entered: 09/10/2009)
09/09/2009	<u>374</u>	LETTER addressed to Judge Denny Chin from Karin Wittenborg (University of Virginia Library) dated 9/3/09 re: Request for final approval of the settlement agreement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>375</u>	LETTER addressed to Judge Denny Chin from Dr. Wolfgang Illert dated 9/2/09 re: The Deutsche Stiftung Denkmalschutz writes objecting to the Settlement Agreement. Document filed by The Deutsche Stiftung Denkmalschutz.(ae) (Entered: 09/10/2009)
09/09/2009	<u>376</u>	LETTER addressed to J. Michael McMahon, Clerk of Court from Hesys Sanchez Garcia dated 9/3/09 re: Objections of Grupo Editorial Bruno, S.L. to proposed Class Settlement. Document filed by Edelsa Grupo Didascalía, S.A..(pl) (Entered: 09/10/2009)
09/09/2009	<u>377</u>	LETTER addressed to Judge Denny Chin from Robert Stein (Uniform Law Commission) dated 9/3/09 re: Not opting out of the proposed settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>378</u>	LETTER addressed to Judge Denny Chin from Margret Schneider dated 09/1/09 re: Dr. Stefan Schlegel, manager of the Vde Verlag GmbH writes to object to the Settlement Agreement. Document filed by Vde Verlag GmbH.(ae) (Entered: 09/10/2009)
09/09/2009	<u>379</u>	LETTER addressed to Judge Denny Chin from Karl ZoBell and Millie Basden (DLA Paper) dated 8/26/09 re: Request for approval of the settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>380</u>	LETTER addressed to Judge Denny Chin from Nikolaus Hansen dated 9/1/09 re: Nikolaus Hansen, publisher of the Atrium Verlag AG, writes to object to the Settlement Agreement. Document filed by Atrium Verlag AG.(ae) (Entered: 09/10/2009)
09/09/2009	<u>381</u>	LETTER addressed to Judge Denny Chin from Jennifer Nicholson (IFLA) dated 9/1/09 re: Territorial limits of the settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>382</u>	LETTER addressed to Judge Denny Chin from Eva Maria Buchholz dated 9/1/09 re: Eva Maria Buchholz, head of book department of the Hinstorff Verlag GmbH writes to object to the Settlement Agreement. Document filed by Hinstorff Verlag GmbH.(ae) (Entered: 09/10/2009)
09/09/2009	<u>383</u>	LETTER addressed to Judge Denny Chin from Gregory Crane (Tufts University) dated 8/7/09 re: In support of the books Google has digitalized reach the widest possible audience as quickly as possible. (cd) (Entered: 09/10/2009)
09/09/2009	<u>384</u>	LETTER addressed to Judge Denny Chin from Anne Kenney (Cornell University Library) dated 9/2/09 re: Supporting final settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>385</u>	LETTER addressed to Judge Denny Chin from Florian Sautter dated 9/1/09 re: Florian Sautter, owner of the "Verlag der Buchhandlung Sautter & Lackmann, writes to object to the Settlement Agreement. Document filed by Sautter & Lackmann Gachbuchhandlung.(ae) (Entered: 09/10/2009)

09/09/2009	<u>386</u>	LETTER addressed to Office of the Clerk, U.S. District Court for the Southern District of New York from Dr. Martina Erdmann dated 9/1/09 re: objection to the Settlement Agreement. Document filed by Dr. Martina Erdmann.(pl) (Entered: 09/10/2009)
09/09/2009	<u>387</u>	LETTER addressed to Judge Denny Chin from Jonathan Band (Jonathna Band PLLC) dated 9/3/09 re: Courtesy copies of the listed filings re settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>388</u>	LETTER addressed to Judge Denny Chin from Steffen Herrmann dated 9/1/09 re: Steffen Herrmann, publisher of Junius Verlag GmbH, writes to object to the Settlement Agreement. Document filed by Junius Verlag GmbH.(ae) (Entered: 09/10/2009)
09/09/2009	<u>389</u>	LETTER addressed to Judge Denny Chin from Ulrich Grunwald dated 9/1/09 re: Ulrich Grunwald, Manager of the Verlag Handwerk und Technik GmbH, writes to object to the Settlement Agreement. Document filed by Verlag Handwerk und Technik GmbH.(ae) (Entered: 09/10/2009)
09/09/2009	<u>390</u>	LETTER addressed to Judge Denny Chin from Raymond Nimmer and Jeff Dodd (University of Houston) dated 9/4/09 re: Request for rejection of the settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>391</u>	LETTER addressed to Judge Denny Chin from Hans J. Schmidtke dated 9/1/09 re: Hans J. Schmidtke, Publisher of the Cadmos Verlag GmbH, writes to object to the Settlement Agreement. Document filed by Cadmos Verlag GmbH.(ae) (Entered: 09/10/2009)
09/09/2009	<u>392</u>	LETTER addressed to Judge Denny Chin from Harry Lewis (Author Sub-Class) dated 9/4/09 re: Objections to some of the terms of the settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>393</u>	LETTER addressed to Judge Denny Chin from Diane Aronson dated 9/3/09 re: Concerns about settlement etc. (cd) (Entered: 09/10/2009)
09/09/2009	<u>394</u>	LETTER addressed to Office of the Clerk, U.S. District Court for the Southern District of New York from Tanja Graf dated 9/2/09 re: objection to the Settlement Agreement. Document filed by Tanja Graf.(pl) (Entered: 09/10/2009)
09/09/2009	<u>395</u>	LETTER addressed to Judge Denny Chin from Susan Bergholz dated 8/31/09 re: Objections to the settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>396</u>	LETTER addressed to Judge Denny Chin from Nikolaus Hansen dated 9/1/09 re: Nikolaus Hansen, publisher of the Arche Literatur Verlag AG, writes to object to the Settlement Agreement. Document filed by Arche Literatur Verlag AG.(ae) (Entered: 09/10/2009)
09/09/2009	<u>397</u>	LETTER addressed to Judge Denny Chin from Mary Lynn Cabrall dated 9/4/09 re: Request for rejection of the settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>398</u>	LETTER addressed to Judge Denny Chin from Gary Rhoades (AAUP) dated 9/4/09 re: Concerns about the Google Library Project/settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>399</u>	LETTER addressed to Judge Denny Chin from Tim Teloeken dated 9/1/09 re: Tim Teloeken, director of Alba Fachverlag GmbH &Co.KG, writes to object to the Settlement Agreement. Document filed by Alba Fachverlag GmbH &Co.KG.(ae) (Entered: 09/10/2009)
09/09/2009	<u>400</u>	LETTER addressed to Judge Denny Chin from Olswang LLP dated 9/8/09 re: that on behalf on behalf of the UK Agents, we respectfully request the Court's permission to file this letter as an amicus curiae brief to address certain concerns of UK authors who have not opted-out of the proposed settlement agreement in this proceeding. The within brief is in support of neither party. Document filed by Olswang LLP.(pl) (Entered: 09/10/2009)
09/09/2009	<u>401</u>	LETTER addressed to Judge Denny Chin from Serge Eyrolles dated 9/3/09 re: Serge Eyrolles, President of the French Publishers Association, writes to object to the Settlement Agreement. Document filed by French Publishers Association.(ae)



		(Entered: 09/10/2009)
09/09/2009	<u>402</u>	LETTER addressed to Judge Denny Chin from Motohisa Ohno re: Objections to Settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>403</u>	LETTER addressed to Judge Denny Chin from Martin Kahn (ProQuest) dated 9/3/09 re: Objections to settlement. (cd) (Entered: 09/10/2009)
09/09/2009	<u>404</u>	LETTER addressed to Office of the Clerk, U.S. District Court for the Southern District of New York from Irene Lindon, CEO dated 9/3/09 re: objection to the Proposed Settlement Agreement. Document filed by Les Editions De Minuit S.A..(pl) (Entered: 09/10/2009)
09/09/2009	<u>405</u>	Objections To Settlement. Document filed by Harrasowitz, Media 24 et al. (cd) (Entered: 09/10/2009)
09/09/2009	<u>406</u>	OBJECTIONS to Proposed Settlement and Brief of Amici Curiae Borsenverein Des Deutschen Buchhandels, Schweizer Buchhandler – Und Verleger – Verbank Sbv, Hauptverband Des Osterreichischen Buchhandels, Svenska Forlaggareforeningen. Document filed by Harrasowitz, Media24, Studentlitteratur AB, Norstedts Forlagsgrupp AB, Norstedts Kartor AB, Leopard Forlag AB, Borsenverein des Deutschen Buchhandels, Schweizer Buchhandler – und Verleger–Verband SBVV, Hauptverband des Osterreichischen Buchhandels, Svenska Forlaggareforeningen. (ae) (Entered: 09/10/2009)
09/09/2009	<u>407</u>	LETTER addressed to Judge Denny Chin from Hiroshi Sakagami, President dated 9/4/09 re: objection to the Settlement Agreement. Document filed by The Japan Writers' Association.(pl) (Entered: 09/10/2009)
09/09/2009	<u>408</u>	LETTER addressed to Office of the Clerk, U.S. District Court for the Southern District of New York from Geert Noorman, Director dated 9/1/09 re: Dutch objections and concerns Google Book Settlement. Document filed by The Dutch Publishers Association (NUV).(pl) (Entered: 09/10/2009)
09/09/2009	<u>409</u>	LETTER addressed to Office of the Clerk, U.S. District Court for the Southern District of New York from Eckhart Holzboog dated 9/1/09 re: We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations that includes the Borsenverein des Deutschen Buchhandels and others, for the reasons presented to this Court by those individuals and entities. Document filed by Frommann–holzboog e.K..(pl) (Entered: 09/10/2009)
09/09/2009	<u>410</u>	LETTER addressed to Office of the Clerk, U.S. District Court for the Southern District of New York from Thomas Grundmann dated 9/1/09 re: We write to object to the Settlement Agreement. Document filed by Bouvier Berlag.(pl) (Entered: 09/10/2009)
09/09/2009	<u>414</u>	LETTER addressed to Office of the Clerk from Maria Schonefeld dated 8/31/2009 re: We write to object to the Settlement Agreement. (jpo) (Entered: 09/10/2009)
09/09/2009	<u>420</u>	LETTER addressed to Mr. McMahon from Tony Simpson dated 9/2/09 re: The proposed settlement affects published authors and rights holders. The NZSA owns the rights to numerous publications as well as being the principal advocate for the professional interests of New Zealand's writers, actively working to protect copyright through contractual negotiations. The proposed settlement affects our copyright and that of our members; We urge the Court to reject the proposed settlement on the grounds as detailed above. (mro) (Entered: 09/10/2009)
09/09/2009	<u>422</u>	LETTER addressed to Office of the Clerk J. Michael McMahon from Prof. Dr. Rainer Kuhlén dated 8/31/09 re: objection to the Settlement Agreement. Document filed by "Copyright for Education and Science" (CCES).(pl) (Entered: 09/10/2009)
09/09/2009	<u>423</u>	LETTER addressed to Office of the Clerk from Kurt Mattes dated 9/1/09 re: I am owner of the Mattes Verlag GmbH, a book publisher located at Heidelberg in Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of

		foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/09/2009	<u>429</u>	LETTER addressed to Mr. McMahon from Alison Gray dated 9/2/09 re: I write to object to the proposed settlement as a class member; For the reasons listed herein, I urge the Court to reject the proposed settlement. (mro) (Entered: 09/10/2009)
09/09/2009	<u>457</u>	LETTER addressed to Judge Denny Chin from Owen Atkinson dated 9/4/09 re: The Authors' Licensing Collecting Society(ALCS) wishes to submit this letter in relation to the final settlement approval in this case; The proposed Google settlement agreement is an important issue for our members; We have already identified more than 18,000 of our members and 37,000 works as being directly affected by the settlement. Document filed by Owen Atkinson.(mro) (Entered: 09/10/2009)
09/09/2009	<u>492</u>	LETTER addressed to Judge Denny Chin from Giles Sandeman Allen dated 9/4/2009 re: Counsel writes to request an amendment in the determination of "in print". Please can the following clause or something similar be inserted, into the Attachment A to Settlement Agreement, probably at 3.2 (a)(i)(4), to say: "A Book is not "in-print" if the author-publisher contract is governed by foreign law which allows for automatic reversion to the Author of rights in the Book and the criteria for such automatic reversion have been met." (jfe) (Entered: 09/10/2009)
09/09/2009	<u>500</u>	LETTER addressed to Sir from Racheli Edelman dated 4/9/2009 re: Counsel writes to object to the Settlement Agreement. (jfe) (Entered: 09/10/2009)
09/09/2009	<u>507</u>	LETTER addressed to J. Michael McMahon from Eva Dreikurs Ferguson dated 8/29/2009 re: As copyright holder for the published works of Rudolf Dreikurs, Sadie Dreikurs, and Eva Dreikurs Ferguson, I am writing to send my objection regarding the Settlement between Google and Authors. I wish to be a member of the Settlement and request the Court to take into account my concerns when finalizing the Settlement. (jmi) (Entered: 09/11/2009)
09/09/2009	<u>509</u>	LETTER addressed to Judge Denny Chin from Autouio dated 9/8/2009 re: The Federacion de Gremios de Editores de Espaiia (FGEE) is a private entity representing the interest of the publishing sector in Spain. We are writing to you in regards to the proposed Settlement Agreement of the class action copyright infringement litigation brought by the U.S. Author's Guild and others against Google Inc (hereinafter the "Settlement"). (jmi) (Entered: 09/11/2009)
09/09/2009	<u>510</u>	LETTER addressed to Office of the Clerk from Dr. Zsuzsanna Bazing dated 9/1/2009 re: My name is Dr. Zsuzsanna Bazing, and I am the managing director of the Dialog Campus Kiado-NORDEX GmbH, a book publisher located in Passau Germany. Dialog Campus Kiado-NORDEX GmbH is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/11/2009)
09/09/2009	<u>511</u>	LETTER addressed to Office of the Clerk from Dr. Zsuzsanna Bazing dated 9/1/2009 re: My name is Dr. Zsuzsanna Bazing, and I am the managing director of the Schenk Verlag GmbH, a book publisher located in Passau Germany. Schenk Verlag GmbH is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/11/2009)
09/10/2009	<u>411</u>	LETTER addressed to Office of the Clerk from Gerhard Denndorf dated 9/2/2009 re: We write to object to the Settlement Agreement. (jpo) (Entered: 09/10/2009)
09/10/2009	<u>412</u>	LETTER addressed to Office of the Clerk from Kristoffer Lind dated 8/31/2009 re: We write to object the Settlement Agreement. (jpo) (Entered: 09/10/2009)
09/10/2009	<u>413</u>	LETTER addressed to Office of the Clerk from Bengt Fasth dated 8/31/2009 re: We write to object to Settlement Agreement. (jpo) (Entered: 09/10/2009)
09/10/2009	<u>415</u>	LETTER addressed to Judge Denny Chin from Salley Shannon dated 9/4/09 re: As the author of several books, plus portions of anthologies, all of which were published before September 5, 2009, I write to put my objections before you; The

		so-called remedy is disproportionate, duplicitous, and bears little relationship to the offense; I do recognize that much about how Google operates its proprietary, making it difficult to monitor any limitations. Nevertheless, please direct that limits be set. It is time.(mro) (Entered: 09/10/2009)
09/10/2009	<u>416</u>	LETTER addressed to Mr. McMahon from Deborah Burnside dated 9/2/09 re: I write to object to the Proposed Settlement as a class member in support of the New Zealand Society of Author's objection. I am a New Zealand author and citizen and my books are published by New Zealand and Australian publishers.(mro) (Entered: 09/10/2009)
09/10/2009	<u>417</u>	LETTER addressed to Office of the Clerk from Klaus-Thorsten Firnig dated 9/1/09 re: I am Managing Director of the EGMONT Verlagsgesellschaften mbH, a book publisher located in Cologne, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/10/2009	<u>419</u>	LETTER addressed to Office of the Clerk from Carola Muller dated 9/2/09 re: I am CEO of the publishing house Vandenhoeck & Ruprecht, a book publisher located in Gottingen, Germany; We join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/10/2009	<u>421</u>	LETTER addressed to Mr. McMahon from Daphne Clair de Jong dated 9/2/09 re: I write to object to the proposed settlement as a class member; I urge the Court to reject the proposed settlement on the grounds listed herein. (mro) (Entered: 09/10/2009)
09/10/2009	<u>424</u>	LETTER addressed to Office of the Clerk from Manfred Krick dated 9/2/09 re: We are a German publishing house having its registered office at Bad Homburg, Germany. As a major publisher in the area of educational products we are distributing about 300 different educational books up to date for which we are holding the US copyright. As a so called rights holder under the settlement agreement we object to the proposed settlement agreement. (mro) (Entered: 09/10/2009)
09/10/2009	<u>425</u>	LETTER addressed to Office of the Clerk from Manfred Metzner re: I am CEO of the Verlag Das Wunderhorn GmbH, a book publisher located in Heidelberg, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/10/2009	<u>426</u>	LETTER addressed to Office of the Clerk from Hans Freiwald dated 9/2/09 re: I am Editorial Director of the CW Niemeyer Buchverlage GmbH, a book publisher located in Hameln, Germany; We write to object to the settlement agreement. (mro) (Entered: 09/10/2009)
09/10/2009	<u>427</u>	LETTER addressed to Office of the Clerk from Karl-Heinz Remmers dated 9/1/09 re: I am CEO of the Solarpraxis AG, a book publisher located in Berlin, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/10/2009	<u>430</u>	LETTER addressed to Office of the Clerk from Prof. Dr. Wulf D. v. Lucius dated 9/2/09 re: I am CEO of the Lucius & Lucius Verlagsgesellschaft mbH, a book publisher located in Stuttgart, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro)

		(Entered: 09/10/2009)
09/10/2009	<a href="#"><u>431</u></a>	LETTER addressed to Office of the Clerk from Dr. Hans–Robert Cram dated 9/2/09 re: I am managing director of the Dietrich Reimer Verlag GmbH, a book publisher located in Berlin, Germany, with a book list of more than 1,800 titles; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/10/2009	<a href="#"><u>432</u></a>	LETTER addressed to Office of the Clerk from Michael Schmitt, Parzeller & Co. KG dated 9/1/09 re: I am managing director of Parzeller & Co. KG, a book publisher located in Fluda, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/10/2009	<a href="#"><u>433</u></a>	LETTER addressed to Office of the Clerk from Daniela Filthaut dated 9/1/09 re: I am publishing director of the Gerstenberg Verlag GmbH & Co. KG, a book publisher located in Hildesheim, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) (Entered: 09/10/2009)
09/10/2009	<a href="#"><u>434</u></a>	LETTER addressed to Office of the Clerk from Adrian Schommers dated 9/2/09 re: I am the managing director of the Verlag Stahleisen GmbH, a book publisher located in Dusseldorf, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Adrian Schommers.(mro) (Entered: 09/10/2009)
09/10/2009	<a href="#"><u>435</u></a>	LETTER addressed to Office of the Clerk from Adrian Schommers dated 9/2/09 re: I am managing director of the Giesserei–Verlag GmbH, a book publisher located in Duseeldorf, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Adrian Schommers.(mro) (Entered: 09/10/2009)
09/10/2009	<a href="#"><u>436</u></a>	LETTER addressed to Office of the Clerk from Adrian Schommers dated 9/2/09 re: I am the managing director of the Montan–und Wirtschaftsverlag GmbH, a book publisher located in Dusseldorf, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Adrian Schommers.(mro) (Entered: 09/10/2009)
09/10/2009	<a href="#"><u>437</u></a>	LETTER addressed to Office of the Clerk from Dag Hernried dated 9/1/09 re: I am managing director of the Alfabeta Bokforlag AB, a book publisher located in Stockholm, Sweden; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Dag Hernried.(mro) (Entered: 09/10/2009)

09/10/2009	<u>438</u>	LETTER addressed to Office of the Clerk from Lena Andersson dated 9/2/09 re: I am Managing Director of the Berghs Forlag AB, a book publisher located in Stockholm, Sweden; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Lena Andersson.(mro) (Entered: 09/10/2009)
09/10/2009	<u>439</u>	LETTER addressed to Office of the Clerk from Catrine Christell Grimlund dated 8/31/09 re: I am owner of the Bokforlaget Opal AB, a book publisher located in Stockholm, Sweden; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Catrine Christell Grimlund.(mro) (Entered: 09/10/2009)
09/10/2009	<u>440</u>	LETTER addressed to Office of the Clerk from David Stansvik dated 8/31/09 re: I am managing director of the Bokforlaget Nya Doxa AB, a book publisher located in Nora, Sweden; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by David Stansvik.(mro) (Entered: 09/10/2009)
09/10/2009	<u>441</u>	LETTER addressed to Office of the Clerk from Par Sjolinder dated 9/2/09 re: I am junior editor of the Modernista, a book publisher located in Stockholm, Sweden; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Par Sjolinder.(mro) (Entered: 09/10/2009)
09/10/2009	<u>442</u>	LETTER addressed to Judge Denny Chin from Kristoffer Lind dated 8/30/09 re: I am chairman of the Nordic Independent Publishers Association (Nordiska Oberoende Forlagas Forening, NOFF) located in Stockholm, Sweden. I write on behalf of NOFF in connection with the proposed settlement of the class action copyright infringement litigation brought by the US Authors Guild and others against Google's Book search service; We urge this Court not to approve the settlement agreement, for the reasons herein; To the extent necessary, we respectfully request that this Court accept this letter as an amicus curiae submission. Document filed by Kristoffer Lind.(mro) (Entered: 09/10/2009)
09/10/2009	<u>443</u>	LETTER addressed to Office of the Clerk from Karl Heinz Bonny dated 9/2/09 re: I am CEO of Landwirtschaftsverlag GmbH, a book publisher in Munster, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Karl Heinz Bonny.(mro) (Entered: 09/10/2009)
09/10/2009	<u>444</u>	LETTER addressed to Office of the Clerk from Andreas Schulz dated 9/2/09 re: I am the CEO of the Vista Point Verlag GmbH, a book publisher located in Cologne, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Andreas Schulz.(mro) (Entered: 09/10/2009)
09/10/2009	<u>445</u>	LETTER addressed to Office of the Clerk from Dr. Martin Wagner dated 9/2/09 re: I am legal counsel and head of the legal department of Langenscheidt KG, a book publisher located in Munich, Germany; We write to object to the settlement

		agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Martin Wagner.(mro) (Entered: 09/10/2009)
09/10/2009	<u>446</u>	LETTER addressed to Office of the Clerk from Dr. Hans–Jurgen Dietrich dated 9/1/09 re: I am the publishing director of the Ergon–Verlag GmbH, a book publisher located in Wurzburg, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Dr.Hans–Jurgen Dietrich.(mro) (Entered: 09/10/2009)
09/10/2009	<u>447</u>	LETTER addressed to Office of the Clerk from Dr. Susanne Greiner dated 9/1/09; re: I am Geschäftsfuhrer of the Johannes Verlag Einsiedeln, a book publisher located in Freiburg, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations Document filed by Susanne Greiner.(mro) (Entered: 09/10/2009)
09/10/2009	<u>448</u>	LETTER addressed to Office of the Clerk from Harald Kirbach dated 9/1/09 re: I am managing director of the Wirtschaftsverlag, a book publisher located in Bremerhaven, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations; We also wish to inform the Court that our company did not receive any written notice of the settlement agreement. Document filed by Harald Kirbach.(mro) (Entered: 09/10/2009)
09/10/2009	<u>449</u>	LETTER addressed to Office of the Clerk from Chris Schoen dated 9/1/09 re: I am CEO of ibidem–Verlag J. Haunschild/C. Schon GbR, a book publisher located in Stuttgart and Hannover, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Chris Schoen.(mro) (Entered: 09/10/2009)
09/10/2009	<u>450</u>	LETTER addressed to Office of the Clerk from Cordula Walter–Bolhofer dated 9/1/09 re: I am director of the Calypso Verlag, a book publisher located in 53819 Neunkirchen, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations; Our company did not receive any written notice of the settlement agreement, nor did we see any published notice of the settlement agreement. Document filed by Cordula Walter–Bolhofer.(mro) (Entered: 09/10/2009)
09/10/2009	<u>451</u>	LETTER addressed to Office of the Clerk from Georg Holzmeister dated 9/1/09 re: I am general manager of the Fidula–Verlag Holzmeister GmbH, a book publisher located in Boppard/Rhine in Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Georg Holzmeister.(mro) (Entered: 09/10/2009)
09/10/2009	<u>452</u>	LETTER addressed to Office of the Clerk from Joachim Weidler dated 9/1/09 re: I am the publisher of Weidler Buchverlag Berlin, a book publisher located in Berlin (Germany); We write to object to the settlement agreement. We do not have the

		resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Joachim Weilder.(mro) (Entered: 09/10/2009)
09/10/2009	<u>453</u>	LETTER addressed to Office of the Clerk from Peter Hohl dated 9/1/09 re: I am managing director of hte SecuMedia Verlag, a book publisher located in Gai-Algesheim, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Peter Hohl.(mro) (Entered: 09/10/2009)
09/10/2009	<u>454</u>	LETTER addressed to Office of the Clerk from Dr. Reinhard Martini dated 9/2/09 re: I am the publisher of Junfermann Verlag, a book publisher located in Paderborn, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Reinhard Martini.(mro) (Entered: 09/10/2009)
09/10/2009	<u>455</u>	LETTER addressed to Office of the Clerk from Torbjorn Santerus re: I am founder and owner of the Santerus Forlag, a book publisher located in Stockholm, Sweden; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Torbjorn Santerus.(mro) (Entered: 09/10/2009)
09/10/2009	<u>456</u>	LETTER addressed to Judge Denny Chin from Russell Davis dated 9/2/09 re: This letter is sent in protest to the proposed settlement in The Authors Guild, Inc, et al v. Google, Inc. The objection is lodged on behalf of the Science Fiction and Fantasy Writers of America, Inc. ("SFWA"), a non profit organization of professional writers of science fiction, fantasy, and related genres; SFWA requests the opportunity to appear at the Fairness Hearing in this matter currently scheduled for October 7, 2009. Document filed by Russell Davis.(mro) (Entered: 09/10/2009)
09/10/2009	<u>458</u>	LETTER addressed to Mr. McMahon from Gordon Charles Ell (pen-name Pita Graham) dated 9/2/09 re: I write to object to the proposed settlement as a class member. The grounds for my objection are: Court has misapplied the Berne Convention; Court has exceeded jurisdiction; Author sub-class not applicable to NZ authors, etc. Document filed by Gordon Charles Ell.(mro) (Entered: 09/10/2009)
09/10/2009	<u>459</u>	LETTER addressed to Mr. McMahon from Antonette R. Jones dated 9/3/09 re: I write to object to the proposed settlement as a class member. The grounds for my objection are listed herein. Document filed by Antonette R Jones.(mro) (Entered: 09/10/2009)
09/10/2009	<u>460</u>	LETTER addressed to Mr. McMahon from Ann Louise Mitcalfe dated 9/3/09 re: I write to object to the proposed settlement as a class member. The grounds for my objection are listed herein. Document filed by Ann Louise Mitcalfe.(mro) (Entered: 09/10/2009)
09/10/2009	<u>461</u>	LETTER addressed to Mr. McMahon from Malcolm Campbell dated 9/3/09 re: I write to object to the proposed settlement as a class member. The grounds for my objection are listed herein. Document filed by Malcolm Campbell.(mro) (Entered: 09/10/2009)
09/10/2009	<u>462</u>	LETTER addressed to Office of the Clerk from Ulf Heimdahl dated 8/31/09 re: I am managing director of the Informationsforlaget Heimdahls AB, a book publisher in Stockholm, Sweden; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our

		objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Ulf Heimdahl.(mro) (Entered: 09/10/2009)
09/10/2009	<u>463</u>	LETTER addressed to Office of the Clerk from Petter Luthersson dated 8/31/2009 re: Counsel writes to object to the Settlement Agreement. Counsel therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations that includes the Svenska Forlaggareforeningen, for the reasons presented to this Court by those individuals and entities. In addition, counsel wish to inform this Court that the written notice that our company received of the Settlement Agreement in Swedish was extremely difficult to read and included a number of meaningless or nonsensical terms and had obviously been translated very poorly. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>464</u>	OBJECTION AND NOTICE OF INTENT TO APPEAR OF CLASS MEMBER SHOJIRO AKASHI TO PROPOSED SETTLEMENT BETWEEN PLAINTIFFS THE AUTHORS GUILD, INC., ASSOCIATION OF AMERICAN PUBLISHERS, INC., ET AL. AND GOOGLE, INC. (db) (Entered: 09/10/2009)
09/10/2009	<u>465</u>	THE PROPOSED GOOGLE SETTLEMENT: Views from the Booksellers Association of the United Kingdom & Ireland Limited. (db) (Entered: 09/10/2009)
09/10/2009	<u>466</u>	SUPPLEMENTAL LIBRARY ASSOCIATION COMMENTS ON THE PROPOSED SETTLEMENT. By the Library Associations. (db) (Entered: 09/10/2009)
09/10/2009	<u>467</u>	OBJECTION AND NOTICE OF INTENT TO APPEAR OF CLASS MEMBER JUNJI SUZUKI TO PROPOSED SETTLEMENT BETWEEN PLAINTIFFS THE AUTHORS GUILD, INC., ASSOCIATION OF AMERICAN PUBLISHERS, INC., ET AL. AND GOOGLE, INC. By 194 writers in Japan who are members of the Japan Visual Copyright Association. (db) (Entered: 09/10/2009)
09/10/2009	<u>468</u>	LETTER addressed to Office of the Clerk from Johannes Lessmann dated 9/2/09 re: Join in the objections that have been presented to the Court by Scott Gant and the group of foreign publishers and publishing associations that includes the Borsenverein des Deutschen Buchhandels and others, for the reasons presented to the Court by those individuals and entities. (db) (Entered: 09/10/2009)
09/10/2009	<u>469</u>	LETTER addressed to Office of the Clerk from Vittorio E. Klostermann dated 9/1/2009 re: Counsel writes to join in the objections that have been presented to this Court by Scott Gant and the group of Foreign publishers and publishing associations that includes the Borsenverein des Deutschen Buchhandels and others, for the reasons presented to this Court by those individuals and entities. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>470</u>	LETTER addressed to Settlement Administrator from Frank P. Scibilia dated 9/2/2009 re: Counsel writes to inform you, Google, Inc., and all other interested parties (including Class Counsel and the so-called "Book Rights Registry") that EMI is opting out of the settlement in Authors Guild, Inc. et al. v. Google, Inc., 05 CV 8136 (DC) (the "Google Books Settlement" or the "Settlement"). (jfe) (Entered: 09/10/2009)
09/10/2009	<u>471</u>	LETTER addressed to Judge Denny Chin from Arnaud Nourry dated 9/3/2009 re: Hachette respectfully requests that this Court reject the Proposed Settlement and/or decline to certify the class with regard to non-US Rightsholders. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>472</u>	LETTER addressed to Mr. Michael McMahon from Mr. E. A. Van Ingen dated 8/27/2009 re: Boom Publishers Amsterdam are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. Counsel would like to raise the following concerns and objections to this Settlement as set forth within.(jfe) (Entered: 09/10/2009)
09/10/2009	<u>473</u>	LETTER addressed to Office of the Clerk from Ann Marie Skarp dated 8/31/09 re: We present this letter to this Court in English, for the Court's convenience and it



		was translated for us. (db) (Entered: 09/10/2009)
09/10/2009	<u>474</u>	LETTER addressed to Judge Denny Chin from Karsten Blauert and Marie Svane dated 9/1/09 re: Request that the Court accept this letter as an Amicus Curiae submission. (db) (Entered: 09/10/2009)
09/10/2009	<u>475</u>	LETTER addressed to Office of the Clerk from Wolfgang Foerster dated 9/1/2009 re: Counsel writes to object to the Settlement Agreement. Counsel therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations that includes the Borsenverein des Deutschen Buchhandels and others, for the reasons presented to this Court by those individuals and entities. In addition, counsel wish to inform this Court that their company did not receive any written notice of the Settlement Agreement, nor did they see any published notice of the Settlement Agreement. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>476</u>	LETTER addressed to Mr. McMahon from Margaret Jefferies dated 9/3/09 re: Objection to Proposed Settlement as a class member. (db) (Entered: 09/10/2009)
09/10/2009	<u>477</u>	LETTER addressed to Honorable Clerk from Jesus F. Gonzalez dated 8/25/2009 re: Counsel writes in objection to the Google Book Search Agreement. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>478</u>	LETTER addressed to Judge Denny Chin from Karsten Blauert and Marie Svane dated 9/1/09 re: Request that the Court accept this letter as an Amicus Curiae submission. (db) (Entered: 09/10/2009)
09/10/2009	<u>479</u>	LETTER addressed to Mr. McMahon from Sander Knol dated 8/27/2009 re: Counsel writes to make the following objections and comments to the Google Book Settlement as set forth within. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>480</u>	LETTER addressed to Judge Denny Chin from Lewis Hyde dated 8/31/2009 re: Counsel writes to object to some of the terms of the settlement that has been proposed by the litigants in Case No. 05 CV 8136, The Authors Guild, Inc., et al. v. Google Inc. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>481</u>	LETTER addressed to Office of the Clerk from Patrik Widlund dated 8/31/09 re: We present this letter to this Court in English, for the Court's convenience and it was translated for us. (db) (Entered: 09/10/2009)
09/10/2009	<u>482</u>	LETTER addressed to Sir Michael McMahon from Mai Spijkers dated 8/26/2009 re: Counsel writes in regards to the proposed Settlement Agreement between Google Inc., and the Author Guild and the Association of American Publishers. Counsel raises the following concerns and objections to the Settlement set forth within. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>483</u>	LETTER addressed to Office of the Clerk from Dorothea Kieler dated 9/1/09 re: We present this letter to this Court in English, for the Court's convenience and it was translated for us. (db) (Entered: 09/10/2009)
09/10/2009	<u>484</u>	LETTER addressed to Office of the Clerk from Mr. Helmuth Bauer-Callwey dated 9/1/09 re: We present this letter to this Court in English, for the Court's convenience and it was translated for us. (db) (Entered: 09/10/2009)
09/10/2009	<u>485</u>	LETTER addressed to Office of the Clerk from Dieter Bergemann dated 9/1/09 re: We present this letter to this Court in English, for the Court's convenience and it was translated for us. (db) (Entered: 09/10/2009)
09/10/2009	<u>486</u>	LETTER addressed to Mr. McMahon from W.J. Van Oorschot dated 8/29/2009 re: Counsel writes to make the following objection and comments to the Google Book Search Settlement set forth within. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>487</u>	LETTER addressed to Office of the Clerk from Dr. med. Axel Bedürftig dated 9/1 re: We present this letter to this Court in English, for the Court's convenience and it was translated for us. (db) (Entered: 09/10/2009)
09/10/2009	<u>488</u>	LETTER addressed to Sir from Stuart Bernstein dated 8/31/2009 re: Counsel writes to object to the Google Book Settlement. (jfe) (Entered: 09/10/2009)

09/10/2009	<u>489</u>	LETTER addressed to Michael McMahon from Bert de Groot dated 8/25/2009 re: Counsel writes to draw your attention to the copyrights of the Dutch books owned by our publishing house which appear to be included in the settlement reached between Google and the Authors Guild and Association of American Publishers. Counsel should first like to point out that they have not yet been consulted or heard in this settlement, even though our copyrights are involved. Google's actions have raised many questions, comments and objections as set forth within. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>490</u>	THE GOOGLE SETTLEMENT: Letter dated 5/27/09 from Forlaeggerforeningen (Danish Publishers Association). (db) (Entered: 09/10/2009)
09/10/2009	<u>491</u>	LETTER addressed to Office of the Clerk from Erik Hellqvist dated 8/31/09 re: We present this letter to this Court in English, for the Court's convenience and it was translated for us. (db) (Entered: 09/10/2009)
09/10/2009	<u>493</u>	LETTER addressed to Sir Michael McMahon from A.M.W. Holl dated 9/1/09 re: Objection to Proposed Settlement Agreement. (db) (Entered: 09/10/2009)
09/10/2009	<u>494</u>	LETTER addressed to Office of the Clerk from Ann Spaak dated 8/31/09 re: We present this letter to this Court in English, for the Court's convenience and it was translated for us. (db) (Entered: 09/10/2009)
09/10/2009	<u>495</u>	LETTER addressed to Office of the Clerk from Bror Tronbacke dated 8/31/09 re: We present this letter to this Court in English, for the Court's convenience and it was translated for us. (db) (Entered: 09/10/2009)
09/10/2009	<u>496</u>	LETTER addressed to Judge Denny Chin from Mathias Lilleengen dated 9/4/2009 re: Counsel writes on behalf of our member publishers in connection with the proposed settlement of the class-action copyright infringement litigation brought by the U.S. Authors Guild and others against Google's Book Search service. counsel respectfully request that this Court accept this letter as an amicus curiae submission. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>497</u>	OBJECTION OF JAPANESE PUBLISHERS COMENT TO THE SETTLEMENT. by Japanese publishers. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>498</u>	LETTER addressed to Office of the Clerk from Juerg Flury dated 9/1/2009 re: Counsel writes in objection to the Settlement Agreement. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>499</u>	LETTER addressed to Office of the Clerk from Dr. Andreas Barth dated 1/09/2009 re: Counsel writes to object to the Settlement Agreement. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>501</u>	LETTER addressed to Mr. McMahon from Anthony Holcroft dated 9/3/2009 re: Counsel writes to object to the Proposed Settlement as a class member. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>502</u>	LETTER addressed to Office of the Clerk from Bausassessor Dipl.-Ing. Johannes Lohaus dated 9/1/2009 re: Counsel writes to object to the Settlement Agreement. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>503</u>	LETTER addressed to Office of the Clerk from Hildegard Wehler dated 9/1/2009 re: Counsel writes to object to the Settlement Agreement. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>504</u>	LETTER addressed to Office of the Clerk from Karin Low dated 9/1/2009 re: Counsel writes to object to the Settlement Agreement. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>505</u>	LETTER addressed to Office of the Clerk from Martin Kegel dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement. (jfe) (Entered: 09/10/2009)
09/10/2009	<u>512</u>	LETTER addressed to Office of the Clerk from Dr. Peter Hanser-Strecker and Michael Petry dated 9/1/2009 re: Our name is Dr. Peter Hanser-Strecker (managing director and shareholder of Schott Music GmbH &Co. KG) and Michael Petry (managing director of the SCHOTT MUSIC GmbH &Co. KG). Schott Music GmbH &Co. KG is a music book publisher located in Mainz, Germany. SCHOTT MUSIC GmbH KG is a member of the settlement class

		embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/11/2009)
09/10/2009	<u>513</u>	LETTER addressed to J. Michael McMahon from Susan J. Gordon dated 8/30/2009 re: I am a professional book author and freelance magazine/newspaper writer objecting to the Google Book Settlement because it is not fair or good for writers or most publishers. Google gets to write copyright law, has no restrictions its use of reader information, and provides no language forbidding censorship. I also find the premise that I am "in" (that is, accepting of the entire settlement agreement) unless I "opt out" to be unfair and outrageous. (jmi) (Entered: 09/11/2009)
09/10/2009	<u>514</u>	LETTER addressed to Judge Denny Chin from Paul N. Courant dated 9/4/2009 re: I, hereby, request this court's permission to submit this letter as an amicus curiae supporting final settlement approval in the above-referenced case. (jmi) (Entered: 09/11/2009)
09/10/2009	<u>515</u>	LETTER addressed to Office of the Clerk from Bernd Vincent Walbaum dated 9/1/2009 re: My name is Bernd Vincent Walbaum, and I am the managing director of Edition Peters GmbH resp. C. F. Peters GmbH &Co. KG, a publisher located in Frankfurt/Main, Germany. C. F. Peters is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. (jmi) (Entered: 09/11/2009)
09/10/2009	<u>516</u>	LETTER addressed to Office of the Clerk from Bernd Vincent Walbaum dated 9/1/09 re: I am the managing direct of Edition Peters GmbH resp. C. F. Peters GmbH &Co. KG, a publisher located in Frankfurt/Main, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Bernd Vincent Walbaum.(mro) (Entered: 09/11/2009)
09/10/2009	<u>517</u>	LETTER addressed to Office of the Clerk from Ingwert Paulsen dated 9/2/09 re: I am the owner of the Verlag der Nation Ingwet Paulsen Jr., a book publisher located in Husum, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Ingwert Paulsen.(mro) (Entered: 09/11/2009)
09/10/2009	<u>518</u>	LETTER addressed to Judge Denny Chin from Sudi Shayesteh and Merrill Parra dated 9/8/09 re: We write this letter on behalf of the City University of New York Committee on student disability Issues to respectfully request that the court approve the settlement between the Authors Guild and Google in the above referenced case. Document filed by Sudi Shayesteh, Merrill Parra.(mro) (Entered: 09/11/2009)
09/10/2009	<u>519</u>	LETTER addressed to Judge Denny Chin from Gary Rhoades dated 9/4/09 re: The American Association of University Professors (AAUP) submits this letter in response to the proposed settlement agreement in this case. This letter is neither in opposition to nor in support of the proposed settlement agreement; instead it raises concerns about the Google Library Project and the proposed settlement agreement on behalf of the interests of college and university faculty and the public in enabling the free exchange of information. Document filed by Gary Rhoades.(mro) (Entered: 09/11/2009)
09/10/2009	<u>520</u>	LETTER addressed to Judge Denny Chin from Isabelle Jeuge-Maynard dated 9/3/09 re: I am a citizen of France and the legal representative (president) of Editions Larousse SAS; As a European publisher, Editions Larousse objects to the proposed settlement and strenuously urges the Court to reject it due to the significant unfair and inequitable effects that it will have on all non-US Authors

		and Publishers. The proposed settlement is purely and simply unacceptable from the point of view of a European publisher. Document filed by Isabelle Jeuge-Maynary.(mro) (Entered: 09/11/2009)
09/10/2009	<u>521</u>	LETTER addressed to Judge Denny Chin from Nathalie Jouven dated 9/3/09 re: I am a citizen of France and Legal Representative of Les Editions Hatier SNC; As a European publisher, Les Editions Hatier SNC objects to the proposed settlement and strenuously urges the Court to reject it due to the significant unfair and inequitable effects that it will have on all non-US Authors and Publishers. The proposed settlement is purely and simply unacceptable from the point of view of a European publisher. Document filed by Nathalie Jouven.(mro) (Entered: 09/11/2009)
09/10/2009	<u>522</u>	LETTER addressed to Judge Denny Chin from Serge Eyrolles dated 9/3/09 re: I am a citizen of France and President of the French Publishers Association, the leading association of book publishers in my country; On September 2, 2009, our Executive Committee and General Council formally authorized SNE to present objections to this Court regarding the settlement and objections are listed herein. Document filed by Serge Enyrolles.(mro) (Entered: 09/11/2009)
09/10/2009	<u>523</u>	LETTER addressed to Judge Denny Chin from Jesus Sanchez Garcia dated 9/3/09 re: I am a citizen of Spain and consejero-secretario del Consejo de Administracion de Grupo Editorial Bruno,SL; As a European publisher, Grupo Editorial Bruno SL objects to the proposed settlement and strenuously urges the Court to reject it due to the significant unfair and inequitable effects that it will have on all non-US Authors and Publishers. The proposed settlement is purely and simply unacceptable from the point of view of a European publisher. Document filed by Jesus Sanchez Garcia.(mro) (Entered: 09/11/2009)
09/10/2009	<u>524</u>	LETTER addressed to Sir Michael McMahon from Mr. E.A. van Ingen dated 9/2/09; re: We are writing in regards to the proposed settlement agreement. We like to raise concerns and objections to this settlement, listed herein. Document filed by E.A. van Ingen.(mro) (Entered: 09/11/2009)
09/10/2009	<u>525</u>	LETTER addressed to Office of the Clerk from Eva Swartz dated 9/2/09 re: I am the CEO of Natur &Kultur, a book publisher located in Stockholm, Sweden; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Eva Swartz.(mro) (Entered: 09/11/2009)
09/10/2009	<u>526</u>	LETTER addressed to Judge Denny Chin from Arnaud Nourry dated 9/3/09 re: I am a citizen of France and Chief Executive Officer of Hachette Livre SA; As a European publisher, Hachette Livre objects to the proposed settlement and strenuously urges the Court to reject it due to the significant unfair and inequitable effects that it will have on all non-US Authors and Publishers. The proposed settlement is purely and simply unacceptable from the point of view of a European publisher. Document filed by Arnaud Nourry.(mro) (Entered: 09/11/2009)
09/10/2009	<u>527</u>	LETTER addressed to Office of the Clerk from Vincent Montagne dated 9/4/09 re: I am chairman of Media Participations Paris, a publishing group operating in France, Belgium, and Switzerland through different subsidiaries namely Dargaud, Dupuis, Le Lombard, Fleurus, Magnificat, Mame, Mango, Kana, Rustica, etc; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Vincent Montagne.(mro) (Entered: 09/11/2009)
09/10/2009	<u>528</u>	LETTER addressed to Office of the Clerk from Bjorn Andersson dated 8/31/09 re: I am publisher of the Historiska Media, a book publisher located in Lund, Sweden, Historika Media is a member of the settlement class embraced by the proposed settlement agreement; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our

		objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Bjorn Andersson.(mro) (Entered: 09/11/2009)
09/10/2009	<u>529</u>	LETTER addressed to Judge Denny Chin from Ben-Ami Freier dated 9/9/09 re: This letter is being submitted to respectfully request that the Court approve the settlement between the Authors Guild and Google. We believe the proposed settlement represents a historic opportunity to increase access to a vast library of information by people with disabilities. Document filed by Ben-Ami Freier.(mro) (Entered: 09/11/2009)
09/10/2009	<u>530</u>	LETTER addressed to Judge Denny Chin from Alain Kouck dated 9/2/09 re: We, Editis Holding, are writing to you in regards to the proposed settlement agreement between Google, Inc and the Authors Guild and the Association of American Publishers. We would like to raise objections that arise in Europe/France from the above mentioned settlement agreement; Objections listed herein. Document filed by Alain Kouck.(mro) (Entered: 09/11/2009)
09/10/2009	<u>531</u>	OBJECTION AND NOTICE TO APPEAR ON BEHALF OF ABSENT CLASS MEMBER, DAVID MEININGER (jmi) (Entered: 09/11/2009)
09/10/2009	<u>532</u>	QUESTIA MEDIA, INC.'S AMICUS CURIAE BRIEF IN OPPOSITION TO THE SETTLEMENT AGREEMENT Questia Media, Inc. ("Questia") urges the Court not to approve the Settlement Agreement between Google, Inc. and the Plaintiffs. Among other things, the settlement calls for Google. (jmi) (Entered: 09/11/2009)
09/10/2009	<u>533</u>	OBJECTION OF JIRO MAKINO AND IWAO KIDOKORO TO THE PROPOSED SETTLEMENT AND TO CERTIFICATION OF THE PROPOSED SETTLEMENT CLASS AND SUB-CLASSES The Settlement Agreement contains serious defects in that it requires a decision which exceeds proper scope of jurisdiction for the case and in that it ignores the global nature of the Internet (its capacity that all of the users in the entire world can use it simultaneously). It disregards the fact that works will be distributed in the entire world, and regards the issue as a domestic issue within the U.S. Furthermore, the Settlement Agreement focuses its scope only on a legal decision as to permissibility of digitization of the subject works, and contains significant defects in that it ignores the underlying issue of existing mode of "digital data search system." It fails to acknowledge important issues of how to guarantee fairness and diversity of the search by giving priority to economy without making sufficient consideration in cultural diversity. As a result, it suffers from extreme bias of the search results. For the reasons explained above, we respectfully request that the Court to reject the Settlement Agreement or decline to certify the class with respect to Japanese or foreign authors. (jmi) (Entered: 09/11/2009)
09/10/2009	<u>534</u>	OBJECTIONS TO THE PROPOSED SETTLEMENT AND MEMORANDUM IN SUPPORT OF MOTION TO INTERVENE For the foregoing reasons and under the authority of Rule 24, Intervenor respectfully claim their right to intervene as of right. Additionally, Intervenor give notice of their intention to appear and speak at the October 7, 2009 fairness hearing. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>418</u>	LETTER addressed to Office of the Clerk from Markus Hatzer dated 9/2/09 re: I am the managing director of the Studienverlag GmbH, a book publisher located in Austria; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. (mro) Modified on 9/11/2009 (mro). (Additional attachment(s) added on 9/11/2009: # <u>1</u> letter doc) (mro). (Entered: 09/10/2009)
09/11/2009	<u>508</u>	LETTER addressed to J. Michael McMahon from Michael Kincaid dated 8/28/2009 re: I am writing to object to the class-action Google copyright settlement. As an author potentially affected by the Settlement, a labyrinth of terms, conditions, and definitions formulated without my consultation, I object, first, to the distraction and inconvenience entailed in trying to comprehend those terms, conditions, etc.; to discern the increment of justice (if any) contained

		therein; and to decide on a fit response, one that does justice to my own interests. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>535</u>	LETTER addressed to Judge Denny Chin from Jesus Sanchez Garcia dated 9/3/2009 re: Objections of EDELSA GRUPO DIDASCALIA, S.A. to Proposed Class Settlement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>536</u>	LETTER addressed to Office of the Clerk from Dorotea Bromberg dated 8/31/2009 re: My name is Dorotea Bromberg, and I am CEO of the Brombergs Bokforlag AB, a book publisher located in Stockholm, Sweden. Brombergs Bokforlag AB is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>537</u>	LETTER addressed to Judge Denny Chin dated 9/3/2009 re: I, Serge Eyrolles, am a citizen of France and President of the French Publishers Association (Syndicat National de l'Editioni SNE), the leading association of book publishers in my country. SNE represents 530 member companies whose combined business endeavors account for the bulk of French publishing. Its missions include: advocating publishers' interests, supporting creativity by defending freedom to publish and promoting the respect of intellectual property rights, promoting and defending the fixed book price and promoting literacy. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>538</u>	LETTER addressed to J. Michael McMahon from Mr. W.J. Sbetenhorst dated 9/2/2009 re: We, Boom uitgevers Den Haag, are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. We would like to raise the following concerns and objections to this Settlement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>539</u>	LETTER addressed to J. Michael McMahon from Racheli Edelman dated 4/9/2009 re: The scope and the details of the Google Settlement agreement were brought to our attention too late to file an objection in court. Only today I have found out that one can also send a letter to the court in this matter and state our position. Reading the settlement agreement between Google and its American parties. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>540</u>	LETTER addressed to Office of the Clerk from Ann Douglas dated 9/4/2009 re: As the author of 28 works of non-fiction, both for adults and for children, as well as numerous anthology contributions, I am writing to vigorously oppose the terms of the Google Books settlement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>541</u>	LETTER addressed to J. Michael McMahon from Dana P. Tierney dated 9/3/2009 re: Our clients are members of the publisher subclass and the purpose of this correspondence is to advise that they "opt out" of the Google Book Settlement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>542</u>	LETTER addressed to J. Michael McMahon from Jo Tatchell dated 9/3/2009 re: I am opting in but would like to register the following concerns: Concern about the lack of European representation on the Book Rights Registry, and the ability of the settlement to ensure comprehensive distribution of income to authors. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>543</u>	LETTER addressed to J. Michael McMahon from Gary Mokotoff dated 9/4/2009 re: Avotaynu is a publisher of books for which the copyright owners are the authors themselves. We wish to object to the proposed settlement between Google, Inc. and various copyright owners. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>544</u>	LETTER addressed to Judge Denny Chin from Michael W. Perry dated 9/2/2009 re: I should introduce myself. I was also one of the seven authors or their representatives who requested that the court extend the deadlines for the Google settlement by four months. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>545</u>	LETTER addressed to J. Michael McMahon from Dr. Diane A. Hebley dated 9/3/2009 re: As a class member, I wish to support the New Zealand Society of Authors in their objection to the Proposed Settlement. (jmi) (Entered: 09/11/2009)

09/11/2009	<u>546</u>	LETTER addressed to J. Michael McMahon from Gary K. Hebley dated 9/3/2009 re: As a class member, I wish to support the New Zealand Society of Authors in their objection to the Proposed Settlement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>547</u>	OBJECTION TO CLASS ACTION SETTLEMENT AND NOTICE OF INTENT TO APPEAR OF THE UNDERSIGNED STATES REPRESENTED BY THEIR RESPECTIVE ATTORNEYS GENERAL ON BEHALF OF THEMSELVES AND REGISTERED CHARITIES WITHIN THEIR POLITICAL BOUNDARIES In closing if this Court approves the Proposed Settlement, the State Objectors suggests a modification of the proposed settlement agreement requiring the parties to include a provision in the BRR's articles of incorporation or other enabling document to comply with state unclaimed property laws in the same manner as ASCAP and BMI. This will ensure the fairest and most reasonable result for rightsholders, ensure the preservation of charitable assets and further the public purposes of the unclaimed property laws. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>548</u>	LETTER addressed to Office of the Clerk from Annette Sabelus dated 9/2/2009 re: My name is Annette Sabelus, and I am Head of Rights Department of the Piper Verlag GmbH, a book publisher located in Munich, Germany. Piper Verlag is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>549</u>	QUESTIA MEDIA, INC.'S AMICUS CURIAE BRIEF IN OPPOSITION TO THE SETTLEMENT AGREEMENT By ignoring copyright laws and by twisting this class action settlement to its own ends, Google will obtain a monopoly for the commercial exploitation of millions of orphan works. Questia asks the Court not to provide Google with an unfair advantage. The orphan works problem can be solved, but it should be solved through legislation for the benefit of all, not through a class action settlement for the benefit of one company. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>550</u>	OBJECTION TO PROPOSED SETTLEMENT Unless both the foregoing concerns can be resolved, I respectfully request that the proposed settlement agreement be rejected by this Court. I am submitting this in my capacity as an author and a member of the Authors Guild, not in my capacity as a lawyer. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>551</u>	LETTER addressed to Judge Denny Chin from Oliver Nora dated 9/3/2009 re: For each of the foregoing reasons, Fayard respectfully requests that this Court reject the Proposed Settlement and/or decline to certify the class with regard to non-US Rightsholders. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>552</u>	LETTER addressed to J. Michael McMahon from Springer Uitgeverij dated 9/2/2009 re: We, Springer Uitgeverij BV, are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. We would like to raise the following concerns and objections to this Settlement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>553</u>	LETTER addressed to Judge Denny Chin from Alian Kouck dated 9/2/2009 re: We, EDITIS HOLDING, are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild (AG) and the Association of American Publishers (AAP). We would like to raise the following objections that arise in Europe/France from the above mentioned Settlement Agreement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>554</u>	LETTER addressed to Office of the Clerk from Eginhard Hohne dated 9/3/2009 re: we are a Hungarian publishing house having its registered office at Celldomolk, Hungary. As a major publisher in the area of educational products we are distributing about 300 different educational books up-to-date for which we are holding the US copyright. As a so called rightsholder under the Settlement Agreement we object. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>555</u>	LETTER addressed to Judge Denny Chin from Jurgen-Matthias Springer dated 9/2/2009 re: My name is Jurgen-Matthias Springer, and I am Managing Director of the Peter Lang GmbH, a book publisher located in Frankfurt am Main, Germany.

		Peter Lang GmbH is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>556</u>	LETTER addressed to Office of the Clerk from Dr. Joachin Kaps dated 9/2/2009 re: My name is Dr. Joachim Kaps, and I am Managing Director of TOKYOPOP GmbH, a book publisher located in Hamburg, Germany. TOKYOPOP GmbH is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>557</u>	LETTER addressed to Office of the Clerk from Dr. Albrecht Weiland dated 9/3/2009 re: My name is Dr. Albrecht Weiland, and I am CEO of the Verlag Schnell &Steiner GmbH a book publisher located in Regensburg, Germany. Verlag Schnell &Steiner GmbH is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>558</u>	Objection of Editions Larousse SAS to Proposed Class Settlement. For each of the foregoing reasons, Editions Larousse respectfully requests that this Court reject the Proposed Settlement and/or decline to certify the class with regard to non-US Rightsholders. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>559</u>	LETTER addressed to Office of the Clerk from Ursula Rosengart dated 9/1/09 re: I am CEO of the GABAL Verlag, a book publisher located in Offenbach, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Ursula Rosengart.(mro) (Entered: 09/11/2009)
09/11/2009	<u>560</u>	LETTER addressed to Office of the Clerk from Alexander Potyka dated 9/1/09 re: I am manager of the Picus Verlag Ges. m.b.H., a book publisher located in Vienna, Austria; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Alexander Potyka.(mro) (Entered: 09/11/2009)
09/11/2009	<u>561</u>	LETTER addressed to Office of the Clerk from Dr. Carsten C. Hubner dated 9/2/09 re: I am managing director of the ADAC Verlad GmbH, a book publisher located in Munich, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Carsten C. Hubner.(mro) (Entered: 09/11/2009)
09/11/2009	<u>562</u>	LETTER addressed to Sir from Elisabeth Zerlauth dated 9/3/09 re: We, E. DORNER GmbH, are an Austrian publishing house having its registered office at Vienna, Austria. As a major publisher in the area of educational products we are distributing about different educational up to date for which we are holding the US copyright; As a so called rights holder under the settlement agreement we object to the proposed settlement agreement. Document filed by Elisabeth Zerlauth.(mro) (Entered: 09/11/2009)
09/11/2009	<u>563</u>	LETTER addressed to Mr. McMahon from Johan de Koning dated 9/3/09 re: We, Standaard Uitgeverij NV, are writing you in regards to the proposed settlement agreement between Google, Inc and the Authors Guild, etc. We raise concerns and objections to this settlement listed herein. Document filed by Johan de Koning.(mro) (Entered: 09/11/2009)



09/11/2009	<u>564</u>	LETTER addressed to Office of the Clerk from Joachim Kamphausen dated 9/2/09 re: I am publisher of the J. Kamphausen Verlag & Distribution GmbH, located in Bielefeld, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Joachim Kamphausen.(mro) (Entered: 09/11/2009)
09/11/2009	<u>565</u>	LETTER addressed to Office of the Clerk from Michael Cramm dated 9/2/09 re: I am the contract manager of the Taschen GmbH, a book publisher located in Cologne, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Michael Cramm.(mro) (Entered: 09/11/2009)
09/11/2009	<u>566</u>	LETTER addressed to Office of the Clerk from Albrecht Oldenbourg dated 9/3/09 re: We are a German publishing house having its registered office at Wuerzburg, Germany; As a so called rights holder under the settlement agreement we object. Document filed by Albrecht Oldenbourg.(mro) (Entered: 09/11/2009)
09/11/2009	<u>567</u>	LETTER addressed to Office of the Clerk` from Regina Lindhoff and Simone Linden dated 9/2/09 re: I am the head of the public relations of Mehr Zeit fur Kinder e. V., a book publisher located in Frankfurt, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Regina Lindhoff.(mro) (Entered: 09/11/2009)
09/11/2009	<u>568</u>	LETTER addressed to Mr. McMahon from John C. Lorenz dated 8/30/09 re: Please accept this letter as the formal objection of the American Association of Petroleum Geologists to the Google Copyright settlement referenced above. Document filed by John C. Lorenz.(mro) (Entered: 09/11/2009)
09/11/2009		CASHIERS OFFICE REMARK on <u>232</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 09/01/2009, Receipt Number 698924. (jd) (Entered: 09/11/2009)
09/11/2009		CASHIERS OFFICE REMARK on <u>266</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 09/02/2009, Receipt Number 699011. (jd) (Entered: 09/11/2009)
09/11/2009	<u>569</u>	LETTER addressed to Sir or Madam from Dana P. Tierney dated 9/3/09 re: Our clients are members of the publisher subclass and the purpose of this correspondence is to advise that they "opt out" of the Google Book Settlement. Document filed by Dana P. Tierney.(mro) (Entered: 09/11/2009)
09/11/2009	<u>570</u>	LETTER addressed to Office of the Clerk from Paul A. Heider dated 9/2/09 re: I am Geschafsfuhrer of the Steyler Verlag and Steyler Verlagsbuchhandlung GmbH, a book publisher located in Nettetal, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Paul A. Heider.(mro) (Entered: 09/11/2009)
09/11/2009	<u>571</u>	LETTER addressed to Judge Denny Chin from Sara Mella dated 9/2/09 re: I am the managing director of Otava Publishing Company Ltd located in Helsinki, Finland; I write to let this Court know that our company as a copyright hold is opposed to this settlement agreement. Document filed by Sara Mella.(mro) (Entered: 09/11/2009)
09/11/2009	<u>572</u>	LETTER addressed to Office of the Clerk from Mie Li Doy dated 9/3/2009 re: My name is Irene Lindon and I am CEO of LES EDITIONS DE MINUIT S.A., a book publisher located in France. LES EDITIONS DE MINUIT is a member of the

		settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>573</u>	LETTER addressed to Sir from Diana Kimpton dated 9/2/09 re: I am a member of the settlement class for this case and I am writing to object to the proposed settlement agreement. Document filed by Diana Kimpton.(mro) (Entered: 09/11/2009)
09/11/2009	<u>574</u>	LETTER addressed to Office of the Clerk from Norbert Treuheit dated 9/1/09 re: I am publisher and executive of the ars vivendi publishing house, a book publisher located in Cadolzburg, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Norbert Treuheit.(mro) (Entered: 09/11/2009)
09/11/2009	<u>575</u>	LETTER addressed to J. Michael McMahon from K.D. Wood dated 9/4/2009 re: I am a New Zealand citizen and a New Zealand author, publisher; illustrator etc., with copyrights that are protected by the New Zealand Copyright Act 1994, by any contracts under copyright protection, and by the Berne Convention for the Protection of Literary and Artistic Work. The United States does not have jurisdiction to over-ride these protections. (jmi) (Entered: 09/11/2009)
09/11/2009	<u>576</u>	LETTER addressed to Office of the Clerk from Teresa Cremisi dated 9/3/09 re: I am CEO of the Flammarion Group, a book publisher in France; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Teresa Cremisi.(mro) (Entered: 09/11/2009)
09/11/2009	<u>577</u>	LETTER addressed to Office of the Clerk from Kristin Nilsson dated 8/31/09 re: I am publisher of the Folkuniversitetets forlag, a book publisher located in Lund, Sweden; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Kristin Nilsson.(mro) (Entered: 09/11/2009)
09/11/2009	<u>578</u>	LETTER addressed to Office of the Clerk from Helga Schreiber, ppa dated 9/3/09 re: I am publishing director of Buchverlage LangenMuller Herbig nymphenburger terra magica, a book publisher located in Munich, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Brigitte Fleissner-Mikorey.(mro) (Entered: 09/11/2009)
09/11/2009	<u>579</u>	LETTER addressed to Office of the Clerk from Dr. Sven Fund dated 9/3/09; re: I am the managing director of the Walter de Gruyter GmbH & CO. KG, Sellier de Gruyter and De Gruyter Rechtswissenschaften-Verlags GmbH, a book publishers located in Berlin, Germany; I am publishing director of Buchverlage LangenMuller Herbig nymphenburger terra magica, a book publisher located in Munich, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Sven Fund.(mro) (Entered: 09/11/2009)

09/11/2009	<u>580</u>	LETTER addressed to Judge Denny Chin from Olivier Nora dated 9/3/09 re: I am a citizen of France and chief executive officer of Librairie Arthème Fayard SA; Fayard objects to the proposed settlement and strenuously urges the Court to reject it. Document filed by Olivier Nora.(mro) (Entered: 09/11/2009)
09/11/2009	<u>581</u>	LETTER addressed to Office of the Clerk from Kobushi Shobo dated 8/31/09 re: For the reasons listed herein, Kobushi Shobo protests the actions carried out by Google, Inc, and demands that Google, Inc. immediately cease its digitalization and release to the public of books published by Kobushi Shobo. Document filed by Kobushi Shobo.(mro) (Entered: 09/11/2009)
09/11/2009	<u>582</u>	LETTER addressed to Office of the Clerk from Bernhard Bucker dated 9/3/09 re: I am financial director of Suhrkamp GmbH & Co. KG, a book publisher located in Frankfurt, Germany; I am publishing director of Buchverlage LangenMüller Herbig nymphenburger terra magica, a book publisher located in Munich, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Bernhard Bucker.(mro) (Entered: 09/11/2009)
09/11/2009	<u>583</u>	LETTER addressed to Sir Michael McMahon from Hans Nijenhuis, dated 9/4/09; re: We, publishing house De Bezige Bij/ Thomas Rap, based in Amsterdam, The Netherlands, are writing you in regards to the proposed settlement agreement; We raise concerns and objections to this settlement herein. Document filed by Hans Nijenhuis.(mro) (Entered: 09/11/2009)
09/11/2009	<u>584</u>	LETTER addressed to Office of the Clerk from Dr. Martin Wagner dated 9/3/09 re: I am legal counsel and head of the legal department of Mentor Verlag GmbH a book publisher located in Munich, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Martin Wagner.(mro) (Entered: 09/11/2009)
09/11/2009	<u>585</u>	LETTER addressed to Office of the Clerk from Dr. Martin Wagner dated 9/3/09 re: I am legal counsel and head of the legal department of Axel Juncker Verlag GmbH, a book publisher located in Munich, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Martin Wagner.(mro) (Entered: 09/11/2009)
09/11/2009	<u>586</u>	LETTER addressed to Office of the Clerk from Dr. Martin Wagner dated 9/3/09 re: I am legal counsel and head of the legal department of Polyglott Verlag GmbH, a book publisher located in Munich, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Martin Wagner.(mro) (Entered: 09/11/2009)
09/11/2009	<u>587</u>	LETTER addressed to Office of the Clerk from Tatjana Sepin dated 9/1/09 re: I am manager rights and permissions of S. Karger AG, a book publisher located in Basel, Switzerland; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Tatjana Sepin.(mro) (Entered: 09/11/2009)
09/11/2009	<u>588</u>	LETTER addressed to Sir from Ulrike Jurgens dated 9/3/09 re: We are a German publishing house having its registered office at Braunschweig Germany; As a so called rights holder under the settlement agreement we object. Document filed by

		Ulrike Jurgens.(mro) (Entered: 09/11/2009)
09/11/2009	<u>589</u>	LETTER addressed to Office of the Clerk, from Eginhard Hohne dated 9/3/09 re: We are a Hungarian publishing house having its registered office of Budapest, Hungary; As a so called rights holder under the settlement agreement we object. Document filed by Eginhard Hohne.(mro) (Entered: 09/11/2009)
09/11/2009	<u>590</u>	LETTER addressed to Office of the Clerk dated 9/3/09 re: We are a Polish publishing house having its registered office at Lodz, Poland. As a major publisher in the area of educational products we are distributing about 400 different educational books up to date for which we are holding the US copyright. As a so called rights holder under the settlement agreement we object to the proposed settlement agreement. Document filed by Eginhard Hohne.(mro) (Entered: 09/11/2009)
09/11/2009	<u>591</u>	LETTER addressed to Sir, from Bernd Tofflinger dated 9/3/09 re: We are a German publishing house having its registered office at Braunschweig, Germany. As a major publisher in the area of educational products we are distributing about 300 different educational books up to date for which we are holding the US copyright. As a so called rights holder under the settlement agreement we object to the proposed settlement agreement. Document filed by Bernd Tofflinger.(mro) (Entered: 09/11/2009)
09/11/2009	<u>592</u>	LETTER addressed to Sir Michael McMahon dated 9/3/09 re: We, Sanoma Uitgevers BV, are writing in regards to the proposed settlement; We raise concerns and objections to this settlement herein. Document filed by Henk Scheenstra.(mro) (Entered: 09/11/2009)
09/11/2009	<u>593</u>	LETTER addressed to Office of the Clerk from Antoine Gallimard dated 9/3/09 re: I am chairman and chief executive officer of the Edition Gallimard, SA, a book publisher located in France; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Antoine Gallimard.(mro) (Entered: 09/11/2009)
09/11/2009	<u>594</u>	LETTER addressed to Office of the Clerk from Claude Portmann dated 9/3/0* re: I am owner and manager of the C.F. Portmann Verlag and Edition Hua book published located in Erlenbach, Switzerland; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Claude Portmann.(mro) (Entered: 09/11/2009)
09/11/2009	<u>595</u>	LETTER addressed to Office of the Clerk from Michael Schweins dated 9/2/09 re: I am the president of the Ars Edition GmbH, a book publisher located in Munich, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Michael Schweins.(mro) (Entered: 09/11/2009)
09/11/2009	<u>596</u>	LETTER addressed to Office of the Clerk from Robert Dimbleby dated 9/3/09 re: I am the publishing manager of Hogrefe Publishing GmbH, a book publisher located in Gottingen, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Robert Dimbleby.(mro) (Entered: 09/11/2009)
09/11/2009	<u>597</u>	LETTER addressed to Office of the Clerk from Dr. Michael Vogtmeier dated 9/2/09 re: I am publishing director of the Hogrefe Berlag GmbH & Co. KG, a book publisher located in Gottingen, Germany; We write to object to the settlement

		agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Michael Vogtmeier.(mro) (Entered: 09/11/2009)
09/11/2009	<u>598</u>	LETTER addressed to Office of the Clerk from Dr. Martin Wagner dated 9/3/09 re: I am legal counsel of Langescheidt ELT GmbH, a book publisher in Munich, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Martin Wagner.(mro) (Entered: 09/11/2009)
09/11/2009	<u>599</u>	LETTER addressed to Office of the Clerk from Klaas Jarchow dated 9/1/09 re: I am publisher of the Murman Verlag, a book publisher located in Hamburg, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Klaas Jarchow.(mro) (Entered: 09/11/2009)
09/11/2009	<u>600</u>	LETTER addressed to Sir Michael McMahon from Mr. E.A. van Ingen dated 9/2/09 re: We, Publishing House Nelissen are writing to you in regards to the proposed settlement agreement; We would like to raise concerns and objections to this settlement listed herein. Document filed by E.A. van Ingen.(mro) (Entered: 09/11/2009)
09/11/2009	<u>601</u>	LETTER addressed to Whom it may concern from Stephen Cox dated 9/3/09 re: I would like to formally make an objection to the action to Google.com violating my book copyrights by way of creating a book database including my materials without my permission. Document filed by Stephen Cox.(mro) (Entered: 09/11/2009)
09/11/2009	<u>602</u>	LETTER addressed to Office of the Clerk from Francis Esmenard dated 9/4/09 re: I am the CEO of Albin Michel Group, a book publisher located in France; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Francis Esmenard.(mro) (Entered: 09/11/2009)
09/11/2009	<u>603</u>	NOTICE OF APPEARANCE by William Irwin Kohn on behalf of Canadian Standard Association (Kohn, William) (Entered: 09/11/2009)
09/11/2009	<u>604</u>	LETTER addressed to Judge Denny Chin from Nathalie Jouven dated 9/3/09 re: I am a citizen of France and Chief Executive Officer of Dunod Editeur SA; Dunod objects to the proposed settlement. Document filed by Nathalie Jouven.(mro) (Entered: 09/11/2009)
09/11/2009	<u>605</u>	LETTER addressed to Judge Denny Chin from Jennifer B. Coplan dated 9/8/09 re: Enclosed please find a courtesy copy of the Amicus Curiar Brief of Sony Electronics. in support of proposed Google Book Search settlement, which was electronically filed earlier today. (mro) (Entered: 09/11/2009)
09/11/2009	<u>606</u>	LETTER addressed to Office of the Clerk from Oskar Klan dated 9/3/09 re: I am editor in chief of the Schwaneberger Verlag GmbH, a book publisher in Unterschleibheim, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Oskar Klan.(mro) (Entered: 09/11/2009)

09/11/2009	<u>607</u>	LETTER addressed to Office of the Clerk from Axel Schonberger dated 9/2/09 re: I am the owner of the Axel Schonberger Verlag located in Frankfurt, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Axel Schonberger.(mro) (Entered: 09/11/2009)
09/11/2009	<u>608</u>	LETTER addressed to Office of the Clerk from Axel Schonberger dated 9/2/09 re: I am chief executive officer of the Valentia GmbH located in Frankfurt, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Axel Schonberger.(mro) (Entered: 09/11/2009)
09/11/2009	<u>609</u>	LETTER addressed to Office of the Clerk from Ingwert Paulsen dated 9/2/09 re: I am the owner of the Hamburger Lesehefte Verlag, Inh located in Husum, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Ingwert Paulsen.(mro) (Entered: 09/11/2009)
09/11/2009	<u>610</u>	LETTER addressed to Office of the Clerk from Ingwert Paulsen dated 9/2/09 re: I am the owner of the Mattheisen Verlag Ingwert Paulsen, located in Husum, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Ingwert Paulsen.(mro) (Entered: 09/11/2009)
09/11/2009	<u>611</u>	LETTER addressed to Office of the Clerk from Albrecht Koschutzke dated 9/3/09 re: I am the CEO of the Verlag J. H. W. Dietz Nachf GmbH, located in Bonn, Germany; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Albrecht Koschutzke.(mro) (Entered: 09/11/2009)
09/11/2009	<u>612</u>	LETTER addressed to Judge Denny Chin from Mr. Thijs VerLoren van Themaat dated 9/2/2009 re: We, Verloren Publisher from Hilversum, The Netherlands, are writing to you in regards to the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers. We would like to raise the following concerns and objections to this Settlement. (jmi) (Entered: 09/14/2009)
09/11/2009	<u>613</u>	LETTER addressed to Judge Denny Chin from Neckar-Verlag dated 9/3/2009 re: We are a German publishing house having its registered office at Villingen-Schwenningen, Germany. As a major publisher in the area of educational and other products we are distributing about 300 different books (150 educational up-to-date for which we are holding the US copyright. As a so called rightsholder under the Settlement Agreement we object to the proposed settlement agreement between Google Inc., and the Authors Guild and the Association of American Publishers (the "Settlement Agreement"). (jmi) (Entered: 09/14/2009)
09/11/2009	<u>614</u>	LETTER addressed to Judge Denny Chin from Bardo Jensch dated 9/1/2009 re: My name is Mr. Bardo Jensch, and I am officer with procuracy of the Schwabenverlag Aktiengesellschaft, a book publisher located in Ostfildern (Germany). Schwabenverlag Aktiengesellschaft is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are

		protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/14/2009)
09/11/2009	<a href="#"><u>615</u></a>	LETTER addressed to Office of the Clerk from Liana Levi dated 9/3/09 re: I am the Manager and Editor in Chief of the Editions Liana Levi, a book publisher located in France. We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by the French Publishers Association (Syndicat National de L'Edition/SNE), for the reasons presented to this Court by this entity. (tro) (Entered: 09/14/2009)
09/11/2009	<a href="#"><u>616</u></a>	LETTER addressed to Judge Denny Chin from Hans A. Baensch dated 9/2/2009 re: My name is Han –Albrecht Baensch, and I am the owner and Manager of Mergus Verlag GmbH (publisher), Im Wiele 27, 49328 Melle, Germany. Mergus Verlag GmbH is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. Copyright laws. We wright to object to the Settlement Agreement. (jmi) (Entered: 09/14/2009)
09/11/2009	<a href="#"><u>617</u></a>	LETTER addressed to Judge Denny Chin from Vivian Vande Velde dated 9/1/2009 re: I am writing to express my displeasure with everything about the handling of the Google Settlement. (jmi) (Entered: 09/14/2009)
09/11/2009	<a href="#"><u>618</u></a>	LETTER addressed to Judge Denny Chin from Annette Sievers dated 9/2/2009 re: My name is Annette Sievers, and I am managing director of the pmv Peter Meyer Verlag, a book publisher located in Frankfurt am Main. pmv Peter Meyer Verlag is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the Settlement Agreement), because it own rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/14/2009)
09/11/2009	<a href="#"><u>619</u></a>	LETTER addressed to Judge Denny Chin from Norbert Froitzheim dated 9/2/2009 re: My name is Norbert Froitzheim and I am member of the executive board of the Deutscher Arzte–Verlag G3mbH, a book publisher located in Cologne, Germany. The Deutscher Arzte–Verlag GmbH is a member of the settlement class embraced by the propose settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. (jmi) (Entered: 09/14/2009)
09/11/2009	<a href="#"><u>620</u></a>	LETTER addressed to J. Michael McMahon from Andrzej Karpowicz dated 9/3/2009 re: Acting on behalf of the author, Mr Waldemar Lysiak I hereby inform you that my Client does not consent to have his books covered by the provisions of the settlement, regarding the Google Book Search software. This concerns in particular, but without limitations, the following titles published by various publishers in Poland and USA. (jmi) (Entered: 09/14/2009)
09/11/2009	<a href="#"><u>621</u></a>	LETTER addressed to J. Michael McMahon from Stephen Nachmanovitch dated 9/3/2009 re: Digitizing the contents of the great libraries of the world – for both the functions of backup and accessibility – is an exciting project. (jmi) (Entered: 09/14/2009)
09/11/2009	<a href="#"><u>622</u></a>	LETTER addressed to J. Michael McMahon from G. Emil Ward dated 9/4/2009 re: I am the copyrights holder for: Massachusetts Landlord–Tenant Practice: Law and Forms, formerly published by Lexis–Nexis. The copyright was assigned back to me by that publisher approximately six years ago which assignment I sent to the Copyrights Office in recent months. (jmi) (Entered: 09/14/2009)
09/11/2009	<a href="#"><u>623</u></a>	LETTER addressed to J. Michael McMahon from Regina Harris Baiocchi dated 9/1/2009 re: This letter serves as my formal notification to OPT OUT of the Google Book Settlement. My OPT out request. (jmi) (Entered: 09/14/2009)
09/11/2009	<a href="#"><u>624</u></a>	DECLARATION of Ministerialdirigent Dr. Johannes Christian Wichard. (jmi) (Entered: 09/14/2009)

09/11/2009	<u>625</u>	Objection of Alex M.G. Burton to Class Settlement. (jmi) (Entered: 09/14/2009)
09/11/2009	<u>626</u>	BRIEF AMICI CURIAE OF LYRASIS, INC., NYLINK AND BIBLIOGRAPHICAL CENTER FOR RESEARCH ROCKY MOUNTAIN, INC. IN SUPPORT OF MODIFICATION OF PROPOSED SETTLEMENT. (jmi) (Entered: 09/14/2009)
09/11/2009	<u>627</u>	Objection OF AMERICAN PSYCHOLOGICAL ASSOCIATION TO PROPOSED SETTLEMENT. (jmi) (Entered: 09/14/2009)
09/11/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>309</u> Order on Motion to Appear Pro Hac Vice, <u>311</u> Order on Motion to Appear Pro Hac Vice, <u>310</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jmi) (Entered: 09/14/2009)
09/11/2009	<u>628</u>	LETTER addressed to Office of the Clerk from Georg Kessler dated 9/2/2009 re: My name is Georg Kessler, and I am Managing Director/Publisher of the GRAFE UND UNZER Publishers, a book publisher located in Munich, Germany. GRAFE UND UNZER Publishers is a member of the settlement class embraced by the proposed settlement agreement that is before this Court in this action (the "Settlement Agreement"), because it owns rights in books that are protected by U.S. copyright law. We write to object to the Settlement Agreement. (jmi) (Entered: 09/14/2009)
09/11/2009	<u>631</u>	LETTER addressed to Office of the Clerk from Kurt Stellfeld dated 9/1/2009 re: Counsel writes to object to the Settlement Agreement. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>632</u>	LETTER addressed to Office of the Clerk from Stefan Ruhling dated 9/1/2009 re: Counsel writes to object to the Settlement Agreement. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>633</u>	Objection of Takashi Yamamoto. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>634</u>	LETTER addressed to Office of the Clerk from Gunter Berg dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>635</u>	LETTER addressed to Office of the Clerk from Dr. Christine Autenrieth dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>636</u>	LETTER addressed to Office of the Clerk from Ingwert Paulsen dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>637</u>	LETTER addressed to Office of the Clerk from Wilmar Diepgrond dated 9/2/2009 re: Counsel writes to object to the proposed Settlement Agreement. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>638</u>	LETTER addressed to Office of the Clerk from Jurgen Kleidt dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>639</u>	LETTER addressed to Office of the Clerk from Dr. Christine Autenrieth dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>640</u>	LETTER addressed to Office of the Clerk from Dieter Krause dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>641</u>	LETTER addressed to Office of the Clerk from Ingwert Paulsen dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>642</u>	LETTER addressed to Office of the Clerk from Dr. Katharina Eleonore Meyer dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>643</u>	LETTER addressed to Office of the Clerk from Oliver Waffender dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>644</u>	OBJECTION AND NOTICE TO APPEAR ON BEHALF OF ABSENT CLASS MEMBER, DAVID MEININGER. (jfe) (Entered: 09/14/2009)



09/11/2009	<u>645</u>	NFS'S OBJECTION TO THE PROPOSED SETTLEMENT. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>646</u>	LETTER addressed to Office of the Clerk from Erna Paris re: Counsel writes to object to the Settlement Agreement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>647</u>	DECLARATION OF LYNNE D. FINNEY, AUTHOR, COPYRIGHT OWNER, AND PUBLISHER, IN OPPOSITION TO SETTLEMENT AGREEMENT. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>648</u>	LETTER addressed to Office of the Clerk from Ralf Frenzel dated 9/1/2009 re: Counsel writes to object to the Settlement Agreement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>649</u>	LETTER addressed to Sir from Jean L. Cooper dated 9/2/09 re: I am a librarian and an author, and as I have standing as a member of the author class in the Google Book Settlement; I am opposed to the Settlement for the reasons stated herein. Document filed by Jean L. Cooper.(mro) (Entered: 09/14/2009)
09/11/2009	<u>650</u>	LETTER addressed to Michael McMahon from Jean L. Cooper dated 9/2/2009 re: Counsel writes to oppose the Settlement Agreement. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>651</u>	LETTER addressed to Office of the Clerk from Kazufumi Watanabe dated 9/3/09 re: We strongly reject the action carried out by Google, as it infringes upon the publication and sale of books based upon contracts signed between the author (copyright holder) and the publishing company. Document filed by Kazufumi Watanabe.(mro) (Entered: 09/14/2009)
09/11/2009	<u>652</u>	LETTER addressed to Office of the Clerk from Mitchell Allen dated 9/4/09 re: I am writing as president, publisher, and owner of Left Coast Press, Inc., a scholarly for profit publishing house of humanities and social sciences based on the San Francisco Bay Area, and on behalf of authors we publish; We wish to express our objections to the settlement before settlement administrator here and hope you reject the settlement terms. Document filed by Mitchell Allen.(mro) (Entered: 09/14/2009)
09/11/2009	<u>653</u>	LETTER addressed to Judge Denny Chin from Jesus Sanchez Garcia dated 9/3/09 re: For the reasons herein, Edelsa Grupo Didascalía respectfully requests that this Court reject the proposed settlement and/or decline to certify the class with regard to non-US rights holders. Document filed by Jesus Sanchez Garcia.(mro) (Entered: 09/14/2009)
09/11/2009	<u>654</u>	LETTER addressed to Sir from Dr. Comelia Heering dated 9/3/09 re: We are a German publishing house having its registered office at Essen, Germany; As a so called rights holder under the settlement agreement we object. Document filed by Comelia Heering.(mro) (Entered: 09/14/2009)
09/11/2009	<u>655</u>	LETTER addressed to Sir from Dr. Comelia Heering dated 9/3/09 re: We are a German publishing house having its registered office at Braunschweig, Germany; As a so called rights holder under the settlement agreement we object. Document filed by Comelia Heering.(mro) (Entered: 09/14/2009)
09/11/2009	<u>656</u>	LETTER addressed to Office of the Clerk from Karin Schmidt-Friderichs dated 9/2/09 re: We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Karin Schmidt-Friderichs.(mro) (Entered: 09/14/2009)
09/11/2009	<u>658</u>	LETTER addressed to Office of the Clerk from Dr. Felix Breidenstein dated 9/1/09 re: I am the executive director of the German Bible Society; We write to object to the settlement agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicate filings. We therefore join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations. Document filed by Felix Breidenstein.(mro) (Entered: 09/14/2009)

09/11/2009	<u>660</u>	LETTER Brief from Mumia Abu-Tamal re: Objection to the pending settlement. Document filed by Mumia Abu-Tamal.(mro) (Entered: 09/14/2009)
09/11/2009	<u>661</u>	LETTER addressed to Judge Denny Chin from Antonio dated 9/8/09 re: We would like to join in the objections against the settlement presented by the Associazione Italiana Editori. Document filed by Federacion de Gremios de Editores de Espana.(mro) (Entered: 09/14/2009)
09/11/2009	<u>662</u>	LETTER addressed to Sir from Dr. Comelia Heering dated 9/3/09 re: As a so called rights holder under the settlement agreement we object to the proposed settlement agreement. Document filed by Comelia Heering.(mro) (Entered: 09/14/2009)
09/11/2009	<u>663</u>	LETTER addressed to Sir from Dr. Comelia Heering dated 9/3/09 re: As a so called rights holder under the settlement agreement we object to the proposed settlement agreement. Document filed by Comelia Heering.(mro) (Entered: 09/14/2009)
09/11/2009	<u>664</u>	LETTER addressed to Mr. McMahon from Robert K. Massie dated 9/8/09 re: I am sending you this copy of a letter I sent last week to the Google Book Search Committee Settlement Administration which has so far not permitted me to opt put of the settlement as I wish to do and as I first told them in April. (mro) (Entered: 09/14/2009)
09/11/2009	<u>665</u>	LETTER addressed to Judge Denny Chin from Salley Shannon dated 9/4/09 re: Writes to object to the proposed settlement agreement. Document filed by Salley Shannon.(mro) (Entered: 09/14/2009)
09/11/2009	<u>666</u>	LETTER addressed to Sir/Madam from Minoru Ito dated 9/3/09 re: We write to express our rejection to the settlement and request to opt out of the settlement. Document filed by Minoru Ito.(mro) (Entered: 09/14/2009)
09/11/2009	<u>667</u>	LETTER addressed to Office of the Clerk from Rose Teo dated 9/4/09 re: As a so called rights holder under the settlement agreement we object to the proposed settlement agreement. Document filed by Rose Teo.(mro) (Entered: 09/14/2009)
09/11/2009	<u>668</u>	LETTER addressed to Sir Michael McMahon from Aime Van Hecke dated 9/2/09 re: We raise concerns and objections to this settlement listed herein. Document filed by Aime Van Hecke.(mro) (Entered: 09/14/2009)
09/11/2009	<u>669</u>	LETTER addressed to Judge Denny Chin from Giles Sandeman-Allen dated 9/4/09 re: If the settlement is agreed in principle, I am writing to request for an amendment in the determination of "in print". Document filed by Giles Sandeman-Allen.(mro) (Entered: 09/14/2009)
09/11/2009	<u>670</u>	LETTER addressed to Sir from Stephanie Golden dated 9/5/09 re: Im writing to object to the Google settlement in its correct form. Document filed by Stephanie Golden.(mro) (Entered: 09/14/2009)
09/11/2009	<u>671</u>	LETTER addressed to Judge Denny Chin from Arnaud Nourry dated 9/3/09 re: For the reasons herein, Hachette UK respectfully requests that this Court reject the proposed settlement and/or decline to certify the class with regard to non-US rights holders. Document filed by Arnaud Nourry.(mro) (Entered: 09/14/2009)
09/11/2009	<u>672</u>	LETTER addressed to Judge Denny Chin from Isabelle Magnac dated 9/3/09 re: For the reasons herein, Salvat respectfully requests that this Court reject the proposed settlement and/or decline to certify the class with regard to non-US rights holders. Document filed by Isabelle Magnac.(mro) (Entered: 09/14/2009)
09/11/2009	<u>673</u>	LETTER addressed to Mr. McMahon from Barbara Helen Else re: Counsel writes to object to the proposed settlement as a class member. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>674</u>	LETTER from Donica Bettanin re: It appears to us that there needs to be serious thought given to the administrative demands and possible problems of the settlement for rights holders outside the USA. (mro) (Entered: 09/14/2009)
09/11/2009	<u>675</u>	LETTER addressed to Mr. McMahon from Marie Langley dated 3/9/2009 re: Counsel writes to object to the proposed settlement as a class member. (jfe) (Entered: 09/14/2009)

09/11/2009	<u>676</u>	LETTER addressed to The Court from Jesse Rutherford dated 9/3/09 re: For the reasons herein, I respectfully request that this Court reject the proposed settlement and/or decline to certify the class with regard to non-US rights holders. Document filed by Jesse Rutherford.(mro) (Entered: 09/14/2009)
09/11/2009	<u>677</u>	LETTER addressed to Office of the Clerk from Marianne Rubelmann dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>678</u>	LETTER addressed to Clerk Michael McMahon from John Mouldin dated 8/31/09 re: If you respect the actions listed herein, you can take on my behalf: make sure my comments and objections are heard by Court. Document filed by John Mouldin.(mro) (Entered: 09/14/2009)
09/11/2009	<u>679</u>	LETTER addressed to Mr. McMahon from Chris Else dated 9/3/2009 re: Counsel writes to object to the proposed settlement as a class member. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>680</u>	LETTER addressed to Mr. McMahon from Jeanetter Wilson dated 9/3/2009 re: Counsel writes to object to the proposed settlement as a class member. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>681</u>	LETTER addressed to Settlement Administrator dated 9/2/09 re: SATV is opting out of the settlement in Authors Guild, Inc. et al. Document filed by Frank P. Scibilia.(mro) (Entered: 09/14/2009)
09/11/2009	<u>682</u>	LETTER addressed to Judge Denny Chin from Olswang LLP dated 9/8/2009 re: Counsel respectfully request the Court's permission to file this letter as an amicus curiae brief to address certain concerns of UK authors who have not opted-out of the proposed settlement agreement in this proceeding. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>683</u>	LETTER addressed to Judge Denny Chin from Alain Kouck dated 9/2/09 re: We would like to raise objections to the settlement agreement listed herein. Document filed by Alain Kouck.(mro) (Entered: 09/14/2009)
09/11/2009	<u>684</u>	LETTER addressed to Mr. McMahon from Kim Griggs dated 9/4/2009 re: Counsel writes to object to the proposed settlement as a class member. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>685</u>	LETTER addressed to Judge Denny Chin from Holly K. Towle dated 8/31/2009 re: Counsel writes to object to the Google Book Settlement.(jfe) (Entered: 09/14/2009)
09/11/2009	<u>686</u>	LETTER addressed to Office of the Clerk from Dirk Sieben dated 9/2/09 re: We write to object to the proposed settlement agreement. Document filed by Dirk Sieben.(mro) (Entered: 09/14/2009)
09/11/2009	<u>687</u>	LETTER addressed to Judge Denny Chin from Olivier Nora dated 9/3/2009 re: Counsel writes to object to the Proposed Settlement Agreement. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>688</u>	LETTER addressed to Office of the Clerk from Klaus Humann dated 9/2/09 re: We write to object to the settlement agreement. Document filed by Klaus Humann.(mro) (Entered: 09/14/2009)
09/11/2009	<u>689</u>	AFFIRMATION OF SERVICE of Mika Hasegawa re: <u>464</u> Objection (non-motion). (jfe) (Entered: 09/14/2009)
09/11/2009	<u>690</u>	LETTER addressed to Office of the Clerk from Professor Barbara Scheuch-Voetterle dated 9/2/09 re: We write to object to the settlement agreement. Document filed by Barbara Scheuch-Voetterle.(mro) (Entered: 09/14/2009)
09/11/2009	<u>691</u>	AFFIRMATION OF SERVICE of Junji Suzuki re: <u>467</u> Objection (non-motion), Objection (non-motion). (jfe) (Entered: 09/14/2009)
09/11/2009	<u>692</u>	LETTER addressed to Office of the Clerk from Dr. h.c. Karl-Peter Winters dated 9/1/09 re: We write to object to the settlement agreement. Document filed by h.c. Karl-Peter Winters.(mro) (Entered: 09/14/2009)

09/11/2009	<u>693</u>	LETTER addressed to Office of the Clerk from Brigitte Balke-Schmidt dated 9/2/2009 re: Counsel writes to object to the Settlement Agreement. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>694</u>	LETTER addressed to Mr. McMahon from Vibeke Viteri-Loohuis dated 9/2/09 re: We hope that the court will seriously consider the objections and remarks made herein. Document filed by Vibeke Viteri-Loohuis.(mro) (Entered: 09/14/2009)
09/11/2009	<u>695</u>	LETTER addressed to Office of the Clerk from Brigitte Balke-Schmidt dated 9/2/2009 re: Counsel writes to object to the Google Book Settlement.. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>696</u>	LETTER addressed to Office of the Clerk from Lothar Schirmer dated 9/2/2009 re: Counsel writes to object to the proposed settlement as a class member. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>697</u>	LETTER addressed to Judge Denny Chin from Jesus Sanchez Garcia dated 9/3/2009 re: Counsel writes to object to the proposed settlement as a class member. (jfe) (Entered: 09/14/2009)
09/11/2009	<u>698</u>	LETTER addressed to Mr. McMahon from Tony Simpson dated 9/2/2009 re: Counsel writes to object to the proposed settlement as a class member. (jfe) (Entered: 09/14/2009)
09/14/2009	<u>629</u>	DECLARATION of Nicolas Georges. (jfe) (Entered: 09/14/2009)
09/14/2009	<u>630</u>	LETTER addressed to Office of the Clerk from Manfred Finkeldey dated 9/3/2009 re: We are German publishing house and write to object the proposed Settlement Agreement between Google Inc., and the Authors Guild and the Association of American Publishers for the reasons set forth within. (jfe) (Entered: 09/14/2009)
09/14/2009	<u>657</u>	MOTION for Kristin H. Neuman to Withdraw as Attorney <i>Motion For Leave To Withdraw Appearance On Behalf Of The Canadian Standards Association</i> . Document filed by Canadian Standards Association.(Neuman, Kristin) (Entered: 09/14/2009)
09/14/2009	<u>659</u>	AFFIDAVIT of Kristin H. Neuman in Support re: <u>657</u> MOTION for Kristin H. Neuman to Withdraw as Attorney <i>Motion For Leave To Withdraw Appearance On Behalf Of The Canadian Standards Association</i> .. Document filed by Canadian Standards Association. (Neuman, Kristin) (Entered: 09/14/2009)
09/14/2009	<u>699</u>	CERTIFICATE OF SERVICE of Motion For Leave To Withdraw Appearance served on Cindy A. Cohn, Hadley Perkins Roeltgen, J. Kate Reznick (See attached certificate) on 9/14/09. Service was made by Mail. Document filed by Canadian Standards Association. (Neuman, Kristin) (Entered: 09/14/2009)
09/15/2009	<u>701</u>	LETTER addressed to Office of the Clerk from Dr. Moritz Hagenmuller dated 9/1/09 re: Moritz Hagenmuller, Managing Director of the Books on Demand GmbH, join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations that includes the Borsenverein des Deutschen Buchhandels and others, for the reasons presented to this Court by those individuals and entities. Document filed by Moritz Hagenmuller.(tro) (Entered: 09/15/2009)
09/15/2009	<u>702</u>	LETTER addressed to Office of the Clerk from Tobias Koerner dated 9/4/09 re: Tobias Koerner, join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations that includes as further set forth in this letter. Document filed by Tobias Koerner.(tro) (Entered: 09/15/2009)
09/15/2009	<u>703</u>	LETTER addressed to J. Michael McMahon from Sander van Vlerken dated 8/28/09 re: Publishing House De Geus, write to you in regards to the proposed Settlement Agreement between Google, Inc. and the Authors Guild and the Association of American Publishers. We would like to raise the concerns and objections listed herein to the Settlement. Document filed by Publishing House De Geus.(tro) (Entered: 09/15/2009)

09/15/2009	<u>704</u>	LETTER addressed to Office of the Clerk from Eva Swartz dated 9/2/09 re: Eva Swartz, CEO of Natur &Kultur join in the objections that have been presented to this Court by Scott Gant and the group of foreign publishers and publishing associations as further set forth in this letter. Document filed by Eva Swartz.(tro) (Entered: 09/15/2009)
09/15/2009	<u>705</u>	STATEMENT OF OBJECTIONS TO PROPOSED SETTLEMENT dated 9/8/09. Document filed by Elizabeth Greenberg. (tro) (Entered: 09/15/2009)
09/15/2009	<u>706</u>	STATEMENT OF OBJECTIONS TO THE PROPOSED SETTLEMENT dated 9/7/09. Document filed by Rebecca C. Jones. (tro) (Entered: 09/15/2009)
09/15/2009	<u>707</u>	LETTER addressed to Office of the Clerk from Andrea Warren dated 9/7/09 re: Andrea Warren writes to object the settlement. Document filed by Andrea Warren.(tro) (Entered: 09/15/2009)
09/15/2009	<u>708</u>	OBJECTION TO CLASS-ACTION SETTLEMENT AND NOTICE OF INTENT TO APPEAR OF THE UNDERSIGNED STATES REPRESENTED BY THEIR RESPECTIVE ATTORNEYS GENERAL ON BEHALF OF THEMSELVES AND REGISTERED CHARITIES WITHIN THEIR POLITICAL BOUNDARIES. Document filed by The State of Missouri. (tro) (Entered: 09/15/2009)
09/15/2009	<u>709</u>	OBJECTION OF PROQUEST LLC TO PROPOSED SETTLEMENT. Document filed by Proquest, LLC. (tro) (Entered: 09/15/2009)
09/15/2009	<u>710</u>	OBJECTIONS OF WASHINGTON LEGAL FOUNDATION TO PROPOSED SETTLEMENT AND TO CERTIFICATION OF THE PROPOSED SETTLEMENT CLASS AND SUBCLASSES. Document filed by The Washington Legal Foundation. (tro) (Entered: 09/15/2009)
09/15/2009	<u>711</u>	NOTICE OF INTENT TO APPEAR AT FAIRNESS HEARING and STATEMENT OF OBJECTIONS TO PROPOSED SETTLEMENT. Document filed by Sarah E. Cazoneri. (tro) (Entered: 09/15/2009)
09/15/2009	<u>712</u>	STATEMENT OF OBJECTIONS TO PROPOSED SETTLEMENT. Document filed by Dale Henderson. (tro) (Entered: 09/15/2009)
09/15/2009	<u>713</u>	STATEMENT OF OBJECTIONS TO PROPOSED SETTLEMENT. Document filed by Matthew B. Cazoneri. (tro) (Entered: 09/15/2009)
09/15/2009	<u>714</u>	LETTER addressed to Judge Denny Chin from Donna J. Wood dated 9/11/09 re: Objections to the Proposed Settlement Agreement. Document filed by Donna J. Wood.(tro) (Entered: 09/15/2009)
09/15/2009	<u>715</u>	OBJECTION OF FREE SOFTWARE FOUNDATION, INC. AND KARL FOGEL TO PROPOSED SETTLEMENT. Document filed by Karl Fogel, Free Software Foundation, Inc. (tro) (Entered: 09/15/2009)
09/15/2009	<u>717</u>	MOTION for Edward F. Siegel to Appear Pro Hac Vice. Document filed Charles D. Weller. (mro) (Entered: 09/16/2009)
09/15/2009	<u>718</u>	MOTION for Lee L. Kaplan to Appear Pro Hac Vice.Document filed by Questia Media, Inc.(mro) (Entered: 09/16/2009)
09/15/2009	<u>719</u>	MOTION for Charles D. Ossola, Elaine Metlin and Victor S. Perlman to Appear Pro Hac Vice. Document filed by The American Society of Media Photographers, Inc., Graphic Artists Guild, Picture Archive Council of America, North American Nature Photography Association, Joel Meyerowitz, Dan Budnick, Peter Turner, Lou Jacobs.(mro) Modified on 9/17/2009 (mro). (Entered: 09/16/2009)
09/16/2009	<u>716</u>	ORDER: September 8, 2009 was the deadline by which objections and amicus curiae briefs were to be filed with the Court. In light of the volume of submissions, and the apparent public interest in the case, the following procedures shall govern the fairness hearing: By 10/2/09 the parties shall respond in writing to the filings in this case. The fairness hearing shall proceed as scheduled on 10/7/09 at 10:00 a.m. Any person who wishes to speak at the fairness hearing must submit a request to speak by sending an email to googlebookcase@nysd.uscourts.gov by 5:00 p.m. EDT on 9/21/09. The parties shall post a copy of this order on the settlement website forthwith. Details regarding courtroom seating, press access, and an

		overflow room will be provided in a later order. (Signed by Judge Denny Chin on 9/16/09) (tro) (Entered: 09/16/2009)
09/17/2009		CASHIERS OFFICE REMARK on <u>700</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 09/08/2009, Receipt Number 699182. (jd) (Entered: 09/17/2009)
09/17/2009		CASHIERS OFFICE REMARK on <u>304</u> Motion to Appear Pro Hac Vice, in the amount of \$25.00, paid on 09/08/2009, Receipt Number 699159. (jd) (Entered: 09/17/2009)
09/18/2009	<u>720</u>	NOTICE of Statement of Interest. Document filed by United States of America. (Clopper, John) (Entered: 09/18/2009)
09/21/2009	<u>721</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION: ORDER granting <u>719</u> Motion for Charles D. Ossola and Victor S. Perlman to Appear Pro Hac Vice for The American Society of Media Photographers, Inc., Graphic Artists Guild, Picture Archive Council of America, North American Nature Photography Association, Joel Meyerowitz, Dan Budnick, Peter Turner, Lou Jacobs. (Signed by Judge Denny Chin on 9/19/09) (db) (Entered: 09/21/2009)
09/21/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>721</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (db) (Entered: 09/21/2009)
09/21/2009	<u>722</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION: ORDER granting <u>718</u> Motion for Lee L. Kaplan to Appear Pro Hac Vice for Questia Media, Inc. (Signed by Judge Denny Chin on 9/19/09) (db) (Entered: 09/21/2009)
09/21/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>722</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (db) (Entered: 09/21/2009)
09/21/2009	<u>723</u>	ORDER ADMITTING EDWARD F. SIEGEL PRO HAC VICE: ORDER granting <u>717</u> Motion for Edward F. Siegel to Appear Pro Hac Vice for Charles D. Weller. (Signed by Judge Denny Chin on 9/19/09) (db) (Entered: 09/21/2009)
09/21/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>723</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (db) (Entered: 09/21/2009)
09/21/2009	<u>724</u>	MEMORANDUM ENDORSEMENT re: MOTION FOR LEAVE TO WITHDRAW APPEARANCE ON BEHALF OF THE CANADIAN STANDARDS ASSOCIATION. ORDER granting <u>657</u> Motion to Withdraw Attorney. Attorney Kristin Hackett Neuman terminated. ENDORSEMENT: Approved. SO ORDERED. (Signed by Judge Denny Chin on 9/19/09) (db) (Entered: 09/21/2009)
09/21/2009	<u>725</u>	LETTER addressed to Mr. McMahon from The Berne Convention for the Protection of Literary and Artistic Works dated 9/3/09 re: Objection to the Proposed Settlement. (db) (Entered: 09/21/2009)
09/21/2009	<u>726</u>	LETTER addressed to Mr. McMahon from Ann Mitcalfe dated 9/3/09 re: Objection to the Proposed Settlement. (db) (Entered: 09/21/2009)
09/21/2009	<u>727</u>	LETTER addressed to Google Settlement from Dolores Karl dated 9/1/09 re: To opt out of the Google–Authors Guild Settlement. (db) (Entered: 09/21/2009)
09/21/2009	<u>730</u>	MOTION for Robert J. LaRocca to Appear Pro Hac Vice. Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman.(mro) (Entered: 09/22/2009)
09/21/2009	<u>734</u>	ORDER, that Gary Leland Reback, Esq. be admitted to the Bar of this Court pro hac vice as counsel for Amicus Curiae Open Book Alliance, upon payment of the applicable fee to the Clerk of Court. (Signed by Judge Denny Chin on 9/19/09) (pl) Modified on 9/24/2009 (pl). (Entered: 09/24/2009)
09/22/2009	<u>728</u>	MOTION for Hearing / <i>Notice of Unopposed Motion of the Author Sub–Class and the Publisher Sub–Class to Adjourn October 7, 2009 Final Fairness Hearing and</i>

		<i>Schedule Status Conference</i> . Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc..(Keller, Bruce) (Entered: 09/22/2009)
09/22/2009	<u>729</u>	MEMORANDUM OF LAW in Support re: <u>728</u> MOTION for Hearing / <i>Notice of Unopposed Motion of the Author Sub–Class and the Publisher Sub–Class to Adjourn October 7, 2009 Final Fairness Hearing and Schedule Status Conference</i> .. Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc.. (Keller, Bruce) (Entered: 09/22/2009)
09/22/2009	<u>731</u>	MOTION for Charles B. Casper to Appear Pro Hac Vice. Document filed by Microsoft Corporation.(mro) (Entered: 09/22/2009)
09/22/2009	<u>732</u>	MOTION for Richard Montgomery Donaldson to Appear Pro Hac Vice. Document filed by Microsoft Corporation.(mro) (Entered: 09/22/2009)
09/23/2009		CASHIERS OFFICE REMARK on <u>717</u> Motion to Appear Pro Hac Vice, <u>718</u> Motion to Appear Pro Hac Vice, <u>719</u> Motion to Appear Pro Hac Vice, in the amount of \$125.00, paid on 09/15/2009, Receipt Number 700022, 700067 &700099. (jd) (Entered: 09/23/2009)
09/23/2009	<u>733</u>	BRIEF OF AMICUS CURIAE. Document filed by Public Knowledge.(ad) (Entered: 09/24/2009)
09/23/2009		***Attorney Sherman Siy for Public Knowledge, Jef Pearlman for Public Knowledge added. (ad) (Entered: 09/25/2009)
09/24/2009		CASHIERS OFFICE REMARK on <u>730</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 09/21/2009, Receipt Number 700386. (jd) (Entered: 09/24/2009)
09/24/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>734</u> Order on Motion to Appear Pro Hac Vice,, to the Attorney Admissions Clerk for updating of Attorney Information. (pl) (Entered: 09/24/2009)
09/24/2009	<u>735</u>	ORDER, that on September 22, 2009, plaintiffs moved for an adjournment of the fairness hearing currently scheduled for October 7, 2009. Defendant Google, Inc. does not oppose the motion. Under all the circumstances, it makes no sense to conduct a hearing on the fairness and reasonableness of the current settlement agreement, as it does not appear that the currentsettlement will be the operative one. Accordingly, the Court will not proceed with the fairness hearing on October 7, 2009. The Court will, however, conduct a status conference on October 7 at 10 00 a.m. to determine how to proceed with the case as expeditiously as possible, as this case has now been pending for over four years The parties shall attend. Additional relief as set forth in this Order. (Signed by Judge Denny Chin on 9/24/09) (pl) (Entered: 09/24/2009)
09/24/2009	<u>736</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Reconsideration. Document filed by The American Society of Media Photographers, Inc.. (Attachments: # <u>1</u> Exhibit Motion to Intervene, # <u>2</u> Exhibit Letter to Chambers, # <u>3</u> Text of Proposed Order Proposed Order)(Saed, Shirley) Modified on 9/25/2009 (jar). (Entered: 09/24/2009)
09/24/2009	<u>737</u>	FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU (Certificate of Service) – MOTION for Reconsideration <i>certificate of service</i> . Document filed by The American Society of Media Photographers, Inc..(Saed, Shirley) Modified on 9/25/2009 (jar). (Entered: 09/24/2009)
09/24/2009		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Shirley Saed to RE–FILE Document <u>736</u> MOTION for Reconsideration.. ERROR(S): Supporting Documents must be filed individually. Use the event type Memorandum of Law found under event list Replies, Opposition, Supporting Documents. NOTE: The Motion must be correctly re–filed. (jar) (Entered: 09/25/2009)

09/24/2009		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Shirley Saed to RE-FILE Document <u>737</u> MOTION for Reconsideration <i>certificate of service</i> . The Certificate of Service may be include with the Motion for Reconsideration. However, you may use the event type Certificate of Service Other found under the event list Service of Process (case name and case number must be include with Certificate before re-filing). (jar) (Entered: 09/25/2009)
09/24/2009	<u>743</u>	MOTION for Marc Rotenberg to Appear Pro Hac Vice. Document filed by Electronic Privacy Information Center.(mro) (Entered: 09/28/2009)
09/25/2009	<u>738</u>	MOTION for Reconsideration of <i>Denial of Motion to Intervene for the Limited Purposes of Objecting to the Proposed Class Action Settlement Agreement and Preserving Right to Appeal</i> . Document filed by The American Society of Media Photographers, Inc., Graphic Artists Guild, Picture Archive Council of America, North American Nature Photography Association, Joel Meyerowitz, Dan Budnick, Peter Turner, Lou Jacobs, Jr.(Saed, Shirley) (Entered: 09/25/2009)
09/25/2009	<u>739</u>	MEMORANDUM OF LAW in Support re: <u>738</u> MOTION for Reconsideration of <i>Denial of Motion to Intervene for the Limited Purposes of Objecting to the Proposed Class Action Settlement Agreement and Preserving Right to Appeal..</i> Document filed by The American Society of Media Photographers, Inc., Graphic Artists Guild, Picture Archive Council of America, North American Nature Photography Association, Joel Meyerowitz, Dan Budnick, Peter Turner, Lou Jacobs, Jr. (Saed, Shirley) (Entered: 09/25/2009)
09/25/2009	<u>740</u>	ORDER granting <u>731</u> Motion for Charles B. Casper to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 9/25/09) (js) (Entered: 09/25/2009)
09/25/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>740</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (js) (Entered: 09/25/2009)
09/25/2009	<u>741</u>	ORDER granting <u>732</u> Motion for Richard Montgomery Donaldson to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 9/25/09) (js) (Entered: 09/25/2009)
09/25/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>741</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (js) (Entered: 09/25/2009)
09/25/2009	<u>742</u>	ORDER granting <u>730</u> Motion for Robert J. LaRocca to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 9/25/09) (js) (Entered: 09/25/2009)
09/25/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>742</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (js) (Entered: 09/25/2009)
09/25/2009	<u>744</u>	MOTION for Mark Edward Avsec to Appear Pro Hac Vice. Document filed by Canadian Standard Association.(mro) (Entered: 09/28/2009)
09/28/2009		CASHIERS OFFICE REMARK on <u>732</u> Motion to Appear Pro Hac Vice, <u>731</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 09/22/2009, Receipt Number 700437. (jd) (Entered: 09/28/2009)
09/28/2009	<u>745</u>	MOTION for Norman W. Marden to Appear Pro Hac Vice. Document filed by Commonwealth of Pennsylvania.(mro) (Entered: 10/01/2009)
09/29/2009		CASHIERS OFFICE REMARK on <u>743</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 09/24/2009, Receipt Number 700552. (jd) (Entered: 09/29/2009)
09/29/2009		CASHIERS OFFICE REMARK on <u>744</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 09/25/2009, Receipt Number 701530. (jd) (Entered: 09/29/2009)
10/01/2009		CASHIERS OFFICE REMARK on <u>745</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 09/28/2009, Receipt Number 701643. (jd) (Entered: 10/01/2009)



10/01/2009	<u>746</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION, that Marc Rotenberg is admitted to practice pro hac vice as counsel for EPIC. (Signed by Judge Denny Chin on 10/1/09) (pl) (Entered: 10/01/2009)
10/01/2009	<u>747</u>	ORDER, granting <u>744</u> Motion for Mark E. Avsec, Esq. to Appear Pro Hac Vice be admitted to the Bar of this court pro hac vice as counsel for Canadian Standards Association, upon payment of the pro hac vice fee to the Clerk of the Court. (Signed by Judge Denny Chin on 10/1/09) (pl) (Entered: 10/01/2009)
10/02/2009	<u>748</u>	NOTICE of of Objection. Document filed by Electronic Privacy Information Center. (Rotenberg, Marc) (Entered: 10/02/2009)
10/06/2009	<u>749</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT (LETTER) – TRANSCRIPT REQUEST <i>Court Reporter Request</i> for proceedings held on Oct. 7, 2009 before Judge Denny Chin. Document filed by Darlene Marshall.(Weiss, Matthew) Modified on 10/8/2009 (jar). (Entered: 10/06/2009)
10/06/2009	<u>750</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION for Writ of Mandamus as to Judge Denny Chin. Document filed by Darlene Marshall.(Weiss, Matthew) Modified on 10/8/2009 (jar). (Entered: 10/06/2009)
10/06/2009	<u>751</u>	ORDER: The Court has received the following requests regarding the status conference scheduled for October 7, 2009, at 10 a.m. in this case: 1. To have a court reporter present at the status conference; and 2. To audio or video record the status conference. The first request is granted; it was always the Court's intention to have a court reporter present to transcribe the conference. The second request is denied; the Court will not permit audio or video recording of the proceeding. (Signed by Judge Denny Chin on 10/6/2009) (rw) (Entered: 10/06/2009)
10/06/2009		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. <u>749</u> HAS BEEN REJECTED. Note to Attorney Matthew Weiss : THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING, either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (jar) (Entered: 10/08/2009)
10/06/2009		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Matthew Weiss to RE–FILE Document <u>750</u> MOTION for Writ of Mandamus as to Judge Denny Chin. ERROR(S): Case number missing from document. (jar) (Entered: 10/08/2009)
10/07/2009	<u>752</u>	NOTICE OF APPEAL from <u>428</u> Order,,. Document filed by The American Society of Media Photographers, Inc., Picture Archive Council of America, North American Nature Photography Association, Joel Meyerowitz, Dan Budnick, Peter Turner, Lou Jacobs, Jr. Filing fee \$ 455.00, receipt number E 702434. (nd) (Entered: 10/07/2009)
10/07/2009		Transmission of Notice of Appeal to the District Judge re: <u>752</u> Notice of Appeal,. (nd) (Entered: 10/07/2009)
10/07/2009		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>752</u> Notice of Appeal,. (nd) (Entered: 10/07/2009)
10/08/2009	<u>753</u>	MANDATE of USCA (Certified Copy) USCA Case Number 09–41420–op. IT IS HEREBY ORDERED that the Petitioner's Emergency Petition for Writ of Mandamus is DENIED. Catherine O'Hagan Wolfe, Clerk USCA. Issued As Mandate: 10/6/2009. (nd) (Entered: 10/08/2009)
10/08/2009	<u>754</u>	ENDORSED LETTER addressed to Judge Denny Chin from Michael J. Boni dated 10/5/09 re: Plaintiffs request that the Court deny the ASMP movants' motion for reconsideration. ENDORSEMENT: The Clerk of the Court shall accept this letter for filing, and the ASMP movants shall respond by 10/14/09. (Signed by Judge Denny Chin on 10/7/09) (tro) (Entered: 10/08/2009)
10/09/2009	<u>755</u>	ORDER granting <u>745</u> Motion for Norman W. Marden to Appear Pro Hac Vice for Commonwealth of Pennsylvania. (Signed by Judge Denny Chin on 10/8/2009) (jmi) (Entered: 10/09/2009)

10/09/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>755</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jmi) (Entered: 10/09/2009)
10/09/2009	<u>756</u>	NOTICE OF APPEAL from <u>308</u> Order on Motion to Intervene. Document filed by Lewis Hyde, Harry Lewis, Nicholas Negroponte, Charles Nesson. Filing fee \$ 455.00, receipt number E 702610. (nd) (Entered: 10/09/2009)
10/09/2009		Transmission of Notice of Appeal to the District Judge re: <u>756</u> Notice of Appeal. (nd) (Entered: 10/09/2009)
10/09/2009		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>756</u> Notice of Appeal. (nd) (Entered: 10/09/2009)
10/14/2009	<u>757</u>	REPLY MEMORANDUM OF LAW in Support re: <u>738</u> MOTION for Reconsideration of <i>Denial of Motion to Intervene for the Limited Purposes of Objecting to the Proposed Class Action Settlement Agreement and Preserving Right to Appeal.</i> . Document filed by The American Society of Media Photographers, Inc., Graphic Artists Guild, Picture Archive Council of America, North American Nature Photography Association, Joel Meyerowitz, Dan Budnick, Peter Turner, Lou Jacobs, Jr. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2)(DeVries, Christina) (Entered: 10/14/2009)
10/14/2009	<u>758</u>	CERTIFICATE OF SERVICE of Reply in Support of Motion for Reconsideration served on The Authors Guild on October 14, 2009. Service was made by Mail. Document filed by The American Society of Media Photographers, Inc., Graphic Artists Guild, Picture Archive Council of America, North American Nature Photography Association, Joel Meyerowitz, Dan Budnick, Peter Turner, Lou Jacobs, Jr. (DeVries, Christina) (Entered: 10/14/2009)
10/16/2009	<u>759</u>	NOTICE OF APPEARANCE by Christina Jacqueline DeVries on behalf of The American Society of Media Photographers, Inc., Graphic Artists Guild, Picture Archive Council of America, North American Nature Photography Association, Joel Meyerowitz, Dan Budnick, Lou Jacobs, Jr (DeVries, Christina) (Entered: 10/16/2009)
10/16/2009	766	TRANSCRIPT of proceedings held on 10/7/09 before Judge Denny Chin. (tro) (Entered: 11/05/2009)
10/22/2009	<u>760</u>	NOTICE of Amended Settlement Issues. Document filed by Electronic Frontier Foundation et al.. (Rudman, Samuel) (Entered: 10/22/2009)
10/28/2009	<u>761</u>	FILING ERROR – DEFICIENT DOCKET ENTRY – MOTION to Withdraw. Document filed by Eric Jager, Harold Bloom, Elliot Abrams, Charlotte Allen, Phyllis Ammons, Richard Arme y, Jacques Barzun, Nicholas Basbanes, Stephen Bates, Shawn J. Bayern, Jack Beerman, Michael Behe, Michael Cox, Douglas Crase, Frank Gonzalez–Crussi, Midge Decter, John Derbyshire, Thomas M. Disch, Gerald Early, Mel Eisenberg, Richard A. Epstein, Henry Fetter, David D. Friedman, David Gelernter, Gabrielle Glaser, Mary Ann Glendon, Victor Davis Hanson, Robert Herbold, Arthur Herman, Charles Hill, Manuela Hoelterhoff, Richard Howard, Ishmael Jones, Donald Kagan, David Kuo, Michael Ledeen, Susan Lee, Mary Lefkowitz, David Lehman, John Lehman, Howard Markel, Sherwin B. Nuland, Steven Ozment, Michael Perry, Norman Podhoretz, Diane Ravitch, Ralph Reed, Harriet Rubin, Sarah Ruden, Roy Spencer, Geoffrey R. Stone, Charles Sykes, Terry Teachout, Paco Underhill, Ruth Wisse, Elizabeth Wurtzel, John Yoo, Wendy Shalit, American Society of Journalists and Authors. (Attachments: # <u>1</u> Affidavit In Support of Withdrawal)(Hall, Joseph) Modified on 10/29/2009 (jar). (Entered: 10/28/2009)
10/28/2009		***NOTE TO ATTORNEY TO RE–FILE DOCUMENT – DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Joseph Hall to RE–FILE Document <u>761</u> MOTION to Withdraw. ERROR(S): Supporting Document must be filed individually. Use the event type Affidavit in Support found under event list Replies, Oppositions, Supporting Documents. NOTE: The Motion must be correctly re–filed. (jar) (Entered: 10/29/2009)
10/29/2009	<u>762</u>	MOTION to Withdraw. Document filed by Eric Jager, Harold Bloom, Elliot Abrams, Charlotte Allen, Phyllis Ammons, Richard Arme y, Jacques Barzun,

		Nicholas Basbanes, Stephen Bates, Shawn J. Bayern, Jack Beerman, Michael Behe, Michael Cox, Douglas Crase, Frank Gonzalez-Crussi, Midge Decter, John Derbyshire, Thomas M. Disch, Gerald Early, Mel Eisenberg, Richard A. Epstein, Henry Fetter, David D. Friedman, Gabrielle Glaser, Mary Ann Glendon, Victor Davis Hanson, Robert Herbold, Arthur Herman, Charles Hill, Manuela Hoelterhoff, Ishmael Jones, Donald Kagan, David Kuo, Michael Ledeen, Mary Lefkowitz, David Lehman, John Lehman, Howard Markel, Sherwin B. Nuland, Steven Ozment, Michael Perry, Norman Podhoretz, Diane Ravitch, Ralph Reed, Harriet Rubin, Sarah Ruden, Roy Spencer, Geoffrey R. Stone, Charles Sykes, Terry Teachout, Ruth Wisse, Elizabeth Wurtzel, John Yoo, Wendy Shalit.(Hall, Joseph) (Entered: 10/29/2009)
10/29/2009	<u>763</u>	AFFIDAVIT of Joseph S. Hall in Support re: <u>762</u> MOTION to Withdraw.. Document filed by Eric Jager, Harold Bloom, Elliot Abrams, Charlotte Allen, Phyllis Ammons, Richard Arney, Jacques Barzun, Nicholas Basbanes, Stephen Bates, Shawn J. Bayern, Jack Beerman, Michael Behe, Michael Cox, Douglas Crase, Frank Gonzalez-Crussi, Midge Decter, John Derbyshire, Thomas M. Disch, Gerald Early, Mel Eisenberg, Richard A. Epstein, Henry Fetter, David Gelernter, Gabrielle Glaser, Mary Ann Glendon, Robert Herbold, Arthur Herman, Charles Hill, Manuela Hoelterhoff, Richard Howard, Ishmael Jones, David Kuo, Michael Ledeen, Susan Lee, Mary Lefkowitz, David Lehman, John Lehman, Howard Markel, Sherwin B. Nuland, Steven Ozment, Michael Perry, Norman Podhoretz, Diane Ravitch, Ralph Reed, Sarah Ruden, Peter Schweizer, Roy Spencer, Geoffrey R. Stone, Charles Sykes, Terry Teachout, Paco Underhill, Ruth Wisse, Elizabeth Wurtzel, John Yoo, Wendy Shalit, American Society of Journalists and Authors. (Hall, Joseph) (Entered: 10/29/2009)
10/30/2009	<u>764</u>	MEMO ENDORSED ON MOTION FOR LEAVE TO WITHDRAW APPEARANCE. ENDORSEMENT: Approved. So Ordered. (Signed by Judge Denny Chin on 10/30/09) (dle) (Entered: 11/02/2009)
11/04/2009	<u>765</u>	MEMORANDUM DECISION for the reasons set forth above, denying <u>738</u> Motion for Reconsideration. (Signed by Judge Denny Chin on 11/4/09) (cd) (Entered: 11/04/2009)
11/09/2009	<u>767</u>	ENDORSED LETTER addressed to Judge Denny Chin from Michael J. Boni dated 11/9/09 re: counsel for plaintiff writes on behalf of the parties, I write to advise the Court that plaintiffs expect to file their motion seeking preliminary approval of the Amended Settlement Agreement by no later than this Friday, November 13, 2009. ENDORSEMENT: Approved. So Ordered. (Signed by Judge Denny Chin on 11/9/09) (pl) (Entered: 11/09/2009)
11/13/2009	<u>768</u>	MOTION to Approve / <i>Notice of Motion for Preliminary Approval of Amended Settlement Agreement</i> . Document filed by Association of American Publishers, Inc., The McGraw-Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley & Sons, Inc..(Keller, Bruce) (Entered: 11/13/2009)
11/13/2009	<u>769</u>	MEMORANDUM OF LAW in Support re: <u>768</u> MOTION to Approve / <i>Notice of Motion for Preliminary Approval of Amended Settlement Agreement</i> .. Document filed by Association of American Publishers, Inc., The McGraw-Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley & Sons, Inc.. (Keller, Bruce) (Entered: 11/13/2009)
11/13/2009	<u>770</u>	DECLARATION of Michael J. Boni in Support re: <u>768</u> MOTION to Approve / <i>Notice of Motion for Preliminary Approval of Amended Settlement Agreement</i> .. Document filed by Association of American Publishers, Inc., The McGraw-Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley & Sons, Inc.. (Attachments: # <u>1</u> Exhibit 1 – Amended Settlement Agreement, # <u>2</u> Exhibit 2 – Changes made to Amended Settlement Agreement)(Keller, Bruce) (Entered: 11/13/2009)
11/16/2009	<u>782</u>	THIRD AMENDED COMPLAINT amending <u>1</u> Complaint, <u>36</u> Amended Complaint, <u>59</u> Second Amended Complaint, against Google Inc. Document filed by Canadian Standard Association, Association of American Publishers, Inc., Associational Plaintiffs, The McGraw-Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley & Sons, Inc., The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. Related document: <u>1</u> Complaint filed by

		The Author's Guild, Betty Miles, Herbert Mitgang, Daniel Hoffman, <u>36</u> Amended Complaint, filed by The Author's Guild, Betty Miles, Joseph Goulden, Paul Dickson, Herbert Mitgang, Daniel Hoffman, <u>59</u> Second Amended Complaint., filed by The Author's Guild, Joseph Goulden, Simon & Schuster, Inc., Herbert Mitgang, Associational Plaintiffs, John Wiley & Sons, Inc., Betty Miles, Paul Dickson, Association of American Publishers, Inc., Daniel Hoffman, The McGraw-Hill Companies, Inc., Pearson Education, Inc. (ae) (Entered: 12/04/2009)
11/19/2009	<u>771</u>	NOTICE of Withdrawal of Objection re: <u>297</u> Affirmation in Opposition to Motion,. Document filed by Songwriters Guild of America. (Fedele, John) (Entered: 11/19/2009)
11/19/2009	<u>772</u>	ORDER GRANTING PRELIMINARY APPROVAL OF AMENDED SETTLEMENT AGREEMENT: granting <u>768</u> Motion to Approve preliminary approval of an Amended Settlement Agreement among plaintiffs and defendant. All other provisions as set forth in this order. A final settlement/fairness hearing shall be held on February 18, 2010 at 10:00 a.m. So Ordered. (Signed by Judge Denny Chin on 11/19/09) (js) (Entered: 11/19/2009)
11/19/2009	<u>773</u>	STIPULATION AND ORDER FOR AMENDMENT: The Clerk of the Court is directed to docket the Third Amended Complaint as filed on the date this stipulation and order are entered on the docket, and plaintiffs shall follow up with submission of an electronic version of the amended complaint in accordance with the Court's ECF Rules and Instructions. So Ordered (Signed by Judge Denny Chin on 11/19/09) (js) (Entered: 11/19/2009)
11/19/2009		Set Deadlines/Hearings: Settlement Conference set for 2/18/2009 at 10:00 AM before Judge Denny Chin. (js) (Entered: 11/20/2009)
11/19/2009	<u>777</u>	MOTION for Jonathan Band to Appear Pro Hac Vice. Document filed by America Library Association, Association of College and Research Libraries and Association of Research Libraries.(mro) (Entered: 11/24/2009)
11/20/2009	<u>774</u>	MOTION for Reconsideration of <i>Order Granting Preliminary Approval of Amended Settlement Agreement</i> . Document filed by Amazon.com, Inc..(Wiles, Alexander) (Entered: 11/20/2009)
11/20/2009	<u>775</u>	MEMORANDUM OF LAW in Support re: <u>774</u> MOTION for Reconsideration of <i>Order Granting Preliminary Approval of Amended Settlement Agreement</i> .. Document filed by Amazon.com, Inc.. (Wiles, Alexander) (Entered: 11/20/2009)
11/24/2009	<u>776</u>	ORDER granting <u>266</u> Motion for John B. Morris, Jr. to Appear Pro Hac Vice for Amicus Curaie. (Signed by Judge Denny Chin on 11/23/2009) (jmi) (Entered: 11/24/2009)
11/24/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>776</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jmi) (Entered: 11/24/2009)
11/25/2009	<u>778</u>	ENDORSED LETTER addressed to Judge Denny Chin from John D. Clopper dated 11/24/09 re: Counsel requests that the Court clarify the Government's deadline for submitting a statement regarding the amended settlement agreement in this action as 2/4/2010. ENDORSEMENT: SO ORDERED. (Signed by Judge Denny Chin on 11/25/09) (tro) (Entered: 11/30/2009)
12/01/2009	<u>779</u>	MEMORANDUM DECISION denying <u>774</u> Motion for Reconsideration. Amazon's motion for reconsideration is denied. Amazon may set forth its arguments in its objections to the proposed settlement in conjunction with the final settlement approval process. Amazon also requests that the Court amend its preliminary approval order with regard to the mechanism by which objectors may submit objections to the proposed settlement. The order provides that objectors may now object only to amended terms of the settlement agreement, and that the time for objecting to the original settlement terms has passed. The Court will consider objections to the amended settlement in conjunction with previously-submitted objections to the original settlement. Amazon asks that, instead, objectors be permitted to withdraw their previous objections and to submit superseding objections that relate to both the original and the amended settlement

		terms. This request is denied, but to the extent that objectors find it necessary to refer to their prior objections now to present "cohesive and accurate filings," they may do so. (Signed by Judge Denny Chin on 12/1/09) (tro) (Entered: 12/02/2009)
12/01/2009	<u>780</u>	AMENDED NOTICE OF APPEAL re: <u>752</u> Notice of Appeal, <u>765</u> Order on Motion for Reconsideration, <u>428</u> Order. Document filed by The American Society of Media Photographers, Inc., Graphic Artists Guild, Picture Archive Council of America, North American Nature Photography Association, Joel Meyerowitz, Dan Budnick, Peter Turner, Lou Jacobs, Jr. (nd) (Entered: 12/02/2009)
12/02/2009		Transmission of Notice of Appeal to the District Judge re: <u>780</u> Amended Notice of Appeal,. (nd) (Entered: 12/02/2009)
12/02/2009		Transmission of Amended Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>780</u> Amended Notice of Appeal,. (nd) (Entered: 12/02/2009)
12/03/2009	<u>781</u>	ORDER granting <u>777</u> Motion for Jonathan Band to Appear Pro Hac Vice for America Library Association, Association of College and Research Libraries and Association of Research Libraries. (Signed by Judge Denny Chin on 12/3/2009) (jmi) (Entered: 12/04/2009)
12/03/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>781</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jmi) (Entered: 12/04/2009)
12/04/2009		CASHIERS OFFICE REMARK on <u>777</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 11/19/2009, Receipt Number 706520. (jd) (Entered: 12/04/2009)
01/26/2010	<u>783</u>	LETTER addressed to Judge Denny Chin from Dina Cox dated 1/19/10 re: Proposed Google Book Settlement and I am opting out, filed by Dina Cox. (cd) (Entered: 01/26/2010)
01/26/2010	<u>784</u>	LETTER addressed to Judge Denny Chin from Edward Lipsett dated 1/12/2010 re: By this letter, I opt out of the proposed settlement in this case. (jmi) (Entered: 01/27/2010)
01/26/2010	<u>785</u>	LETTER addressed to Judge Denny Chin from Luis Ortiz dated 1/11/2010 re: By this letter, I opt out of the proposed settlement in this case. (jmi) (Entered: 01/27/2010)
01/26/2010	<u>786</u>	LETTER addressed to Judge Denny Chin from Jonatha Ceely dated 1/19/2010 re: By this letter, I opt out of the proposed settlement in this case. (jmi) (Entered: 01/27/2010)
01/26/2010	<u>787</u>	LETTER addressed to Judge Denny Chin from Margaret Jane Ross dated 1/20/2010 re: By this letter, I opt out of the proposed settlement in this case. (jmi) (Entered: 01/27/2010)
01/26/2010	<u>788</u>	LETTER addressed to Judge Denny Chin from Margaret Jane Ross (Mr. Cooke) dated 1/19/2010 re: By this letter, I opt out of the proposed settlement in this case. (jmi) (Entered: 01/27/2010)
01/26/2010	<u>789</u>	LETTER addressed to Judge Denny Chin from Dina E. Cox dated 1/19/2010 re: By this letter, I opt out of the proposed settlement in this case. (jmi) (Entered: 01/27/2010)
01/26/2010	<u>790</u>	LETTER addressed to Judge Denny Chin from Barbara Morrison dated 1/26/2010 re: I opt out of the proposed settlement in this case. I am opting out of both the "Author Sub-Class" and the "Publisher Sub-Class", and out of the settlement in its entirety. I have written and/or published works under names including, but not limited to, the following variant spellings, forms, pen names, and/or pseudonyms: B.Morrison, Barbara Morrison. I am the owner of Cottey House Press. (mbe) (mbe). (Entered: 01/27/2010)
01/26/2010	<u>791</u>	LETTER addressed to Judge Denny Chin from Paul N. Courant dated 1/18/2010 re: I write to express my interest in speaking at the Fairness Hearing per your order of 19 November 2009. My interest in the case are many. I am an active scholar in

		economics and public policy, and am the author of many works that are subject to the settlement. I am also the University Librarian and Dean of Libraries at the University of Michigan, and was the Provost and Executive Vice-President of the University at the time that Google began scanning the University's collections. In my role as librarian I oversee the University of Michigan Press, a significant academic publisher. As Provost and as Librarian I have been closely engaged for several years with the Google scanning project, and the aspects of the settlement that have implication for participating libraries. As an active scholar and member of the author class, as an academic administrator, and as the head of a major research library with responsibility for a university press, it is my strongly held opinion that the settlement will be of great benefit to the general public and to scholarly practice and progress. I would be most grateful for the opportunity to share these views with the Court at the Fairness Hearing.(mbe) (Entered: 01/27/2010)
01/26/2010	<u>792</u>	LETTER addressed to Judge Denny Chin from Antonio Ma. Avila dated 1/26/2010 re: I am the Executive Director of the Federation de Gremios de Editores de Espana. We write to object to the Amended Settlement Agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicative filings. We therefore object to the Amended Settlement Agreement by reference to the observations of Borsenverein de Deutschen Buchhandels, Syndicat National de l'edition and Associazione Italiana Editore, in its amicus curiae letter, which hereby become an integral part of our own objections as filed herewith. (mbe) (Entered: 01/27/2010)
01/26/2010	<u>796</u>	LETTER addressed to Judge Denny Chin from Racheli Edelman dated 1/24/2010 re: I am and Israeli Publisher of Schocken Publishing house and the Hebrew Encyclopedia. We were very pleased to get the honorable court decision to exclude all books that are not being published in the US in the Canada, the UK and Australia from the Google Settlement agreement. Nevertheless we would like to make sure that all the books that were published by the following publishing houses will be removed from the Google Books sites. Therefore we will be grateful if the court will authorize Google not to put the above mentioned publishing houses titles on their books sites.(mbe) (Entered: 01/27/2010)
01/26/2010	<u>797</u>	LETTER addressed to Judge Denny Chin from Sandra Csillag dated 1/18/2010 re: We respectfully request the court's permission to submit this letter as an amicus curiae brief opposing approval of the Amended Settlement Agreement in the above case. Literar-Mechana therefore requests the Court to deny final approval of the Amended Settlement Agreement unless the following amendments are made.(mbe) (Entered: 01/27/2010)
01/26/2010		***DELETED DOCUMENT. Deleted document number 793 Letter. The document was filed as a duplicate entry in this case. (djc) (Entered: 01/27/2010)
01/26/2010		***DELETED DOCUMENT. Deleted document number 794 letter. The document was filed as a duplicate entry in this case. (djc) (Entered: 01/27/2010)
01/26/2010		***DELETED DOCUMENT. Deleted document number 795 letter. The document was filed as a duplicate entry in this case. (djc) (Entered: 01/27/2010)
01/26/2010		****DELETED DOCUMENT. Deleted document number 798 letter. The document was filed as a duplicate entry in this case. (djc) (Entered: 01/27/2010)
01/26/2010	<u>812</u>	LETTER addressed to Judge Denny Chin from Antonio Ma. Avila dated 1/26/10 re: Antonio Ma. Avila writes to object to the Amended Settlement Agreement. We do not have the resources to provide this Court with legal briefing regarding our objections nor do we wish to burden this Court with duplicative filings. We therefore object to the Amended Settlement Agreement by reference to the observations of Borsenverein des Deutschen Buchhandels, Syndicat National de l'edition and Associazione Italiana Editore. in its amicus curiae letter, which hereby become an integral part of our own objections as filed herewith. (pl) (Entered: 01/27/2010)
01/26/2010	<u>813</u>	LETTER addressed to Office of the Clerk, U.S. District Court for the Southern District of New York from Douglas Johnson and Maureen Johnson dated 1/26/10 re: I am opting out of both the "Author Sub-Class" and the "Publisher Sub-Class," and out of the settlement in its entirety. (pl) (Entered: 01/27/2010)

01/27/2010	<u>799</u>	LETTER addressed to J. Michael McMahon from Graham Swift dated 1/14/2010 re: Google Book Settlement. Please find enclosed for your reference a copy of my letter, mailed (by UK certified airmail) on 14th January 2010 to the Google Book Search Administrator, by which I opt out of the Google Book Settlement. Please confirm your receipt and filing of this letter and enclosure. (mbe) (Entered: 01/27/2010)
01/27/2010	<u>800</u>	LETTER addressed to Judge Denny Chin from David R. M. Prest dated undated re: party notifies the Court that is opting out of ht proposed settlement in this case. Opting out of both the Author Sub-Class and Publisher Sub-Class and our to the settlement in its entirety. (djc) (Entered: 01/27/2010)
01/27/2010	<u>801</u>	LETTER addressed to the Clerk of the Court from Blaine Regan Newton dated 1/12/10 re: party notified the Court that he is opting our of the settlement in this case, both the Author sub-Class and the Publisher Sub-Class and out of the settlement in its entirety. (djc) (Entered: 01/27/2010)
01/27/2010	<u>802</u>	LETTER addressed to the Clerk of the Court from Vivian Kane dated 1/5/10 re: party notified the Court that she is opting our of the settlement in this case, both the Author sub-Class and the Publisher Sub-Class and out of the settlement in its entirety. (djc) (Entered: 01/27/2010)
01/27/2010	<u>804</u>	LETTER addressed to the Clerk of the Court from Leigh Faulkner, dated 1/12/10 re: party notified the Court that she is opting our of the settlement in this case, both the Author sub-Class and the Publisher Sub-Class and out of the settlement in its entirety. (djc) (Entered: 01/27/2010)
01/27/2010	<u>805</u>	LETTER addressed to the Clerk of the Court from Alisa Smith, dated 1/6/08 re: party notifies the Court that she is opting out of the settlement in this case, both the Author sub-Class and the Publisher Sub-Class and out of the settlement in its entirety. (djc) (Entered: 01/27/2010)
01/27/2010	<u>806</u>	LETTER addressed to the Clerk of the Court from Blaine Regan Newton dated 1/12/10 re: party notified the Court that she is opting our of the settlement in this case, both the Author sub-Class and the Publisher Sub-Class and out of the settlement in its entirety. (djc) (Entered: 01/27/2010)
01/27/2010	<u>807</u>	LETTER from Niyogi Books dated undated re: OBJECTIONS OF NIYOGI BOOKS, IPP CATALOGUE PUBLICATIONS, STAR PUBLICATIONS PVT. LTD., PIJ8TAK MAHAL, UNICORN BOOKS I)V T. LTD, LAXMI PUBLICATIONS PVT. LTD., PRAGUN PUBLICATION, ESS ESSPUBLICATIONS, NEW CENTURY PUBLICATION, DAYA PUBLISHING HOUSE, ARORA LAW BOOK AGENCY, DR. SAROJINI PRITAM AND AAKAR BOOKS TO THE PROPOSED REVISED SETTLEMENT AND BRIEF OF AMICI CIJRIAE, FEDERATION OF INDIAN PUBLISHERS, THE INDIANREPROGRAPHIC RIGHTS ORGANIZATION AND PROFESSOR RAVI SHANKER(djc) (Entered: 01/27/2010)
01/27/2010	<u>808</u>	LETTER addressed to Court from Clare Morrall dated 1/13/10 re: this is to give notice that I am opting out of the Author Sub-Class in the Google Book Settlement, and from any participation in the settlement. (djc) (Entered: 01/27/2010)
01/27/2010	<u>809</u>	LETTER addressed to Clerk of Court from Matthew Charles Francis dated 1/14/10 re: party notifies court that he is opting out of both the Author Sub-Class and Publisher Sub-Class and out of the settlement in its entirety. (djc) (Entered: 01/27/2010)
01/27/2010	<u>810</u>	LETTER addressed to Google Book Search Settlement Admin. from Heather Morrall dated undated re: party gives notice that he is opting out of the Author Sub-Class in the Google Book Settlement, and from any participation in the settlement. (djc) (Entered: 01/27/2010)
01/27/2010	<u>811</u>	MEMORANDUM OF LAW <i>MEMORANDUM OF AMICUS CURIAE THE INTERNET ARCHIVE IN OPPOSITION TO AMENDED SETTLEMENT AGREEMENT</i> . Document filed by The Internet Archive. (Boccanfuso, Anthony) (Entered: 01/27/2010)

01/27/2010	<u>814</u>	LETTER addressed to Office of the Clerk, U.S. District Court for the Southern District of New York from Andrea Winterbottom dated 1/4/10 re: Andrea Winterbottom writes by this letter, to opt out of the proposed settlement in this case. I am opting out of both the "Author Sub-Class" and the "Publisher Sub-Class," and out of the settlement in its entirety. (pl) (Entered: 01/27/2010)
01/27/2010	<u>815</u>	LETTER addressed to Google Book Search Settlement Administrator from Chelsea Duke dated 1/4/10 re: Chelsea Duke writes to request that I opt out of the Google Book Settlement in respect of the following work: Title: High Heels and a Head Torch: The Essential Guide for Girls Who Backpack. I am opting out of the Author Sub-Class and am the author of the work. (pl) (Entered: 01/27/2010)
01/27/2010	<u>816</u>	LETTER addressed to Office of the Clerk, U.S. District Court for the Southern District of New York from David McRae dated 1/7/10 re: By this letter, I opt out of the proposed settlement in this case. I am opting out of both the "Author Sub-Class" and the "Publisher Sub-Class" and out of the settlement in its entirety. (pl) (Entered: 01/27/2010)
01/27/2010	<u>817</u>	LETTER addressed to Office of the Clerk J. Michael McMahon from Diana Kimpton dated 1/10/10 re: that as a result of the within objections, I ask the court to refuse to certify the class and to reject the Amended Settlement Agreement. If the Amended Settlement goes back for renegotiation, the minimum changes required include a) limiting its scope to books published in the USA b) limiting its scope to allowing Google to scan books for search purposes only and to display snippets of strictly limited length, determined as a percentage of the whole work or insert. c) treating all in-copyright books the same so that no book that is still in copyright could be used in any way by Google without the express consent of the copyright holder. This would remove all the problems associated with deciding if a book is Not Commercially Available, remove the need for an unclaimed works fiduciary and give all copyright holders the protection they are entitled to under International Copyright Law. (pl) (Entered: 01/27/2010)
01/27/2010	<u>818</u>	LETTER addressed to Office of the Clerk, U.S. District Court for the Southern District of New York from Erika Faith Larsen dated 1/27/10 re: By this letter, I opt out of the proposed settlement in this case. I am opting out of both the "Author Sub-Class" and the "Publisher Sub-Class," and out of the settlement in its entirety. (pl) (Entered: 01/27/2010)
01/27/2010	<u>819</u>	LETTER addressed to Office of the Clerk, U.S. District Court for the Southern District of New York from Thomas King, Hartley Goodweather dated 1/27/10 re: By this letter, I opt out of the proposed settlement in this case. I am opting out of both the "Author Sub-Class" and the "Publisher Sub-Class" and out of the settlement in its entirety. (pl) (Entered: 01/27/2010)
01/27/2010	<u>820</u>	NOTICE of FILING OF OBJECTION TO AMENDED SETTLEMENT. Document filed by Hachette Livre SA, Librairie Arthme Fayard SA, Dunod Editeur SA, Les Editions Hatier SNC, Editions Larousse SAS. (Attachments: # <u>1</u> Exhibit 1)(Micheletto, Robert) (Entered: 01/27/2010)
01/27/2010	<u>821</u>	LETTER addressed to Google Book Search Settlement Administrator from Tony Peake dated 12/24/09 re: This is to confirm that as an author I wish to opt out of the Google settlement, which I have already done on line. In addition, I do not want my books to be digitized – and I request that any books of mine that have been digitized be removed from Google's database. (pl) (Entered: 01/27/2010)
01/27/2010	<u>822</u>	NOTICE of FILING OF OBJECTION TO AMENDED SETTLEMENT. Document filed by Hachette UK Limited. (Attachments: # <u>1</u> Exhibit 1)(Micheletto, Robert) (Entered: 01/27/2010)
01/27/2010	<u>823</u>	Objection of Amazon.com, Inc., to Proposed Amended Settlement. Document filed by Amazon.com, Inc.. (Wiles, Alexander) (Entered: 01/27/2010)
01/27/2010	<u>824</u>	NOTICE OF APPEARANCE by Cindy A. Cohn on behalf of Electronic Frontier Foundation et al. (Cohn, Cindy) (Entered: 01/27/2010)
01/27/2010	<u>826</u>	LETTER addressed to Judge Denny Chin from Jacqueline C. Hushion dated 1/27/10 re: request that the Court approve the amended Google Book Settlement as proposed. Document filed by The Canadian Publishers' Council.(dle) (Entered: 01/27/2010)



		01/28/2010)
01/27/2010		***DELETED DOCUMENT. Deleted document number 803 LETTER. The document was incorrectly filed in this case. (ae) (Entered: 03/19/2010)
01/28/2010	<u>825</u>	LETTER addressed to Judge Denny Chin from Simon Juden dated 1/27/10 re: request thta the Court approve the Amended Settlement Agreement. Document filed by Publisher's Association.(dle) (Entered: 01/28/2010)
01/28/2010	<u>827</u>	LETTER addressed to Judge Denny Chin from Magdalena Vinent dated 1/22/10 re: CEDRO requests the Court's permission to submit this letter as an amicus curiae brief opposing approval of the amended settlement agreement. Document filed by CEDRO.(dle) (Entered: 01/28/2010)
01/28/2010	<u>828</u>	LETTER addressed to Judge Denny Chin from Antoine Gallimard dated 1/26/10 re: objection to the amended settlement agreement. Document filed by Antoine Gallimard.(dle) (Entered: 01/28/2010)
01/28/2010	<u>829</u>	LETTER addressed to Judge Denny Chin from Francis Esmenard, President dated 1/26/10 re: objection to the Amended Settlement Agreement. Document filed by Editions Albin Michel.(dle) (Entered: 01/28/2010)
01/28/2010	<u>830</u>	LETTER addressed to Judge Denny Chin from Maree McCaskill dated 1/28/10 re: request that the Court accept and approve the Amended Settlement in the form in which it currently appears. Document filed by Australian Publishers Association.(dle) (Entered: 01/28/2010)
01/28/2010	<u>831</u>	LETTER addressed to Judge Denny Chin from Alain Kouck dated 1/26/10 re: objection to the Amended Settlement Agreement. Document filed by Editis Group.(dle) (Entered: 01/28/2010)
01/28/2010	<u>832</u>	LETTER addressed to J. Michael McMahon, Clerk of the Court from John Mauldin dated 1/18/10 re: objection to the Amended Settlement Agreement. Document filed by John Mauldin.(dle) (Entered: 01/28/2010)
01/28/2010	<u>833</u>	LETTER addressed to Judge Denny Chin from Irene Lindon dated 1/26/10 re: objection to the Amended Settlement Agreement. Document filed by Les Editions De Minuit S.A.(dle) (Entered: 01/28/2010)
01/28/2010	<u>834</u>	LETTER addressed to Judge Denny Chin from Michel Prigent dated 1/26/10 re: objection to the Amended Settlement Agreement. Document filed by Presses Universitaires de France.(dle) (Entered: 01/28/2010)
01/28/2010	<u>835</u>	NOTICE OF APPEARANCE by Ron Lazebnik on behalf of Science Fiction and Fantasy Writers of America, Inc., American Society of Journalists and Authors, Inc. (Lazebnik, Ron) (Entered: 01/28/2010)
01/28/2010	<u>836</u>	LETTER addressed to Judge Denny Chin from Serge Eyrolles dated 1/26/10 re: objection to the Amended Settlement Agreement. Document filed by French Publishers Association.(dle) (Entered: 01/28/2010)
01/28/2010	<u>837</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Science Fiction and Fantasy Writers of America, Inc..(Lazebnik, Ron) (Entered: 01/28/2010)
01/28/2010	<u>838</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by American Society of Journalists and Authors, Inc..(Lazebnik, Ron) (Entered: 01/28/2010)
01/28/2010	<u>839</u>	LETTER addressed to Judge Denny Chin from Ursula K. LeGuin dated 1/25/10 re: author LeGuin opts out of settlement and provides petition regarding the Google Book Settlement including 367 signatures. Document filed by Ursula K. LeGuin.(dle) (Entered: 01/28/2010)
01/28/2010	<u>840</u>	MEMORANDUM OF LAW <i>SUPPLEMENTAL MEMORANDUM OF AMICUS CURIAE OPEN BOOK ALLIANCE IN OPPOSITION TO THE PROPOSED SETTLEMENT BETWEEN THE AUTHORS GUILD, INC., ASSOCIATION OF AMERICAN PUBLISHERS, INC., ET AL., AND GOOGLE INC.</i> . Document filed by Open Book Alliance. (Boccanfuso, Anthony) (Entered: 01/28/2010)

01/28/2010	<u>841</u>	SECOND BRIEF of Consumer Watchdog, Amicus Curiae, in Opposition to re: <u>768</u> MOTION to Approve / Notice of Motion for Preliminary Approval of Amended Settlement Agreement. Document filed by Consumer Watchdog.(Fetterman, Daniel) (Entered: 01/28/2010)
01/28/2010	<u>842</u>	Amicus Curiae APPEARANCE entered by John Burnett Morris, Jr on behalf of Center for Democracy & Technology.(Morris, John) (Entered: 01/28/2010)
01/28/2010	<u>843</u>	Objection to the Amended Proposed Settlement. Document filed by Takashi Atouda, Jiro Asada, Takeaki Hori, Shinobu Yoshioka, Kenta Yamada, Tomotsuyo Aizawa, Yu Ohara, Yasumasa Kiyohara, Takashi Tsujii, Akira Nogami, Hiroyuki Shinoda, Toshihiko Yuasa, Hidehiko Nakanishi, Yashio Uemura, Nobuo Uda, Tsukasa Yoshida. (Saito, Yasuhiro) (Entered: 01/28/2010)
01/28/2010	<u>844</u>	NOTICE of of Intent to Appear and Be Heard at the Fairness Hearing. Document filed by Takashi Atouda, Jiro Asada, Takeaki Hori, Shinobu Yoshioka, Kenta Yamada, Tomotsuyo Aizawa, Yu Ohara, Yasumasa Kiyohara, Takashi Tsujii, Akira Nogami, Hiroyuki Shinoda, Toshihiko Yuasa, Hidehiko Nakanishi, Yashio Uemura, Nobuo Uda, Tsukasa Yoshida. (Saito, Yasuhiro) (Entered: 01/28/2010)
01/28/2010	<u>845</u>	NOTICE OF APPEARANCE by Cynthia S. Arato on behalf of Carl Hanser Verlag, Lynley Hood (Arato, Cynthia) (Entered: 01/28/2010)
01/28/2010	<u>846</u>	NOTICE OF APPEARANCE by Cynthia S. Arato on behalf of New Zealand Society of Authors (Arato, Cynthia) (Entered: 01/28/2010)
01/28/2010	<u>847</u>	NOTICE OF APPEARANCE by Alexandra A. E. Shapiro on behalf of Carl Hanser Verlag, Lynley Hood, New Zealand Society of Authors (Shapiro, Alexandra) (Entered: 01/28/2010)
01/28/2010	<u>848</u>	MOTION to File Amicus Brief by Japan P.E.N. Club in Opposition to Amended Proposed Settlement. Document filed by Japan P.E.N. Club. (Attachments: # <u>1</u> Japan P.E.N. Club's Amicus Curiae Brief in Opposition to Amended Proposed Settlement Agreement)(Saito, Yasuhiro) (Entered: 01/28/2010)
01/28/2010	<u>849</u>	Objection to Amended Class Action Settlement Agreement. Document filed by Arlo Guthrie, Julia Wright, Catherine Ryan Hyde, Eugene Linden. (Attachments: # <u>1</u> Exhibit Objections of Guthrie, et al. to Proposed Settlement Agreement, # <u>2</u> Exhibit Supplemental Declaration of Catherine Ryan Hyde)(DeVore, Andrew) (Entered: 01/28/2010)
01/28/2010	<u>850</u>	NOTICE of Objections to Amended Class Action Settlement And Notice of Intent To Appear at the February 18, 2010 Fairness Hearing. Document filed by Darlene Marshall. (Weiss, Matthew) (Entered: 01/28/2010)
01/28/2010	<u>851</u>	Objection of the State of Connecticut to Amended Class–Action Settlement. Document filed by Richard Blumenthal CT Attorney General. (Becker, Gary) (Entered: 01/28/2010)
01/28/2010	<u>852</u>	MEMORANDUM OF LAW in Opposition to the Amended Settlement Agreement. Document filed by Federal Republic of Germany. (Max, Theodore) (Entered: 01/28/2010)
01/28/2010	<u>853</u>	DECLARATION of Nicolas Georges in Opposition re: <u>768</u> MOTION to Approve / Notice of Motion for Preliminary Approval of Amended Settlement Agreement.. Document filed by French Republic. (Max, Theodore) (Entered: 01/28/2010)
01/28/2010	<u>854</u>	LETTER addressed to Judge Denny Chin from Susan Price dated 1/27/10 re: Request that the Court refuse to certify the class and to reject the Amended Settlement Agreement. (db) (Entered: 01/28/2010)
01/28/2010	<u>855</u>	SUPPLEMENTAL OBJECTION OF SCOTT E. GANT TO PROPOSED SETTLEMENT, AND TO CERTIFICATION OF THE PROPOSED SETTLEMENT CLASS AND SUB–CLASSES. (db) (Entered: 01/28/2010)
01/28/2010	<u>856</u>	LETTER addressed to Judge Denny Chin from James Grimmelmann dated 1/28/10 re: The Court should reject the Proposed Amended Settlement Agreement. (db) (Entered: 01/28/2010)

01/28/2010	<u>857</u>	LETTER addressed to Judge Denny Chin from Dr. Robert Staats and Rainer Just, Co-Managing Directors, VG WORT dated 1/21/10 re: Request that the Court deny final approval of the Amended Settlement Agreement. (db) (Entered: 01/28/2010)
01/28/2010	<u>858</u>	LETTER addressed to Mr. McMahon from Marc Maurer, President, National Federation of the Blind dated 1/19/10 re: Request for the Opportunity of the National Federation of the Blind to address the court briefly at the February 18 fairness hearing. (db) (Entered: 01/28/2010)
01/28/2010	<u>859</u>	NOTICE of Supplemental Objections. Document filed by Charles D Weller, Dirk Sutro. (Siegel, Edward) (Entered: 01/28/2010)
01/28/2010	<u>860</u>	Objection re: <u>768</u> MOTION to Approve / <i>Notice of Motion for Preliminary Approval of Amended Settlement Agreement..</i> Document filed by Commonwealth of Pennsylvania, Attorney General. (Marden, Norman) (Entered: 01/28/2010)
01/28/2010	<u>861</u>	NOTICE OF APPEARANCE by Derek Tam Ho on behalf of ATTCORP. (Ho, Derek) (Entered: 01/28/2010)
01/28/2010	<u>862</u>	REPLY. Document filed by Writers' Representatives LLC. (Chu, Lynn) (Entered: 01/28/2010)
01/28/2010	<u>863</u>	Objection <i>to the Amended Settlement Agreement.</i> Document filed by ATTCORP.. (Attachments: # <u>1</u> Exhibit Exhibits A-I)(Guzman, Michael) (Entered: 01/28/2010)
01/28/2010	<u>864</u>	MEMORANDUM OF LAW in Opposition <i>to the Amended Settlement Agreement.</i> Document filed by Science Fiction and Fantasy Writers of America, Inc., American Society of Journalists and Authors, Inc.. (Lazebnik, Ron) (Entered: 01/28/2010)
01/28/2010	<u>865</u>	DECLARATION of Ron Lazebnik. Document filed by Science Fiction and Fantasy Writers of America, Inc., American Society of Journalists and Authors, Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C)(Lazebnik, Ron) (Entered: 01/28/2010)
01/28/2010	<u>866</u>	NOTICE of Intent to Appear. Document filed by Science Fiction and Fantasy Writers of America, Inc., American Society of Journalists and Authors, Inc.. (Lazebnik, Ron) (Entered: 01/28/2010)
01/28/2010	<u>867</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Carl Hanser Verlag, New Zealand Society of Authors.(Arato, Cynthia) (Entered: 01/28/2010)
01/28/2010	<u>868</u>	Objection <i>to the Amended Settlement Agreement.</i> Document filed by Carl Hanser Verlag, Lynley Hood, New Zealand Society of Authors. (Arato, Cynthia) (Entered: 01/28/2010)
01/28/2010	<u>869</u>	DECLARATION of Pierfrancesco Attanasio in Support re: <u>868</u> Objection (non-motion). Document filed by Associazione Italiana Editori. (Arato, Cynthia) (Entered: 01/28/2010)
01/28/2010	<u>870</u>	DECLARATION of Stephan Joss in Support re: <u>868</u> Objection (non-motion). Document filed by Carl Hanser Verlag. (Arato, Cynthia) (Entered: 01/28/2010)
01/28/2010	<u>871</u>	DECLARATION of Inge Kralupper in Support re: <u>868</u> Objection (non-motion). Document filed by Hauptverband des Osterreichischen Buchhandels. (Arato, Cynthia) (Entered: 01/28/2010)
01/28/2010	<u>872</u>	DECLARATION of Christian Sprang in Support re: <u>868</u> Objection (non-motion). Document filed by Borsenverein des Deutschen Buchhandels. (Arato, Cynthia) (Entered: 01/28/2010)
01/28/2010	<u>873</u>	NOTICE OF APPEARANCE by Cynthia S. Arato on behalf of Associazione Italiana Editori (Arato, Cynthia) (Entered: 01/28/2010)
01/28/2010	<u>874</u>	Objection <i>of Microsoft Corporation to Proposed Amended Settlement and Certification of Proposed Settlement Class and Sub-Classes.</i> Document filed by Microsoft Corporation. (Rubin, Thomas) (Entered: 01/28/2010)
01/29/2010	<u>875</u>	LETTER addressed to Judge Denny Chin from Teresa Cremisi dated 1/26/2010 re: We therefore object to the amended settlement agreement by reference to the

		observations of French Publishers Association in its amicus curiae letter, which hereby become an integral part of our own objections as filed herewith. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>876</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from M. Le Fanu dated 1/22/2010 re: In conclusion, our Management Committee and most members who have expressed a view consider that at a time when the creative industries are struggling to find "new models" for the digital age which can satisfy both rights holders and users, the Google Book Settlement offers a reasonable and practical way forward. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>877</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Rodger Touchie dated 1/28/2010 re: We consider the amended Settlement to be in the best interest of the majority of our members, particularly because it allows many Canadian publishers and/or authors to opt out of the agreement, with a process for doing so that is logical and transparent. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>878</u>	LETTER addressed to Judge Denny Chin from Franziska Eberhard dated 1/21/2010 re: ProLitteris therefore requests the Court to deny final approval of the Amended Settlement Agreement unless the following amendments are made, as set forth in this letter. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>879</u>	NOTICE OF INTENT TO APPEAR: I, Scott E. Gant, hereby notify the Court of my intent to appear at the Fairness Hearing in the above captioned case, currently scheduled for February 18, 2010. As explained in my Objection, filed in August 2009, I will be appearing in my individual capacity, as a member of the proposed Author Sub-Class. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>880</u>	LETTER addressed to Judge Denny Chin from John B. Morris dated 1/28/2010 re: I am writing for two purposes: to submit an amended version of our amicus brief and to request tp appear at the hearing. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>881</u>	LETTER addressed to Judge Denny Chin from Samantha Holman dated 1/26/2010 re: Requesting that Court's permission to submit this letter as an amicus curiae brief opposing approval of the Amended Settlement Agreement in this case. (jpo) (jpo). (Entered: 01/29/2010)
01/29/2010	<u>882</u>	LETTER addressed to Judge Denny Chin from Christian Cherdon dated 1/22/2010 re: Requesting that the Court deny final approval of the Amended Settlement Agreement. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>883</u>	LETTER addressed to Judge Denny Chin from Antonio Ma. Avila dated 1/26/2010 re: We therefore object to the Amended Settlement Agreement. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>884</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from William Ash dated 1/12/2010 re: As an authors and publishers, I and my partner, Naomi Otsubo, would like to state our objections to the amended Google Book Settlement. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>885</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Paulina Borsook dated 1/26/2010 re: Requesting that the Court junk Google Book Settlement 2.0 in favor of something that actually benefits and respects creators, and shows vision not blinded by Google dust. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>886</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Donic Bettanin dated 1/22/2010 re: We wish to lodge an objection to the Amendments to the Original Google Book Settlement. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>887</u>	LETTER addressed to Judge Denny Chin from Jennifer S. Jackson dated 1/27/2010 re: The State of Texas writes to object to the Amended Settlement Agreement. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>888</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Stuart Bernstein dated 1/26/2010 re: We beseech the Court to give authors back their rights. Force Google to negotiate like any other publisher. (jpo) (Entered: 01/29/2010)

01/29/2010	<u>889</u>	LETTER addressed to William F. Cavanaugh from Joanne Merriam dated 1/25/2010 re: I write to express my views and concerns regarding how the United States should respond to the Amended Settlement Agreement filed on November 13, 2009. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>890</u>	LETTER addressed to Judge Denny Chin from Tony Simpson dated 1/27/2010 re: Requesting the Court's permission to submit this letter as an amicus brief opposing approval of the Amended Settlement Agreement in this case. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>891</u>	LETTER addressed to Judge Denny Chin from Kees Holierhoek dated 1/26/2010 re: Requesting the Court's permission to submit this letter as an amicus curiae brief opposing approval of the Amended Settlement Agreement. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>892</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Moira Munro dated 1/16/2010 re: I hope that the Court will refuse to certify the class and reject the Amended Settlement Agreement. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>893</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Pamela Samuelson dated 1/27/2010 re: I am writing to express my intent to appear at the Fairness Hearing for the above cited case, currently scheduled for February 18, 2010. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>894</u>	LETTER addressed to Office of the Clerk from Martin Kahn dated 1/27/2010 re: Requesting the Court's approval to withdraw its objections, filed on September 8, 2009, pursuant to Rules 23(e)(5) of the F.R.C.P.. (jpo) (Entered: 01/29/2010)
01/29/2010	<u>895</u>	BRIEF OF AMICUS CURIAE PUBLIC KNOWLEDGE IN OPPOSITION TO THE AMENDED PROPOSED SETTLEMENT. Document filed by Public Knowledge.(jpo) (Entered: 01/29/2010)
02/01/2010	<u>896</u>	NOTICE of Intent to Appear at the Feb. 18, 2010 Fairness Hearing. Document filed by Microsoft Corporation. (Rubin, Thomas) (Entered: 02/01/2010)
02/01/2010	<u>897</u>	NOTICE OF APPEARANCE by Alexandra A. E. Shapiro on behalf of Associazione Italiana Editori (Shapiro, Alexandra) (Entered: 02/01/2010)
02/02/2010	<u>898</u>	LETTER addressed to Judge Denny Chin from Gregory Crane dated 8/7/2009 re: In support of the books Google has digitalized reach the widest possible audience as quickly as possible. (jfe) (Entered: 02/02/2010)
02/02/2010	<u>899</u>	LETTER addressed to Judge Denny Chin from Lewis Hyde dated 1/27/2010 re: Counsel writes to amend the letter of objection that counsel wrote last August in regard to The Authors Guild, Inc., et al. v. Google Inc. (jfe) (Entered: 02/02/2010)
02/02/2010	<u>900</u>	LETTER addressed to Judge Denny Chin from James L. Turk dated 1/28/2010 re: CAUT writes to you to register its objection to the proposed amended settlement agreement. (jfe) (Entered: 02/02/2010)
02/02/2010	<u>901</u>	OBJECTION OF WASHINGTON LEGAL FOUNDATION TO AMENDED PROPOSED SETTLEMENT AND TO CERTIFICATION OF THE PROPOSED SETTLEMENT CLASS AND SUBCLASSES. Filed by Richard A. Samp. (jfe) (Entered: 02/02/2010)
02/02/2010	<u>902</u>	NOTICE OF INTENT TO APPEAR filed by Science Fiction and Fantasy Writers of America, Inc., and the American Society of Journalists and Authors, Inc. (jfe) (Entered: 02/02/2010)
02/02/2010	903	LETTER addressed to Judge Denny Chin from Ron Lazebrik dated 1/28/2010 re: Counsel writes to inform that SFWA and ASJA are members of the Author Sub-Class in this action and object to the proposed amended settlement agreement. Attached herein is that Objection of Science Fiction and Fantasy Writes of America, Inc., and American Society of Journalists and Authors Inc., to the Amended Settlement Agreement. (jfe) (Entered: 02/02/2010)
02/02/2010	<u>904</u>	NOTICE of Intent to Appear at the February 18, 2010 Fairness Hearing. Document filed by Arlo Guthrie, Julia Wright, Catherine Ryan Hyde, Eugene Linden. (DeVore, Andrew) (Entered: 02/02/2010)

02/02/2010	<u>905</u>	NOTICE of of Intent to Appear by Amazon.com, Inc.. Document filed by Amazon.com, Inc.. (Wiles, Alexander) (Entered: 02/02/2010)
02/02/2010	<u>906</u>	MOTION for Kiran Sriram Raj to Appear Pro Hac Vice. Document filed by ATTCORP.(mro) (Entered: 02/03/2010)
02/02/2010	<u>907</u>	MOTION for Michael Kerry Kellogg to Appear Pro Hac Vice. Document filed by ATTCORP.(mro) (Entered: 02/03/2010)
02/03/2010	<u>908</u>	NOTICE of INTENT TO APPEAR AT THE FEBRUARY 18, 2010 FAIRNESS HEARING. Document filed by The Internet Archive. (Boccanfuso, Anthony) (Entered: 02/03/2010)
02/03/2010	<u>909</u>	NOTICE of INTENT TO APPEAR AT THE FEBRUARY 18, 2010 FAIRNESS HEARING. Document filed by Open Book Alliance. (Boccanfuso, Anthony) (Entered: 02/03/2010)
02/03/2010	<u>910</u>	NOTICE of of Intent to Appear at Fairness Hearing. Document filed by Electronic Privacy Information Center. (Rotenberg, Marc) (Entered: 02/03/2010)
02/03/2010	<u>911</u>	REQUEST TO PARTICIPATE of Consumer Watchdog <i>at the February 18, 2010 Fairness Hearing as Amicus Curiae</i> . Document filed by Consumer Watchdog.(Fetterman, Daniel) (Entered: 02/03/2010)
02/04/2010		CASHIERS OFFICE REMARK on <u>906</u> Motion to Appear Pro Hac Vice, <u>907</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 02/02/2010, Receipt Number 893451. (jd) (Entered: 02/04/2010)
02/04/2010	<u>912</u>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Associazione Italiana Editori.(Arato, Cynthia) (Entered: 02/04/2010)
02/04/2010	<u>913</u>	NOTICE of Intent to Appear. Document filed by Carl Hanser Verlag, Lynley Hood, New Zealand Society of Authors, Associazione Italiana Editori, Borsenverein des Deutschen Buchhandels, Schweizer Buchhändler – und Verleger–Verband SBVV, Hauptverband des Osterreichischen Buchhandels. (Arato, Cynthia) (Entered: 02/04/2010)
02/04/2010	<u>914</u>	NOTICE of Intent to Appear at the February 18, 2010 Fairness Hearing re: <u>851</u> Objection (non–motion). Document filed by Richard Blumenthal CT Attorney General. (Becker, Gary) (Entered: 02/04/2010)
02/04/2010	<u>915</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – REQUEST TO PARTICIPATE of Sony Electronics at the February 18, 2010 Fairness Hearing as Amicus Curiae(LETTER). Document filed by Sony Electronics Inc..(Coplan, Jennifer) Modified on 2/5/2010 (KA). (Entered: 02/04/2010)
02/04/2010	<u>916</u>	NOTICE of Intent to Appear. Document filed by ATTCORP.. (Guzman, Michael) (Entered: 02/04/2010)
02/04/2010	<u>917</u>	NOTICE of to Appear at the Fairness Hearing. Document filed by Questia Media Inc.. (Kaplan, Lee) (Entered: 02/04/2010)
02/04/2010	<u>918</u>	NOTICE of Intent to Appear at the Fairness Hearing on February 18, 2010. Document filed by Federal Republic of Germany. (Max, Theodore) (Entered: 02/04/2010)
02/04/2010	<u>919</u>	NOTICE of Intent to Appear at the Fairness Hearing on February 18, 2010. Document filed by French Republic. (Max, Theodore) (Entered: 02/04/2010)
02/04/2010	<u>920</u>	LETTER addressed to Judge Denny Chin from Lateet Mtima and Steven D. Jamar dated 1/27/2010 re: The Institute of Intellectual Property and Social Justice at the Howard University School of Law respectfully requests leave to address the Court on February 18, 2010, on the Google Books Settlement Agreement. (tve) (Entered: 02/04/2010)
02/04/2010	<u>921</u>	LETTER addressed to Judge Denny Chin from Brett Smith dated 1/28/2010 re: The Free Software Foundation writes to urge the Court to reject the proposed settlement until the objections further set forth in this letter are addressed,

		including that terms are incorporated to ensure that works covered by Free licenses are always included in the Google Books Search database under the terms of that same license. (tve) (Entered: 02/04/2010)
02/04/2010	<u>922</u>	NOTICE of Statement of Interest. Document filed by United States of America. (Clopper, John) (Entered: 02/04/2010)
02/04/2010	<u>923</u>	NOTICE of Intent to appear at Fairness Hearing on 2/18/2010. *Letter Addressed to Judge Denny Chin, From Sarah Canzoneri, dated 1/28/2010 re: Objection to the Settlement Agreement, attached hereto. Document filed by Sarah E. Cazoneri. (tro) Modified on 2/5/2010 (tro). (Entered: 02/05/2010)
02/04/2010	<u>924</u>	PETITION to Withdraw ProQuest LLC's Objections to the First Proposed Settlement. Document filed by Proquest, LLC. (tro) (Entered: 02/05/2010)
02/04/2010	<u>925</u>	SUPPLEMENTAL OBJECTION of Alex M.G. Burton re: For the reasons set forth in Mr. Burton's original and supplemental objection, this settlement should not be approved or the settlement classes certified. (tro) (Entered: 02/05/2010)
02/04/2010	<u>926</u>	LETTER addressed to Judge Denny Chin from Philip Roberts dated 1/29/2010 re: The John Hopkin's University's Withdrawal of Objection to Settlement Agreement and Certificate of Service. *Withdrawal of Objection to Settlement Agreement attached hereto. (tro) (Entered: 02/05/2010)
02/04/2010	<u>927</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Susan Bergholz dated 1/26/2010 re: Objection to the settlement agreement. (tro) (tro). (Entered: 02/05/2010)
02/05/2010		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. <u>915</u> HAS BEEN REJECTED. Note to Attorney Jennifer B. Coplan : THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING, either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (KA) (Entered: 02/05/2010)
02/05/2010	<u>928</u>	LETTER addressed to Judge Denny Chin from Jennifer B. Coplan dated 2/4/2010 re: Requesting leave from the Court to appear at the fairness hearing scheduled for February 18, 2010. (jpo) (Entered: 02/05/2010)
02/05/2010	<u>929</u>	NOTICE OF INTENT TO BE HEARD: Please let it be known that Joseph V. Saphia, attorney for amicus curiae VG Wort, intends to appear and be heard at this Court's February 18, 2009 hearing. (jpo) (Entered: 02/05/2010)
02/05/2010	<u>930</u>	ORDER: The Hearing will be held at 500 Pearl Street, New York, New York in Courtroom 23B at 10:00 a.m. on February 18, 2010. Overflow seating will be available in Courtroom 11A, where video of the proceeding will be provided. Seats will be reserved in the Courtroom for the parties, the government, and the twenty-six above-listed objectors, supporters, and amici. If any of the objectors, supporters, or amici listed above has not provided the name of the representative who will be speaking, it shall provide the name in writing to the Court promptly. (Signed by Judge Denny Chin on 2/5/2010) (jpo) (Entered: 02/05/2010)
02/06/2010	<u>931</u>	FILING ERROR – ELECTRONIC FILING FOR NON–ECF DOCUMENT – NOTICE OF APPEARANCE by Lynn T. Chu on behalf of Writers' Representatives LLC (LETTER). (Chu, Lynn) Modified on 2/8/2010 (KA). (Entered: 02/06/2010)
02/08/2010		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. <u>931</u> HAS BEEN REJECTED. Note to Attorney Lynn Chu : THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING, either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (KA) (Entered: 02/08/2010)
02/08/2010	<u>932</u>	ORDER; that two additional entities have also notified the Court of their desire to be heard at the fairness hearing against the proposed settlement in this case: (1) The Commonwealth of Pennsylvania; and (2) Writers' Representatives LLC and Richard A. Epstein. They will be permitted to speak at the hearing, in accordance with the procedures set forth in the order dated February 5, 2010. (Signed by Judge Denny Chin on 2/8/10) (pl) (Entered: 02/08/2010)

02/09/2010	<u>933</u>	NOTICE of Intent To Appear. Document filed by Charles Nesson, Nicholas Negroponte, Lewis Hyde, Harry Lewis. (Garbus, Martin) (Entered: 02/09/2010)
02/09/2010	<u>934</u>	NOTICE of of Intent to Appear by Marc Rotenberg on Behalf of the Electronic Privacy Information Center. Document filed by Electronic Privacy Information Center. (Rotenberg, Marc) (Entered: 02/09/2010)
02/09/2010	<u>936</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>906</u> Motion for Kiran Sriram Raj to Appear Pro Hac Vice. Kiran Sriram Raj is admitted to practice pro hac vice as counsel for ATTCorp. and its affiliates in this action. (Signed by Judge Denny Chin on 2/9/2010) (tro) (Entered: 02/11/2010)
02/09/2010	<u>937</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>907</u> Motion for Michael K. Kellogg to Appear Pro Hac Vice. Michael K. Kellogg is admitted to practice pro hac vice as counsel for ATTCorp. and its affiliates in this action. (Signed by Judge Denny Chin on 2/9/2010) (tro) (Entered: 02/11/2010)
02/09/2010	<u>938</u>	ENDORSED LETTER addressed to Office of the Clerk, J. Michael McMahon from Stuart Bernstein dated 2/4/2010 re: Please accept this letter as a notice of my intent to speak at the 2/18/2010 Fairness Hearing in the matter of the Amended Google Book Settlement. ENDORSEMENT: As this request was received on 2/9/2010, it is untimely. In light of the number of requests to speak, this request is DENIED as untimely. Mr. Bernstein is welcome to attend. (Signed by Judge Denny Chin on 2/9/2010) (tro) (Entered: 02/11/2010)
02/10/2010	<u>935</u>	NOTICE of Withdrawal of Request to Appear at the February 18, 2010 Fairness Hearing. Document filed by Questia Media Inc.. (Kaplan, Lee) (Entered: 02/10/2010)
02/11/2010	<u>939</u>	NOTICE of INTENT TO APPEAR that the undersigned, of the law firm of Eaton & Van Winkle, LLP, intends to appear at the Fairness Hearing in the above-captioned action, currently scheduled for February 18,2010. ENDORSEMENT: Counsel may appear, but as this matter us untimely and numerous request to speck have been received counsel will not be permitted to speck. SO ORDERED. Document filed by Lewis Hyde, Harry Lewis, Charles Nesson, Nicholas Negroponte. (jmi) Modified on 2/11/2010 (jmi). (Entered: 02/11/2010)
02/11/2010	<u>940</u>	NOTICE of State of CT Withdrawal of Request to Appear at Feb 18, 2010 Fairness Hearing re: <u>914</u> Notice (Other). Document filed by Richard Blumenthal CT Attorney General. (Becker, Gary) (Entered: 02/11/2010)
02/11/2010	<u>941</u>	BRIEF of Google Inc. in Support of Motion for Final Approval of Amended Settlement Agreement. Document filed by Google Inc..(Gratz, Joseph) (Entered: 02/11/2010)
02/11/2010	<u>942</u>	MOTION for Attorney Fees <i>Notice of Motion and Motion for Approval of Attorneys' Fees and Reimbursement of Costs</i> . Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman.(Boni, Michael) (Entered: 02/11/2010)
02/11/2010	<u>943</u>	MEMORANDUM OF LAW in Support re: <u>942</u> MOTION for Attorney Fees <i>Notice of Motion and Motion for Approval of Attorneys' Fees and Reimbursement of Costs. Memorandum of Law in Support of Motion of Counsel for the Author Sub-Class for an Award of Fees and Reimbursement of Costs</i> . Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Boni, Michael) (Entered: 02/11/2010)
02/11/2010	<u>944</u>	DECLARATION of Michael J. Boni (w/Exhibits A-E) in Support re: <u>942</u> MOTION for Attorney Fees <i>Notice of Motion and Motion for Approval of Attorneys' Fees and Reimbursement of Costs</i> .. Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Attachments: # <u>1</u> Exhibit F -- Declaration of Sanford P. Dumain, # <u>2</u> Exhibit G -- Declaration of Robert J. LaRocca)(Boni, Michael) (Entered: 02/11/2010)
02/11/2010	<u>945</u>	MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> . Document filed by Association



		of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc.. (Attachments: # <u>1</u> [Proposed] Final Judgment and Order of Dismissal)(Keller, Bruce) (Entered: 02/11/2010)
02/11/2010	<u>946</u>	DECLARATION of Daniel Clancy in Support re: <u>945</u> MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> .. Document filed by Google Inc.. (Gratz, Joseph) (Entered: 02/11/2010)
02/11/2010	<u>947</u>	MEMORANDUM OF LAW in Support re: <u>945</u> MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> . / <i>Memorandum of Law in Support of Plaintiffs' Motion for Final Settlement Approval</i> . Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc.. (Keller, Bruce) (Entered: 02/11/2010)
02/11/2010	<u>948</u>	DECLARATION of Daphne Keller in Support re: <u>945</u> MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> .. Document filed by Google Inc.. (Attachments: # <u>1</u> Exhibit A (Google Books Privacy Policy))(Gratz, Joseph) (Entered: 02/11/2010)
02/11/2010	<u>949</u>	DECLARATION of Richard Sarnoff in Support re: <u>945</u> MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> .. Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc.. (Keller, Bruce) (Entered: 02/11/2010)
02/11/2010	<u>950</u>	DECLARATION of Owen Atkinson in Support re: <u>945</u> MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> .. Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc.. (Keller, Bruce) (Entered: 02/11/2010)
02/11/2010	<u>951</u>	DECLARATION of Jeffrey P. Cunard in Support re: <u>945</u> MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> .. Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Cunard, Jeffrey) (Entered: 02/11/2010)
02/11/2010	<u>952</u>	DECLARATION of Paul Aiken in Support re: <u>945</u> MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> .. Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc.. (Keller, Bruce) (Entered: 02/11/2010)
02/11/2010	<u>953</u>	DECLARATION of Tiffany Allen in Support re: <u>945</u> MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> .. Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Cunard, Jeffrey) (Entered: 02/11/2010)
02/11/2010	<u>954</u>	DECLARATION of Belinda Bulger in Support re: <u>945</u> MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> .. Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley &Sons, Inc.. (Attachments: # <u>1</u> Exhibits 1–5 to Bulger Declaration, # <u>2</u> Exhibit 6 to Bulger Declaration)(Keller, Bruce) (Entered: 02/11/2010)
02/11/2010	<u>955</u>	SUPPLEMENTAL MEMORANDUM OF LAW in Support re: <u>945</u> MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> . / <i>Plaintiffs' Supplemental Memorandum Responding to Specific Objections</i> . Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc.,

		Simon & Schuster, Inc., John Wiley & Sons, Inc.. (Keller, Bruce) (Entered: 02/11/2010)
02/12/2010	<u>956</u>	DECLARATION of Katherine Kinsella in Support re: <u>945</u> MOTION to Approve Amended Settlement Agreement / <i>Notice of Motion for Final Approval of Amended Settlement Agreement</i> .. Document filed by Association of American Publishers, Inc., The McGraw-Hill Companies, Inc., Pearson Education, Inc., Simon & Schuster, Inc., John Wiley & Sons, Inc.. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit)(Cunard, Jeffrey) (Entered: 02/12/2010)
02/22/2010	<u>957</u>	MANDATE of USCA (Certified Copy) as to <u>756</u> Notice of Appeal filed by Lewis Hyde, Harry Lewis USCA Case Number 09-4224-cv(con. Ordered that the appeal is DISMISSED. Catherine O'Hagan Wolfe, Clerk USCA. Certified: 2/19/2010. (nd) (Entered: 02/22/2010)
02/24/2010	<u>958</u>	Objection [ <i>supplemental</i> ]. Document filed by David Meininger. (Davis, John) (Entered: 02/24/2010)
02/24/2010	<u>959</u>	NOTICE OF APPEARANCE by John W. Davis on behalf of David Meininger (Davis, John) (Entered: 02/24/2010)
02/25/2010	<u>960</u>	MANDATE of USCA (Certified Copy) as to <u>780</u> Amended Notice of Appeal, filed by Picture Archive Council of America, Lou Jacobs, Jr, Peter Turner, North American Nature Photography Association, Dan Budnick, The American Society of Media Photographers, Inc., Joel Meyerowitz, Graphic Artists Guild, <u>752</u> Notice of Appeal, filed by Picture Archive Council of America, Lou Jacobs, Jr, Peter Turner, North American Nature Photography Association, Dan Budnick, Joel Meyerowitz, The American Society of Media Photographers, Inc. USCA Case Number 09-4161. Insofar as no opposition has been filed hereto, IT IS HEREBY ORDERED that the motion for voluntary Dismissal be, and it hereby is GRANTED. Catherine O'Hagan Wolfe, Clerk USCA. Issued As Mandate: 2/22/2010. (nd) (Entered: 02/25/2010)
03/09/2010	<u>961</u>	ENDORSED LETTER addressed to Judge Denny Chin from David Bolt dated 1/28/10 re: Canadian authors who are part of the proposed Author Sub Class object to the amended settlement in the Google Book Search Copyright Class Action. ENDORSEMENT: This letter is accepted for filing as a timely objection. So Ordered. (Signed by Judge Denny Chin on 3/9/10) (dle) (Entered: 03/09/2010)
03/10/2010	962	TRANSCRIPT of proceedings held on 2/18/2010 before Judge Richard Owen. (jfe) (Entered: 03/10/2010)
03/10/2010	963	TRANSCRIPT of proceedings held on 2/18/2010 before Judge Denny Chin. (jfe) (Entered: 03/10/2010)
03/25/2010	<u>964</u>	MOTION for Paul D. Rothstein to Appear Pro Hac Vice. Document filed by Darlene Marshall.(mro) (Entered: 03/26/2010)
03/30/2010	<u>965</u>	NOTICE OF APPEARANCE by Rachel Eve Schwartz on behalf of David Meininger (Schwartz, Rachel) (Entered: 03/30/2010)
04/02/2010	<u>966</u>	ORDER FOR ADMISSION PRO HAC VICE ON WRITTEN MOTION granting <u>964</u> Motion for Paul D. Rothstein to Appear Pro Hac Vice. Paul D. Rothstein is admitted to practice pro hac vice as counsel for Objector Darlene Marshall in this action. (Signed by Judge Denny Chin on 4/2/2010) (tro) (Entered: 04/02/2010)
04/09/2010		CASHIERS OFFICE REMARK on <u>964</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 03/25/2010, Receipt Number 898543. (jd) (Entered: 04/09/2010)
04/09/2010		CASHIERS OFFICE REMARK on <u>964</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 03/25/2010, Receipt Number 898543. (jd) (Entered: 04/09/2010)
09/30/2010	<u>967</u>	MEMO ENDORSEMENT on re: <u>848</u> Motion to File Amicus Brief. ENDORSEMENT: The application was granted, as the brief was accepted and the Japan P.E.N. Club's lawyer was heard at the hearing. So Ordered. (Signed by Judge

		Denny Chin on 9/30/2010) (jfe) (Entered: 09/30/2010)
10/12/2010	968	TRANSCRIPT of proceedings held on February 18, 2010 at 10:10 am before Judge Denny Chin. (eef) (Entered: 10/13/2010)
01/11/2011	<u>969</u>	Letter from Edward R. Clark dated January 3, 2011 re: Please advise if the Court has approved the settlement in the above case. Considering the Fairness Hearing was conducted nearly a year ago, I'm suspicious that the Settlement Administrator, Rust Consulting, Inc. of Minneapolis, MN is not being honest, claiming the Court has not approved the settlement. (arc) (Entered: 01/25/2011)
02/18/2011	<u>970</u>	STIPULATION AND ORDER TO EXTEND CASH PAYMENT DEADLINE: The parties to the above-captioned case and to The McGraw-Hill Companies, Inc., et al. v. Google Inc., No. 05 CV 8881, by and through their undersigned counsel, hereby agree that the proposed Amended Settlement Agreement, dated November 13, 2009, is amended as follows: (see order). (Signed by Judge Denny Chin on 2/18/2011) (jar) (Entered: 02/18/2011)
03/22/2011	<u>971</u>	OPINION: #100080 In the end, I conclude that the ASA is not fair, adequate, and reasonable. As the United States and other objectors have noted, many of the concerns raised in the objections would be ameliorated if the ASA were converted from an "opt-out" settlement to an "opt-in" settlement. I urge the parties to consider revising the ASA accordingly. The motion for final approval of the ASA is denied, without prejudice to renewal in the event the parties negotiate a revised settlement agreement. The motion for an award of attorneys' fees and costs is denied, without prejudice. The Court will hold a status conference on 4/25/2011, at 4:30 p.m. in Courtroom 11A of the Daniel Patrick Moynihan Courthouse. (Status Conference set for 4/25/2011 at 04:30 PM in Courtroom 11A, 500 Pearl Street, New York, NY 10007 before Judge Denny Chin.) (Signed by Judge Denny Chin on 3/22/2011) (tro) Modified on 3/24/2011 (ajc). (Entered: 03/22/2011)
03/24/2011	<u>972</u>	ORDER: The Court's Opinion, dated March 22, 2011, is hereby amended at pages 47 and 48 to list the appearance of counsel for the United States of America, as further set forth in this Order. (Signed by Judge Denny Chin on 3/24/2011) (mro) (Entered: 03/24/2011)
04/05/2011	<u>973</u>	FILING ERROR – ELECTRONIC FILING FOR NON-ECF DOCUMENT – BILL OF COSTS (Petition to Preserve Claim For Incentive Award And Attorneys' Fees). Document filed by Darlene Marshall.(Weiss, Matthew) Modified on 4/6/2011 (ka). (Entered: 04/05/2011)
04/06/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – NON-ECF DOCUMENT ERROR. Note to Attorney Matthew Jay Weiss to MANUALLY RE-FILE Document No. <u>973</u> Petition. This document is not filed via ECF. (ka) (Entered: 04/06/2011)
04/15/2011	<u>974</u>	ENDORSED LETTER addressed to Judge Denny Chin from Bruce P. Keller dated 4/14/2011 re: The parties respectfully request that the upcoming status conference scheduled for 4/25/11 be rescheduled for 6/1/11 at 4 p.m. ENDORSEMENT: Application granted. So Ordered. (Signed by Judge Denny Chin on 4/14/2011) (jfe) (Entered: 04/15/2011)
04/16/2011	976	NOTICE of Filing Amended Certificate of Service. Document filed by Darlene Marshall. (mbe) (Entered: 04/21/2011)
04/18/2011	975	NOTICE of Compliance with the Clerk's 4/6/2011 Note to refile document Manually. (mbe) (Entered: 04/18/2011)
07/19/2011		Minute Entry for proceedings held before Judge Denny Chin: Status Conference held on 7/19/2011, ( Status Conference set for 9/15/2011 at 11:00 AM before Judge Denny Chin.). (mbe) (Entered: 07/20/2011)
07/26/2011	<u>977</u>	NOTICE OF APPEARANCE by Ilaria Maggioni on behalf of Robert M. Kunstadt (Maggioni, Ilaria) (Entered: 07/26/2011)
07/26/2011	<u>978</u>	BRIEF CITATION OF NEW AUTHORITY (SUPREME COURT'S WAL-MART OPINION ON CLASS ACTION CERTIFICATION). Document filed by Robert M. Kunstadt.(Maggioni, Ilaria) (Entered: 07/26/2011)

08/01/2011	<u>979</u>	TRANSCRIPT of Proceedings re: Conference held on 7/19/2011 before Judge Denny Chin. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/25/2011. Redacted Transcript Deadline set for 9/5/2011. Release of Transcript Restriction set for 11/3/2011.(McGuirk, Kelly) (Entered: 08/01/2011)
08/01/2011	<u>980</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 7/19/11 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 08/01/2011)
09/14/2011	<u>981</u>	ENDORSED LETTER addressed to Judge Denny Chin from Colin A. Underwood dated 9/12/2011 re: We write to inform the Court that, as a result of our firm's recent hiring of Julian Perlman from Mishcon de Reya New York LLP and Mr. Perlman's prior representation of plaintiffs in this litigation, our firm is in the process of being retained by the American Society of Media Photographers ("ASMP") as special counsel in connection with ASMP's claims against Google. ENDORSEMENT: The Court will address this issue at the conference tomorrow. (Signed by Judge Denny Chin on 9/14/2011) (lmb) (Entered: 09/14/2011)
09/15/2011		Minute Entry for proceedings held before Judge Denny Chin: Status Conference held on 9/15/2011. All counsel present. Status Conference held. The parties have submitted a proposed scheduling order. The Court will adopt the proposed schedule and issue an order. (mro) (Entered: 09/16/2011)
09/16/2011		Magistrate Judge Andrew J. Peck is so redesignated. (pgu) (Entered: 09/16/2011)
09/16/2011	<u>982</u>	SCHEDULING ORDER: Any Motion to Amend the Third Amended Complaint by October 14, 2011. Plaintiffs' Class Certification Motion by December 12, 2011. Defendants' Response Class Certification Motion by January 26, 2012. Plaintiffs' Reply in further support of Class Certification Motion by March 12, 2012. Motions for summary judgment due by 5/31/2012. Responses to summary judgment motion due by 7/9/2012 Reply in support of summary judgment due by 7/30/2012. Expert deposition from 5/14/12 through 5/25/2012. Merits discovery shall be completed by 3/30/2012. Oral Argument set for 9/6/2012 at 11:00 AM before Judge Denny Chin. (Signed by Judge Denny Chin on 9/16/2011) (jfe) (Entered: 09/16/2011)
09/21/2011	<u>983</u>	TRANSCRIPT of Proceedings re: Conference held on 9/15/2011 before Judge Denny Chin. Court Reporter/Transcriber: Thomas Murray, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/17/2011. Redacted Transcript Deadline set for 10/27/2011. Release of Transcript Restriction set for 12/23/2011.(McGuirk, Kelly) (Entered: 09/21/2011)
09/21/2011	<u>984</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a Conference proceeding held on 9/15/2011 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 09/21/2011)
09/21/2011		***DELETED DOCUMENT. Deleted document number <u>985</u> Transcript. The document was incorrectly filed in this case. (tro) (Entered: 09/21/2011)
10/14/2011	<u>985</u>	FOURTH AMENDED CLASS ACTION COMPLAINT amending <u>782</u> Amended Complaint against Google Inc. with JURY DEMAND.Document filed by Paul Dickson, Joseph Goulden, Daniel Hoffman, Betty Miles, Herbert Mitgang, The Authors Guild. Related document: <u>782</u> Amended Complaint filed by Canadian Standard Association, Simon &Schuster, Inc., Herbert Mitgang, John Wiley & Sons, Inc., Betty Miles, Association of American Publishers, Inc., Daniel

		Hoffman, The McGraw-Hill Companies, Inc., Pearson Education, Inc.(mro) (Entered: 10/17/2011)
10/20/2011	<u>986</u>	ENDORSED LETTER addressed to Judge Denny Chin from Joseph C. Gratz dated 10/18/2011 re: Counsel for both parties request that the Court permit Defendant to file its response to the complaint on or before 11/7/2011. ENDORSEMENT: Approved, but FINAL. SO ORDERED. (Signed by Judge Denny Chin on 10/20/2011) (ft) (Entered: 10/21/2011)
10/28/2011	<u>987</u>	ENDORSED LETTER addressed to Judge Denny Chin from Joseph C. Gratz dated 10/25/2011 re: Counsel for the defendant writes on behalf of all parties to request an extension of Defendants time to file its response to the complaint, until 11/28/2011. ENDORSEMENT: Application GRANTED. The deadline set forth in the Court's 9/16/11 Scheduling Order shall otherwise remain in place. SO ORDERED. (Signed by Judge Denny Chin on 10/28/2011) (ft) (Entered: 10/31/2011)
11/29/2011	<u>988</u>	SCHEDULING ORDER: IT IS HEREBY ORDERED as follows: The following deadlines shall apply: a. Defendant's motions to dismiss shall be filed by December 23, 2011. b. Plaintiffs' oppositions to defendant's motions shall be filed by January 23, 2012. c. Defendant's replies shall be filed by February 3, 2012. The deadlines set forth in the Court's September 16, 2011 Scheduling Order shall remain in place. Motions due by 12/23/2011. Responses due by 1/23/2012. Replies due by 2/3/2012. (Signed by Judge Denny Chin on 11/28/2011) (rjm) (Entered: 11/29/2011)
12/12/2011	<u>989</u>	MOTION to Certify Class. Document filed by Paul Dickson, Joseph Goulden, Daniel Hoffman, Betty Miles, Herbert Mitgang, The Authors Guild. (Attachments: # <u>1</u> Text of Proposed Order)(Zack, Joanne) (Entered: 12/12/2011)
12/12/2011	<u>990</u>	MEMORANDUM OF LAW in Support re: <u>989</u> MOTION to Certify Class.. Document filed by Paul Dickson, Joseph Goulden, Daniel Hoffman, Betty Miles, Herbert Mitgang, The Authors Guild. (Zack, Joanne) (Entered: 12/12/2011)
12/12/2011	<u>991</u>	DECLARATION of Joanne Zack in Support re: <u>989</u> MOTION to Certify Class.. Document filed by Paul Dickson, Joseph Goulden, Daniel Hoffman, Betty Miles, Herbert Mitgang, The Authors Guild. (Attachments: # <u>1</u> Exhibit 1-12, # <u>2</u> Exhibit 13-23)(Zack, Joanne) (Entered: 12/12/2011)
12/22/2011	<u>992</u>	MOTION to Dismiss <i>Fourth Amended Complaint</i> . Document filed by Google Inc.. Responses due by 1/23/2012(Gratz, Joseph) (Entered: 12/22/2011)
12/22/2011	<u>993</u>	MEMORANDUM OF LAW in Support re: <u>992</u> MOTION to Dismiss <i>Fourth Amended Complaint</i> .. Document filed by Google Inc.. (Gratz, Joseph) (Entered: 12/22/2011)
12/22/2011	<u>994</u>	NOTICE of Request for Judicial Notice in Support of Motion to Dismiss Fourth Amended Complaint re: <u>992</u> MOTION to Dismiss <i>Fourth Amended Complaint</i> .. Document filed by Google Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Gratz, Joseph) (Entered: 12/22/2011)
01/17/2012	<u>995</u>	STIPULATION AND ORDER FOR WITHDRAWAL OF HERBERT MITGANG, DANIEL HOFFMAN, AND PAUL DICKSON AS REPRESENTATIVE PLAINTIFFS: All claims of representative plaintiffs Herbert Mitgang, Daniel Hoffman, and Paul Dickson are voluntarily dismissed. The dismissals are without prejudice, and Herbert Mitgang, Daniel Hoffman, and Paul Dickson retain all right as members of the putative class in this action. The foregoing is without costs, disbursements, or counsel fees to any party. Herbert Mitgang, Paul Dickson and Daniel Hoffman terminated. (Signed by Judge Denny Chin on 1/17/2012) (ft) (Entered: 01/17/2012)
01/17/2012	<u>996</u>	SCHEDULING ORDER: The following deadlines shall apply: a. Plaintiffs' opposition to defendant's motion to dismiss shall be filed by 2/6/2012; b. Defendant's response to the class certification motion shall be filed by 2/8/2012; c. Defendant's reply in support of its motion to dismiss shall be filed by 2/17/2012; d. Plaintiffs' reply in support of their class certification motion shall be filed by 4/3/2012; e. Fact discovery shall be completed by 4/13/2012. The remaining

		deadlines set forth in the Court's 9/16/2011 Scheduling Order shall remain in place. (Signed by Judge Denny Chin on 1/17/2012) (ft) (Entered: 01/17/2012)
02/06/2012	<u>997</u>	MEMORANDUM OF LAW in Opposition re: <u>992</u> MOTION to Dismiss <i>Fourth Amended Complaint</i> .. Document filed by The Authors Guild. (Zack, Joanne) (Entered: 02/06/2012)
02/08/2012	<u>998</u>	MOTION for Amin Kassam and Andrew DeVore to Withdraw as Attorney. Document filed by Arlo Guthrie, Catherine Ryan Hyde, Eugene Linden, Julia Wright.(Kassam, Amin) (Entered: 02/08/2012)
02/08/2012	<u>999</u>	DECLARATION of Amin Kassam in Support re: <u>998</u> MOTION for Amin Kassam and Andrew DeVore to Withdraw as Attorney.. Document filed by Arlo Guthrie, Catherine Ryan Hyde, Eugene Linden, Julia Wright. (Kassam, Amin) (Entered: 02/08/2012)
02/08/2012	<u>1000</u>	MEMORANDUM OF LAW in Opposition re: <u>989</u> MOTION to Certify Class.. Document filed by Google Inc.. (Gratz, Joseph) (Entered: 02/08/2012)
02/08/2012	<u>1001</u>	DECLARATION of Hal Poret in Opposition re: <u>989</u> MOTION to Certify Class.. Document filed by Google Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Appendix A, # <u>3</u> Appendix B, # <u>4</u> Appendix C, # <u>5</u> Appendix D, # <u>6</u> Appendix E, # <u>7</u> Appendix F)(Gratz, Joseph) (Entered: 02/08/2012)
02/08/2012	<u>1002</u>	DECLARATION of E. Gabriel Perle in Opposition re: <u>989</u> MOTION to Certify Class.. Document filed by Google Inc.. (Gratz, Joseph) (Entered: 02/08/2012)
02/08/2012	<u>1003</u>	DECLARATION of Joseph C. Gratz in Opposition re: <u>989</u> MOTION to Certify Class.. Document filed by Google Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10A, # <u>11</u> Exhibit 10B, # <u>12</u> Exhibit 11, # <u>13</u> Exhibit 12, # <u>14</u> Exhibit 13, # <u>15</u> Exhibit 14, # <u>16</u> Exhibit 15, # <u>17</u> Exhibit 16)(Gratz, Joseph) (Entered: 02/08/2012)
02/08/2012	<u>1004</u>	DECLARATION of Daniel Clancy in Opposition re: <u>989</u> MOTION to Certify Class.. Document filed by Google Inc.. (Gratz, Joseph) (Entered: 02/08/2012)
02/17/2012	<u>1005</u>	REPLY MEMORANDUM OF LAW in Support re: <u>992</u> MOTION to Dismiss <i>Fourth Amended Complaint</i> .. Document filed by Google Inc.. (Gratz, Joseph) (Entered: 02/17/2012)
03/27/2012	<u>1006</u>	MEMO ENDORSEMENT on <u>998</u> MOTION FOR LEAVE TO WITHDRAW APPEARANCE: Motion GRANTED. DeVore and DeMarco, LLP, is hereby RELIEVED as counsel for the class members listed above. ***Attorney Andrew C. DeVore and Amin S. Kassam terminated. (Signed by Judge Denny Chin on 3/26/2012) (ab) (Entered: 03/27/2012)
03/28/2012	<u>1007</u>	SCHEDULING ORDER: At the request of the parties Opening expert reports shall be filed by May 4, 2012. b. Rebuttal expert reports shall be filed by May 24, 2012. c. Expert depositions shall be completed between May 28, 2012 to June 8,2012.d.Motions for Summary Judgment shall be filed by June 14, 2012. e. Oppositions to Motions for Summary Judgment shall be filed by July 23, 2012. f. Replies in Support of Motions for Summary Judgment shall be filed by August 13, 2012. Motions due by 6/14/2012. Responses due by 7/23/2012 Replies due by 8/13/2012. (Signed by Judge Denny Chin on 3/27/2012) (js) (Entered: 03/28/2012)
04/03/2012	<u>1008</u>	REPLY MEMORANDUM OF LAW in Support re: <u>989</u> MOTION to Certify Class.. Document filed by Jim Bouton, Joseph Goulden, Betty Miles. (Zack, Joanne) (Entered: 04/03/2012)
04/03/2012	<u>1009</u>	DECLARATION of Joanne Zack in Support re: <u>989</u> MOTION to Certify Class.. Document filed by Jim Bouton, Joseph Goulden, Betty Miles. (Zack, Joanne) (Entered: 04/03/2012)
04/03/2012	<u>1010</u>	DECLARATION of Joanne Zack in Support re: <u>989</u> MOTION to Certify Class.. Document filed by Jim Bouton, Joseph Goulden, Betty Miles. (Attachments: # <u>1</u> Exhibit 1-3, # <u>2</u> Exhibit 4-8, # <u>3</u> Exhibit 9-12, # <u>4</u> Exhibit 13-14, # <u>5</u> Exhibit 15, # <u>6</u> Exhibit 16, # <u>7</u> Exhibit 17-18)(Zack, Joanne) (Entered: 04/03/2012)

04/05/2012	<u>1011</u>	MOTION for Genevieve Rosloff to Appear Pro Hac Vice. Document filed by Google Inc..(bwa) (Entered: 04/11/2012)
04/05/2012	<u>1012</u>	MOTION for David F. McGowan to Appear Pro Hac Vice. Document filed by Google Inc..(bwa) (Entered: 04/11/2012)
04/11/2012	<u>1013</u>	ORDER FOR ADMISSION PRO HAC VICE FOR GENEVIEVE ROSLOFF granting <u>1011</u> Motion for Genevieve Rosloff to Appear Pro Hac Vice. (Signed by USCJ Denny Chin By Designation on 4/5/2012) (rjm) Modified on 4/11/2012 (rjm). (Entered: 04/11/2012)
04/11/2012	<u>1014</u>	ORDER FOR ADMISSION PRO HAC VICE FOR DAVID F. MCGOWAN granting <u>1012</u> Motion for David F. McGowan to Appear Pro Hac Vice. (Signed by USCJ Denny Chin By Designation on 4/4/2012) (rjm) (Entered: 04/11/2012)
04/16/2012	<u>1015</u>	ORDER. The Court is in receipt of letters from Google and the Authors Guild plaintiffs, both dated April 12, 2012. Google's request for leave to file a surreply is denied. Its request for an order compelling Mr. Edelman and Mr. Gervais to appear for depositions within the next two weeks is also denied, as expert depositions are scheduled for May 28th to June 8, 2012. Google's objection to the inclusion of expert reports in the Authors Guild plaintiffs' reply brief is noted and can be addressed at oral argument. The motions to dismiss (in both cases) and the motion for class certification (in The Authors Guild case) having been fully submitted[ the Court will hold oral argument on these motions on May 3, 2012 at 10:00 AM. (Oral Argument set for 5/3/2012 at 10:00 AM before Judge Denny Chin.) (Signed by U.S. Circuit Judge Denny Chin Sitting by Designation on 4/16/2012) (rjm) Modified on 4/16/2012 (rjm). (Entered: 04/16/2012)
04/24/2012		CASHIERS OFFICE REMARK on <u>1012</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 04/05/2012, Receipt Number 1034548. (jd) (Entered: 04/24/2012)
04/24/2012		CASHIERS OFFICE REMARK on <u>1011</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 04/05/2012, Receipt Number 1034585. (jd) (Entered: 04/24/2012)
05/03/2012		Minute Entry for proceedings held before Judge Denny Chin: Motion Hearing held on 5/3/2012. Case called for motion argument on Defendants motions to dismiss 1st amended complaint (in both cases) and Plaintiffs motion for class certification in the Authors Guild case- 05 cv 8136. Motions argued; decision reserved. (cd) (Entered: 05/04/2012)
05/15/2012	1016	SEALED DOCUMENT placed in vault.(mps) (Entered: 05/15/2012)
05/15/2012	<u>1017</u>	ORDER: Plaintiffs are permitted to file under seal a Reply Declaration in Support of Plaintiffs Motion for Class Certification (Confidential Portion). A public Reply Declaration in Support of Plaintiffs Motion for Class Certification has already been filed, but does not contain the confidential pages to be filed under seal. (Signed by Judge Denny Chin on 5/14/2012) (js) (Entered: 05/15/2012)
05/16/2012	1018	SEALED DOCUMENT placed in vault.(nm) (Entered: 05/16/2012)
05/17/2012	<u>1019</u>	TRANSCRIPT of Proceedings re: ARGUMENT held on 5/3/2012 before Judge Denny Chin. Court Reporter/Transcriber: Linda Fisher, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 6/11/2012. Redacted Transcript Deadline set for 6/21/2012. Release of Transcript Restriction set for 8/20/2012.(McGuirk, Kelly) (Entered: 05/17/2012)
05/17/2012	<u>1020</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ARGUMENT proceeding held on 5/3/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 05/17/2012)

05/18/2012	<u>1021</u>	NOTICE of Supplemental Authority. Document filed by Google Inc.. (Attachments: # <u>1</u> Exhibit A)(Gratz, Joseph) (Entered: 05/18/2012)
05/30/2012	<u>1022</u>	RESPONSE re: <u>1021</u> Notice (Other) of Supplemental Authority. Document filed by Joseph Goulden, Betty Miles, The Authors Guild, Jim Bouton. (Zack, Joanne) (Entered: 05/30/2012)
05/31/2012	<u>1023</u>	OPINION # 101856. For the reasons stated above, Google's motions to dismiss the claims of the associational plaintiffs are denied and the AG Representative Plaintiffs' motion for class certification is granted. Re: <u>989</u> MOTION to Certify Class filed by Betty Miles, The Authors Guild, Joseph Goulden, Paul Dickson, Herbert Mitgang, Daniel Hoffman, <u>992</u> MOTION to Dismiss <i>Fourth Amended Complaint</i> filed by Google Inc. (Signed by U.S. Circuit Judge Denny Chin Sitting by Designation on 5/31/2012) (rjm) Modified on 5/31/2012 (rjm). Modified on 6/1/2012 (ft). (Entered: 05/31/2012)
05/31/2012	<u>1025</u>	INTERNET CITATION NOTE: Material from decision with Internet citation re: <u>1023</u> Memorandum & Opinion. (Attachments: # <u>1</u> U.S. Copyright Office – Search Copyright Records) (tro) (Entered: 06/11/2012)
06/01/2012	<u>1024</u>	ENDORSED LETTER addressed to Judge Denny Chin from Joanne Zack and Joseph C. Gratz dated 5/23/2012 re: We write regarding three matters related to the upcoming briefing on the parties' contemplated motions for summary judgment. ENDORSEMENT: Redactions are to be kept to a minimum. Approved. SO ORDERED. (Signed by Judge Denny Chin on 6/01/2012) (ama) Modified on 6/7/2012 (ama). (Entered: 06/01/2012)
06/11/2012	<u>1026</u>	ORDER GRANTING PLAINTIFFS' MOTION FOR CLASS CERTIFICATION: It is hereby Ordered that the Class is certified, defined as set forth within this Order. Betty Miles, Joseph Goulden, and Jim Bouton are designated as Representative Plaintiffs for the Class. Boni & Zack LLC is appointed Lead Counsel, and Milberg LLP and Kohn, Swift & Graf, P.C. are appointed Class Counsel. (Signed by Judge Denny Chin, Sitting by designation on 6/11/2012) (jfe) (Entered: 06/11/2012)
06/14/2012	<u>1027</u>	ANSWER to <u>985</u> Amended Complaint,, with JURY DEMAND. Document filed by Google Inc..(Gratz, Joseph) (Entered: 06/14/2012)
06/19/2012	<u>1028</u>	SCHEDULING ORDER: Motions for summary judgment due by 7/27/2012. Responses due by 8/24/2012 Replies due by 9/17/2012. Oral Argument set for 10/9/2012 at 10:00 AM before Judge Denny Chin. (Signed by Judge Denny Chin on 6/19/2012) (cd) (Entered: 06/19/2012)
07/20/2012	<u>1029</u>	MOTION for Jennifer M. Urban to Appear Pro Hac Vice. Document filed by Digital Humanities Scholars and Law Professors.(pgu) (Entered: 07/23/2012)
07/24/2012		CASHIERS OFFICE REMARK on <u>1029</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 07/20/2012, Receipt Number 1044226. (jd) (Entered: 07/24/2012)
07/25/2012	<u>1030</u>	MOTION for Babak Siavoshy to Appear Pro Hac Vice. Document filed by Digital Humanities Scholars and Law Professors.(pgu) (Entered: 07/25/2012)
07/25/2012		CASHIERS OFFICE REMARK on <u>1030</u> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 07/25/2012, Receipt Number 1044640. (jd) (Entered: 07/25/2012)
07/27/2012	<u>1031</u>	MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication</i> . Document filed by Google Inc..(Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012	<u>1032</u>	MEMORANDUM OF LAW in Support re: <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication</i> .. Document filed by Google Inc.. (Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012	<u>1033</u>	<b>FILING ERROR – WRONG EVENT TYPE SELECTED FROM MENU –</b> MEMORANDUM OF LAW in Support re: <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in</i>



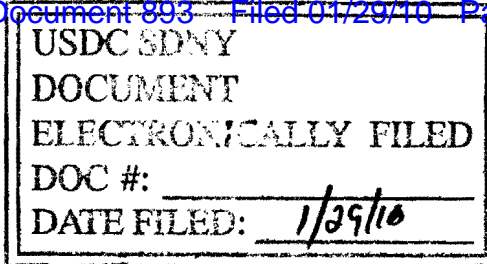
		<i>the Alternative Summary Adjudication. Local Rule 56.1 Statement of Uncontested Facts in Support of Defendant Google Inc.'s Motion for Summary Adjudication or in the Alternative for Summary Judgment.</i> Document filed by Google Inc.. (Gratz, Joseph) Modified on 7/27/2012 (db). (Entered: 07/27/2012)
07/27/2012	<u>1034</u>	DECLARATION of Judith A. Chevalier in Support re: <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication..</i> Document filed by Google Inc.. (Attachments: # <u>1</u> Exhibit A)(Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012	<u>1035</u>	DECLARATION of Dan Clancy in Support re: <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication..</i> Document filed by Google Inc.. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H)(Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012	<u>1036</u>	DECLARATION of Joseph C. Gratz in Support re: <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication..</i> Document filed by Google Inc.. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012	<u>1037</u>	DECLARATION of Albert N. Greco in Support re: <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication..</i> Document filed by Google Inc.. (Attachments: # <u>1</u> Exhibit A, part 1, # <u>2</u> Exhibit A, part 2)(Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012	<u>1038</u>	DECLARATION of Kurt Groetsch in Support re: <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication..</i> Document filed by Google Inc.. (Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012	<u>1039</u>	DECLARATION of Bruce S. Harris in Support re: <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication..</i> Document filed by Google Inc.. (Attachments: # <u>1</u> Exhibit A, Part 1, # <u>2</u> Exhibit A, Part 2)(Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012	<u>1040</u>	DECLARATION of Brad Hasegawa in Support re: <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication..</i> Document filed by Google Inc.. (Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012	<u>1041</u>	DECLARATION of Stephane Jaskiewicz in Support re: <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication..</i> Document filed by Google Inc.. (Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012	<u>1042</u>	DECLARATION of Gloriana St. Clair in Support re: <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication..</i> Document filed by Google Inc.. (Attachments: # <u>1</u> Exhibit A)(Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012		<b>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT – EVENT TYPE ERROR. Note to Attorney Joseph C. Gratz to RE-FILE Document <u>1033</u> Memorandum of Law in Support of Motion. Use the event type Rule 56.1 Statement found under the event list Other Answers. (db)</b> (Entered: 07/27/2012)
07/27/2012	<u>1043</u>	RULE 56.1 STATEMENT. Document filed by Google Inc.. (Gratz, Joseph) (Entered: 07/27/2012)
07/27/2012	1044	SEALED DOCUMENT placed in vault.(nm) (Entered: 07/27/2012)
07/31/2012	<u>1045</u>	ORDER granting <u>1029</u> Motion for Jennifer M. Urban to Appear Pro Hac Vice. Upon payment to the Clerk of the Court of the applicable fee.(Signed by Judge

		Denny Chin on 7/31/2012) (ama) Modified on 7/31/2012 (ama). (Entered: 07/31/2012)
07/31/2012	<u>1046</u>	ORDER granting <u>1030</u> Motion for Babak Siavoshy to Appear Pro Hac Vice. Upon payment to the Clerk of the Court of the applicable fee.(Signed by Judge Denny Chin on 7/31/2012) (ama) (Entered: 07/31/2012)
08/01/2012	<u>1047</u>	MOTION for Leave to File Amici Curiae Brief <i>in Support of Defendant's Motion for Summary Judgment</i> . Document filed by America Library Association, Association of Research Libraries, Association of College and Research Libraries, Electronic Frontier Foundation et al..(Band, Jonathan) (Entered: 08/01/2012)
08/01/2012	<u>1048</u>	BRIEF re: <u>1047</u> MOTION for Leave to File Amici Curiae Brief <i>in Support of Defendant's Motion for Summary Judgment</i> .. Document filed by America Library Association, Association of Research Libraries, Association of College and Research Libraries, Electronic Frontier Foundation et al..(Band, Jonathan) (Entered: 08/01/2012)
08/03/2012	<u>1049</u>	MOTION for Summary Judgment <i>Plaintiffs' Notice of Motion for Partial Summary Judgment (Public Version)</i> . Document filed by Jim Bouton, Joseph Goulden, Betty Miles, The Authors Guild.(Zack, Joanne) (Entered: 08/03/2012)
08/03/2012	<u>1050</u>	MEMORANDUM OF LAW in Support re: <u>1049</u> MOTION for Summary Judgment <i>Plaintiffs' Notice of Motion for Partial Summary Judgment (Public Version)</i> . (Redacted). Document filed by Jim Bouton, Joseph Goulden, Betty Miles, The Authors Guild. (Zack, Joanne) (Entered: 08/03/2012)
08/03/2012	<u>1051</u>	MOTION to File Amicus Brief <i>IN PARTIAL SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE SUMMARY ADJUDICATION</i> . Document filed by Digital Humanities Scholars and Law Professors.(Siavoshy, Babak) (Entered: 08/03/2012)
08/03/2012	<u>1052</u>	BRIEF re: <u>1051</u> MOTION to File Amicus Brief <i>IN PARTIAL SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE SUMMARY ADJUDICATION</i> .. Document filed by Digital Humanities Scholars and Law Professors.(Siavoshy, Babak) (Entered: 08/03/2012)
08/03/2012	<u>1053</u>	DECLARATION of Joanne Zack in Support re: <u>1049</u> MOTION for Summary Judgment <i>Plaintiffs' Notice of Motion for Partial Summary Judgment (Public Version)</i> .. Document filed by Jim Bouton, Joseph Goulden, Betty Miles, The Authors Guild. (Attachments: # <u>1</u> Exhibit 1–22, # <u>2</u> Exhibit 23, part 1, # <u>3</u> Exhibit 23, part 2, # <u>4</u> Exhibit 24–32, # <u>5</u> Exhibit 33–35, # <u>6</u> Exhibit 36–37, # <u>7</u> Exhibit 38–41, # <u>8</u> Exhibit 42, part 1, # <u>9</u> Exhibit 42, part 2–43)(Zack, Joanne) (Entered: 08/03/2012)
08/03/2012	<u>1054</u>	RULE 56.1 STATEMENT. Document filed by Jim Bouton, Joseph Goulden, Betty Miles, The Authors Guild. (Zack, Joanne) (Entered: 08/03/2012)
08/03/2012	<u>1055</u>	BRIEF re: <u>1051</u> MOTION to File Amicus Brief <i>IN PARTIAL SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE SUMMARY ADJUDICATION</i> . (CORRECTED). Document filed by Digital Humanities Scholars and Law Professors.(Siavoshy, Babak) (Entered: 08/03/2012)
08/09/2012	<u>1056</u>	MEMORANDUM OF LAW in Opposition re: <u>1051</u> MOTION to File Amicus Brief <i>IN PARTIAL SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE SUMMARY ADJUDICATION</i> ., <u>1047</u> MOTION for Leave to File Amici Curiae Brief <i>in Support of Defendant's Motion for Summary Judgment</i> . <i>Plaintiffs' Memorandum in Opposition to Motions for Leave to File Amicus Brief</i> . Document filed by Jim Bouton, Joseph Goulden, Betty Miles, The Authors Guild. (Boni, Michael) (Entered: 08/09/2012)
08/14/2012	<u>1057</u>	TRUE COPY ORDER of USCA USCA Case Number 12–2402. 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 due consideration, it is hereby ORDERED that the petition is GRANTED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 08/14/2012. <b>New Case No. 12–3200.</b> (nd) Modified on 8/28/2012 (nd).

		(Entered: 08/14/2012)
08/14/2012		Appeal Fee Due: for <u>1057</u> USCA Order granting leave to appeal. \$455.00 Appeal fee due by 8/28/2012. (nd) (Entered: 08/14/2012)
08/14/2012	<u>1058</u>	REPLY to Response to Motion re: <u>1047</u> MOTION for Leave to File Amici Curiae Brief <i>in Support of Defendant's Motion for Summary Judgment</i> .. Document filed by America Library Association, Association of Research Libraries, Association of College and Research Libraries, Electronic Frontier Foundation et al.. (Band, Jonathan) (Entered: 08/14/2012)
08/15/2012	<u>1059</u>	REPLY MEMORANDUM OF LAW in Support re: <u>1051</u> MOTION to File Amicus Brief <i>IN PARTIAL SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE SUMMARY ADJUDICATION</i> .. Document filed by Digital Humanities Scholars and Law Professors. (Siavoshy, Babak) (Entered: 08/15/2012)
08/15/2012	<u>1060</u>	ORDER granting <u>1047</u> Motion for Leave to File Document; granting <u>1051</u> Motion to File Amicus Brief. It is hereby ordered as follows: (1) The motions for leave to file amici curiae briefs are granted, and the proposed briefs are accepted for filing. (2) Plaintiffs shall respond to the amici curiae briefs by September 17, 2012 in a memorandum of law not to exceed 40 pages. (3) The amici curiae may not file replies. (4) The parties' oppositions to the cross-motions for summary judgment shall be filed by August 24, 2012. (5) The parties' replies in support of the cross-motions for summary judgment shall be filed by September 17, 2012. (6) Oral argument on the motions for summary judgment shall proceed on October 9, 2012 at 10 AM.. (Signed by Judge Denny Chin on 8/15/2012) (jfe) (Entered: 08/15/2012)
08/15/2012		Set/Reset Deadlines: ( Responses due by 9/17/2012), Set/Reset Hearings:( Oral Argument set for 10/9/2012 at 10:00 AM before Judge Denny Chin.) (jfe) (Entered: 08/15/2012)
08/15/2012		Set/Reset Deadlines as to <u>1049</u> MOTION for Summary Judgment <i>Plaintiffs' Notice of Motion for Partial Summary Judgment (Public Version)</i> .. <u>1031</u> MOTION for Summary Judgment <i>Notice of Defendant Google Inc.'s Motion for Summary Judgment or in the Alternative Summary Adjudication</i> .. Responses due by 8/24/2012 (jfe) (Entered: 08/15/2012)
08/17/2012	<u>1061</u>	ORDER: It is hereby ordered as follows: (1) By October 24, 2012, the parties shall file their oppositions to the cross-motions for summary judgment. (2) By November 19, 2012, plaintiffs shall file their opposition to the amici curiae briefs, in a memorandum of law not to exceed 40 pages. (3) By November 19, 2012, the parties shall file their replies in support of the cross-motions for summary judgment. (4) Oral argument on the motions for summary judgment shall proceed on December 4, 2012 at 2PM., ( Responses due by 11/19/2012., Replies due by 11/19/2012.), ( Oral Argument set for 12/4/2012 at 02:00 PM before Judge Denny Chin.) (Signed by Judge Denny Chin on 8/17/2012) (lmb) (Entered: 08/17/2012)
08/28/2012		USCA Appeal Fees received \$ 455.00 receipt number 465401046514 on 08/16/2012 re: <u>1057</u> USCA Order granting leave to appeal pursuant to FRAP 23(f). (nd) (Entered: 08/28/2012)
08/29/2012	<u>1062</u>	ORDER: The Court is in receipt of a letter from defendant Google, Inc. ("Google"), dated August 17, 2012, requesting that the Court stay all proceedings in this case pending review by the Second Circuit of this Court's May 31, 2012 Order granting class certification (the "Class Certification Order"). Plaintiffs have not responded to Google's letter. For the following reasons, the application is denied as further set forth in this order. (Signed by Judge Denny Chin on 8/28/2012) (lmb) (Entered: 08/29/2012)
09/17/2012	<u>1063</u>	ORDER of USCA (Certified Copy) USCA Case Number 12-3200. Appellant Google, Inc. has filed a motion to stay District Court proceedings pending appeal of the class certification order and appellees have filed a response stating that they consent to the stay, although not to the arguments put forward in the motion as to why Google expects to prevail on appeal. IT IS HEREBY ORDERED that the motion to stay proceedings pending appeal is GRANTED. Catherine O'Hagan

		Wolfe, Clerk USCA for the Second Circuit. Issued As Order: 09/17/2012. Certified: 09/17/2012. (nd) (Entered: 09/17/2012)
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**BerkeleyLaw**  
UNIVERSITY OF CALIFORNIA



**PAMELA SAMUELSON**  
Richard M. Sherman Distinguished  
Professor of Law

January 27, 2010

Office of the Clerk, J. Michael McMahon  
U.S. District Court for the Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York NY 10007

JAN 28 2010

University of California, Berkeley  
School of Law  
434 Boalt Hall NA  
Berkeley, CA 94720  
Tel: 510-642-6775  
Fax: 510-643-5814  
psamuelson@law.berkeley.edu

Attention: The Honorable Denny Chin

Re: Academic Author Objections to the Google Book Search Settlement,  
Case No. 1:05-CV-8136-DC (S.D.N.Y.)

Dear Judge Chin:

I am writing to express my intent to appear at the Fairness Hearing for the above-cited case, currently scheduled for February 18<sup>th</sup>, 2010 pursuant to the Order of this Court of November 19<sup>th</sup>, 2009 (Document 772).

I believe I am a member of the Author Subclass. I have submitted two letters expressing objections to the court about the settlement on behalf of academic authors, one submitted today, and the other dated September 3<sup>rd</sup>, 2009. I also wrote to you on behalf of sixteen academic authors on April 27<sup>th</sup>, 2009, asking for a several month extension of deadlines for the Google Book Settlement responses owing to ignorance about the proposed settlement among academic authors.

With this, I respectfully submit my notice of intent.

Sincerely,

Pamela Samuelson  
Richard M. Sherman Distinguished Professor of Law

cc:  
Michael J. Boni, Esq., Counsel for the Author Subclass  
Joanne Zack, Esq., Counsel for the Author Subclass  
Joshua Snyder, Esq., Counsel for the Author Subclass  
Jeffrey P. Cunard, Esq., Counsel for the Publisher Subclass  
Bruce P. Keller, Esq., Counsel for the Publisher Subclass  
Daralyn J. Durie, Esq., Counsel for Google





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27 January 2010

Office of the Clerk, J. Michael McMahon  
U.S. District Court for the Southern District of New York  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street  
New York NY 10007

JAN 28 2010

Attention: The Honorable Denny Chin

Re: Supplemental Academic Author Objections to the Google Book Search Settlement, Authors Guild, Inc. v. Google, Inc., No. 1:05-CV-8136 (S.D.N.Y.)

Dear Judge Chin:

The vision of a universal digital library containing the accumulated knowledge embodied in books from the collections of major research libraries—a library that would last forever—is unquestionably an inspiring one.<sup>1</sup> The academic author signatories of this letter understand the appeal of this vision and heartily hope that it will come to pass. However, for reasons explained in this letter, we do not believe that approval of the Proposed Amended Settlement Agreement (PASA) in the *Authors Guild v. Google* case will fulfill this lofty ambition.

The Google Book Search (GBS) initiative envisioned in the PASA is not a library.<sup>2</sup> It is instead a complex and large-scale commercial enterprise in which Google—and Google alone—will obtain a license to sell millions of books for decades to come. If the PASA is approved, millions of rights holders will be forced to join the Book Rights Registry (BRR) or the Google Partner Program to exercise any control over Google’s use of their books. The litigants who spent two and a half years negotiating the initial Proposed Settlement Agreement (PSA) and now the PASA have interests and preferences that dramatically diverge from those of many rights holders who were not at the negotiating table, including academic authors. It is thus unsurprising that hundreds of authors and other rights holders have objected to the settlement and even more, we believe, have opted out. Nor is it surprising that several public interest organizations have expressed opposition to the settlement,<sup>3</sup> for there were no consumer or public interest advocates at the negotiating table either. Because of this, the PASA is fundamentally tainted.

<sup>1</sup> See Sergey Brin, *A Library to Last Forever*, N.Y. TIMES, Oct. 8, 2009, at A31, available at <http://www.nytimes.com/2009/10/09/opinion/09brin.html>.

<sup>2</sup> See Pamela Samuelson, *Google Books Is Not a Library*, HUFF. POST, Oct. 13, 2009, available at [http://www.huffingtonpost.com/pamela-samuelsn/google-books-is-not-a-lib\\_b\\_317518.html](http://www.huffingtonpost.com/pamela-samuelsn/google-books-is-not-a-lib_b_317518.html). Nor will GBS be “universal,” given the narrowing of the class, the opt-out, exclusion and removal requests, and directions from some rights holders not to scan their books. See Part IV of this letter. See also Lawrence Lessig, *For the Love of Culture*, THE NEW REPUBLIC, Jan. 26, 2010, available at <http://www.tnr.com/article/the-love-culture>.

<sup>3</sup> See, e.g., Brief Amicus Curiae of Consumer Watchdog in Opposition to the Settlement, *Authors Guild Inc. v. Google Inc.*, No. 1:05-CV-8136 (S.D.N.Y. Sept. 8, 2009), available at <http://thepublicindex.org/docs/letters/cw.pdf>; Brief of Amicus Curiae Public Knowledge in Opposition to the Settlement, *Authors Guild Inc. v. Google Inc.*, No. 1:05-CV-8136 (S.D.N.Y. Sept. 8, 2009), available at <http://thepublicindex.org/docs/letters/pk.pdf>.

This letter supplements one submitted to this Court on September 3, 2009, on behalf of sixty-five academic authors and researchers, which set forth numerous objections to the PSA.<sup>4</sup> Among other things, that letter expressed concerns about the lack of meaningful constraints on price increases for the Institutional Subscription Database (ISD), the de facto monopoly that Google would obtain to orphan books, inadequate user privacy protections, and excessive restrictions on non-consumptive research.

The present letter reaffirms the earlier academic author objections to the PSA because the PASA does not adequately respond to objections set forth in that letter.<sup>5</sup> It states some new objections because certain amendments to the PASA are contrary to the interests of academic authors who are members of the Author Subclass.

Our continued and new objections are rooted in the same fundamental flaw in the GBS settlement process: the Authors Guild and the named author plaintiffs have not fairly and adequately represented the interests of academic authors in negotiating either the PSA or the PASA.<sup>6</sup> Simply put, the Authors Guild and its members do not share the interests, professional commitments or values of academic authors.<sup>7</sup> Only a small fraction of Authors Guild members are scholars, and few write books of the sort likely to be found in major research libraries.<sup>8</sup> Nor does the Association of American Publishers (AAP)

<sup>4</sup> Letter of Pamela Samuelson to Judge Denny Chin on behalf of academic authors, *Authors Guild, Inc. v. Google, Inc.*, No. 05 CV 8136 (S.D.N.Y. Sept. 3, 2009) (“Academic Author Letter”). For a more complete discussion of the possible benefits and risks of the proposed GBS settlement, see Pamela Samuelson, *Google Book Search and the Future of Books in Cyberspace*, 95 MINN. L. REV. (forthcoming 2010), available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1535067](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1535067).

<sup>5</sup> An exception is a provision of the PASA that now expressly recognizes that some rights holders may want to make books and inserts available on an open access basis, such as by Creative Commons licenses. See PASA, § 4.2 (a)(i). However, we remain concerned that the Book Rights Registry (BRR) will not welcome and might even discourage academic authors’ exercise of this option because the BRR will collect no revenues from Google if books are available on open access terms. BRR will find it difficult to have sufficient revenues to sustain its operations if academic authors exercise this option with any frequency.

<sup>6</sup> While our letters have concentrated on our substantive objections to the PSA and the PASA, we have been enlightened by our study of Scott Gant’s objections to the PSA as to class action notice deficiencies and other Rule 23 problems with the PSA. See *Objection of Scott E. Gant to Proposed Settlement, and to Certification of the Class and Subclasses, Authors Guild, Inc. v. Google, Inc.*, No. 05 CV 8136 (S.D.N.Y. Aug. 19, 2009), available at <http://thepublicindex.org/docs/objections/gant.pdf>. We agree with him that the Guild did not adequately represent the interests of the Author Subclass and that notice of the settlement has been inadequate. Signatory Pamela Samuelson, for instance, did not receive a copy of the initial notice of the PSA, and regards the supplemental notice that she did receive as seriously incomplete in explaining the PASA and its implications, especially as to the unclaimed works fiduciary provisions.

<sup>7</sup> The Authors Guild, for instance, generally limits its membership to authors who have contracts with established American publishers that include a “royalty clause and a significant advance.” See *Authors Guild Membership Guidelines*, available at <http://www.authorsguild.org/join/eligibility.html>. Few academic authors would meet these criteria. The interests of professional writer-members of the Authors Guild in maximizing revenues are reflected in the PSA and the PASA. An example is PASA, § 4.8(a)(ii), which requires paying fees for pages printed out at public access terminals. Academic authors would regard printing a few pages from an out-of-print book to be fair use. See *Academic Author Letter*, *supra* note 4, at 2-7.

<sup>8</sup> The Authors Guild website links to approximately 3000 of their member’s websites. A review of those websites reveals that slightly over 10 per cent of these Guild members have written books of the sort likely to be found in major research libraries whose collections Google has scanned. So far as we can tell from these websites, the Guild’s members primarily write works aimed at non-scholarly audiences. They write, for instance, romance

share the commitments and values of scholarly authors, as is evident from its recent efforts to thwart open access policies for government-funded academic research,<sup>9</sup> policies which scholars generally support.<sup>10</sup> Academic authors, almost by definition, are committed to maximizing access to knowledge. The Guild and the AAP, by contrast, are institutionally committed to maximizing profits.

Nor does the Guild have the same legal perspective as most academic authors on the central issue in litigation in the *Authors Guild* case, to wit, whether scanning books in order to index their contents and make snippets available constitutes copyright infringement. (This issue necessarily forms the basis on which any settlement must be based.) Academic authors are more likely than Guild members to consider scanning books for information-locating purposes to be a non-infringing use because indexes and snippets advance scholarly research and improve access to knowledge, especially when, as with GBS, searches yield links to libraries from which the relevant books can be obtained.<sup>11</sup>

Rule 23 of the Federal Rules of Civil Procedure requires courts to consider whether there is sufficient commonality of interest and typicality of claims among those who are within a putative class before certifying it or approving a class-binding settlement. While this letter focuses on academic author objections to the PASA, we are aware that we are not the only rights holders who believe the Guild and the AAP had interests quite different from and/or in conflict with theirs. Indeed, when we consider the diverse complaints about the settlement expressed in the hundreds of objections already filed in this matter, we question whether the Rule 23 standards have been or can be met for a class consisting of all persons owning U.S. copyright interest in one or more books or inserts published in the U.S., UK, Canada, or Australia.

That said, we believe that the perspectives of academic authors on the PSA and the PASA should be given particular weight in this court's determination about whether the PASA is fair and worthy of approval. The overwhelming majority of books in the GBS corpus are from the collections of major research libraries, such as the University of Michigan and the University of California.<sup>12</sup> Not

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novels, erotica, travelogues, magazine articles, and magic books. They may be accomplished writers, but they are unrepresentative of the interests of academic authors whose books constitute most of the GBS corpus.

<sup>9</sup> Ass'n of Research Libraries, *Issue Brief: AAP PR Campaign Against Open Access and Public Access to Federally Funded Research*, available at <http://www.arl.org/bm~doc/issue-brief-aap-pr.pdf>.

<sup>10</sup> The negotiating party whose interests most closely align with the values of scholarly communities is, ironically enough, Google. However, that firm cannot be an adequate representative of the interests of scholarly authors in negotiating a class action settlement.

<sup>11</sup> Most academic commentary on Google's fair use defense supports it. See, e.g., Hannibal Travis, *Google Book Search and Fair Use: iTunes for Authors or Napster for Books?*, 61 U. MIAMI L. REV. 601 (2006) (arguing that scanning books to index them is fair use); Matthew Sag, *The Google Book Settlement and the Fair Use Counterfactual* (Working paper Series, Aug. 2009) at 11-25, available at <http://ssrn.com/abstract=1437812> (comparing the proposed GBS settlement to fair use outcome). See also Frank Pasquale, *Copyright in an Era of Information Overload*, 60 VAND. L. REV. 135 (2007) (discussing the need for broad fair use for search engines to help people find information).

<sup>12</sup> See, e.g., *Competition and Commerce in Digital Books: Hearing Before the H. Comm. on the Judiciary*, 110th Cong. 1-3 (2009) ["Hearing"] (Prepared Statement of David Drummond, Senior Vice President of Corporate Development and Chief Legal Officer of Google, Inc.) (estimating that 2 million of the 10 million books then in the GBS corpus are books in the Google Partner Program, while 8 million were obtained from research library partners). A transcript of this hearing is available at [http://judiciary.house.gov/hearings/printers/111th/111-31\\_51994.PDF](http://judiciary.house.gov/hearings/printers/111th/111-31_51994.PDF).



surprisingly, a large majority of those books were written by scholars for scholarly audiences.<sup>13</sup> Academic authors also far outnumber the members of the Authors Guild. There are about 800,000 full-time academics working at colleges and universities in the U.S.,<sup>14</sup> for many of whom publication of books, book chapters, and the like is a career requirement, as well as a source of deep satisfaction. The books and inserts we write are also of the sort likely to be found in the collections of major research libraries.

We acknowledge that academic authors sometimes assign their copyrights to publishers of their books, but this does not necessarily change the calculus. Rights to authorize electronic editions of these books, we believe, may well be new and unforeseen uses of their works, rights in which would seem to reside in authors under *Random House, Inc. v. Rosetta Books L.L.C.*, 283 F.3d 490 (2d Cir. 2002). This case held that authors of literary works have the right to authorize third parties to make e-books of them, even though they had assigned rights to publishers to make and distribute print versions.<sup>15</sup> Many publishing contracts also provide that copyrights revert to authors when their books go out of print (which millions of books in the GBS corpus are). For these reasons, we believe that academic authors hold a relevant copyright interest in many books and inserts in the GBS corpus.

We recognize that approval of the GBS settlement would bring about some public benefits, chiefly by providing significantly improved access to books. But the Court should be careful to recognize and give appropriate weight to the substantial risks that the proposed settlement poses. These risks can be avoided or ameliorated in one of two ways. The Court can either reject the settlement altogether or condition approval on the parties' willingness to make changes to the PASA that address meritorious objections.

Part I discusses our objections to new provisions in the PASA as to anticipated uses of funds from unclaimed works and to certain powers that the "fiduciary" for unclaimed works has and some it lacks.

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<sup>13</sup> See, e.g., Brian Lavoie & Lorcan Dempsey, *Beyond 1923: Characteristics of Potentially In-copyright Print Books in Library Collections*, D-LIB MAG., Nov.-Dec. 2009, at 14, available at <http://www.dlib.org/dlib/november09/lavoie/11lavoie.html> (reporting that 78% of the non-fiction books in the collections of three of Google's research library partners are scholarly books and that non-fiction books constitute more than 90% of library collections).

<sup>14</sup> Data from the U.S. Dept. of Labor, Bureau of Labor Statistics indicates that there are more than 800,000 post-secondary educators in the United States.

<sup>15</sup> The court considered the widely used contractual language in book publishing contracts—"to publish the work in book form"—as a limited grant, not a grant of all copyright interests. *Random House*, 283 F.3d at 491. It is worth noting that the Authors Guild submitted an amicus curiae brief in support of Rosetta in that case, while the AAP submitted one in support of Random House. Hidden underneath the surface of the proposed GBS settlement is a set of compromises, set forth in Appendix A, that address serious conflicts that exist between authors and publishers over rights to control and be compensated for e-book publications. This is reflected in testimony that Paul Aiken, Executive Director of the Authors Guild, gave before Congress: "One of the reasons this thing [the PSA] took 30 months to negotiate was that we weren't just negotiating with Google. It was authors negotiating with publishers, and we rarely see eye to eye. So we had months and months and months of negotiations, trying to work out our differences." Transcript of Hearing, *supra* note 12, at 143. Had Random House tried to resolve this e-book rights issue by bringing a class action lawsuit on behalf of a class of publishers against a class of authors in order to negotiate a settlement along the lines of Appendix A, the case would have been dismissed because the dispute would have involved both varying contract language and different state laws so that Rule 23 requirements could not have been satisfied. Appendix A takes advantage of the settlement on other issues as to which Google is the antagonist to bring about a new allocation of copyright ownership, licensing, and reversion rights and procedures that, but for the settlement, could only have been accomplished through legislative action.

Part II discusses an amendment to the proposed settlement that is susceptible to an interpretation that would disadvantage academic authors of what the PSA and PASA designate as “inserts” (e.g., book chapters).

Part III objects to amendments that omit reference to a termination agreement negotiated by the litigants. If there is a termination agreement that is still in force, it ought to be disclosed to members of the class, as well as to the Court. If not, the litigants should explicitly abjure it.

Part IV raises concerns about whether the parties’ professed aspirations for GBS to be a universal digital library are being undermined by their own withdrawals of books from the regime the settlement would establish, as well as by actions of other rights holders who have opted out of the settlement because they find its terms unacceptable. Information has come to light since our last letter, sent on September 3, 2009, that undermines our confidence that the settlement will bring about the public benefits the litigants say they intend.

Part V offers a list of changes that should be made to the PASA to make the settlement fair and adequate as to academic authors. Even with these modifications, however, we recognize that serious questions remain about whether the class defined in the PASA can be certified consistent with Rule 23, whether the settlement is otherwise compliant with Rule 23, whether the settlement is consistent with the public interest, and whether approval of this settlement is an appropriate exercise of judicial power. These questions have been addressed in numerous other submissions, and while our supplemental objection does not discuss them, we do share the misgivings that others have expressed.

#### I. We Object to the Unclaimed Work Provisions of the PASA.

The PSA would have created a blatant conflict of interest between those class members who had registered their books with the BRR, as the Guild expects its members to do, and those who had not.<sup>16</sup> Funds from unclaimed books would have been held in escrow for five years, after which revenues from Google’s commercialization of them would have been paid out to BRR-registered rights holders.<sup>17</sup> This would not only have given BRR-registrants a windfall from books in which they owned no rights, but it also would have created structural disincentives for BRR to search for owners of unclaimed books. Not surprisingly, the Department of Justice objected to this as inconsistent with Rule 23.<sup>18</sup>

Amendments in the PASA seemingly acknowledge the existence of this intra-class conflict, but do not resolve it in a manner that is fair, reasonable, or adequate to class members or consistent with the public interest.

The PASA calls for the appointment of an unclaimed work fiduciary (UWF) to make certain decisions about Google’s exploitation of unclaimed works and to act as a gatekeeper for funds owed to rights

<sup>16</sup> Statement of Interest by the U.S. Dept. of Justice Regarding the Proposed Settlement at 9, *Authors Guild, Inc. v. Google, Inc.*, No. 05 CV 8136 (S.D.N.Y. Sept. 18, 2009) (DOJ Statement).

<sup>17</sup> PSA, § 6.2(a).

<sup>18</sup> DOJ Statement, *supra* note 16, at 9-10. The initial willingness of the class representatives to negotiate such a provision reflects considerable insensitivity to the interests of unclaimed work rights holders. It should not have required an objection from DOJ to get fair treatment for these rights holders.

holders of unclaimed works.<sup>19</sup> It also directs that funds generated by Google's commercialization of unclaimed works should be held in escrow for ten years, that these funds are to be used to search for rights holders, and that after ten years, unclaimed work funds can be paid out to charities or otherwise allocated in a manner consistent with state laws.<sup>20</sup>

The academic signatories of this letter object to these provisions for several reasons.

First, there are no meaningful guarantees of independence for this so-called fiduciary, and insufficient criteria for how he/she should perform a fiduciary role in respect of the unclaimed books. The UWF is, for example, to be chosen by a supermajority of the BRR Board,<sup>21</sup> and will apparently be housed in the BRR offices. The BRR, not the fiduciary, will hold onto the unclaimed funds; after five years, BRR is authorized to use a significant portion of the unclaimed work funds to search for rights holders, although this is subject to the UWF's approval.<sup>22</sup>

Second, the powers the PASA grants to the UWF are in some respects too limited and in at least one respect too broad. The UWF can, for instance, choose to change the default setting for an unclaimed in-print book from "no display" to "display," but not the reverse.<sup>23</sup> The UWF also has the power to approve changes in pricing bins for unclaimed books available through the consumer purchase model,<sup>24</sup> but seemingly no power to set prices for individual unclaimed books nor to provide input about price-setting of institutional subscriptions. This seems strange to us because all or virtually all of the unclaimed books will be in the ISD and revenues derived from the ISD are likely to be substantial. The UWF also has the power to disapprove of Google's plan to discount prices of unclaimed books,<sup>25</sup> but apparently not to recommend discounts.

Of particular importance to academic authors, the UWF lacks power to make unclaimed books available on an open access basis.<sup>26</sup> While divining the preferences of unclaimed rights holders may be challenging as to many others, we believe that most unclaimed books in the GBS corpus will prove to be books written by scholars for scholars, and that most such authors would prefer that their out-of-print books be available on an open access basis, especially insofar as Google is making these books available to institutions of higher learning.<sup>27</sup> We object to this limit on the UWF's powers.

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<sup>19</sup> PASA, § 6.2(b)(iii). The only qualification PASA provides for this position is a negative one: he/she cannot be a book author or publisher. *Id.*

<sup>20</sup> *Id.*, §§ 6.2(b)(iv), 6.3(a).

<sup>21</sup> *Id.*, § 6.2(b)(iii).

<sup>22</sup> *Id.*, § 6.3(a)(i).

<sup>23</sup> *Id.*, §§ 6.2(b)(iii), 3.2(e)(i). The UWF would have structural incentives to exercise the power to switch the default for unclaimed in-print books from "no display" to "display uses" in order to generate revenues that could be used to search for their rights holders to encourage them to claim the books.

<sup>24</sup> *Id.*, § 4.2(c)(i).

<sup>25</sup> *Id.*, § 4.5(b)(ii). We worry also that there will be little incentive for the UWF to agree to discounts as it would reduce the revenues over which he will have some control; BRR may also not want unclaimed works to be discounted, as these books will compete with those of registered rights holders.

<sup>26</sup> Nor apparently can the UWF direct Google to exclude unclaimed books from any newly approved revenue models or to remove them from the GBS corpus. Most of the UWF's powers are directed to revenue-enhancement.

<sup>27</sup> See *Random House*, 283 F.3d 490 (2d Cir. 2002), discussion, *supra* note 15.

One power the PASA grants to the UWF to which we strongly object is the power to authorize Google to alter the texts of unclaimed books.<sup>28</sup> We can imagine no circumstance under which changes to the historical record embodied in books from major research libraries would be justifiable. Granting the UWF the power to authorize alteration of texts poses risks of censorship.

Third, if books remain unclaimed after ten years during which the UWF and BRR have made a reasonably diligent search to find their rights holders, the books should be deemed to be “orphans,” a term which is typically defined to include works whose rights holders could not be found after a reasonably diligent search.<sup>29</sup> The PASA should contain a provision requiring the UWF to disclose which unclaimed books it has concluded are, in fact, orphans so that others could decide whether to make them available.<sup>30</sup> (We discuss below how we think orphan books should be treated.)

Fourth, the PASA would intrude upon Congressional prerogatives in respect of its consideration of orphan works legislation in a post-settlement world. The PASA gives the UWF authority to license copyright interests in unclaimed books to third parties “to the extent permitted by law.”<sup>31</sup> Existing law does not allow *any* licensing of in-copyright books to third parties without the rights holders’ permission. The only way that the UWF could get the legal authority to issue such licenses would be from Congress, presumably through the passage of orphan works legislation.

By establishing a private escrow regime for collecting and distributing revenues Google may earn from its commercialization of orphan books, the PASA seems to be setting up the UWF as an intermediary for the licensing of orphan books to third parties. It also establishes a regime through which revenues from these books are to be distributed (e.g., to the UWF’s favorite charities). The UWF would have a financial stake in the continuation and extension of the escrow regime and in persuading Congress that escrowing was the best solution to the problem posed by unclaimed works.

It is, however, for Congress to decide what should be done with orphan works, not for those who negotiated the PSA and PASA, nor for this Court. A substantial restructuring of rights under copyright law is the constitutionally mandated domain of the U.S. Congress.<sup>32</sup> The orphan works legislation that Congress has considered up in recent years has not adopted the escrow model.<sup>33</sup> Indeed, these bills are

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<sup>28</sup> PASA, § 3.10(c)(i).

<sup>29</sup> See U.S. COPYRIGHT OFFICE, REPORT ON ORPHAN WORKS (2006), available at <http://www.copyright.gov/orphan/orphan-report.pdf> (“Orphan Work Report”).

<sup>30</sup> The settlement agreement should also require the UWF, as well as the BRR and Google, to make publicly available any information they possess about books they discover to be in the public domain (owing, for instance, to the author’s failure to renew copyright). We are concerned that these actors will have financial incentives to withhold this information because they may benefit from Google’s commercialization of public domain books. The PASA even allows registered rights holders to share in revenues mistakenly earned by Google from the sale or licensing of public domain books. PASA, § 6.3(b).

<sup>31</sup> *Id.*, § 6.2(b)(i).

<sup>32</sup> *Eldred v. Ashcroft*, 537 U.S. 186, 222 (2003).

<sup>33</sup> See, e.g., Shawn Bently Orphan Works Act of 2008, S. 2913, 110<sup>th</sup> Cong., 2d Sess. (2008); Public Domain Enhancement Act, H.R. 2408, 109<sup>th</sup> Cong., 1st Sess. (2005).

more closely modeled on the recommendations of the U.S. Copyright Office which concluded that orphan works should be freely usable if rights holders cannot be found.<sup>34</sup>

The treatment of orphan books is no small matter. No one knows how many books will ultimately be unclaimed in the aftermath of a GBS settlement.<sup>35</sup> Google spokesmen have tended to offer fairly conservative estimates about the proportion of books in the GBS corpus that will be orphans. David Drummond, chief legal officer of Google, estimated in his testimony before Congress that about 20% of the out-of-print books in GBS would likely be orphans.<sup>36</sup> With approximately 8 million such books now in the GBS corpus, Drummond's estimate would yield 1.6 million orphan books; if GBS grows to 50 million books, as some expect,<sup>37</sup> and the proportion of out-of-print and orphan books remained stable, that would mean that about 7.5 million books would be orphans.<sup>38</sup>

The proportion of orphan books may, however, be higher than Mr. Drummond estimated, perhaps even much higher. "Older" books, especially books published before the 1980s,<sup>39</sup> are especially likely to be unclaimed. In the 30 years or more since the publication of these books, the publishers may have gone out of business and authors may have passed away (and heirs may be ignorant about rights in their forebearers' books or too numerous or dispersed to track down), be suffering from debilitating states, or otherwise uninterested in overtures from the BRR.

Orphan books will likely be sold through the consumer purchase model at prices ranging from \$1.99 to \$29.99.<sup>40</sup> The goal of the PASA pricing algorithm is to maximize revenues for each book.<sup>41</sup> Google also plans to license these books as part of the ISD to thousands of universities, public libraries, and other entities. ISD subscription prices are supposed to approximate market returns for a multi-million book database,<sup>42</sup> and as we have noted before, we are deeply worried that prices for the ISD will rise over time to astronomical levels.<sup>43</sup>

<sup>34</sup> See Orphan Works Report, *supra* note 29, at 11. The Office recommended that if a rights holder later came forward to claim the work, the person who reasonably believed the work was an orphan might continue the use for future compensation. *Id.* at 115.

<sup>35</sup> See Statement of William Morris Endeavor Entertainment, Aug. 2009, available at <http://thepublicindex.org/docs/commentary/wme.pdf> (noting a Financial Times estimate that between 2.8 and 5 million of the 32 million books protected by copyright in the U.S. are likely to be orphans).

<sup>36</sup> Hearing, *supra* note 12, at 6.

<sup>37</sup> See, e.g., Letter from Paul Courant to Judge Denny Chin at 1, *Authors Guild, Inc. v. Google, Inc.*, No. 05 CV 8136 (S.D.N.Y. Sept. 4, 2009), available at <http://thepublicindex.org/docs/letters/Courant.pdf> (estimating that Google will scan 50 million unique books for GBS).

<sup>38</sup> There is reason to believe that the proportion of orphans and of out-of-print books would be substantially higher as the number of books in the GBS corpus approaches 50 million, for there is a limited number of in-print books, and Google may be scanning most of them through its partner program.

<sup>39</sup> Roughly half of the books in U.S. library collections were published before 1977 and one-third before 1964. Lavoie & Dempsey, *supra* note 13, at 4-5. Moreover, research library collections tend to include a higher percentage of older books. *Id.* at 12.

<sup>40</sup> PASA, § 4.2 (setting percentages for algorithmic pricing bins).

<sup>41</sup> *Id.* at § 4.2(c)(ii)(2).

<sup>42</sup> *Id.*, § 4.1.

<sup>43</sup> Academic Author Letter, *supra* note 4, at 3-5.

The PASA provides that after 10 years of collecting profit-maximizing revenues for orphan books, the UWF would become a philanthropist,<sup>44</sup> distributing these funds to charities in various countries that promote literacy, freedom of expression, and education. The PASA also authorizes the UWF to continue to collect funds for orphan books for the remainder of their copyright terms, and to continue paying orphan funds to these charities. With all due respect to the eleemosynary impulse underlying these provisions, we think the PASA takes the wrong approach to making orphan books available.

While we believe that Congress is the proper governing body for decisions about what to do about orphan works, we also believe that if books are true orphans, they should be freely available for use by all, including non-profit institutions such as the colleges and universities with which we are affiliated. Treating unclaimed orphan books as public domain works would be more consistent with the utilitarian purpose of U.S. copyright law, insofar as unclaimed works lack an author or publisher in need of exclusive rights to recoup investments in creating and disseminating these works.<sup>45</sup>

In contradiction of this utilitarian purpose, the PASA contemplates that the UWF will continue to collect funds from Google for its commercial exploitations of orphan books until their copyrights expire and that these funds should be distributed to charities selected by the UWF. We object to this treatment for orphan works.

Finally, we note that the economics of digital publishing and digital networks have made it possible for unclaimed/orphan books to draw readers online, even though their publishers could not justify keeping the books in print. A high quality digital copy of a print book can be made for \$30; reproduction and distribution of digital copies of the same book are essentially costless. Digital networks make it easier for people with niche interests to communicate about their preferences, so books written long ago on seemingly esoteric subjects may reach audiences in the digital world that would be economically unviable in the print realm. The public interest would be better served by making these books widely available to all, either as public domain works or through licenses to other firms so that the public's interest in access to these books would be subject to the rigors of competition and not to Google's de facto monopoly.

## II. The Apparent Exclusion of Unregistered Inserts Is Unfair, and the Exclusion of Unregistered Books May Be Unfair Under a Pending Supreme Court Case.

Many academic authors have contributed chapters for edited volumes or written book forewords, which fall within the PASA's definition of "inserts."<sup>46</sup> Under the PSA, academic authors had reason to believe that they were in the settlement class as to these inserts as long as the books in which their writings

<sup>44</sup> PASA, § 6.3(a)(i)(3).

<sup>45</sup> It is disheartening that Google Books sometimes provides links to sites where books can be purchased, but not to sites where the same books are available for free. An example is JAMES GOSLING & BILL JOY, THE JAVA LANGUAGE SPECIFICATION, a free copy of which is available at <http://java.sun.com/docs/books/jls/>. Google Books points only to sites where copies of this book can be purchased for prices ranging from \$1.99 to \$999.99, see [http://books.google.com/books?id=Ww1B9O\\_yVGsC&sitesec=buy&source=gbs\\_navlinks\\_s](http://books.google.com/books?id=Ww1B9O_yVGsC&sitesec=buy&source=gbs_navlinks_s). This book is widely used by Java programmers.

<sup>46</sup> PASA, § 1.75 (defining "insert").

appeared had been registered with the U.S. Copyright Office.<sup>47</sup> The PASA has amended the definition of inserts in a manner that can be construed to exclude inserts that have not been separately registered with the U.S. Copyright Office.<sup>48</sup> If this interpretation of the PASA is correct, we object to this change.

Newly published books are commonly registered with the U.S. Copyright Office because of certain benefits of registration.<sup>49</sup> Chapters in edited volumes and other individually authored contributions to books are much less likely to be registered separately from the book, for there is little perceived need to do so. If the book as a whole is registered and infringed, authors of chapters in an edited volume may expect that the editor would be able to vindicate the interests of contributing authors. Should the need for separate registration arise—for example, because someone republished one chapter of a book without permission—it is a simple matter for its author to register the copyright at a later time. The Copyright Act of 1976 makes clear that copyright protection is available to authors from the moment their works are first fixed in a tangible medium.<sup>50</sup> Copyright protection does not depend on registration under current law.<sup>51</sup>

We surmise that the litigants may have restricted the class of rights holders eligible to participate in (or opt out of) the settlement to those who had registered their books with the Copyright Office in deference to a Second Circuit Court of Appeals decision, *In re: Literary Works in Electronic Databases Litigation*.<sup>52</sup> That case ruled that unregistered rights holders were ineligible to participate in the settlement of a class action lawsuit alleging copyright infringement because U.S. copyright law requires registration as a precondition of suing infringers of U.S. works.<sup>53</sup>

Restricting the GBS settlement class to registered U.S. rights holders may have been understandable because of the Second Circuit's ruling. However, the Supreme Court has decided to review that ruling. If the Supreme Court reverses the Second Circuit in *Reed Elsevier v. Muchnick*, it would become possible for owners of copyrights in unregistered books and inserts to participate in class action settlements of copyright lawsuits; indeed, it would then probably be unreasonable to exclude them. The PASA inelegantly defines the settlement class in a gerrymandered manner so that books owned by Australian, Canadian, and UK rights holders automatically are within the settlement, but those owned by American rights holders are ineligible unless registered. This definition of the settlement class would be unreasonable but for the Second Circuit's ruling.

This Court should withhold its decision about whether to approve the settlement until the Supreme Court has resolved this issue. If the Supreme Court decides that unregistered rights holders can participate in copyright class action settlements, this Court should ask the litigants to renegotiate the PASA to address

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<sup>47</sup> PSA, § 1.72. This definition suggested that inserts were within the settlement if the book in which they appeared had been registered with the U.S. Copyright Office.

<sup>48</sup> See, e.g., Kenneth Crews, *Google Books: Dude, Where're My Inserts?*, Columbia University Libraries, Copyright Advisory Office, Dec. 17, 2009, available at <http://copyright.columbia.edu/copyright/2009/12/17/google-books-dude-where-re-my-inserts/>.

<sup>49</sup> 17 U.S.C. § 412. Prompt registration allows owners to be eligible to be awarded attorney fees and statutory damages.

<sup>50</sup> *Id.*, § 102(a).

<sup>51</sup> *Id.*, § 4.08(a).

<sup>52</sup> 509 F.3d 116 (2d Cir. 2007), cert. granted, sub nom. *Reed Elsevier, Inc. v. Muchnick*, 129 S.Ct. 1523 (2009).

<sup>53</sup> 17 U.S.C. § 411(a).

the unregistered rights holders issue. Indeed, the lawyers for the Author Subclass should *sua sponte* make a request for reconsideration of the settlement terms if the Supreme Court reverses the Second Circuit ruling. However, if they do not do so, this Court should refuse to approve the settlement until the class is redefined, as it would be unfair to deny unregistered copyright owners an ability to decide whether they wish to participate in the PASA (or to opt out) if the *Reed Elsevier* case allows their inclusion.

It is unclear to us what uses Google plans to make of inserts (or for that matter, unregistered books, such as doctoral dissertations on the shelves of many research libraries) that have not been separately registered with the Copyright Office, assuming that these works are not within the settlement and their rights holders are ineligible for compensation for Google's uses of them. The Court should ask the litigants to clarify this matter.

While many academic authors may be pleased for their inserts to be freely available through a digital database such as GBS, we would prefer to have the right to control the dedication of our works to the public domain or making our works available under a Creative Commons license rather than being treated as though we have no right to control Google's commercialization of our works merely because we didn't separately register our copyright claims in them.

Finally, we note that the Authors Guild did nothing, so far as we can tell, to encourage book or insert rights holders to register their claims of copyright before the Jan. 5, 2009, cut-off date for inclusion in the settlement class. Because the notice to class members did not commence until after the cut-off date, there was no opportunity for those who had not already registered their works to do so in order to participate in the settlement. As explained above, insert authors had reason to believe that their inserts would be within the settlement as long as the books in which the works appeared were registered. We object to any change in the PASA that alters our rights in our inserts.

### III. The Court Must Require Disclosure of Any Termination Agreement That Pertains to the GBS Settlement.

Article XVI of the PSA referred to the existence of a supplemental agreement negotiated by the litigants to terminate the PSA if certain unnamed conditions were met. The PSA indicated that the terms of that supplemental agreement were confidential and that the parties did not intend to file it with the Court.

Rule 23(e)(3) of the Federal Rules of Civil Procedure requires disclosure of any agreement among the litigants made in connection with a proposed settlement of a class action lawsuit. We believe that it is impossible for this Court to determine if the PASA is fair, reasonable, and adequate without having access to the whole agreement, which necessarily includes terms highly relevant to the pending settlement agreement insofar as it sets forth termination conditions and consequences. We cannot accept that a separate termination agreement which so deeply affects the interests of class members would not be revealed to us, or to the Court.

The existence of a termination agreement is especially important to academic authors because an important reason many of us are staying in the settlement and not opting out is because we expect our books and inserts, as well as those of other scholars, to be available through GBS for decades to come. We also care about our institutions having the access to books in GBS through the ISD. That the



settlement agreement could terminate at some point in time without our knowing on what basis this could occur is deeply troubling.

The PASA has “intentionally omitted” Article XVI. We are puzzled about what this means. If the termination agreement referred to in the PSA is still in existence and in force, its terms should be revealed not only to the court, but also to members of the class, including academic authors, as it has a bearing on the benefits and risks posed by the settlement. If the termination agreement is no longer in force, the litigants who negotiated it should be required to explain why the termination agreement was itself terminated.

#### IV. The Publisher Plaintiffs May Be Undermining the PASA.

In testimony before Congress, as well as in other public statements, Google and representatives of the Authors Guild and the AAP have waxed eloquent about the broad public access to the knowledge embodied in books that would be enabled if the GBS settlement is approved.<sup>54</sup>

While academics were not expecting approval of the settlement to mean that in-print books would be available through ISD subscriptions to our universities, we were given reason to believe that the ISD would include digital copies of many millions of out-of-print books from the collections of major research libraries. Our research would benefit from the broader availability of these books.

The PASA allows rights holders of out-of-print books to withhold their books from “display uses” such as inclusion of the books in the ISD.<sup>55</sup> However, GBS proponents have suggested that rights holders are unlikely to withhold out-of-print books from the ISD because allowing display uses would bring new commercial life to their books.<sup>56</sup>

The DOJ Statement of Interest, filed on September 18, 2009, alerted us to the possibility that the aspiration that GBS would be a universal digital library of virtually all out-of-print books, as Google’s co-founder has predicted,<sup>57</sup> may be undermined by the publishers who negotiated this settlement. DOJ observed:

It is noteworthy that the parties have indicated their belief that the largest publisher plaintiffs are likely to choose to negotiate their own separate agreements with Google..., while benefiting from the out-of-print works that will be exploited by Google due to the effect of the opt-out requirement for those works. There are serious reasons to doubt that the class representatives who are fully protected from future uncertainties created by the settlement agreement and who will benefit in the future from the works of others can adequately

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<sup>54</sup> See, e.g., Hearing, *supra* note 12, at 4, n.3 (Statement of Paul Aiken, Executive Director of the Authors Guild: “[W]e expect the settlement to make at least 10 million out-of-print books available”).

<sup>55</sup> PASA, § 3.2.

<sup>56</sup> See, e.g., Hearing, *supra* note 12, at 5, 14-24 (Statement of Paul Aiken, Executive Director of the Authors Guild). The PASA requires rights holders who want to sell individual books through the consumer purchase model to make the same books available through the ISD. PASA, § 3.5(b)(iii).

<sup>57</sup> See Brin, *supra* note 1.

represent the interests of those who are not fully protected and whose rights may be compromised as a result.<sup>58</sup>

This suggests that the parties to this settlement have negotiated a deal that they expect to bind millions of other right holders, including academic authors, but not themselves.<sup>59</sup> The PASA does nothing to rectify this problem. If the GBS settlement is really a fair resolution of the litigation and a fair allocation of rights among all stakeholders, one might expect the named plaintiffs to keep at least their out-of-print in the settlement and participate in what they hail as its benefits. Instead, the DOJ Statement suggests they do not intend to include their books in the regime that would be established by the settlement.

Equally important, the aspiration for GBS to be a universal library of out-of-print books may also be undermined by other rights holders' decisions to exclude their books from display uses in GBS, to opt out of the settlement, to insist that Google not scan their out-of-print books, and to demand that Google remove books already scanned.<sup>60</sup> We do not know at this point how many books have already been removed, excluded, or opted out, but this Court should require the parties to make information of this sort available before the fairness hearing. If the opt-out rates among sophisticated parties are high, that might suggest that the GBS settlement is not as fair and adequate as Google, AAP and Guild spokesmen proclaim.<sup>61</sup>

The Publisher Plaintiffs seem not to be the only ones excluding their books from the settlement.<sup>62</sup> Most authors and author groups that have spoken out about GBS have urged authors to oppose or opt-out of

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<sup>58</sup> DOJ Statement, *supra* note 16, at 10. One important benefit of the Google Partner Program as compared with the commercial regime to be established by the PASA is that partners can negotiate with Google to reduce the risks of uncertainty about the future for their books and tailor the agreements to meet their concerns. The future of the revenue models in the PASA is much more uncertain.

<sup>59</sup> See also Statement of William Morris Endeavor Entertainment, Aug. 2009, available at <http://thepublicindex.org/docs/commentary/wme.pdf> ("Few if any major publishers currently intend to make their in print books available for sale through the Settlement Program....It appears that most major publishers will not allow their out of print books to be sold through the Settlement Program either.")

<sup>60</sup> See PASA, § 3.5. The corpus of books eligible for inclusion in the ISD has already shrunk by about half because the PASA no longer includes most of the non-Anglophone foreign books scanned from major research library collections. See, e.g., Lavoie & Dempsey, *supra* note 13, at 8 (estimating that half of the books in major research library collections are foreign-language books). Some librarians mourn this loss. See, e.g., Kenneth Crews, *GBS 2.0: The New Google Book (Proposed) Settlement*, Columbia University Libraries, Copyright Advisory Office, Nov. 17, 2009, available at <http://copyright.columbia.edu/copyright/2009/11/17/gbs-20-the-new-google-books-proposed-settlement/> ("Because the settlement is now tightly limited [by the exclusion of foreign books], so will be the ISD [Institutional Subscription Database]. The big and (probably) expensive database is no longer so exciting").

<sup>61</sup> The BRR may not be able to sustain its operations if a very large number of rights holders for out-of-print books opt out of the PASA or take their books out of the regime it would establish by signing up as a Google Partner. This would undermine another benefit that the settlement was supposed to accomplish. Only the UWF is guaranteed to have a stable revenue source in the first decade post-settlement.

<sup>62</sup> Authors Guild Executive Director Paul Aiken testified before Congress on Sept. 10, 2009, about his expectation that publishers would not want to participate in the settlement. Hearing Transcript, *supra* note 12, at 143. We understand, for instance, that Reed Elsevier and Warner Books are among the major publishers that have opted their books out of the settlement.

the GBS settlement because they regard it as unfair.<sup>63</sup> It is noteworthy that not a single U.S. author group, apart from the Authors Guild, has come out publicly in support of the GBS settlement.<sup>64</sup>

The more numerous are the requests to exclude books from the ISD or the settlement, the less likely it is that the public benefit of the promised 10 million book database will materialize.

## V. Conclusion

Melding together the grounds for our objections to the PSA and PASA, we reiterate:

- 1) We object to provisions of the PASA which do not create true independence for the fiduciary for unclaimed works, nor criteria for accomplishing the fiduciary responsibilities and objectives for this role. In particular, we think this fiduciary should have the explicit authority to set prices for unclaimed books at \$0 or make them available under Creative Commons licenses or other open access terms insofar as there is reason to think that their academic authors would prefer for them to be made available on these terms. The UWF should not have the power to authorize Google to alter the texts of books.
- 2) We object to provisions in the PASA that would continue to monetize books unclaimed after ten years. If the BRR and the unclaimed works fiduciary are unable to locate an appropriate rights holder by then, these books should be deemed orphans and made freely available to all. It is for Congress, not for the litigants or the Court, to address orphan work issues.
- 3) We object to the PASA's seemingly narrowed definition of "inserts," and more generally to the narrow definition of "book" in both PSA and PASA. This court should withhold approval of the PASA until after the Supreme Court decides the *Reed Elsevier v. Muchnick* case. If the Supreme Court rules that owners of copyrights in unregistered works are eligible to participate in copyright class action settlements, the court should direct the parties to renegotiate the agreement to offer unregistered rights holders of books and inserts the opportunity to participate in the

<sup>63</sup> See, e.g., Motoko Rich, *Writers Groups Oppose Google Settlement*, N.Y. TIMES, Jan. 6, 2010, available at <http://mediadecoder.blogs.nytimes.com/2010/01/06/writers-groups-oppose-google-settlement.html> (reporting that the National Writers Union, the American Society of Journalists and Authors, and the Science Fiction and Fantasy Writers of America oppose the Google settlement as unfair to authors and are urging authors to opt out); Motoko Rich, *William Morris Advises Clients To Say No to Google*, N.Y. TIMES, Aug. 9, 2009, available at <http://mediadecoder.blogs.nytimes.com/2009/08/07/william-morris-advises-clients-to-say-no-to-google-settlement/>; Lynn Chu, *Very Important Notice to Writers' Rep Clients*, WritersRep.com, Jan. 2010, available at <http://www.writersreps.com/> ("We urge all of our clients, indeed all authors, to take advantage of this new opportunity to opt themselves out."); Ursula LeGuin, *LeGuin on the Google Settlement*, Book View Café Blog, Jan. 7, 2010, available at <http://blog.bookviewcafe.com/2010/01/07/le-guin-on-the-google-settlement/#comments> (explaining LeGuin's objections to the Google settlement, supplemented with comments by authors who are joining her opposition to the settlement).

<sup>64</sup> See, e.g., Objections of Harold Bloom, et al. to Settlement Agreement, *Authors Guild, Inc. v. Google, Inc.*, No. 1:05-CV-8136 (S.D.N.Y. Sept. 8, 2009).

settlement.

- 4) We object to the failure of the litigating parties to provide this court and members of the class with access to the termination agreement which they negotiated amongst themselves, which was referred to in the PSA.
- 5) We object to the PASA because it, like the PSA, contains no meaningful limits on ISD price increases, especially as to higher educational institutions such as those with which we are affiliated. Because approval of the agreement will give Google a license to tens of millions of out-of-print books—a license that no competitor can feasibly get—the settlement agreement should contain some constraint on price increases. The Authors Guild did not adequately represent the interests of academic authors in negotiations with Google and the Publisher Plaintiffs on this important issue because their members have the same interests as the AAP publishers in prices being as high as possible.<sup>65</sup>
- 6) We object to the insufficient privacy protections for GBS users.<sup>66</sup>
- 7) We object to the fee that the PSA and PASA requires public libraries and other institutions with public access terminals to pay for user print-outs of pages from out-of-print books, which would undermine fair use.<sup>67</sup>
- 8) We object to the PSA and PASA restrictions on annotation-sharing and non-consumptive research,<sup>68</sup> and the weakness of Google's commitment to improve the quality of GBS book scans and metadata associated with them.
- 9) We object to the PASA for its grant of power to Google to exclude books from the corpus for editorial reasons and for its grant of power to exclude up to 15% of books eligible for the ISD from that database.<sup>69</sup>
- 10) We object to the PASA because it, like the PSA, contains no back-up plan to preserve university access to books in the ISD in the event that Google chooses to discontinue as a provider of required library services under the agreement and no third party provider steps forward to take over this role.<sup>70</sup> The PASA should be amended so that fully participating library partners in the GBS enterprise have the authority to take

<sup>65</sup> Academic Author Letter, *supra* note 4, at 2-5.

<sup>66</sup> *Id.* at 6-7. We endorse the Privacy Authors' Objection and its specific recommendations about the privacy protections that should be part of any GBS settlement agreement. *See* Privacy Authors and Publishers' Objection to Proposed Settlement at 1, *Authors Guild Inc. v. Google Inc.*, No. 1:05-CV-8136 (S.D.N.Y. Sept. 4, 2009), available at [http://thepublicindex.org/objections/privacy\\_authors.pdf](http://thepublicindex.org/objections/privacy_authors.pdf). We acknowledge that the PASA is better than the PSA in providing that Google will not give personally identifiable data about users to the BRR without legal process. PASA, § 6.6(f). But more user privacy protections are needed.

<sup>67</sup> *Id.*, § 4.8(a)(ii). Academic Author Letter, *supra* note 4, at 7.

<sup>68</sup> *Id.* at 6, 8.

<sup>69</sup> *Id.* at 9-10.

<sup>70</sup> *Id.* at 10-11.

over or reassemble from their library digital copies a corpus of books for continuing to provide the ISD to university research communities.<sup>71</sup>

We conclude this letter, as we did our earlier letter, with the thought that whatever the outcome of the fairness hearing, we believe strongly that the public good is served by the existence of digital repositories of books, such as the GBS corpus. We feel equally strongly that it would be better for Google not to have a monopoly on a digital database of these books. The future of public access to the cultural heritage of mankind embodied in books is too important to leave in the hands of one company and one registry that will have a de facto monopoly over a huge corpus of digital books and rights in them. We do not believe that the settlement of a class action lawsuit is a proper way to make such a profound set of changes in rights of authors and publishers, in markets for books, and procedures for resolving disputes as the PASA would bring about.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Pamela Samuelson', with a long horizontal flourish extending to the right.

Pamela Samuelson, Richard M. Sherman Professor of Law & Information, UC Berkeley  
on behalf of the following academic author signatories (whose institutional affiliations are listed only for purposes of identification):

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<sup>71</sup> The HathiTrust would seem to be an appropriate entity to take on this responsibility for the nonprofit research library community. See HathiTrust, Welcome to the Shared Digital Future, <http://www.hathitrust.org/> (last visited Jan. 25, 2010).

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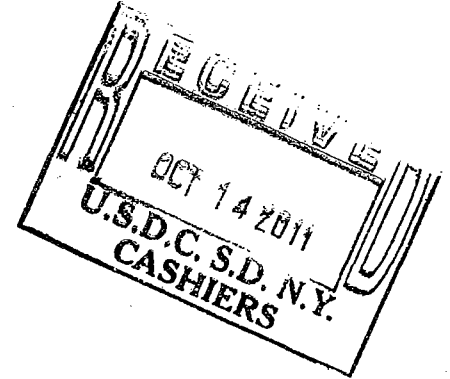
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**UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK**

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The Authors Guild, Inc., Associational Plaintiff, Herbert Mitgang, Betty Miles, Daniel Hoffman, Paul Dickson, Joseph Goulden, and Jim Bouton, individually and on behalf of all others similarly situated,	:	
	:	
Plaintiffs,	:	<b>FOURTH AMENDED CLASS ACTION COMPLAINT</b>
	:	
v.	:	Case No. 05 CV 8136-DC
	:	
Google Inc.,	:	<b>JURY TRIAL DEMANDED</b>
	:	
Defendant.	:	
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Plaintiffs, by their attorneys, allege as follows:		

**NATURE OF THE ACTION**

1. Plaintiffs are published authors and The Authors Guild, Inc. (“Authors Guild”). Plaintiffs other than the Authors Guild have United States copyright interests in books contained in public libraries, university libraries and elsewhere in the United States.

2. The Authors Guild is the nation's largest organization of book authors, which has as its primary purpose to advocate for and support the copyright and contractual interests of published writers.

3. Defendant Google Inc. ("Google") owns and operates a major Internet search engine that, among other things, provides access to commercial and other sites on the Internet. Google has contracted with several public and university libraries to create digital "archives" of the libraries' collections of books, including those of the University of Michigan, the University of Wisconsin, and the University of California. As part of the consideration for creating digital copies of these collections, the agreements entitle Google to reproduce and retain for its own commercial use a digital copy of the libraries' archives.

4. By reproducing for and distributing to these and other libraries a digital copy of in-copyright Books (defined in paragraph 22 below), by reproducing for itself a digital copy of these Books, and by publicly displaying these Books, Google is engaging in massive copyright infringement. It has infringed, and continues to infringe, the electronic and other rights of the copyright holders of the Books.

5. Google has reproduced and continues to reproduce the Books for use on its website in order to, among other things, attract visitors to its web site and generate advertising revenue thereby.

6. Google knew or should have known that the Copyright Act, 17 U.S.C. § 101 *et seq.* ("the Act"), required it to obtain authorization from the holders of the copyrights in these Books before creating, distributing and reproducing digital copies of the Books for the

libraries providing Books to Google, for its own commercial use and for the use of others. Despite this knowledge, Google has unlawfully reproduced, distributed and publicly displayed the Books, and intends to continue to do so, without the copyright holders' authorization. Google has derived, and intends to continue to derive, revenue from this program by, among other things, attracting more viewers and advertisers to its website.

7. By this action, plaintiff authors, on behalf of themselves and all others similarly situated, seek damages, injunctive and declaratory relief with respect to Google's present infringement, and declaratory and injunctive relief with respect to Google's past, present and future planned unauthorized commercial and other use of the Books.

#### **JURISDICTION AND VENUE**

8. This copyright infringement action arises under 17 U.S.C. § 101 *et seq.* This Court has jurisdiction over this action under 28 U.S.C. § 1331 (federal question), and 28 U.S.C. § 1338 (acts of Congress related to copyright).

9. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b) and 1400(a) because several of the named plaintiffs reside in this district and because defendant maintains offices and conducts business in this district.

#### **PARTIES**

#### **REPRESENTATIVE PLAINTIFFS**

10. The representative plaintiffs are published, professional authors who created Books.

11. Plaintiff Herbert Mitgang (“Mitgang”) resides in New York, New York. He is a published author of numerous nonfiction Books, and a holder of the United States copyright in the Book *The Man Who Rode the Tiger: The Life of Judge Samuel Seabury and the Story of the Greatest Investigation of City Corruption in this Century* (registration number A216794), published by Lippincott, which has been copied, distributed and displayed by Google.

12. Plaintiff Betty Miles (“Miles”) resides in Shelburne, Vermont. She is the author of several Books of children’s and young adult fiction and is a holder of the United States copyright in the Book *Just Think* (registration number A330604), published by Alfred A. Knopf, which is contained in the library of the University of Michigan.

13. Plaintiff Daniel Hoffman (“Hoffman”) resides in Swarthmore, Pennsylvania. He is the author and editor of many volumes of poetry, translation, and literary criticism, and of a memoir. He is a holder of the United States copyright in the Book *Barbarous Knowledge: Myth in the Poetry of Yeats, Graves, and Muir* (registration number A896931 and registration renewal number RE-696-986), published by Oxford University Press, which has been copied, distributed and displayed by Google.

14. Plaintiff Paul Dickson (“Dickson”) resides in Garrett Park, MD. He is a full-time writer and the author of numerous Books, and is a holder of the United States copyright in *Out of This World: American Space Photography* (registration number A923312), published by Delacorte Press, and *The NEW Official Rules: Maxims for Muddling through to the Twenty-First Century* (registration number TX0002621899), published by Addison-Wesley Publishing Company, which have been copied, distributed and displayed by Google.



15. Plaintiff Joseph Goulden (“Goulden”) resides in Washington, D.C. He is the author of several Books, and is a holder of the United States copyright in *The Superlawyers: The Small and Powerful World of the Great Washington Law Firms* (registration number A346254), published by Weybright and Talley, which has been copied, distributed and displayed by Google.

16. Plaintiff Jim Bouton (“Bouton”) resides in Alford, Massachusetts. He is the author and copyright holder of several Books, and is a holder of the United States copyright in *Ball Four* (registration number A173097), published by World Publishing Company, which has been copied, distributed and displayed by Google.

17. Plaintiffs are the exclusive owners of the copyrights for their Books listed above. None of the plaintiffs has authorized Google to reproduce his or her Books or to display, sell and/or distribute such Books on its website or anywhere else.

#### **ASSOCIATIONAL PLAINTIFF**

18. Plaintiff The Authors Guild, Inc. (“the Guild”) is a not-for-profit corporation organized under New York law and having its place of business at 31 East 32nd Street, New York, New York. The Guild and its predecessor organization, the Authors League of America (“the League”), have been leading advocates for authors’ copyright and contractual interests since the League’s founding in 1912. The Guild, whose membership includes more than 8,500 published authors, is the nation’s largest organization of authors. The activities of the Guild include reviewing members’ publishing and agency contracts; intervening in disputes involving authors’ rights; providing advice to members regarding developments in the law and in

the publishing industry that affect their rights; and supporting legislation in matters affecting copyright, freedom of expression, taxation and other issues affecting professional writers.

19. The Guild has associational standing to pursue claims for injunctive and declaratory relief on behalf of its members. The member authors would have standing to sue in their own right. The protection of authors' copyrights is germane, indeed central, to the purpose of the Guild. Individual participation of the authors is not required to determine whether Google's copying and planned display of the authors' copyrighted works for commercial use is in violation of the Act and to provide injunctive and declaratory relief to the Guild and the authors.

**DEFENDANT**

20. Google is a Delaware corporation with its principal place of business located in Mountain View, California. Google owns and operates the largest Internet search engine in the United States, which contains links to more than one trillion commercial and noncommercial Internet pages. Its search engine is available free of charge to Internet users, and is supported by commercial and other entities' purchases of advertising space on Google's and others' websites.

21. Late in 2004, Google announced the launch of a project it calls the Google Library Project, which was part of a service it called Google Print and now calls Google Book Search. Google Book Search is designed to allow users to search the text of books online. The digital archiving of the Books that are the subject of this lawsuit was undertaken by Google as part of Google Book Search.

**CLASS ALLEGATIONS**

22. The Class is defined as all persons residing in the United States who hold a United States copyright interest in one or more Books and are either (a) natural persons who are authors of such Books or (b) natural persons, family trusts or sole proprietorships who are heirs, successors in interest or assigns of such authors. “Books” means each full-length book published in the United States in the English language and registered with the United States Copyright Office within three months after its first publication. Excluded from the Class are the directors, officers and employees of Google; personnel of the departments, agencies and instrumentalities of the United States Government; and Court personnel.

23. This action has been brought and may properly be maintained as a Class Action pursuant to Rules 23(b)(2) and (b)(3) of the Federal Rules of Civil Procedure.

24. Numerosity of the Class – Fed. R. Civ. Proc. 23(a)(1): The persons in the Class are so numerous that their joinder is impractical, and the disposition of their claims in a class action rather than in individual actions will benefit the parties and the Court. The exact number of members of the Class is not known to plaintiffs, but plaintiffs reasonably estimate that there are at least thousands of Class members.

25. Existence and Predominance of Common Question of Law or Fact – Fed. R. Civ. Proc. 23(a)(2) & 23(b)(3): There is a well-defined community of interest in the questions of law or fact involved affecting the Class. Questions of law or fact common to the Class include, but are not limited to, the following:

- a. Whether Google has digitized (i.e, reproduced) Books and distributed copies of such Books to libraries and other sources;
- b. Whether Google plans to continue to digitize Books and distribute copies of such Books to libraries and other sources;
- c. Whether such reproduction and distribution constitutes copyright infringement;
- d. Whether Google has reproduced, and plans to continue to reproduce, Books for its own commercial use;
- e. Whether the reproduction by Google of Books constitutes copyright infringement;
- f. Whether Google's public display of content from Books on its commercial website infringes the copyrights of the Class;
- g. Whether Google's reproduction, distribution and display of millions of Books as alleged herein constitute a "fair use" of the Books;
- h. Whether Google acted willfully with respect to the acts complained of herein;
- i. Whether members of the Class have sustained damages and, if so, the proper measure of such damages;
- j. Whether injunctive relief is appropriate.

These questions of law or fact predominate over questions that affect only individual class members.

26. Typicality – Fed. R. Civ. Proc. 23(a)(3): The claims of the representative plaintiffs are typical of those of the Class. All plaintiffs own copyrights in works that have been or face the imminent threat of being copied, distributed and displayed by Google without authorization. The claims of the representative plaintiffs and all members of the Class depend on a showing of the acts of Google complained of herein.

27. Adequacy of Representation – Fed. R. Civ. Proc. 23(a)(4): Plaintiffs are adequate representatives of the Class and will fairly and adequately protect the interests of the Class. Plaintiffs' interests do not in any way conflict with the interests of the members of the Class that they seek to represent. Plaintiffs are committed to the vigorous prosecution of this action and have retained competent counsel experienced in complex class action litigation and in copyright actions.

28. Injunctive Relief – Fed. R. Civ. Proc. 23(b)(2): Google has acted or refused to act on grounds generally applicable to the Class, making appropriate final injunctive relief with respect to the Class as a whole.

29. Superiority – Fed. R. Civ. Proc. 23(b)(3): A class action is the best available method for the fair and efficient adjudication of this controversy. Since the damages suffered by individual class members, while not inconsequential, may be relatively small, the expense and burden of individual litigation make it impractical for members of the Class to seek redress individually for the wrongful conduct alleged herein. Should separate actions be required to be brought by each individual member of the Class, the resulting multiplicity of lawsuits would cause undue hardship and expense on the Court and the litigants. A class action is

therefore the best method to assure that the wrongful conduct alleged herein is remedied, and that there is a fair, efficient, and full adjudication of this controversy. Plaintiffs anticipate no undue difficulty in the management of this litigation as a class action.

### **GENERAL ALLEGATIONS**

30. Google is in the business of providing Internet search services to the public. It derives the vast majority of its revenues directly from the sale of advertising, and would likely be unable to offer its search engine and other services to the public free of charge without a continued stream of advertising revenues.

31. On December 14, 2004, Google announced in a press release that it had entered into agreements with four university libraries and one public library to “digitally scan books from their collections so that users worldwide can search them in Google.” According to Google’s release, this was to be an “expansion of the Google Print program, which assists publishers in making books and other offline information searchable online. Google is now working with libraries to digitally scan books from their collections, and over time will integrate this content into the Google index, to make it searchable for users worldwide.” Google’s press release also claimed that it would make “brief excerpts” of copyrighted material available.

32. Google is providing the scanning technology that allows the library books to be copied.

33. Google uses the Books obtained from various libraries and other sources in order to attract visitors and, thereby, advertisers, to its website.

34. Google has already copied Books from the collections of various libraries, including Books in which plaintiffs Mitgang, Hoffman, Dickson, Goulden and Bouton own United States copyright interests. In so doing, Google has reproduced in their entirety at least two digital copies of such Books – one for the library that permitted Google to digitize such Books and the other for Google’s own commercial use – without the copyright holders’ permission and in violation of their rights under copyright. Google has also announced plans to, and has for several years, publicly displayed the Books on its commercial website.

35. Google continues to reproduce and distribute digitized copies of the Class’s Books without their authorization. Google continues to display the Books on its website for the commercial purposes detailed above.

36. Google’s acts have caused, and unless restrained, will continue to cause damages and irreparable injury to representative plaintiffs and the Class through:

- a. continued copyright infringement of the Books and/or the effectuation of new and further infringements;
- b. depreciation in the value and ability to license and sell their Books;
- c. lost profits and/or opportunities; and
- d. damage to their goodwill and reputation.

37. Google acted willfully or knew or should have known that its actions constitute infringement.

38. Plaintiffs and the other members of the Class have suffered damages and/or are in imminent danger of suffering further damages from Google’s unlawful practices.

**COUNT ONE - Copyright Infringement**  
**(By Plaintiffs Mitgang, Hoffman, Dickson, Goulden and Bouton)**

39. Plaintiffs Hoffman, Dickson, Goulden and Bouton reallege and incorporate by reference as if fully set forth herein the allegations contained in all preceding paragraphs.

40. Plaintiffs Mitgang, Hoffman, Dickson, Goulden and Bouton and other members of the Class own a valid copyright in and to at least one Book that has been copied, distributed and displayed by Google without permission. They, not Google, have the exclusive rights to, among other things, reproduce their Books, distribute copies of their Books to the public, publicly display their Books, and authorize such reproduction, distribution and display of their Books.

41. Google has copied, distributed and/or displayed for its own commercial use one or more copies of some of the Books from university libraries or other sources, and Google has stated that it intends to copy most, if not all, of the Books in the collection of the University of Michigan library and other libraries.

42. Google's conduct is in violation of the copyrights held by named plaintiffs Mitgang, Hoffman, Dickson, Goulden and Bouton and other members of the Class.

43. Google's infringement of the copyrights of the Books was willful.

44. As a result of Google's acts of copyright infringement and the foregoing allegations, plaintiffs Mitgang, Hoffman, Dickson, Goulden and Bouton and other members of the Class have suffered damages.



**COUNT TWO - Injunctive Relief**  
**(By All Plaintiffs)**

45. Plaintiffs reallege and incorporate by reference as if fully set forth herein the allegations contained in all preceding paragraphs.

46. Google has reproduced, distributed and displayed, and continues to reproduce, distribute and display, Books contained in the University of Michigan, the University of Wisconsin, the University of California and other libraries.

47. Google has also placed such unlawfully copied Books on its website in order to, among other things, generate consumer traffic and revenues.

48. Google's commercial use of the Books constitutes additional wholesale copyright infringement.

49. Unless enjoined from doing so, Google's commercial use of the Books, and distribution of the Books to the libraries, will cause plaintiffs and the Class irreparable harm by depriving them of both the right to control the reproduction, display and/or distribution of their copyrighted Books and to receive revenue therefrom.

50. Plaintiffs and the Class are likely to succeed on the merits of their copyright infringement claim because Google's existing and planned uses of the Books do not fall within any of the statutory exceptions to copyright infringement and are in violation of copyright.

51. The balance of hardships tips in favor of plaintiffs and the Class, because Google's massive earnings will not be severely damaged by its inability to create a new stream of revenues and because other comprehensive electronic databases exist for public use.

52. Plaintiffs are therefore entitled to an injunction barring Google from continued infringement of the copyrights of plaintiffs and the Class, and other equitable relief as more fully set forth in the Prayer for Relief.

**COUNT THREE – Declaratory Relief**  
**(By All Plaintiffs)**

53. Plaintiffs reallege and incorporate by reference as if fully set forth herein the allegations contained in all preceding paragraphs.

54. An actual controversy exists between the Authors Guild, the representative plaintiffs and the Class, on the one hand, and Google, on the other hand, by reason of Google's present and continuing infringement of the representative plaintiffs' and the Class's copyrights as alleged herein.

55. Plaintiffs are entitled to a judgment declaring that Google's actions are unlawful and, specifically, that Google infringed and continues to infringe the representative plaintiffs' and the Class's United States copyrights in violation of the Copyright Act.

**PRAYER FOR RELIEF**

**WHEREFORE**, plaintiffs pray for relief and that judgment be entered against defendant as follows:

- A. For certification of the Class;
- B. For an award of damages under the Copyright Act;
- C. For an injunction (a) barring Google from continued infringement of the copyrights of the representative plaintiffs and the Class, and/or (b) other equitable relief to redress any continuing violations of the Act;

D. For (a) permanent injunctive and declaratory relief barring Google from continued infringement of the copyrights of the representative plaintiffs and the Class, and/or (b) other equitable relief to redress any continuing violations of the Act;

E. For costs and attorneys' fees; and

F. For such other and further relief as the Court finds just and proper.

**DEMAND FOR JURY TRIAL**

The representative plaintiffs, as provided by Rule 38 of the Federal Rules of Civil Procedure, request trial by jury in the above-captioned matter.

Dated: October 14, 2011



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*Counsel for Plaintiffs*



from Google Inc.'s 2010 Form-10-K, available on Google's website.

5. Attached hereto as Exhibit 4 is a true and correct copy of "Google Checks Out Library Books," dated December 14, 2004, as printed from Google's website.

6. Attached hereto as Exhibit 5 is a true and correct copy of Sergey Brin, *A Library to Last Forever*, N.Y. TIMES, Oct. 8, 2009, as printed from <http://www.nytimes.com/>.

7. Attached hereto as Exhibit 6 is a true and correct copy of an announcement from Google, "Committee on Institutional Cooperation (CIC) Joins Google's Library Project," dated June 6, 2007, as printed from Google's website.

8. Attached hereto as Exhibit 7 is a true and correct copy of page 3 from Google Inc.'s 2009 Form-10-K, available on Google's website.

9. Attached hereto as Exhibit 8 is a true and correct copy of a print-out from <http://support.google.com/books/bin/answer.py?hl=en&answer=43751>.

10. Attached hereto as Exhibit 9 is a true and correct copy of a print-out from <http://www.google.com/googlebooks/library.html>.

11. Attached hereto as Exhibit 10 are true and correct copies of print-outs from Google's website displaying search results in JIM BOUTON, BALL FOUR.

12. Attached hereto as Exhibit 11 are true and correct copies of print-outs from Google's website displaying search results for the term "pitch" in JIM BOUTON, BALL FOUR.

13. Attached hereto as Exhibit 12 are true and correct copies of print-outs from Google's website displaying search results for the term "pitches" in JIM BOUTON, BALL FOUR.

14. Attached hereto as Exhibit 13 is a true and correct copy of Miguel Helft, *Microsoft Will Shut Down Book Search Program*, N.Y. TIMES, May 24, 2008, as printed from <http://www.nytimes.com/>.

15. Attached hereto as Exhibit 14 is a true and correct copy of a print-out from <http://books.google.com/>.

16. Attached hereto as Exhibit 15 is a true and correct copy of U.S. Copyright Office Certificate of Registration No. A173097 (for JIM BOUTON, BALL FOUR).

17. Attached hereto as Exhibit 16 is a true and correct copy of U.S. Copyright Office Certificate of Registration No. TX0000338841 (for BETTY MILES, THE TROUBLE WITH THIRTEEN).

18. Attached hereto as Exhibit 17 is a true and correct copy of U.S. Copyright Office Certificate of Registration No. A346254 (for JOSEPH GOULDEN, THE SUPERLAWYERS: THE SMALL AND POWERFUL WORLD OF THE GREAT WASHINGTON LAW FIRMS).

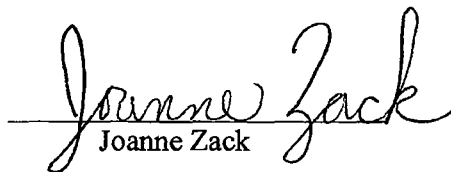
19. Attached hereto as Exhibit 18 are true and correct copies of print-outs from Google's website displaying search results in BETTY MILES, THE TROUBLE WITH THIRTEEN.

20. Attached hereto as Exhibit 19 are true and correct copies of print-outs from Google's website displaying search results in JOSEPH GOULDEN, THE SUPERLAWYERS: THE SMALL AND POWERFUL WORLD OF THE GREAT WASHINGTON LAW FIRMS.

21. Attached hereto as Exhibit 20 is a true and correct copy of a print-out from <http://support.google.com/books/bin/answer.py?hl=en&answer=43729/>.

22. Attached hereto as Exhibit 21 is my firm's resume.
23. Attached hereto as Exhibit 22 is Milberg LLP's firm resume.
24. Attached hereto as Exhibit 23 is Kohn, Swift & Graf, P.C.'s firm resume.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct, and that this declaration was executed on December 12, 2011 in Bala Cynwyd, Pennsylvania.

  
Joanne Zack



## **EXHIBIT 10**

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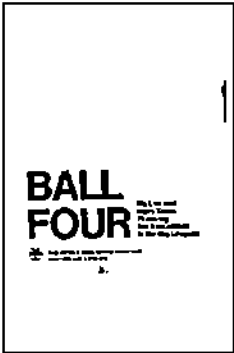
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### Ball four: my life and hard times throwing the knuckleball in the Big Leagues



Jim Bouton  
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### From inside the book

umpire

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Page 86

Unless it was Jim Bouton.

Wayne Comer got into an argument with an umpire, and they were jawing back and forth. The last thing said was, "All right, Comer. You'll be sorry you said that."

Page 146

having said anything at all. I try to be especially nice to Ashford because everybody else harasses hell out of him. He's not exactly the best umpire, but he is far from being terrible. He doesn't miss that many calls, and when he does he misses them on both sides, like any good umpire. But other umpires talk behind his back. Sometimes they'll let him out on the field himself and the other three who are holding

Page 189

Snippet view

... a few steps away from our bullpen and he stopped by, as umpires will, to pass the time between innings.

"Why is it that they boo me when I call a foul ball correctly and they applaud the starting pitcher when he gets taken out of the ball-game?" says Neudecker.

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	5 stars		4
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Goodreads	3 stars	1	
Sad to say, baseball nut that I am, this book stayed below my radar for years on end, when it finally became a known quantity in my life as a fan I viewed it as something rather like Great ...	2 stars	0	
	1 star	0	

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**Review: Ball Four: My Life and Hard Times Throwing the Knuckleball in the Big Leagues**

User Review - James - Goodreads

While I grew up in a family that cheered on the Chicago Cubs (my father had a baseball from a game he attended with his father when he was a boy), the love of baseball did not rub off on me. My ...

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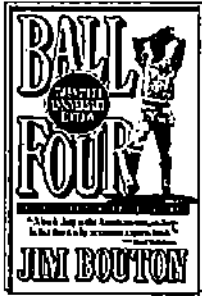


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asked Astros ballclub ballgame ballpark ballplayer Bandy base baseball player batting practice big leagues Biefary boys Brabender **bullpen** called catch catcher club **clubhouse** coach Dierker Don Mincher dugout Eddie O'Brien fastball feel felt **Fred Talbot** funny Gary Bell Gelnar getting goddam going guess **guys** happened Harry Walker Hegan hell hitter home run Houk hurt infield Jim Bouton **Joe Schultz** Johnny kids kind **knuckleball** laughed locker look manager Marty Pattin Marvin Milkes McNertney Mickey **Mike Marshall** never night O'Donoghue Okay outfield Pagliaroni Pattin pennant **pitch** pitcher play pretty Ranew Ray Oyler **Sal Maglie** scored season Seattle Pilots sitting spring training started **Steve Barber** **Steve Hovley** sure talk tell there's thing thought threw told **Tommy Davis** tonight trying umpire Vancouver walked warm Yankees Yeah

## References to this book

### From Google Scholar

Eamus Catuli  
John Nerone - 2008 - Journal of Sport and Social Issues

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The Dreyfus Affair The Natural. Ball Four: My Life and Hard Times ...  
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 Jim Bouton: Ball Four: My Life and Hard Times Throwing the Knuckleball in the Big Leagues  
 (1970); Jim Bouton: Ball Four plus Ball Five (1981) ...  
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Happy Birthday, Jim Bouton « Ron Kaplan's Baseball Bookshelf  
 Ball Four My Life and Hard Times Throwing the Knuckleball in the Big Leagues - I Managed  
 Good, but Boy did they Play Bad ...  
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## Bibliographic information

Title	Ball four: my life and hard times throwing the knuckleball in the Big Leagues
Author	Jim Bouton
Editor	Leonard Shecter
Publisher	World Pub. Co., 1970
Length	400 pages
Subjects	Sports & Recreation › Baseball › General



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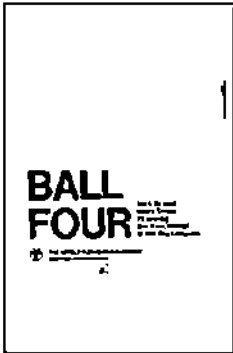
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Page 49

in Seattle last year, Tom Egan. Tommy Davis said he could follow the flight of the ball pretty good, until he lost it in a cloud. A very bad day for the knuckleball. It just didn't knuckle. The overhand curve was working pretty good and some of the fastballs hopped pretty good. Who knows, maybe my old motion is coming back. The sirens are still

Page 195

runway or even to go back into the clubhouse for a gourmet cigarette, but if you take a candy bar out to the bullpen you get all kinds of static.

The bed in this hotel in Baltimore makes me think these bad thoughts. I think I'll go wash out my brain with soap.

Page 285

Snippet view

offer me a job like that?"

"All you'll get is a scouting job in Watts someplace," Tommy Harper said.

So I started doing a general-manager bit, giving scout Tommy Davis his instructions. "Now, Tom, you have to make sure to sign the

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 While I grew up in a family that cheered on the Chicago Cubs (my father had a baseball from a game he attended with his father when he was a boy), the love of baseball did not rub off on me. My ... Read full review

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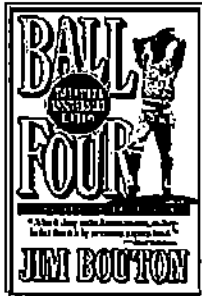
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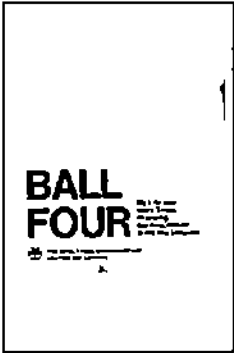
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the same thing. They're asking you to obey good pitching principles; keep the ball down (most hitters are high-ball hitters), don't make the pitch too good (don't pitch it over the heart of the plate), move the ball around inside the strike zone and change speeds (keeps the hitter off balance), and get ahead of the hitter (when you have two strikes on a

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He turned pale and moped over to Joe, slowly, as if attached to a large rubber band. But all Joe wanted was to tell us to run some extra laps since we were in the bullpen and weren't able to run when everybody else did.

I never saw anybody run laps looking so happy as Dick Banev.

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And then Carl Yastrzemski's name came up because he'd just ignored the strike and Gary Bell said, "Didn't surprise me. Carl Yastrzemski is for himself first and second and the hell with everybody else."  
 Gee, Gary, Carl Yastrzemski?  
 Yes. Besides, during the strike Yastrzemski called several super-

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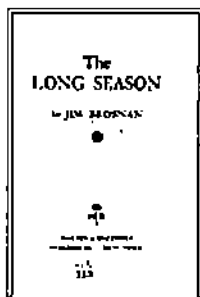
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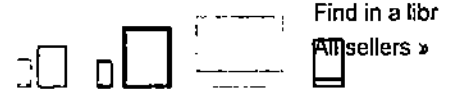
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By now, though, we're standing in clumps of five or ten and take turns catching whatever fly balls happen to come our way.

It was Dick Stuart-story day today, and this one was about the time Johnny Pesky was managing the Red Sox and Stuart was playing for him and showing up late for a lot of things. For some reason this meant Pesky, as he called it, wanted to talk about MORALE. Stuart was

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the time. When things are going good Yastrzemski will go all out. When things aren't going so well he'll give a half-ass effort. But he's got so much ability that the only thing you can do is put up with him.

I asked a few of the Red Sox if they thought he deserved the fine and I thought they would defend him. But they said, "He deserved it

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scared. After a while, though, all they could do was giggle.

Dick Williams has been fired as manager of the Red Sox. I think that when a team wins a pennant the tendency is to give too much credit to the manager and when a team loses the tendency is to blame him too

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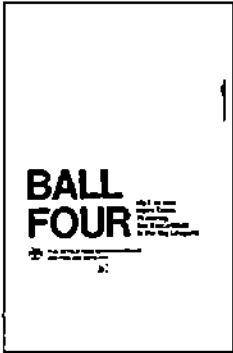
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checking the stock tables and because between 1932, when he began to play for the Yankees, and 1968, when he left as a coach, he had pulled down some 23 World Series shares in addition to his considerable salary. And no one has noticed him spending very much of it. In addition, starting at age fifty, he elected—possibly through foolishness, more likely

Page 90

the newspaper papers. Ogle was a Yankee fan and he reacted to plays purely on how much they were helping the Yankees to win. Charm, personality, intelligence—nothing counted. Only winning. Ogle didn't have even the pretense of objectivity. He was the only writer in the pressbox who would take the seventh-inning stretch in the Yankee half.

Once at a winter press conference, when the Yankees were an-

Page 154

actually has them believing they're winners.  
I wonder how he is with the pitchers.

The big confrontation is coming closer. The Yankees will be in town in a couple of days and I've been invited to appear at the sports-writers and sportscasters dinner on Monday afternoon. The idea is us

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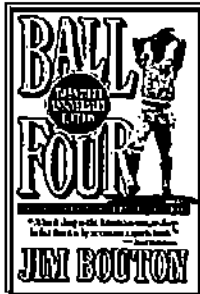


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Mickey Mantle announced his retirement the other day and I got to thinking about the mixed feelings I've always had about him. On the one hand I really liked his sense of humor and his boyishness, the way he'd spend all that time in the clubhouse making up involved games of chance and the rools he set up on golf matches and

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in left field. When the game was over I walked back into the clubhouse and there was a path of white towels from the door to my locker, and all the guys were standing there, and just as I opened the door Mickey was putting the last towel down in place. I'll never forget him for that.

And I won't forget the time—1962, I guess it was—in Kansas

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... they were ready to go out with the big boys. Mickey was glad to get dressed up, tie and all—this was in Detroit—and meet them in a place called The Flame. Mickey gave them the address and said to be sure to ask for Mickey Mantle's table.

Pepitone and Linz were like a couple of kids at Christmas. They couldn't stop talking about what a great time they were going to have

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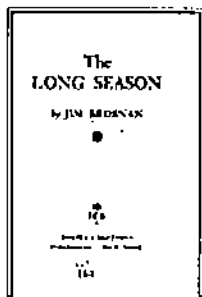
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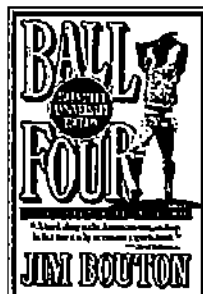


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One of the problems is that the hitters hate to hit against my knuckleball in batting practice. They don't like nitchers to work on

Page 43

a good outing, however. I struck out the first hitter I faced on four pitches, all knuckleballs. (Don't ask me who he was; hitters are just meat to me. When you throw a knuckleball you don't have to worry about strengths and weaknesses. I'm not sure they mean anything, anyway.) I noticed again that I throw a better knuckleball in a game than



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sota and it was so damn cold—and the American League ball is definitely bigger than the Pacific Coast League ball—that I couldn't get the damn thing to break at all. Every single knuckleball I threw was rolling over, or spinning sideways, and I started to panic. I could feel the sweat break out on me, and I was cold and sweaty at the same time. Here was

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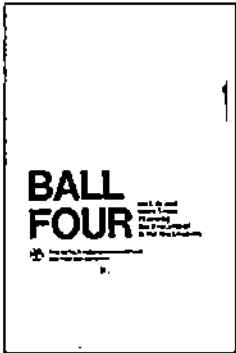
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homers

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early games, but it looks like I'm not going to be ready here. It's quite different from my last spring with the Yankees in 1967. I was really impressive, right from the beginning. I led the club in innings pitched with thirty, and I gave up the fewest hits, fifteen, and no homers and only two or three extra-base hits. My ERA was .092, which means less

Page 145

who hit one of the homers off me.

Meanwhile, in the dugout, I found out from Darrell Brandon that Sal had thrown a fit when the home run was hit. He had a toothpick in his mouth at the time and he threw it hard on the ground (so hard a tree may yet grow on the spot) and said, "Jesus, he's got to start

Page 240

Snippet view

Fred Talbot says that after listening to Sal in these meetings he's decided what kind of pitcher he must have been. "A mother," Talbot said. "A real mother."

Mother Maglie also said in the meeting that one way to handle Jackson was not to throw him any strikes. So Jackson hit three homers

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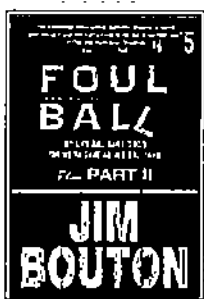
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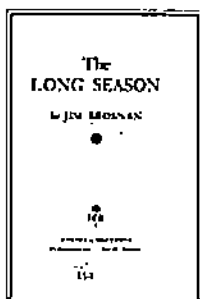
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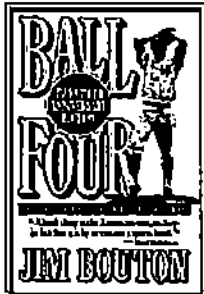


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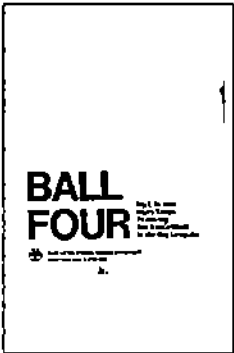
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up into the infield and The Colonel would look down the bench and say, "The boy's fastball is moving. The boy's fastball is rising." Two innings later, same situation, the very same pitch, home run into the left-field seats. The Colonel looks up and down the bench and says very wisely, "Got the ball up. You see what happens when you get the ball up?"

Page 87

Rich Koums has a good story he tells in the same vein. It goes back to when we were playing against each other in the Class-B Carolina League. Rich had hit two home runs in the first game of a doubleheader and the club had some deal that anybody who hit three home runs in one day would get \$300. So the other players on Rollins' team told him to go to our catcher, Norm Kampeber, and get him to tell

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so many games this year," she said. "I get nervous every day."  
 "Why should you get nervous? I don't. Except once in a while."  
 "I don't know, but I do. And every time they hit a home run off  
 you, I just get sick to my stomach. I worry about how you feel, too,  
 because I want you to be happy."  
 "Are you on?" I said. "When they hit a home run off me I have

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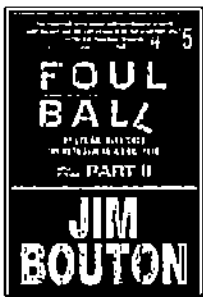
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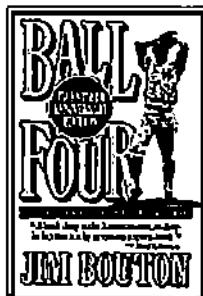


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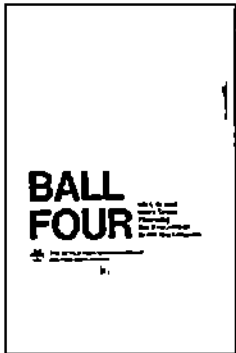
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### From inside the book

Eddie O'Brien

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22 pages matching Eddie O'Brien in this book

Page 75

picnic.

I think coach Eddie O'Brien is going to prove a gold-plated pain in the ass. He must think he's Frank Crosetti or something, because when I reached into his ballbag he said, "What are you going to do with it?"

Page 105

O'Brien is one of the fairly famous basketball O'Brien twins who played with Seattle from '49 to '53. Actually his job is athletic director at Seattle U. but he had four years in the big leagues with the Pirates—as infielder and pitcher—and now he's here as a friend of management (or because his brother is in city government) to get his fifth year in

Page 307

There must have been steam coming out of my ears by now, because Eddie O'Brien said, "Go take a shower."

Where's the rest of this book?

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	<b>User ratings</b>	
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balls

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will go away, but how am I going to pitch Sunday? I'm not ready. I haven't thrown to spots yet. I haven't thrown any curve balls at all. My fingers aren't strong enough to throw the knuckleball right. I've gone back to taking two baseballs and squeezing them in my hand to try to strengthen my fingers and increase the grip. I used to do that

Page 186

guaranteed, asking me why I'm not wearing my earflap."  
Between innings of the game I got up in the bullpen and worked with the iron ball Mike Marshall keeps out there. Talbot was certain I was only doing it so I would get on television, and maybe I was, partly. After the third time up Talbot said, "Jesus Christ, Bouton, why don't

Page 390

3-1 in the seventh and I got caught in with two out and runners on first and second. Pete Rose up. Real clutch situation. I throw two knuckleballs for balls. Edwards calls for a fastball and I shake him off. Rose is just going to rip my fastball. I know it. So I throw a knuckleball for a strike, another knuckleball for a foul ball, a third for strike three and strut off the mound

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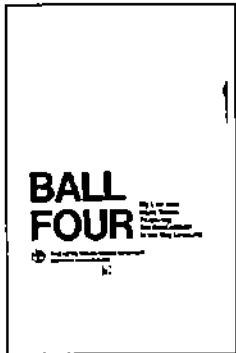
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real thing, with a baseball instead of a rubber ball. I think it will be a

Page 62

the same thing. They're asking you to obey good pitching principles; keep the ball down (most hitters are high-ball hitters), don't make the pitch too good (don't pitch it over the heart of the plate), move the ball around inside the strike zone and change speeds (keeps the hitter off balance), and get ahead of the hitter (when you have two strikes on a

Page 186

guaranteed, asking me why I'm not wearing my earflap."  
 Between innings of the game I got up in the bullpen and worked with the iron ball Mike Marshall keeps out there. Talbot was certain I was only doing it so I would get on television, and maybe I was, partly. After the third time up Talbot said, "Jesus Christ, Bouton, why don't

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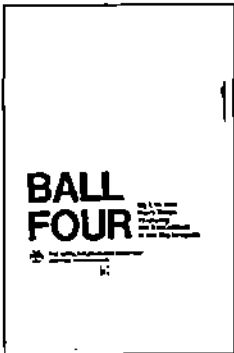
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orioles

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And then Carl Yastrzemski's name came up because he'd just ignored the strike and Gary Bell said, "Didn't surprise me. Carl Yastrzemski is for himself first and second and the hell with everybody else."

Gee, Gary, Carl Yastrzemski?

Yes. Besides, during the strike Yastrzemski called several super-

Page 201

Talking about Joe Schultz reminded Marshall of something that happened the other night. Although we had just blown a game to the Orioles, when Schultz came back into the clubhouse he was smiling. Mike thought that was kind of strange until he heard Schultz say, to

Page 205

"All right. I'll talk to Eddie about it," Joe Schultz said.  
I can't wait.

During batting practice the Orioles sneaked into our bullpen—  
word is that it was Eddie Watt and Pete Richert—and deposited three

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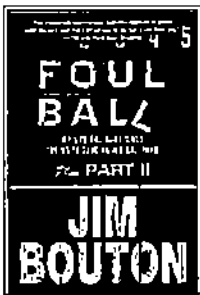
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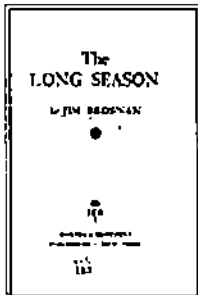
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 Editor Leonard Shecter  
 Publisher World Pub. Co., 1970  
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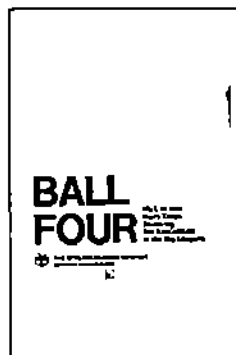
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## From inside the book

pitch

100 pages matching pitch in this book

Page 62

the same thing. They're asking you to obey good pitching principles; keep the ball down (most hitters are high-ball hitters), don't make the pitch too good (don't pitch it over the heart of the plate), move the ball around inside the strike zone and change speeds (keeps the hitter off balance), and get ahead of the hitter (when you have two strikes on a

Page 67

ing to do too much. Johnny Sain always told guys who had control problems that they were trying too hard to throw the ball to a specific spot, not that they weren't concentrating. Sain would compare pitching to a golfer chipping to a green and say that if you tried for the cup you might miss the green. The thing to do was just hit the green, pitch to a general area.

Page 123

The problem for a long-relief man is that he doesn't want to tire himself out before a game in which he may pitch eight innings. But if

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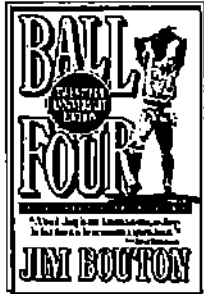


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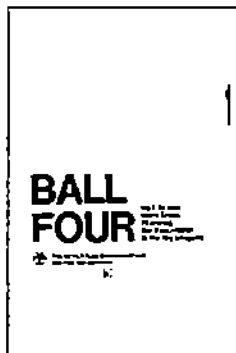
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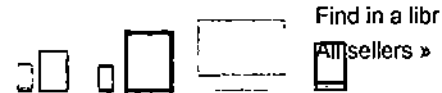
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him between shags. I told him about my conversation with Schultz and his thought that I couldn't be a starter because I had only one pitch. I told him that Niekro said after his last game that he'd thrown 95 knucklers out of 104 pitches.

"Well, you can do that if it's breaking," Sal said.

Page 186

Mantle pointed it out to all the Little League, high-school and college players who were watching, but somehow I doubt it. So I'll do it here. It started in the first inning when Joe Sparna walked Tommy Harper, leading off, on four-straight pitches. Hegan was the next batter. Ball one. On ball two, way over Hegan's head, Harper tries to steal second and

Page 339

good knuckleball with the first pitch. Find that tricky abstract thought, the one that makes you feel so competent and smooth. I tried to recall the last few warm-up pitches I threw and I remember thinking, "Why are they playing the National Anthem so slowly?"

I walked the first hitter on four pitches. The first two pitches to the

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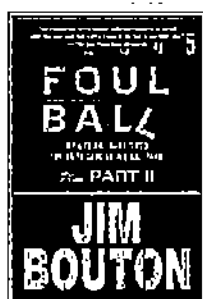
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2. Was this author's contribution to the work a "work made for hire"? Yes No

**AUTHOR'S NATIONALITY OR DOMICILE:**  
 Citizen of [ ] or Domiciled in [ ]  
 (Specify of Country) (Specify of Country)

Describe the nature of this author's contribution:

Was this author's contribution to the work:  
 Accidental? Yes No  
 Paraphrased? Yes No  
 If the subject is either of these answers "Yes," see Instructions for more details.

3. Was this author's contribution to the work a "work made for hire"? Yes No

**AUTHOR'S NATIONALITY OR DOMICILE:**  
 Citizen of [ ] or Domiciled in [ ]  
 (Specify of Country) (Specify of Country)

Describe the nature of this author's contribution:

Was this author's contribution to the work:  
 Accidental? Yes No  
 Paraphrased? Yes No  
 If the subject is either of these answers "Yes," see Instructions for more details.

**YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED:**  
 Year 1978

**DATE AND NATION OF FIRST PUBLICATION:**  
 Date August 15, 1979  
 Nation United States (Specify of Country)

**NAME(S) AND ADDRESS(ES) OF COPYRIGHT CLAIMANT(S):**  
 116  
 111 Avenue  
 New York 10953

If the copyright claimant(s) named here in space 4 are different from the author(s) named in space 2, give a brief statement of how the claimant(s) acquired ownership of the copyright.

TX  <div style="font-size: 2em; font-weight: bold; margin-left: 100px;">338-841</div>	EXAMINED & CHECKED BY: <input checked="" type="checkbox"/> CORRESPONDENCE: <input type="checkbox"/> Yes <input type="checkbox"/> No DEPOSIT ACCOUNT FUNDS USED: <input checked="" type="checkbox"/>	APPLICATION RECEIVED: 17 SEP 1979 DEPOSIT RECEIVED: 17 SEP 1979 17 SEP 1979 REMITTANCE NUMBER AND DATE:	FOR GOVERNMENT OFFICE USE ONLY		
DO NOT WRITE ABOVE THIS LINE. IF YOU NEED ADDITIONAL SPACE, USE CONTINUATION SHEET (FORM TX/CONT)					
<b>PREVIOUS REGISTRATIONS</b> <ul style="list-style-type: none"> <li>• Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office? Yes. No <input checked="" type="checkbox"/></li> <li>• If your answer is "Yes," why is another registration being sought? (Check appropriate box)                         <ul style="list-style-type: none"> <li><input type="checkbox"/> This is the first published edition of a work previously registered to unpublished form.</li> <li><input type="checkbox"/> This is the first publication identified by the author or copyright claimant.</li> <li><input type="checkbox"/> This is a changed version of the work, as shown by line 6 of this application.</li> </ul> </li> <li>• If your answer is "Yes," give Previous Registration Number: _____ Year of Registration: _____</li> </ul>					
<b>COMPLETION OF DERIVATIVE WORKS (See instructions)</b> <p>PREEXISTING MATERIAL: Identify any preexisting work or works that this work is based on or incorporates: _____</p> <p>MATERIAL ADDED TO THE WORK: (Give a brief, general statement of the material that has been added to this work and in which copyright is claimed) _____</p>					
<b>MANUFACTURE OF COPIES</b> (See instructions) <p>In this section, you must identify the manufacturer of the work containing the copyrighted material in question. If the work is a reproduction of a work previously registered in the United States or Canada for full protection, it is, the names of the manufacturer and the process used to produce the work must be given. See instructions for details.</p> <table style="width:100%; border: none;"> <tr> <td style="width:50%; border: none;">                 NAME OF MANUFACTURER: _____                  ADDRESS: _____             </td> <td style="width:50%; border: none;">                 PLACE OF MANUFACTURE: _____                  Brattleboro, Vermont             </td> </tr> </table>				NAME OF MANUFACTURER: _____ ADDRESS: _____	PLACE OF MANUFACTURE: _____ Brattleboro, Vermont
NAME OF MANUFACTURER: _____ ADDRESS: _____	PLACE OF MANUFACTURE: _____ Brattleboro, Vermont				
<b>REPRODUCTION METHODS OF INTEREST TO PHYSICALLY HANDICAPPED PERSONS</b> (See instructions) <p>• Specimens of the work in question must be placed in one of the boxes here to obtain a non-exclusive grant of permission to the Library of Congress to reproduce the work in question for distribution and photocopying and to make the copies and distribute them to the registered owner of the Copyright Office. (1) copies of the work in question prepared in Braille for similar tactile symbols; or (2) phonorecords embodying a fixation of a reading of the work; or (3) both.</p> <p><input type="checkbox"/> Copies and Phonorecords      <input type="checkbox"/> Copies Only      <input type="checkbox"/> Phonorecords Only</p>					
<b>DEPOSIT ACCOUNT</b> (If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of account.) Name: Alfred A. Knopf, Inc. Address: 201 East 50th Street New York, New York 10022		<b>ADDRESS FOR CORRESPONDENCE</b> (Give name and address to which correspondence regarding this application should be sent.) Name: Mary Lou Thomas, Knopf, Inc. Address: 201 East 50th Street New York, New York 10022			
<b>CERTIFICATION</b> I, the undersigned, hereby certify that I am the (Check one) <ul style="list-style-type: none"> <li><input type="checkbox"/> author, creator, copyright claimant, or owner of exclusive rights in the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.</li> </ul> Handwritten signature: (S) _____ Date: 9/10/79 Typed or printed name: Mary Lou Thomas					
MAIL CERTIFICATE TO: <div style="border: 1px solid black; padding: 5px; margin: 5px;">                     Mary Lou Thomas, Alfred A. Knopf, Inc.                      201 East 50th Street                      New York, New York 10022                 </div> OCT 26 1979			ADDRESS FOR RETURN OF CERTIFICATE:		
* 17 U.S.C. (104) (c). Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 407, or in any return thereon filed in connection with the application, shall be fined not more than \$2,500.					

# **EXHIBIT 17**

Give name of account:

Should be sent:

Illinois 61701

FORM A

CLASS	REGISTRATION NO.
<b>A A</b>	<b>346254</b>
DO NOT WRITE HERE	

**Application for Registration of a Claim to Copyright**  
**Published book manufactured in the United States of America**

Instructions: Make sure that all applicable spaces have been filled out before you submit the form. The application must be completed at line 10 and the AFFIDAVIT (line 11) must be signed and NOTARIZED. The application should not be filed until after the date of publication given in line 4, and it should state the facts which existed on that date. For further instructions, see page 4.

Pages 1 and 2 should be typewritten or printed with pen and ink. Pages 3 and 4 should contain exactly the same information as pages 1 and 2, but may be carbon copies. Mail all pages of the application to the Register of Copyrights, Library of Congress, Washington, D.C. 20540, together with 2 copies of the best edition of the work and the registration fee of \$6. Make your remittance payable to the Register of Copyrights.

Copyright Claimant(s) and Address(es): Give the name(s) and address(es) of the copyright owner(s). Ordinarily the name(s) should be the same as in the notice of copyright on the copies deposited.

Joseph C. Goulden

6416 22nd Road, No. Arlington, Virginia 22205

Indicate by check those marked "(X)" (2) Single copies. (3) Have the officer certify the completion of printing which is required by the copyright law.

Indicate that I am the author of the book described in this application.

Indicate the person or organization doing the printing and binding in this application.

Date of printing (month, day, and year)

Indicate the type of printing used (set in type or typeset in the United States from type set in the United States or the United States. That such type was set by the following establishment)

Indicate whether such typesetting, printing and binding were done in the United States or elsewhere.

Indicate the date given above (month, day, and year)

1972

Signature of applicant

THE SUPERLAWYERS

(Give the title of the book as it appears on the title page)

The Small and Powerful World of the Great Washington Law Firms

Citizenship and domicile information must be given. If the work was made for hire, the employer is the author. The author must be a citizen of the United States or an organization formed under U.S. Federal or State law and established as U.S.A. Authors may be editors, compilers,

translators, illustrators, etc., as well as authors of original text. If the copyright claim is based on new matter (see line 5) give requested information about the author of the new matter.

Joseph C. Goulden

(Give legal name followed by pseudonym if latter appears on the copies)

Citizenship U.S.A.

(Name of country)

Address 6416 22nd Road, No. Arlington, Virginia 22205

(Give legal name followed by pseudonym if latter appears on the copies)

Citizenship

(Name of country)

Address

(Give legal name followed by pseudonym if latter appears on the copies)

Citizenship

(Name of country)

Address

Date of Publication of This Edition: Give the complete date when this particular edition were first placed on sale, or first distributed. The date when copies were made or

printed should not be confused with the date of publication. NOTE: The full date (month, day, and year) must be given. For further information, see page 4.

April 13 1972

(Month) (Day) (Year)

(NOTE: Leave line 5 blank unless the following instructions apply to this work.)

If this version is a new matter published elsewhere, give a brief, general description of the new matter published for the first time in this version. New matter may consist of compilation, translation, abridgment, editorial revision, and the like, as well as additional text or pictorial matter.

If this version is a new matter published elsewhere, give a brief, general description of the new matter published for the first time in this version. New matter may consist of compilation, translation, abridgment, editorial revision, and the like, as well as additional text or pictorial matter.

All new material with the exception of one article which appeared in WASHINGTONIAN, October 1971, Vol.7, No.1 (copyright reg. no. B722513) and "The Superlawyers"

Leave line 6 blank unless there has been a PREVIOUS FOREIGN EDITION in the English language.

Previously Manufactured and Published Abroad: If all or a substantial part of the text of this edition was manufactured and published abroad in the English language, complete the following spaces:

Date of foreign edition (Year)

Was registration for the foreign edition made in the U.S. Copyright Office? Yes No

If "Yes," give registration number

Complete all applicable spaces on next page

EXAMINER

7. If registration fee is to be charged to a deposit account established in the Copyright Office, give name of

David McKay Company, Inc.

8. Name and address of person or organization to whom correspondence or refund, if any, should be sent:

Name Marguerite Gagnat Address c/o David McKay Company, Inc.  
750 Third Avenue, New York

9. Send certificate to:

(Type or print Name name and address) Address

DAVID MCKAY COMPANY, INC.  
750 THIRD AVENUE  
(Number and street)  
NEW YORK, N. Y. 10017  
(City) (State) (ZIP code)

10. Certification: (NOTE: Application not acceptable unless signed)

I CERTIFY that the statements made by me in this application are correct to the best of my knowledge.

Marguerite Gagnat  
(Signature of copyright claimant or duly authorized agent)

11. Affidavit (required by law.) Instructions: (1) Fill in the blank spaces with special attention to those marked \* the affidavit before an officer authorized to administer oaths within the United States, such as a notary public. (3) Have and seal the affidavit and fill in the date of execution.

NOTE: The affidavit must be signed and notarized only on or after the date of publication or completion of printing. The affidavit must be signed by an individual.

STATE OF New York  
COUNTY OF New York

- I, the undersigned, depose and say that I am the
- Person claiming copyright in the book described in this application;
  - Duly authorized agent of the person or organization claiming copyright in the book described in this application;
  - Printer of the book described in this application.

That the book was published on the printing was completed on: (X) April 13, 1972  
(Give month, day, and year)

That, of the various processes employed in the production of the copies deposited, the setting of the type was performed within the limits of the United States or the making of the plates was performed within the limits of the United States from the lithographic or photoengraving processes used in producing the text were wholly performed within the limits of the United States and that the printing of the text and the binding (if any) were also performed within the limits of the United States, the setting, platemaking, lithographic or photoengraving process, printing, and binding were performed by the following individuals at the following addresses:

(GIVE THE NAMES AND ADDRESSES OF THE PERSONS OR ORGANIZATIONS WHO PERFORMED SUCH LITHOGRAPHIC OR PLATEMAKING OR LITHOGRAPHIC PROCESS OR PHOTOENGRAVING PROCESS OR PRINTING AND BINDING)

Names (X) Van Rees Book Comp. Co. (Comp. & Reproduction) 304 Hudson St., N. Y. C.  
Van Rees Press (Printer) " " " "  
Van Rees Bookbinding Corp. (Binder) " " " "

Marguerite Gagnat  
(Signature of affiant)

(Sign and notarize only on or after date given)

Subscribed and sworn to before me this 23rd day of June 1972

PLACE NOTARIAL SEAL HERE

N. JAMES GUTILLA 1972  
Notary Public, State of New York  
No. 30-1602700  
Commission Expires March 30, 1974

FOR COPYRIGHT OFFICE USE ONLY

Application and affidavit received	<u>JUN 20 1972</u>
Two copies received	<u>JUN 20 1972</u>
Fee received	
Renewal	

U.S. GOVERNMENT PRINTING OFFICE: 1970 O-340-873

Page 1

Application for 1 in a published book

Instructions: Make sure I completed before you submit be SIGNED at line 10 and COMPLETED AND NOTARIALIZED until after the date submitted until after the date should state the facts which information, see page 4.

1. Copyright Claimant(s) should be the same as in the

Name Barb

Address 17 E

Name

Address

Name

Address

2. Title Title

Name

Address

3. Author's Citizenship and Where a work was made for citizenship of organizations (or should be stated) as U.S./

Name Barbara W

Address

Noted in U.S.A. Yes X

Name

Address

Noted in U.S.A. Yes

4. Date of Publication of Title copies of this particular title, or publicly distributed.

(NOTE)

5. New Matter In This Work has been previously published or of the nature of the

Name

Address

NOTE: Leave line

6. Book In English Previously manufactured and

Date of first publication of for

Name

Address

If your answer is "Yes," give