

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA)
)
 Plaintiff,)
)
 v.)
)
 APPLE, INC.,)
 HACHETTE BOOK GROUP, INC.,)
 HARPERCOLLINS PUBLISHERS, L.L.C.)
 VERLAGSGRUPPE GEORG VON)
 HOLTZBRINK PUBLISHERS, LLC)
 d/b/a MACMILLAN,)
 THE PENGUIN GROUP,)
 A DIVISION OF PEARSON PLC,)
 PENGUIN GROUP (USA), INC. and)
 SIMON & SCHUSTER, INC.,)
)
 Defendants.)

Civil Action No.12-CV-2826 (DLC)

NOTICE OF APPEAL

Notice is hereby given that Bob Kohn appeals to the United States Court of Appeals for the Second Circuit from an order dated October 2, 2012 (Docket #136) denying his Motion for Leave to Intervene for the Sole Purpose of Appealing the Final Judgment which was entered in this action on September 6, 2012. A copy of the Opinion and Order is filed concurrently.

Dated: October 2, 2012

Respectfully submitted,

/s/ Bob Kohn

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By: _____
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Pro Bono Counsel to Bob Kohn