

EXHIBIT 5

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

THE AUTHORS GUILD, INC., et
al.,

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

~~PROPOSED~~ AMENDED JUDGMENT

05 Civ. 8136 (DC)

USDC SDNY
DOCUMENT
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DOC #:
DATE FILED: 12/10/13

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CHIN, Circuit Judge

This matter having been duly heard by the undersigned on the parties' cross-motions for summary judgment (the "Motions"), and the Court having considered the memoranda and declarations filed by the parties and amici curiae in support of and in opposition to the Motions and the oral argument presented at the hearing before the Court on September 23, 2013, and the Court having granted the Motion of Defendant for summary judgment, ECF No. 1031, and having denied the Motion of Plaintiffs for partial summary judgment, ECF No. 1049,

NOW, upon this Court's opinion, entered November 14, 2013, ECF No. 1088, it is hereby


ORDERED, ADJUDGED, AND DECREED that,

1. Plaintiffs' Motion for Partial Summary Judgment is denied;
2. Defendant's Motion for Summary Judgment is granted;
3. Plaintiffs' claims are dismissed with prejudice;

4. Costs in this action are awarded to Defendant, as the prevailing party in this action; and
5. Any application for attorneys' fees must be made within 14 days of the final resolution of all appeals or, if no appeal is taken, within 14 days after the expiration of time for filing a notice of appeal.

SO ORDERED.

Dated: New York, New York,
December 10, 2013



DENNY CHIN
United States Circuit Judge
Sitting by Designation

6. The Clerk of the Court shall close this case.

DC