

Case: 12-14676 Date Filed: 12/18/2012 Page: 1 of 1

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

John Ley  
Clerk of Court

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December 18, 2012

**MEMORANDUM TO COUNSEL OR PARTIES**

Appeal Number: 12-14676-FF

Case Style: Cambridge University Press, et al v. J.L. Albert, et al

District Court Docket No: 1:08-cv-01425-ODE

The following action has been taken in the referenced case:

The enclosed order has been ENTERED.

Sincerely,

JOHN LEY, Clerk of Court

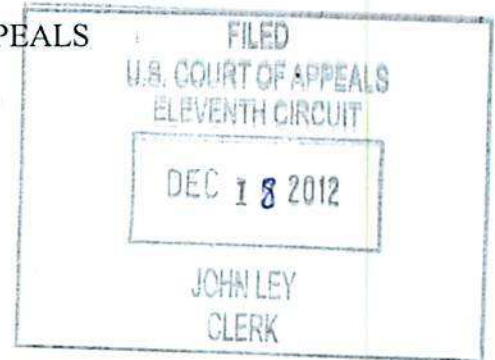
Reply to: Janet K. Spradlin, FF

Phone #: (404) 335-6178

MOT-2 Notice of Court Action

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

\_\_\_\_\_  
No. 12-14676-FF  
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CAMBRIDGE UNIVERSITY PRESS,  
OXFORD UNIVERSITY PRESS, INC.,  
SAGE PUBLICATIONS, INC.,

Plaintiffs-Appellants,

versus

CARL V. PATTON, et al.,

Defendants,

J. L. ALBERT,  
in his official capacity as Georgia State  
University Associate Provost for Information  
System and Technology,  
KENNETH R. BERNARD, JR.,  
in his official capacity as member of the  
Board of Regents of the University System of Georgia.,  
ROBERT F. HATCHER, in his official capacity as  
Vice Chair of the Board of Regents of the  
University System of Georgia,  
W. MANSFIELD JENNINGS, JR.,  
in his official capacity as member of the  
Board of Regents of the University System of Georgia,  
JAMES R. JOLLY,  
in his official capacity as member of the Board of Regents  
of the University System of Georgia, et al.,

Defendants-Appellees.

\_\_\_\_\_  
Appeal from the United States District Court  
for the Northern District of Georgia  
\_\_\_\_\_

Before BARKETT, WILSON and JORDAN, Circuit Judges.

BY THE COURT:

Defendants-appellees' motion to dismiss for lack of subject matter jurisdiction is DENIED. The district court's August 10, 2012 order granting a permanent injunction is a final, appealable order, and the district court's subsequent order and final judgment, entered on September 30, 2012, resolved issues that were collateral to the underlying merits of the case. 28 U.S.C. §§ 1291, 1292; *LaChance v. Duffy's Draft House, Inc.*, 146 F.3d 832, 837 (11th Cir. 1998); *Pitney Bowes, Inc. v. Mestre*, 701 F.2d 1365, 1368 (11th Cir. 1983).

Next, defendants-appellees' alternative motion to consolidate this appeal with Appeal No. 12-15147-FF is GRANTED. The Clerk is DIRECTED to consolidate Appeal No. 12-14676-FF with Appeal No. 12-15147-FF and inform the parties accordingly. The parties are ORDERED to submit briefs in the consolidated case only, and they are further ORDERED to comply with this Court's October 11, 2012 order, entered in Appeal No. 12-14676, establishing an extended, 18,000-word limit for the initial and answer briefs, and a 9,000-word limit for plaintiff-appellants' reply brief.