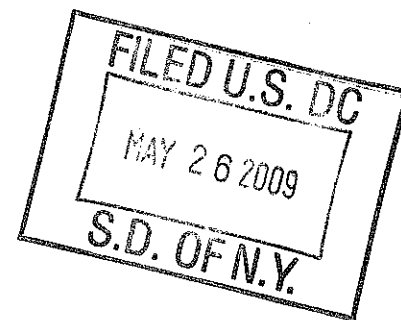


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



**The Authors Guild Inc.; Association of
American Publishers Inc.; et al.,**

Plaintiffs,

v.

Google Inc.,

Defendant.

Case No. 05-cv-8136-DC

NOTICE OF APPEAL

Lewis Hyde, Harry Lewis, and Open Access Trust Inc., plaintiff-intervenors in this case, give notice that they appeal to the United States Court of Appeals for the Second Circuit from the order entered in this action on April 24, 2009, deeming their letter requesting a pre-motion conference to be their motion to intervene and denying this motion, which order constitutes a final judgment as to them, and from all other adverse decisions of this Court. Appellants plan to file their actual motion to intervene with this Court and will amend this Notice of Appeal or dismiss the appeal depending on this Court's disposition of that motion.

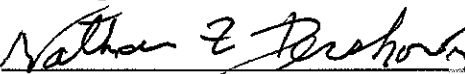
Respectfully submitted,

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Dated: May 26, 2009

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DATE FILED: 4-24-09

-----x
THE AUTHORS GUILD et al., :
 :
 Plaintiffs, :
 :
 - against - :
 :
 GOOGLE, INC., :
 :
 Defendant. :
-----x

ORDER

~~05 Civ. 7384 (DC)~~


05 Civ. 8136(DC)

CHIN, District Judge

The Court has received requests for pre-motion conferences by the Internet Archive, Lewis Hyde, Harry Lewis, and the Open Access Trust, Inc. (the "proposed interveners"), 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, however, free to file objections to the proposed settlement or amicus briefs, either of which must be filed by the May 5, 2009 objection deadline.

SO ORDERED.

Dated: New York, New York
April 24, 2009


DENNY CHIN
United States District Judge