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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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The Authors Guild, Inc., Association of American :
Publishers, Inc., et al. : Case No. 05 CV 8136-JES
:
Plaintiffs, :
:
v. :
:
Google Inc., :
:
Defendant. :
-----x

**NOTICE OF MOTION FOR
PRELIMINARY
SETTLEMENT APPROVAL**
**FILED
ELECTRONICALLY**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, Declaration of Michael J. Boni (and the exhibits thereto), the proposed Second Amended Complaint to which defendant Google has provided written consent pursuant to Fed. R. Civ. P. 15(a)(2), and upon all prior pleadings and proceedings in this case, the undersigned Class Counsel for Plaintiffs in the above-captioned action will move, pursuant to Rule 23 of the Federal Rules of Civil Procedure, before the Hon. John E. Sprizzo, U.S. District Judge, at a date and time convenient for the Court in Courtroom 14C at the United States District Courthouse, 500 Pearl Street, New York, New York 10007, for an Order:

1. Preliminarily approving the proposed class action settlement;
2. Provisionally certifying the Settlement Class and sub-classes for settlement purposes pursuant to Rule 23 of the Federal Rules of Civil Procedure;
3. Approving the proposed forms and methods of notice to the settlement class; and
4. Scheduling a hearing on final settlement approval and the application for plaintiffs' attorneys' fees and expenses.

Dated: October 28, 2008

/s/ Bruce P. Keller

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Attorneys for Plaintiffs The McGraw-Hill Companies, Inc., Pearson Education, Inc., Penguin Group (USA) Inc., Simon & Schuster, Inc., John Wiley & Sons, Inc., Association of American Publishers, Inc. and the Publisher Sub-Class

/s/ Michael J. Boni

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