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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 (DC)
	:
Plaintiffs,	: NOTICE OF MOTION
	: FOR PRELIMINARY
	: APPROVAL OF AMENDED
v.	: <u>SETTLEMENT AGREEMENT</u>
	:
Google Inc.,	: FILED
	: ELECTRONICALLY
Defendant.	:
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PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, Declaration of Michael J. Boni (and the exhibits thereto), the proposed Third 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. Denny Chin, U.S. District Judge, at a date and time convenient for the Court in Courtroom 11A at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, for an Order:

1. Preliminarily approving the proposed Amended Settlement Agreement;
2. Provisionally certifying the Amended 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 supplemental notice to the Amended Settlement Class; and
4. Scheduling a hearing on final settlement approval and the application for plaintiffs' attorneys' fees and expenses.

Dated: November 13, 2009

/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., Harlequin Enterprises Limited, Macmillan Publishers Limited, Melbourne University Publishing Limited, The Text Publishing Company, and the Publisher Sub-Class

/s/ Michael J. Boni
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Author Sub-Class*