

25 January 2010

The Hon. Denny Chin  
United States District Judge  
Daniel Patrick Moynihan Courthouse  
500 Pearl St.  
New York, NY 10007-1312

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #:
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Re: The Authors Guild, Inc., Association of American Publishers, Inc., et al. v  
Google Inc., No 05 Civ 8136 (DC)

Dear Judge Chin:

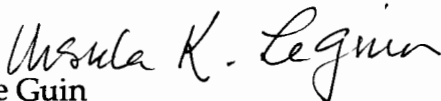
The enclosed petition regarding the Google Book Settlement has been posted for the last few weeks on my web site and on Book View Café, an e-publishing cooperative web site for writers. I invited other professional authors to add their signatures to mine on the petition. I asked that only those authors sign who make all or part of their living from copyrighted works. I have opted out of the settlement. I do not know if the other authors who signed the petition have opted out, opted in, or done nothing with respect to the settlement.

These 367 signatures follow the petition with my signature.

All the authors who responded included their email address, but as I am told that material submitted to the Court may be made public, I left off the addresses to protect the signers' privacy. Writers from outside the United States are so indicated by their nationality in parentheses after their name.

I ask that this letter, the petition, and the names of the signers be placed in the official case file for the case listed above involving the Google Book Settlement that will be heard on February 18, 2010.

Thank you.

Yours truly,  
  
Ursula K. Le Guin

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## PETITION CONCERNING THE GOOGLE BOOK SETTLEMENT

The Google Settlement was negotiated by the Authors Guild, without consultation with any other group of authors or American authors as a whole. The Guild cannot and does not speak for all American writers. Its settlement cannot be seen as reflecting the will or interest of any group but the Guild.

Three groups of American writers, the National Writers Union, the American Society of Journalists and Authors, and the Science Fiction and Fantasy Writers Association, are opposed to the settlement. So are all the signatories of this letter: professional writers, who make part or all their living from their copyrights.

Ireland, India, South Africa, and New Zealand (countries with active publication in English) protested the settlement and have been exempted from it. The governments of Germany and France protested unregulated digitization and have been exempted from the Settlement (and the French Government is suing Google for illegal digitization of copyrighted property.)

We ask that the United States also be exempted from the settlement. We ask that the principle of copyright, which is directly threatened by the settlement, be honored and upheld in the United States.

The "opt-out" clause in the Settlement is most disturbing: First, it seems unfair that, by the terms of the class-action settlement, authors can officially present objections to the Court only by being "opted in" to the settlement and thereby subjecting themselves to its terms. Second, while the "opt-out" clause appears to offer authors an easy way to defend their copyright, in fact it disguises an assault on authors' rights. Google, like any other publisher or entity, should be required to obtain permission from the owner to purchase or use copyrighted material, item by item.

There is no justification for reversing that rule by forcing copyright owners to defend their right against every careless or predatory use of the material, thus rendering copyright essentially meaningless.

The United States Department of Justice agrees, having declared that Google should negotiate individually with copyright holders. The Director of the United States Copyright Office calls the Settlement "an end-run around copyright law."

*The free and open dissemination of information and of literature, as it exists in our Public Libraries, can and should exist in the electronic media. All authors hope for that. But we cannot have free and open dissemination of information*

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and literature unless the use of written material continues to be controlled by those who write it or own legitimate right in it. We urge our government and our courts to allow no corporation to circumvent copyright law or dictate the terms of that control.

Signed:

  
Ursula K. Le Guin

(and attached list of signers)

## List of Authors Opposing the Google Book Settlement/Page 1

Millicent Borges Accardi  
Danny Adams  
Max Adams  
Nona Aguilar  
Brigit Aine  
Sara Amis  
Karla Andersdatter  
Douglas A. Anderson  
Donna Andrews  
Judith Arcana  
William H. Ash III  
Lori K. Baker  
Susan Pease Banitt  
Douglas Barbour (CANADA)  
Darryl Barnes  
David M. Bartell  
Anita Bartholomew  
Ray Bartlett  
Michel Basilières (Canada)  
Elizabeth Bear  
Marc Beaudin  
Georgia Beaverson  
William Bedford  
Angela Benedetti  
Carol Berg  
Gail J. Berg  
Mary Rose Betten  
David Biespiel  
Madeline Bodin  
Moe Bowstern (aka Lara Mulvaney)  
Irene Brady  
R V Branham  
Greg Breining  
Marie Brennan  
Patricia Briggs  
Steven Brown (Stan!)  
N M Browne (UK)  
Jonathan Buckley  
Beverly Burmeier  
Ken Burnside  
Julie Ann Burton / Jenn Saint-John  
M.L. Bushman  
Charles Butler  
Mary Lynn Cabrall

## List of Authors Opposing the Google Book Settlement/Page 2

Ken Cadow  
Sheila Callahan  
Mike Cane  
Michael Capobianco  
Amy Sterling Casil  
Richard Cass  
Victor M. Cassidy  
Christine Cole Catley  
Karen Christino  
Margaret Chula  
Chris Clarke  
Amanda Cockrell  
Brian E. Cooper  
E.W. (Ellen) Count  
Brad Crawford  
J.D. Crayne  
Barbara Crooker  
Eliza Cross  
Raul daSilva  
Meryl Davids  
Steve Davidson  
Robert A. Davies  
Kathryn Lynn Davis  
Milly Dawson  
Francesca De Grandis  
Guy Anthony De Marco  
Pamela Dean  
Stephen Delaney  
Alyx Dellamonica  
Barbara Demarco-Barrett  
Jackie Dishner  
Roger Dorband  
John Dougherty (U.K.)  
Ramsay Dow  
Matt Doyle  
Noreen Doyle  
Laree Draper  
Dave Draper  
Lisa Duchene  
Joe Dully  
Hal Duncan  
Ann Dupuis  
E.T. (Cy) Eberhart  
John Edge

Rosemary Edghill  
Sabine Eiche  
Carol Ekarius  
Michael Elcock  
Thomas Evans  
D.R. Evans  
Julie Fanselow  
Fawn Fitter  
Judith Fitzgerald  
Sean P. Fodera  
Tim Folger  
James Talbot Frain  
Scott Fratcher  
Barb Freda  
I.G. Frederick  
Judith Freeman  
Rebecca French  
Paula Friedman  
Mark L. Fuerst  
Cathie Gandel  
Lynne Garner (U.K.)  
Melissa Gaskill  
Phillis Gershator  
Jason E. Gillikin  
Laura Anne Gilman  
Rachel Gladstone-Gelman  
Molly Gloss  
Joe Gold  
Kim Goldberg  
Stephanie Golden  
Toni Goldfarb  
Lisa Goldstein  
Mickey Goodman  
Michelle Goodman  
Felicity Goodyear-Smith (NZ)  
Jodie Gould  
Steven Gould  
Timothy Gower  
Rosalie V. Grafe  
Shawn Granger  
Beverly Gray  
Frances Grimble  
Mavis Guinard  
Eileen Gunn

Marilyn Hacker  
Andrea Hairston  
Nancy W. Hall  
Kate Hanley  
Nick Harkaway (UK)  
Lisa Harkrader  
Deborah Harmes  
Edward Hasbrouck  
Justin Adams Haven  
John Hedtke  
John G. Henry /Jack Campbell  
John Henley  
Saxon Henry  
Roland Hess  
James A. Hetley  
Jack Hillman  
Bill Hinchberger  
Jim C. Hines  
Peter Hobbs  
Harriet Hodgson  
Rachel Holmes (U.K.)  
Lynley Hood (N.Z.)  
Kay Hooper  
Elizabeth Meade Howard  
Keri Hulme (N.Z.)  
Deborah R. Huso  
Blake Hutchins  
Shane Ivey  
Angie Jabine  
Betsy James  
Roby James  
Victoria Janssen  
Jan Jasper  
Liesl Jobson (SOUTH AFRICA)  
Judith Johnson  
Larissa Brittany Johnson  
Gwyneth Jones  
Miracle Jones  
Spike Y Jones  
Mary Kaiser  
Stacia Kane  
Judith Karpova  
Christine Kuehn Kelly  
Steve Kenson

Claire J. Keyes  
Katharine Eliska Kimbriel  
Brittany Kingston  
James Kite  
Ellen Klages  
Martin Klimes  
Andrew Kozma  
Bill Kropla  
Ondine Brooks Kuraoka  
Louise Lacey  
Mercedes Lackey  
Marc Laidlaw  
Sarah Lamstein  
Ruth Laney  
Cassandra Langer  
Katherine Langrish  
Rodger Larson  
Jack Lasenby (N.Z.)  
Janine Latus  
Christina R. Lay  
Jack Baldwin LeClair  
Stephen Leigh  
Lisbeth Levine  
John R Levine  
Isaac Levy  
Peter R. Limburg  
Jonathan Lipkin  
Norman M. Lobsenz  
Elise Logan  
James Lowder  
Sallie Lowenstein  
Michael W Lucas  
Rosalie Maggio  
Daryl F Mallett  
Roger Marshall  
Lee Martindale  
Joan Mazza  
Gwendolyn R. McAlister  
Michael McCallister  
Bonnie McGinnis  
Vonda N. McIntyre  
Mary Mihaly  
Sandra Miller-Louden  
Randi Minetor



Fred Minnick  
Devon Monk  
Elizabeth Moon  
John Moore  
Robin Morgan  
Stephen Morrill  
Evan Morris  
Nancy Mulvany  
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Kim Murphy  
Randy Myers  
Katherine Nabity  
Joanna Nadin  
Elizabeth Sussman Nassau  
Judy Nedry  
Erik Ness  
Richard Jeffrey Newman  
Claire Nolan  
Fredrick Rea O'Keefe  
Jerry Oltion  
Luis Ortiz  
Naomi Otsubo  
James A. Owen  
Lisa L. Owens  
Helen Oyeyemi  
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Wendy Patterson  
Claudia Pearson  
Susan K. Perry  
Lawrence Person  
Catherine M. Petrini  
Evelyn Jean Pine  
Lavinia Pisano  
Kate Pocock  
Paul Preuss  
Joan Price  
John Pritchard (U.K.)  
Tom Purdom  
Alexis Quinlan  
Phyllis Radford  
Cornelia Read  
Melissa Readon  
Bonnie Remsberg

Laura Resnick  
Karen Packard Rhodes  
Dick Richards  
Linda Riebel  
Mimi Riser  
Madeleine E. Robins  
Kim Stanley Robinson  
Deborah Robson  
Peter Rock  
John Rosengren  
Betsy Rosenthal  
Adrienne Ross  
Carolee Ross  
Manuel Royal  
John Royce  
Beth Rubin  
Helen Ruggieri  
Sue Russell  
Jesse Jayne Rutherford  
Vicki Salemi  
Deb Salisbury  
Anne Sanders (Australia)  
Patricia Sargeant  
Willa Schneberg  
Lani Schonberg  
Candace Schuler  
Daylle Deanna Schwartz  
Kamila Shamsie  
Marie Shear  
Anna Sheehan  
Tamara Sheehan  
Jean Sheldon  
Walt Shiel  
Denise Siino  
Andrew G. Simpson  
Ruth Singer  
Vandana Singh  
Shelley Slouza  
Sonya Smith  
Karen Smith (CANADA)  
Cheryl Solimini  
Lisa Spangenberg  
Bud Sparhawk  
Philip Spiegel

Gillian Spraggs (United Kingdom)  
Charles C. Spray  
Michael A. Stackpole  
Allen Steele  
Jonathan Steinberg  
John Stickler  
Brooke C. Stoddard  
Michael Swanwick  
Claire Sykes  
Judith Tarr  
James Taylor  
Charlene Teglia  
Philip Temple (N.Z.)  
Malinda Terry  
Allan Terry  
Bridget Mintz Testa  
Sheree Renee Thomas  
Amy Thomson  
Jeff Tidball  
Rachel Tillman  
Pamela Toler  
Debra Traverso  
Liza Groen Trombi  
Jerome Tuccille  
Barbara J. Turner  
Donna Van Cleve  
Raymond Van Over  
Elisabeth Vonarburg (Canada)  
Dian Vujovich  
Ken Wachsberger  
John Walker (Australia)  
James Waller  
Jo Walton  
Andrea Warren  
John F. Wasik  
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Katharine Webster  
Marvin Weisbord  
Henry Wessels  
Brook West  
Martha Ullman West  
Victoria Wheeler  
Charles Whipple  
Russell Wild

**List of Authors Opposing the Google Book Settlement/Page 9**

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Brandon Wilson  
Marsha Winborn  
Michele Wojciechowski  
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Jennifer Worick  
Sharon Wood Wortman  
Helen S. Wright (UK)  
Jan Wright  
Rustin H. Wright  
Jane Yolen  
Martin Zucker