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**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK**

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The Authors Guild, Inc., et al.,	:	
	:	
Plaintiffs,	:	
	:	
v.	:	Case No. 05 CV 8136 (DC)
	:	
Google, Inc.,	:	
	:	
Defendant.	:	
	:	
	-----X	

**JAPAN P.E.N. CLUB'S MOTION
 FOR LEAVE TO FILE BRIEF *AMICUS CURIAE*
 IN OPPOSITION TO AMENDED PROPOSED SETTLEMENT**

The Japan P.E.N. Club respectfully moves this Court for leave to file the attached brief *amicus curiae* in opposition to the amended proposed settlement agreement.

Founded in 1935, the Japan P.E.N. Club is a gathering of poets, playwrights, essayists, editors and novelists, who subscribe to the philosophy of seeking peace and opposing all forms of suppression of freedom of expression. The Japan P.E.N. Club has been a leader in Japanese literature and press throughout its history, carrying out all its activities

based on the principles of independence and self-reliance¹. The leadership roles of the Japan P.E.N. Club have been filled by some of the most influential and well-known novelists and writers of the era.

The attached *amicus curiae* brief is short; it is less than 10 pages. It addresses and calls the Court's attention to the key concerns of the writers, publishers and other rightsholders in Japan who will be directly and indirectly affected by the proposed settlement--including those rightsholders who have been recently removed from the settlement class--as well as the policy concerns raised by the proposed settlement as viewed from the perspective of these Japanese writers and rightsholders.

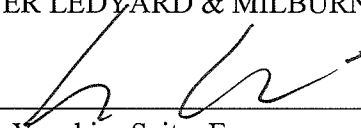
For these reasons, the Japan P.E.N. Club respectfully requests this Court's leave to submit the attached *amicus curiae* brief.

Dated: New York, New York
January 28, 2010

Respectfully submitted,

CARTER LEDYARD & MILBURN LLP

By: _____


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¹ The Japan P.E.N. Club is an independent organization and receives no subsidies from national government or other organizations. It has no parent company of any kind, and no public corporation has an ownership stake of 10% or more in the Japan P.E.N. Club.