

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MICHELE SNOW, Individually and On :
Behalf Of All Others Similarly Situated, : 06 CV 00669 (RJH) (MHD)
:
Plaintiffs, :
:
- against - :
:
DOUBLEDAY, a division of RANDOM HOUSE, INC.; :
BANTAM DOUBLEDAY DELL PUBLISHING GROUP; :
RANDOM HOUSE, INC.; ANCHOR BOOKS, a division :
of RANDOM HOUSE, INC.; JAMES FREY, :
:
Defendants. :
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**NOTICE OF DEFENDANT'S MOTION TO STAY PROCEEDINGS PENDING
A DECISION BY THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

PLEASE TAKE NOTICE that, upon the annexed Declaration of Elizabeth A. McNamara, dated February 28, 2006, the accompanying Memorandum of Law, and all other relevant papers filed in this action, defendant Random House Inc. ("Random House")¹ will move this Court before the Honorable Richard J. Holwell, United States District Court, Southern District of New York, 500 Pearl Street, New York, New York for an Order staying all proceedings in this action pending a decision by the Judicial Panel on Multidistrict Litigation, together with such other and further relief as the Court deems just and proper.

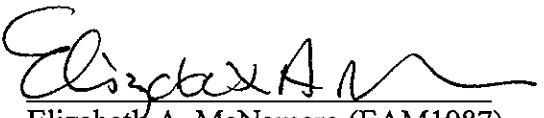
¹ In addition to defendants Random House and James Frey, the complaint purports to name as defendants "Doubleday, a division of Random House, Inc.", "Bantam Doubleday Dell Publishing Group" and "Anchor Books, a division of Random House, Inc.", none of which are separate corporate entities. Doubleday, Bantam Doubleday Dell Publishing Group and Anchor Books are divisions of Random House, Inc. Defendant Random House will move at the appropriate time to have these alleged parties dismissed from the action.

PLEASE TAKE FURTHER NOTICE that any answering papers are to be served upon the undersigned in accordance with Rule 6.1 of the Local Civil Rules for the Southern and Eastern Districts of New York, or as ordered by the Court.

Dated: New York, New York
February 28, 2006

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