

Robert J. Bernstein (RB 4230)  
 THE LAW OFFICE OF  
 ROBERT J. BERNSTEIN  
 380 Lexington Avenue, 17<sup>th</sup> Floor  
 New York, NY 10168  
 Telephone: (212) 551-1068  
 Facsimile: (212) 551-1001

OF COUNSEL:

Daniel F. Goldstein  
 Jessica P. Weber  
 BROWN, GOLDSTEIN & LEVY, LLP  
 120 E. Baltimore Street  
 Suite 1700  
 Baltimore, Maryland 21202  
 Telephone: 410-962-1030  
 Facsimile: 410-385-0869  
 dfg@browngold.com  
 jweber@browngold.com

Peter Jaszi  
 5402 Surrey Street  
 Chevy Chase, Maryland 20815  
 Telephone: 301-656-1753  
 Facsimile: 301-656-7483  
 pjaszi@wcl.american.edu

*Counsel for Defendant Intervenors*

**IN THE UNITED STATES DISTRICT COURT  
 FOR THE SOUTHERN DISTRICT OF NEW YORK**

THE AUTHORS GUILD, INC., et al.,

*Plaintiffs,*

v.

HATHITRUST, et al.,

*Defendants.*

Case No. 11-cv-6351(HB)

DEFENDANT INTERVENORS'  
 NOTICE OF MOTION FOR COSTS  
 AND ATTORNEYS' FEES

**PLEASE TAKE NOTICE** that upon the Declaration of Daniel F. Goldstein, dated October 31, 2012, offered in support of Defendant Intervenors' Motion for Costs and Attorneys' Fees; and upon all prior pleadings and proceedings had herein, the Defendant Intervenors in the

above-captioned action hereby move this Court, before the Honorable Harold Baer, Jr., United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007, for an Order granting Costs and Attorneys' Fees pursuant to Fed. R. Civ. P. 54(d) and 17 U.S.C. § 505, in the amount of \$514,042.15 for attorneys' fees and \$14,001.35 in costs, and for such other and further relief as deemed just and proper by this Court.

**PLEASE TAKE FURTHER NOTICE** that any opposing and answering memoranda to this motion shall be served within fourteen days after service of Defendant Intervenor's moving papers pursuant to Local Rule 6.1(b).

DATED: October 31, 2012

Respectfully Submitted,

/s/ Daniel F. Goldstein

Daniel F. Goldstein, *Pro Hac Vice*  
Jessica P. Weber, *Pro Hac Vice*  
BROWN GOLDSTEIN & LEVY, LLP  
120 E. Baltimore Street, Ste. 1700  
Baltimore, Maryland 21202  
Telephone: (410) 962-1030  
Facsimile: (410) 385-0869  
[dfg@browngold.com](mailto:dfg@browngold.com)  
[jweber@browngold.com](mailto:jweber@browngold.com)

Robert J. Bernstein (RB 4230)  
THE LAW OFFICE OF  
ROBERT J. BERNSTEIN  
380 Lexington Avenue, 17<sup>th</sup> Floor  
New York, NY 10168  
Telephone: (212) 551-1068  
Facsimile: (212) 551-1001  
[rjb@robert-bernsteinlaw.com](mailto:rjb@robert-bernsteinlaw.com)

Peter Jaszi  
5402 Surrey Street  
Chevy Chase, Maryland 20815  
Telephone: 301-656-1753  
Facsimile: 301-656-7483  
[pjaszi@wcl.american.edu](mailto:pjaszi@wcl.american.edu)