

# **Exhibit E**

**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)

**DECLARATION OF DANIEL F. GOLDSTEIN**

I, Daniel F. Goldstein, do hereby declare that:

1. I am over eighteen years of age and am competent to make this Declaration.
2. I am a member in good standing of the bars of the Maryland Court of Appeals, the United States District Court for the District of Maryland, and the Supreme Court of the United States, the United States Courts of Appeal for the District of Columbia, Second, Fourth, Fifth, Sixth, Eighth, Ninth, and Tenth Circuits as well as the United States Court of Federal Claims.
3. I have been a partner at the firm of Brown, Goldstein & Levy, LLP, a Baltimore law firm, since its founding in 1984. Brown, Goldstein & Levy, LLP is a leading private plaintiff's law firm, with extensive practice in the areas of disability civil rights, race discrimination, gender discrimination, wage and hour violations, and actions brought on behalf of consumers under both state and federal law. Prior to forming Brown, Goldstein & Levy, I worked as a law clerk to the Honorable Frank Kaufman in the U.S. District Court for the District of Maryland and as an Assistant United States Attorney in the District of Maryland. I have practiced law for more than 35 years.

4. I anticipate that any discovery the Proposed Intervenors will take in this case will largely overlap with the discovery the Defendants will take. Any additional discovery will be very minimal.

5. I have seen the scheduling order in this case and believe that our participation, should the Court grant the motion, would not cause any delays.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: *December 6, 2011*

  
Daniel F. Goldstein