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BY FACSIMILE (212) 805-7901

Hon. Harold Baer, Jr.
United States District Judge
Southern District of New York
500 Pearl Street, Rm. 2230
New York, New York 10007-1312

Re: *The Authors Guild, et al. v. Hathitrust, et al.*, 11 civ. 6351 (HB)

Dear Judge Baer:

We represent the plaintiffs in the above-captioned matter. We are writing with the consent of counsel for Defendants and for Intervenors with respect to the briefing schedule for the parties' planned motions for summary judgment.

Pursuant to the Scheduling Order, the last day for the submission of fully-briefed motions is July 20, 2012. Accordingly, the parties each plan to serve opening papers on or before June 29, 2012. While we are prepared to serve opposition papers on or before July 20, 2012, in light of the Court's statement at last week's hearing that it will not be available in July, we jointly request that the last day for fully-briefed motions to be served and filed be extended for one week to July 27, 2012. If the Court is willing to extend the briefing period for this one additional week, we would propose that the schedule be as follows: moving papers by June 29, opposition by July 20, reply (if any) and submission of all papers by July 27.

Thank you for your consideration of this request.

Respectfully submitted,

Edward H. Rosenthal / ER

Edward H. Rosenthal

cc: Robert Bernstein, Esq. (via email)
Dan Goldstein, Esq. (via email)
Joseph Petersen, Esq. (via email)

Fine
SO ORDERED:

Harold Baer, Jr.
Harold Baer, Jr., U.S.D.J.

Date: 6/6/2012

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