

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE AUTHORS GUILD, INC., et al, : Index No. 11 Civ. 6351 (HB)  
Plaintiffs, : **NOTICE OF MOTION**  
- against - :  
HATHitrust, et al. :  
Defendants. :  
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PLEASE TAKE NOTICE THAT, upon the Declaration of Edward H. Rosenthal, dated June 29, 2012, the Declaration of Paul Aiken, dated June 28, 2012, the Declaration of Pat Cummings, dated June 28, 2012, the Declaration of Kelly Duffin, dated June 28, 2012, the Declaration of Benjamin Edelman, dated June 27, 2012, the Declaration of Francis Farley-Chevrier, dated June 26, 2012, the Expert Report of Professor Daniel Gervais, dated June 28, 2012, the Declaration of Louise Hedberg, dated June 26, 2012, the Declaration of Jan Terje Helmlie, dated June 27, 2012, the Declaration of Isabel Howe, dated June 26, 2012, the Declaration of Roxana Robinson, dated June 26, 2012, the Declaration of James Shapiro, dated June 25, 2012, the Declaration of T.J. Stiles, dated June 26, 2012, the Declaration of Fay Weldon, dated June 25, 2012, the Declaration of John White, dated June 21, 2012, the exhibits attached to such declarations, the Declaration of Trond Andreassen, dated June 22, 2012, the Declaration of Owen Atkinson, dated June 27, 2012, the Declaration of Erik Grundstrom, dated June 26, 2012, the Declaration of Helge Rønning, dated June 27, 2012, the Declaration of André Roy, dated June 27, 2012, the Declaration of Danièle Simpson, dated June 25, 2012, the accompanying Memorandum of Law and the prior pleadings herein, Plaintiffs will move this Court, before the Honorable Harold Baer, Jr., at the United States Courthouse, 500 Pearl Street,

New York, New York, in Courtroom 23B, on a date and time to be set by the Court, for summary judgment on all of its claims against Defendants pursuant to Rule 56 of the Federal Rules of Civil Procedure.

Dated: New York, New York  
June 29, 2012

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