

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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:  
United States of America, :  
Plaintiff, :  
v. :  
:  
Apple, Inc., et al., :  
Defendants. :  
----- X

No. 12-civ-2826 (DLC)  
  
**ECF CASE**

**MOTION AND [PROPOSED] ORDER OF  
WITHDRAWAL OF APPEARANCE OF DAVID J. CAREY, ESQ.**

Pursuant to Local Rule 1.4, Defendants Holtzbrinck Publishers, LLC d/b/a Macmillan ("Macmillan") and Verlagsgruppe Georg von Holtzbrinck GmbH ("VGvH"), by and through their counsel, Sidley Austin LLP ("Sidley Austin"), respectfully request the withdrawal of the appearance of David J. Carey, Esq., as counsel on their behalf.

Sidley Austin has represented Macmillan and VGvH throughout this action and will continue to do so. On May 16, 2012, Mr. Carey appeared in this action on behalf of Macmillan and VGvH, at which time he was an associate attorney with Sidley Austin. Mr. Carey is no longer associated with Sidley Austin and will not continue to represent Macmillan and VGvH in this action. Mr. Carey's withdrawal will not affect the posture of this action.

*Granted.*  
*Genice Cole*  
*August 27, 2012*

Dated: New York, New York  
July 5, 2012

SIDLEY AUSTIN LLP

By: /s/ Joel M. Mitnick

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*Attorneys for Defendants Holtzbrinck Publishers,  
LLC d/b/a Macmillan and Verlagsgruppe Georg  
von Holtzbrinck GmbH*

ENTERED this \_\_\_\_ day of July, 2012  
SO ORDERED

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Hon. Denise L. Cote  
United States District Judge