

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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
APPLE, INC., <i>et al.</i> ,)
)
Defendants.)
)

**PLAINTIFF UNITED STATES' PROPOSED SCHEDULE
FOR PENGUIN TUNNEY ACT REVIEW**

On December 18, 2012, the United States filed a proposed Final Judgment as to Defendants Penguin Group (USA), Inc. and The Penguin Group, a division of Pearson plc (collectively “Penguin”), and a stipulation by the United States and Penguin to the entry of the proposed Final Judgment after compliance with the requirements of the Antitrust Procedures and Penalties Act (“Tunney Act”), 15 U.S.C. § 16. Pursuant to the Court’s December 19, 2012 Order, the United States proposes the following schedule for the completion of the Tunney Act requirements:

1. The United States anticipates that the *Federal Register* and newspaper publication requirements of 15 U.S.C. §§ 16(b) and (c) will be completed by January 4, 2013, which will begin the sixty-day public comment period prescribed by 15 U.S.C. §§ 16(b) and (d). The public comment period will end on or about March 5, 2013. The United States will file the comments it receives and its Response to Comments by no later than **April 5, 2013**.

2. After *Federal Register* publication of the Response to Comments and the comments themselves (or, if the volume of public comments warrants and with the permission of the Court, posting of the comments on the Department of Justice's website, *see* 15 U.S.C. §§ 16(b) and (d)), the United States will move for entry of the proposed Final Judgment by no later than **April 19, 2013**.

3. Should the Court request additional briefing on the United States' motion for entry of the proposed Final Judgment, the United States proposes that party responses to the United States' motion for entry of the proposed Final Judgment be filed by no later than **May 3, 2013** and the United States' reply in support of its motion for entry of the proposed Final Judgment be filed by no later than **May 10, 2013**.

Dated: January 3, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Stephen Fairchild, hereby certify that on January 3, 2013, I caused a copy of Plaintiff United States' Proposed Schedule for Penguin Tunney Act Review to be served by the Electronic Case Filing System, which included the individuals listed below.

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