

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

UNITED STATES OF AMERICA,	)	
Plaintiff	)	
	)	
	)	
v.	)	Civil No. 1:12-CV-2826 (DLC)
	)	
	)	
APPLE, INC.,	)	
HACHETTE BOOK GROUP, INC.,	)	
HARPERCOLLINS PUBLISHERS L.L.C.,	)	
VERLAGSGRUPPE GEORG VON	)	
HOLTZBRINCK GMBH,	)	
HOLTZBRINCK PUBLISHERS, LLC	)	
d/b/a MACMILLAN,	)	
THE PENGUIN GROUP,	)	
A DIVISION OF PEARSON PLC,	)	
PENGUIN GROUP (USA), INC., and	)	
SIMON & SCHUSTER, INC.,	)	
Defendants.	)	
	)	

**DEFENDANT SIMON & SCHUSTER INC.’S DESCRIPTION AND  
CERTIFICATION OF WRITTEN OR ORAL COMMUNICATIONS  
CONCERNING THE PROPOSED FINAL JUDGMENT IN THIS ACTION**

Pursuant to Section 2(g) of the Antitrust Procedures and Penalties Act, 15 U.S.C. §16(g), Defendant Simon & Schuster Inc. (“Defendant”), by its attorneys, submits the following description and certification of all written and oral communications by, or on behalf of, Defendant with any officer or employee of the United States concerning or relevant to the Proposed Final Judgment filed in this action on April 11, 2012. In accordance with Section 2(g), the description excludes any communications “made by counsel of record alone with the Attorney General or the employees of the Department of Justice alone.”


**I. Description**

Defendant has no oral or written communications to report, except to note that from roughly March 1, 2012 through the filing of the Proposed Final Judgment, counsel of record for Simon & Schuster and HarperCollins Publishers L.L.C had several meetings and teleconferences with officers or employees of the United States Department of Justice. Counsel of record for Hachette Book Group, Inc., as well as employees of the Attorneys General for Texas and Connecticut and of the European Commission may have attended certain of these meetings or teleconferences.

**II. Certification**

Defendant certifies that the requirements of Section 2(g) have been complied with, and that the description above of communications by or on behalf of Defendant, known to Defendant, or of which Defendant reasonably should have known, and which are required to be reported under Section 2(g), is true and complete.

Respectfully submitted,



---

By:  
Helene D. Jaffe  
Jennifer R. Scullion  
Proskauer Rose LLP  
11 Times Square  
New York, NY 10036  
212.969.3000

Martha E. Gifford  
Law Office of Martha E. Gifford  
137 Montague Street #220  
Brooklyn, NY 11201  
718.858.7571

James Quinn  
Yehudah Buchweitz  
Weil, Gotshal & Manges LLP  
767 Fifth Avenue  
New York, NY 10153  
212.310.8000