

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

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

**MOTION OF *AMICUS CURIAE* BOB KOHN
FOR LEAVE TO FILE A 5-PAGE *AMICUS CURIAE* BRIEF
SOLELY TO REPLY TO GOVERNMENT’S RESPONSE TO PUBLIC COMMENTS
TO THE PROPOSED FINAL JUDGMENT WITH THE PENGUIN DEFENDANTS**

Amicus Curiae Bob Kohn, through his *pro bono* counsel, pursuant to 15 U.S.C. Sec. 16(f)(3), hereby moves for leave to file an *amicus curiae* brief for the sole purpose of commenting on the Department of Justice’s response to public comments (“Government Response to Comments”) to the proposed Final Judgment with respect to the Penguin defendants (“Penguin Settlement”), which was filed with the Court on April 5, 2013.

The grounds for this motion, as more fully set forth in the accompanying Memorandum of Points and Authorities, are that Kohn's comments would be helpful to the Court in evaluating the Penguin Settlement.

WHEREFORE, this motion should be granted and Kohn should be authorized to file, pursuant to 15 U.S.C. 16(f)(3), the proposed brief *amicus curiae* accompanying this motion.

Dated: April 29, 2012

Respectfully submitted,



BOB KOHN
California Bar No. 100793
140 E. 28th St.
New York, NY 10016
Tel. +1.408.602.5646
Fax. +1.831.309.7222
eMail: bob@bobkohn.com

/s/ Steven Brower

By: _____
STEVEN BROWER [PRO HAC]
California Bar No. 93568
BUCHALTER NEMER
18400 Von Karman Ave., Suite 800
Irvine, California 92612-0514
Tel: +1.714.549.5150
Fax: +1.949.224.6410
Email: sbrower@buchalter.com

Pro Bono Counsel to Bob Kohn