

# Joint Pretrial Order

No. 12-cv-2826 (DLC)/No. 12-cv-3394 (DLC)

## Exhibit A

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE ELECTRONIC BOOKS ANTITRUST  
LITIGATION

No. 11-md-02293 (DLC)

ECF CASE

THE STATE OF TEXAS, et al.,

Plaintiffs,

v.

PENGUIN GROUP (USA) INC., et al.,

Defendants.

No. 12-cv-03394 (DLC)

ECF CASE

**STIPULATION OF FACT**

The parties, by their undersigned counsel, hereby stipulate and agree as follows:

1. As of April 3, 2010, or shortly thereafter, Penguin sold trade e-books, through its agents, to consumers in each of the Plaintiff States.

Stipulated and Agreed this 25 day of April, 2013.

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