

U.S. District Court
United States District Court for the Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:05-cv-08136-DC

The Author's Guild et al v. Google Inc.
Assigned to: Judge Denny Chin
Related Case: [1:05-cv-08881-DC](#)
Case in other court: USCA 2nd Circuit, 09-02224-cv
Cause: 17:101 Copyright Infringement

Date Filed: 09/20/2005
Jury Demand: Defendant
Nature of Suit: 820 Copyright
Jurisdiction: Federal Question

Plaintiff

The Author's Guild

represented by **J. Kate Reznick**
Boni & Zack LLC
15 St. Asaphs Road
Bala Cynwyd , PA 19004
(610) 822-0200
Fax: (610) 822-0206
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Laura Helen Gundersheim
Bernstein Litowitz Berger & Grossmann
LLP
1285 Avenue of the Americas
New York , NY 10019
(212)554-1463
Fax: (212)554-1444
Email: Laurag@blbglaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael J. Boni
Boni & Zack LLC
15 St. Asaphs Road
Bala Cynwyd , PA 19004
(610) 822-0200
Fax: (610) 822-0206
Email: mboni@bonizack.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sanford P. Dumain
Milberg LLP (NYC)
One Pennsylvania Plaza
New York , NY 10119
212-594-5300
Fax: 212-868-1229
Email: sdumain@milberg.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce P. Keller
Debevoise & Plimpton, LLP (NYC)
919 Third Avenue
31st Floor
New York , NY 10022
212 909-6000
Fax: 212 909-6836
Email: bpkeller@debevoise.com
ATTORNEY TO BE NOTICED

Hadley Perkins Roeltgen
Kohn, Swift & Graf, P.C.
One South Broad Street
Suite 2100
Philadelphia, PA 19107
(215) 238-1700
ATTORNEY TO BE NOTICED

Joanne E. Zack
Boni & Zack LLC
15 St. Asaphs Road
Bala Cynwyd, PA 19004
(610)-822-0202
Fax: (610)-822-0206
Email: jzack@bonizack.com
ATTORNEY TO BE NOTICED

Plaintiff

Herbert Mitgang

represented by **J. Kate Reznick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Laura Helen Gundersheim
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael J. Boni
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sanford P. Dumain
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bruce P. Keller
(See above for address)
ATTORNEY TO BE NOTICED

Hadley Perkins Roeltgen
(See above for address)
ATTORNEY TO BE NOTICED

Joanne E. Zack
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Betty Miles
individually and on behalf of all others
similarly situated

represented by **J. Kate Reznick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Laura Helen Gundersheim
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael J. Boni
(See above for address)

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Sanford P. Dumain
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Bruce P. Keller
(See above for address)
ATTORNEY TO BE NOTICED

Hadley Perkins Roeltgen
(See above for address)
ATTORNEY TO BE NOTICED

Joanne E. Zack
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Daniel Hoffman
*individually and on behalf of all others
similarly situated*

represented by **J. Kate Reznick**
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Laura Helen Gundersheim
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Michael J. Boni
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Sanford P. Dumain
(See above for address)
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Bruce P. Keller
(See above for address)
ATTORNEY TO BE NOTICED

Hadley Perkins Roeltgen
(See above for address)
ATTORNEY TO BE NOTICED

Joanne E. Zack
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Paul Dickson

represented by **Bruce P. Keller**
(See above for address)
ATTORNEY TO BE NOTICED

J. Kate Reznick
(See above for address)
ATTORNEY TO BE NOTICED

Joanne E. Zack
(See above for address)

ATTORNEY TO BE NOTICED

Michael J. Boni
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Joseph Goulden
*individually and on behalf of all others
similarly situated*

represented by **Bruce P. Keller**
(See above for address)
ATTORNEY TO BE NOTICED

J. Kate Reznick
(See above for address)
ATTORNEY TO BE NOTICED

Joanne E. Zack
(See above for address)
ATTORNEY TO BE NOTICED

Michael J. Boni
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

**Association of American Publishers,
Inc.**

represented by **Bruce P. Keller**
(See above for address)
ATTORNEY TO BE NOTICED

Michael J. Boni
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Associational Plaintiffs

represented by **Bruce P. Keller**
(See above for address)
ATTORNEY TO BE NOTICED

Michael J. Boni
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

The McGraw–Hill Companies, Inc.

represented by **Bruce P. Keller**
(See above for address)
ATTORNEY TO BE NOTICED

Michael J. Boni
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Pearson Education, Inc.

represented by **Bruce P. Keller**
(See above for address)
ATTORNEY TO BE NOTICED

Michael J. Boni
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Pearson Education, Inc.

represented by

Bruce P. Keller
(See above for address)
ATTORNEY TO BE NOTICED

Michael J. Boni
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Simon & Schuster, Inc.

represented by **Bruce P. Keller**
(See above for address)
ATTORNEY TO BE NOTICED

Michael J. Boni
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

John Wiley & Sons, Inc.
*individually and on behalf of all others
similarly situated*

represented by **Bruce P. Keller**
(See above for address)
ATTORNEY TO BE NOTICED

Michael J. Boni
(See above for address)
ATTORNEY TO BE NOTICED

V.

Appellant

Lewis Hyde

represented by **Nathan Z. Dershowitz**
Dershowitz, Eiger & Adelson, P.C.
220 Fifth Avenue, Suite 300
New York, NY 10001
(212) 889-4009
Fax: (212) 889-3595
Email: ndershowitz@lawdea.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Appellant

Harry Lewis

represented by **Harry Lewis**
PRO SE

Appellant

Open Access Trust Inc.

represented by **Open Access Trust Inc.**
PRO SE

V.

Defendant

Google Inc.

represented by **David J. Silbert**
Keker & Van Nest, LLP
710 Sansome Street
San Francisco, CA 94111
(415) 391-5400
Fax: (415) 397-7188
TERMINATED: 03/24/2009
LEAD ATTORNEY
PRO HAC VICE

Melissa J. Miksch
Keker & Van Nest, LLP
710 Sansome Street
San Francisco , CA 94111
(415) 391-5400
Fax: (415) 397-7188
TERMINATED: 03/24/2009
LEAD ATTORNEY
PRO HAC VICE

Robert Jay Bernstein
The Law Offices of Robert J. Bernstein
488 Madison Avenue
9th Floor
New York , NY 10022
(212) 705-4811
Fax: 212 593 9175
Email: rjb@robert-bernsteinlaw.com
TERMINATED: 05/11/2006
LEAD ATTORNEY

Ronald Lee Raider
Kilpatrick Stockton, LLP (GA)
1100 Peachtree Street
Suite 2800
Atlanta , GA 30309
(404)-532-6909
Fax: (404)-815-6555
Email: rraider@kilpatrickstockton.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Adam Howard Charnes
Kilpatrick Stockton LLP (NC)
1001 West Fourth Street
Winston-Salem , NC 27101
(336)-607-7382
Fax: (336)-734-2602
Email: acharnes@kilpatrickstockton.com
ATTORNEY TO BE NOTICED

Alex Seth Fonoroff , S
Kilpatrick Stockton, LLP (GA)
1100 Peachtree Street
Suite 2800
Atlanta , GA 30309
(404)-815-6436
Fax: (404)-541-3202
Email: afonoroff@kilpatrickstockton.com
ATTORNEY TO BE NOTICED

Daralyn Jeannine Durie
Durie Tangri Lemley Roberts & Kent, LLP
332 Pine Street
Suite 200
San Francisco , CA 94104
(415) 362-6666
Fax: (415) 236-6300
Email: ddurie@durietangri.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jeffrey A. Conciatori
Quinn Emanuel Urquhart Oliver & Hedges
LLP (NYC)

51 Madison Avenue
22nd Floor
New York , NY 10010
212-702-8130
Fax: 212-702-8200
Email: jeffreyconciatori@quinnemanuel.com
ATTORNEY TO BE NOTICED

Joseph M. Beck
Kilpatrick Stockton, LLP (GA)
1100 Peachtree Street
Suite 2800
Atlanta , GA 30309
(404)-815-6406
Fax: (404)-541-3126
Email: jbeck@kilpatrickstockton.com
ATTORNEY TO BE NOTICED

Joseph C. Gratz
Durie Tangri Lemley Roberts & Kent, LLP
332 Pine Street
Suite 200
San Francisco , CA 94104
(415) 362-6666
Fax: (415) 236-6300
Email: jgratz@durietangri.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Movant

David Meininger

Amicus

**New York Law School, Institute for
Information Law and Policy**

represented by **Daniel Joseph Kornstein**
Kornstein Veisz Wexler & Pollard, LLP
757 Third Avenue
NY , NY 10017
(212) 418-8610
Fax: (212) 826-3640
Email: DKornstein@KVWMail.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Mikaela Ann McDermott
Kornstein Veisz Wexler & Pollard, LLP
757 Third Avenue
NY , NY 10017
(212)-418-8606
Fax: (212)-826-3640
Email: mmcdermott@kvwmail.com
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/20/2005	<u>1</u>	COMPLAINT against Google Inc. (Filing Fee \$ 250.00, Receipt Number 555987) Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (laq,) (Entered: 09/22/2005)
09/20/2005		SUMMONS ISSUED as to Google Inc.. (laq,) (Entered: 09/22/2005)

09/20/2005	<u>2</u>	RULE 7.1 DISCLOSURE STATEMENT. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman.(laq,) (Entered: 09/22/2005)
09/20/2005		Magistrate Judge Douglas F. Eaton is so designated. (laq,) (Entered: 09/22/2005)
09/20/2005		Case Designated ECF. (laq,) (Entered: 09/22/2005)
10/10/2005	<u>3</u>	SUMMONS RETURNED EXECUTED. Google Inc. served on 9/23/2005, answer due 10/13/2005. Service was accepted by Ashok Ramani, Legal Representative, authorized to accept service of Summons in a Civil Action, Class Action Complaint, Rule 7.1 Statement, Civil Case Cover Sheet, Magistrate Judge Eaton's and Judge Sprizzo Rules along with ECF Procedures and Guidelines, on behalf of Google Inc. Document filed by The Author's Guild. (Attachments: # <u>1</u>)(Dumain, Sanford) (Entered: 10/10/2005)
10/11/2005	<u>4</u>	STIPULATION AND ORDER that the time for deft to respond to the complaint is extended 20 days from 10/13 to and including 11/2/05. (Signed by Judge John E. Sprizzo on 10/7/05) (cd,) (Entered: 10/12/2005)
10/11/2005		Set Answer Due Date purs. to <u>4</u> Stipulation and Order as to Google Inc. answer due on 11/2/2005. (cd,) (Entered: 10/12/2005)
10/11/2005	<u>5</u>	MOTION for Joseph M. Beck to Appear Pro Hac Vice. Document filed by Google Inc. (jco,) (Entered: 10/12/2005)
10/11/2005	<u>6</u>	MOTION for Adam H. Charnes to Appear Pro Hac Vice. Document filed by Google Inc. (jco,) (Entered: 10/12/2005)
10/24/2005	<u>7</u>	MOTION for an order, admitting Michael J. Boni to Appear Pro Hac Vice as counsel for Plaintiffs. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. Affidavit of Sanford P. Dumain attached.(sac,) (Entered: 10/25/2005)
10/24/2005	<u>8</u>	MOTION for an order, admitting J. Kate Reznick to Appear Pro Hac Vice as counsel for Plaintiffs. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. Affidavit of Sanford P. Dumain attached.(sac,) (Entered: 10/25/2005)
10/25/2005	<u>9</u>	ORDER granting <u>5</u> Motion for Joseph M. Beck to Appear Pro Hac Vice . (Signed by Judge John E. Sprizzo on 10/24/05) (jco,) (Entered: 10/25/2005)
10/25/2005		Transmission to Attorney Admissions Clerk. Transmitted re: <u>9</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco,) (Entered: 10/25/2005)
10/25/2005	<u>10</u>	ORDER granting <u>6</u> Motion for Adam H. Charnes to Appear Pro Hac Vice . (Signed by Judge John E. Sprizzo on 10/24/05) (jco,) (Entered: 10/25/2005)
10/25/2005		Transmission to Attorney Admissions Clerk. Transmitted re: <u>10</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco,) (Entered: 10/25/2005)
10/27/2005		CASHIERS OFFICE REMARK on <u>10</u> Order on Motion to Appear Pro Hac Vice, <u>9</u> Order on Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 10/27/2005, Receipt Number 559555. (gm,) (Entered: 10/27/2005)
10/28/2005	<u>11</u>	ORDER that dft is granted leave to submit its motion for summary judgment not to exceed 25 pages on or before 11/30/05; plaintiffs shall submit their response to dft's motion and any cross motion; together not to exceed 25 pages on or before 1/6/06; dft shall submit

		its reply to plaintiffs' cross motion, if any, limited to the issues raised therein not to exceed fifteen pages, on or before 1/24/06 and oral argument shall occur on 1/30/06 at 3:00 pm. in courtroom 705, 40 Centre Street. (Signed by Judge John E. Sprizzo on 10/26/05) (dle,) (Entered: 10/31/2005)
10/28/2005		Set Deadlines/Hearings: Motions due by 11/30/2005. Replies due by 1/24/2006. Responses due by 1/6/2006 Oral Argument set for 1/30/2006 03:00 PM before Judge John E. Sprizzo. (dle,) (Entered: 10/31/2005)
11/18/2005	<u>12</u>	NOTICE of Appearance by Laura Helen Gundersheim on behalf of all plaintiffs (Gundersheim, Laura) (Entered: 11/18/2005)
11/30/2005	<u>13</u>	RULE 7.1 DISCLOSURE STATEMENT. Document filed by Google Inc..(Bernstein, Robert) (Entered: 11/30/2005)
11/30/2005	<u>14</u>	ANSWER to Complaint with JURY DEMAND. Document filed by Google Inc..(Bernstein, Robert) (Entered: 11/30/2005)
12/09/2005	<u>15</u>	AFFIDAVIT of Sanford P. Dumain in Support re: <u>7</u> MOTION for Michael J. Boni to Appear Pro Hac Vice.. Document filed by The Author's Guild. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(Gundersheim, Laura) (Entered: 12/09/2005)
12/09/2005	<u>16</u>	AFFIDAVIT of Sanford P. Dumain in Support re: <u>8</u> MOTION for J. Kate Reznick to Appear Pro Hac Vice.. Document filed by The Author's Guild. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2)(Gundersheim, Laura) (Entered: 12/09/2005)
12/15/2005	<u>17</u>	MOTION for Alex S. Fonoroff to Appear Pro Hac Vice. Attached is Affidavit of Robert J. Bernstein in support Document filed by Google Inc.. (djc,) (Entered: 12/16/2005)
12/15/2005	<u>18</u>	ORDER granting <u>8</u> Motion for J. Kate Reznick to Appear Pro Hac Vice . (Signed by Judge John E. Sprizzo on 12/13/05) (jco,) (Entered: 12/16/2005)
12/15/2005		Transmission to Attorney Admissions Clerk. Transmitted re: <u>18</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco,) (Entered: 12/16/2005)
12/15/2005	<u>19</u>	ORDER granting <u>7</u> Motion for Michael J. Boni to Appear Pro Hac Vice . (Signed by Judge John E. Sprizzo on 12/13/05) (jco,) (Entered: 12/16/2005)
12/29/2005		CASHIERS OFFICE REMARK on <u>19</u> Order on Motion to Appear Pro Hac Vice, <u>18</u> Order on Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 12/22/2005, Receipt Number 564907. (jd,) (Entered: 12/29/2005)
03/16/2006	<u>20</u>	ORDER; granting <u>17</u> Motion for Alex S. Fonoroff, Esq. to Appear Pro Hac Vice (Signed by Judge John E. Sprizzo on 3/14/06) (sac,) (Entered: 03/16/2006)
03/16/2006		Transmission to Attorney Admissions Clerk. Transmitted re: <u>20</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (sac,) (Entered: 03/16/2006)
03/29/2006	<u>21</u>	NOTICE OF APPEARANCE by Alex Seth Fonoroff, S on behalf of Google Inc. (Fonoroff, Alex) (Entered: 03/29/2006)
04/12/2006	<u>22</u>	NOTICE OF APPEARANCE by Jeffrey A. Conciatori on behalf of Google Inc. (Conciatori, Jeffrey) (Entered: 04/12/2006)
04/13/2006	<u>23</u>	MOTION for Ronald L. Raider to Appear Pro Hac Vice. Document filed by Google Inc. (jco,) (Entered: 04/14/2006)

04/19/2006	<u>24</u>	ORDER granting <u>23</u> Motion for Ronald L. Raider to Appear Pro Hac Vice . (Signed by Judge John E. Sprizzo on 4/18/06) (jco,) (Entered: 04/20/2006)
04/19/2006		Transmission to Attorney Admissions Clerk. Transmitted re: <u>24</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jco,) (Entered: 04/20/2006)
05/09/2006	<u>25</u>	NOTICE of Substitution of Attorney. Old Attorney: Robert J. Bernstein, New Attorney: Jeffrey A. Conciatori, Address: Quinn Emanuel Urquhart Oliver &Hedges, LLP, 51 Madison Avenue, 22nd fl., New York, New York, United States 10010, 212-849-7000. Document filed by Google Inc.. (Conciatori, Jeffrey) (Entered: 05/09/2006)
05/11/2006	<u>26</u>	STIPULATION AND ORDER; that the law firm of Quinn Emanuel Urquhart Oliver &Hedges, LLP be substituted as counsel for dft. in the place of The Law Offices of Robert J. Bernstein. (Signed by Judge John E. Sprizzo on 4/27/06) (pl,) (Entered: 05/11/2006)
05/11/2006	<u>27</u>	NOTICE OF CHANGE OF ADDRESS by Jeffrey A. Conciatori on behalf of Google Inc.. New Address: Quinn Emanuel Urquhart Oliver &Hedges, LLP, 51 Madison Avenue, 22nd Fl., New York, New York, United States 10010, 212-849-7000. (Conciatori, Jeffrey) (Entered: 05/11/2006)
05/17/2006	<u>28</u>	PROTECTIVE ORDER; regarding procedures to be followed that shall govern the handling of confidential information. (Signed by Judge John E. Sprizzo on 5/16/2006) (kkc,) (Entered: 05/18/2006)
05/22/2006	<u>29</u>	CASE MANAGEMENT PLAN: Amended Pleadings due by 6/19/2006. Motions due by 7/2/2007. Discovery due by 4/9/2007. Pretrial Conference set for 10/23/2006 03:00 PM before Judge John E. Sprizzo; initial disclosures under Rule 26(a)(1) shall be exchanged by 5/19/06; disclosure of expert witnesses required under Rule 26(a)(2) (A) shall be exchanged on 2/16/07; initial expert reports shall be exchanged on 3/16/07; rebuttal expert reports shall be exchanged on 4/4/07; expert deposition shall be taken from 4/4/07 through 5/15/07. (Signed by Judge John E. Sprizzo on 5/12/06) (dle,) (Entered: 05/22/2006)
06/09/2006	<u>30</u>	RULE 26 DISCLOSURE.Document filed by Google Inc..(Raider, Ronald) (Entered: 06/09/2006)
06/12/2006	<u>31</u>	RULE 26 DISCLOSURE.Document filed by Google Inc..(Raider, Ronald) (Entered: 06/12/2006)
06/19/2006	<u>32</u>	MOTION to Amend/Correct <i>the Complaint</i> . Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Certificate of Service)(Dumain, Sanford) (Entered: 06/19/2006)
06/19/2006	<u>33</u>	DECLARATION of J Kate Reznick in Support re: <u>32</u> MOTION to Amend/Correct <i>the Complaint</i> .. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Attachments: # <u>1</u> Exhibit A (Amended Complaint)# <u>2</u> Certificate of Service)(Dumain, Sanford) (Entered: 06/19/2006)
06/19/2006	<u>34</u>	MEMORANDUM OF LAW in Support re: <u>32</u> MOTION to Amend/Correct <i>the Complaint</i> .. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Attachments: # <u>1</u> Certificate of Service)(Dumain, Sanford) (Entered: 06/19/2006)
06/29/2006	<u>35</u>	STIPULATION AND ORDER: The parties agree as follows: Plaintiffs may amend their complaint as set forth in their moving

		papers, and the amended class action complaint attached to the moving papers is deemed filed on June 19, 2006. Defendant shall file a responsive pleading within thirty days of the date of this stipulation and order. (Signed by Judge John E. Sprizzo on 6/28/06) (js,) (Entered: 06/30/2006)
07/26/2006	<u>36</u>	AMENDED COMPLAINT amending <u>1</u> Complaint against Google Inc.Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. Related document: <u>1</u> Complaint filed by Betty Miles,, Daniel Hoffman, The Author's Guild, Herbert Mitgang.(db,) (Entered: 07/26/2006)
07/26/2006	<u>37</u>	ANSWER to Amended Complaint. Document filed by Google Inc.. Related document: <u>36</u> Amended Complaint, filed by Betty Miles,, Daniel Hoffman,, The Author's Guild,, Herbert Mitgang,, Paul Dickson,, Joseph Goulden.,(Charnes, Adam) (Entered: 07/26/2006)
09/14/2006	<u>38</u>	NOTICE OF APPEARANCE by Ronald Lee Raider on behalf of Google Inc. (Raider, Ronald) (Entered: 09/14/2006)
09/26/2006	<u>39</u>	PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material.... (Signed by Judge John E. Sprizzo on 9/22/2006) (lb,) (Entered: 09/26/2006)
09/29/2006	<u>40</u>	NOTICE of Intent to Serve Subpoenas. Document filed by Google Inc.. (Attachments: # <u>1</u> Attachment (Part 1)# <u>2</u> Attachment (Part 2)# <u>3</u> Attachment (Part 3))(Raider, Ronald) (Entered: 09/29/2006)
10/04/2006	<u>41</u>	NOTICE of Intent to Serve Subpoena. Document filed by Google Inc.. (Attachments: # <u>1</u> Attachment A)(Raider, Ronald) (Entered: 10/04/2006)
10/06/2006	<u>42</u>	NOTICE/ORDER OF WITHDRAWAL; Shannon M. McKenna an atty at Milberg Weiss Bershad &Schulman LLP and one of the attorney for Plaintiff– The Author's Guild, hereby withdraws as counsel for said plaintiff. Milberg Weiss Bershad &Schulman LLP continues to serve as counsel for plaintiff –The Author's Guild through its atty Sanford P. Dumain who requests that all future correspondence and papers in this action continue to be directed to him. (Signed by Judge John E. Sprizzo on 10/3/06) (djc,) (Entered: 10/10/2006)
10/06/2006	<u>43</u>	MOTION for Hadley Perkins Roeltgen to Appear Pro Hac Vice. Document filed by The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (jco,) (Entered: 10/10/2006)
10/16/2006	<u>44</u>	AMENDED CASE MANAGEMENT ORDER AND SCHEDULING ORDER: Amended Pleadings due by 6/19/2006. Motions due by 1/11/2008. Pretrial Conference set for 3/12/2007 03:00 PM before Judge John E. Sprizzo. (Signed by Judge John E. Sprizzo on 10/12/06) (kco,) (Entered: 10/17/2006)
10/16/2006	<u>45</u>	ORDER ADMITTING ATTORNEY PRO HAC VICE. Hadley Perkins Roeltgen is permitted to argue this case. (Signed by Judge John E. Sprizzo on 10/12/06) (kco,) (Entered: 10/17/2006)
10/17/2006		Transmission to Attorney Admissions Clerk. Transmitted re: <u>45</u> Order Admitting Attorney Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (kco,) (Entered: 10/17/2006)
10/19/2006		CASHIERS OFFICE REMARK on <u>45</u> Order Admitting Attorney Pro Hac Vice in the amount of \$25.00, paid on 10/19/2006, Receipt Number 593992. (jd,) (Entered: 10/19/2006)
11/22/2006	<u>46</u>	NOTICE of Intent To Serve Subpoena. Document filed by Google Inc.. (Raider, Ronald) (Entered: 11/22/2006)

01/08/2007	<u>47</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING;the actions pending in this Court are hereby coordinated for all pre-trial purposes before this Court....; The joint Protective order shall be entered simultaneously with the entry of this Order. Motions for Summary Judgment, if any, shall be filed Tuesday, March 11, 2008. The pretrial conference previously scheduled for 3/12/07 is adjourned. (Signed by Judge John E. Sprizzo on 1/3/07) (djc,) (Entered: 01/09/2007)
02/27/2007	<u>48</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING; The captioned actions pending in this Court are hereby coordinated for a pre-trial purposes before this Court. These actions shall be referred to herein as "Coordinated Actions". Motions due by 6/9/2007., Pretrial Conference set for 7/26/2007 03:00 PM before Judge John E. Sprizzo. (Signed by Judge John E. Sprizzo on 2/26/07) (djc) (Entered: 02/28/2007)
04/03/2007	<u>49</u>	NOTICE of Change of Firm Affiliation and Entry of Appearance. Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Boni, Michael) (Entered: 04/03/2007)
05/23/2007	<u>50</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING: Third party discovery due by 4/20/2006, Merits discovery due by 5/12/2008, Disclosure of expert witnesses under Rule 26(a)(2)(A) due by 3/17/2008, Initial expert reports to be exchanged 4/14/2008. Rebuttal experts reports shall be exchanged on 5/5/2008, Expert disposition taken from 5/5/2008 – 6/16/2008. Summary Judgment Motions due by 8/11/2008; responses due 60 days. Responses due 30 days of service of the motion. Pretrial Conference set for 9/24/2007 03:00 PM before Judge John E. Sprizzo. SO ORDERED. (Signed by Judge John E. Sprizzo on 5/17/2007) (jar) (Entered: 05/24/2007)
07/25/2007	<u>51</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING: Motions for Summary Judgment due by 10/13/2008. Pretrial Conference set for 11/27/2007 at 03:00 PM before Judge John E. Sprizzo. All other deadlines are set forth in this order. (Signed by Judge John E. Sprizzo on 7/20/07) (kco) (Entered: 07/26/2007)
10/02/2007	<u>52</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING: IT IS HEREBY ORDERED that the above-captioned actions pending in this Court are hereby coordinated for all pre-trial purposes before this Court and as further set forth in this Order. Motions for Summary Judgment due by 12/15/2008. If parties wish to file motions they shall request a pre-motion conference prior to any filings. Oppositions to Motions for Summary Judgment shall be filed within 30 days of service of the motion for summary judgment. Merits Discovery due by 9/15/2008. Production of Documents deadline due by 11/26/07. Expert Depositions shall be taken from Monday, 9/8/08 through Monday, 10/20/08. Defendant's Opposition to any Motion for Class Certification shall be filed 60 days after the motion for class certification has been filed. Plaintiffs' Reply in support of Class Certification shall be filed 30 days after the Opposition is filed. All conference previously scheduled in the Coordinated Actions are hereby adjourned. The Pretrial Conference shall take place on Tues., Nov. 18, 2008. (Signed by Judge Kevin Thomas Duffy on 9/28/07)– Part I (tro) (Entered: 10/02/2007)
11/21/2007	<u>53</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING: The production of documents requests served shall be completed by 1/28/2008. Merit

		discovery due 11/17/2008. Disclosure of expert witnesses shall be exchanged on 9/22/2008. Initial expert reports shall be exchanged on 10/20/2008. Rebuttal expert reports due 11/10/2008. Expert depositions to be taken from 11/10/2008 through 12/22/2008. Motions for summary judgment due by 2/16/2009. Oppositions to Motion for summary judgment due within 30 days of service of the motion. Plaintiffs' Motion for Class Certification due 30 days after the Courts decision with respect to summary judgment. Defendant's Opposition to Motion for Class Certification due 60 days after the motion for class certification, Plaintiffs' reply in support of Class Certification due 30 days after the Opposition is filed. The pretrial conference shall take place on 11/18/2008 for the purpose of informing the Court of the status of the case. However, the parties must, in addition, contact the Court to schedule a pre-motion conference before filing any motion. (Signed by Judge Peter K. Leisure for Judge John E. Sprizzo on 11/19/2007) (jar) (Entered: 11/21/2007)
01/29/2008	<u>54</u>	AMENDED CASE MANAGEMENT ORDER REGARDING COORDINATION AND SCHEDULING (Expert Witness List due by 11/24/2008. Discovery due by 1/20/2009. Motions due by 4/16/2009.) Defendant's Opposition to any Motion for Class Certification shall be 60 days after the motion for class certification has been filed. Plaintiffs' Reply in support of Class Certification shall be filed 30 days after the Opposition is filed. All conferences previously scheduled in the Coordinated Actions are hereby adjourned. So Ordered. (Signed by Judge John E. Sprizzo on 1/29/08) (js) (Entered: 01/30/2008)
10/28/2008	<u>55</u>	MOTION to Approve <i>/Notice of Motion for Preliminary Settlement Approval</i> . Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman.(Boni, Michael) (Entered: 10/28/2008)
10/28/2008	<u>56</u>	DECLARATION of Michael J. Boni and Exhibits in Support re: <u>55</u> MOTION to Approve <i>/Notice of Motion for Preliminary Settlement Approval</i> .. Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Boni, Michael) (Entered: 10/28/2008)
10/28/2008	<u>57</u>	MEMORANDUM OF LAW in Support re: <u>55</u> MOTION to Approve <i>/Notice of Motion for Preliminary Settlement Approval</i> .. Document filed by Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. (Boni, Michael) (Entered: 10/28/2008)
10/29/2008	<u>60</u>	MOTION for Daralyn J. Durie to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 11/03/2008)
10/29/2008	<u>61</u>	MOTION for David J. Silbert to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 11/03/2008)
10/29/2008	<u>62</u>	MOTION for Joseph C. Gratz to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 11/03/2008)
10/29/2008	<u>63</u>	MOTION for Melissa J. Miksch to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 11/03/2008)
10/30/2008	<u>58</u>	STIPULATION AND ORDER FOR AMENDMENT OF PLEADINGS; that pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, the parties to the above-captioned case and to The McGraw-Hill Companies, Inc., et al. v. Google Inc., No. 05 CY 8881, by and through their undersigned counsel, hereby agree that plaintiffs may. (Signed by Judge John E. Sprizzo on 10/29/08) (pl) (Entered: 10/30/2008)

10/31/2008	<u>59</u>	SECOND AMENDED COMPLAINT amending <u>36</u> Amended Complaint, against Google Inc. Document filed by Association of American Publishers, Inc., Associational Plaintiffs, The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley & Sons, Inc., Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman. Related document: <u>36</u> Amended Complaint, filed by The Author's Guild, Betty Miles, Joseph Goulden, Paul Dickson, Herbert Mitgang, Daniel Hoffman.(dle) (Entered: 11/03/2008)
11/17/2008	<u>64</u>	ORDER GRANTING PRELIMINARY SETTLEMENT APPROVAL: Accordingly, it is hereby ORDERED as follows: The motion is GRANTED. The Settlement Agreement is hereby preliminarily approved. Unless otherwise specified, all defined terms herein shall have the same meaning as in the Settlement Agreement. The Settlement Class set forth within and two Sub–Classes are provisionally certified for settlement purposes only. A final settlement/fairness hearing shall be held on June 11, 2009, at 1:00 p.m., before the undersigned in Courtroom 14C, United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007. The Notice Commencement Date shall be January 5, 2009. The Opt–Out Deadline shall be May 5, 2009.. (Signed by Judge John E. Sprizzo on 11/14/2008) (jfe) (Entered: 11/17/2008)
11/17/2008		Set/Reset Hearings: Settlement Conference set for 6/11/2009 at 01:00 PM in Courtroom 14C, 500 Pearl Street, New York, NY 10007 before Judge John E. Sprizzo. (jfe) (Entered: 11/21/2008)
11/19/2008		CASHIERS OFFICE REMARK on <u>63</u> Motion to Appear Pro Hac Vice, <u>60</u> Motion to Appear Pro Hac Vice, <u>62</u> Motion to Appear Pro Hac Vice, <u>61</u> Motion to Appear Pro Hac Vice in the amount of \$100.00, paid on 10/31/2008, Receipt Number 667652. (jd) (Entered: 11/19/2008)
12/04/2008	<u>65</u>	MEMORANDUM OF LAW in Opposition // <i>JOINT OPPOSITION by Plaintiffs and Defendant to Claudia Pearson's Motion Requesting Change of Date for Final Fairness Hearing (N.B.: Motion has not yet been filed in the ECF System)</i> . Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley & Sons, Inc.. (Keller, Bruce) (Entered: 12/04/2008)
12/10/2008	<u>66</u>	ORDER It is hereby ordered that Claudia Pearsons motion shall be and hereby is denied; and it is further ordered that the Fairness Hearing shall occur on June 11, 2009 at 1:00 p.m. in Courtroom 14C, 500 pearl Street. (Signed by Judge Peter K. Leisure for John E. Sprizzo on 12/9/08) (mme) (Entered: 12/10/2008)
12/18/2008	<u>67</u>	MOTION to Approve Claim Forms / <i>Notice of Motion on Consent for Approval of Claim Forms</i> . Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley & Sons, Inc..(Keller, Bruce) (Entered: 12/18/2008)
12/18/2008	<u>68</u>	MEMORANDUM OF LAW in Support re: <u>67</u> MOTION to Approve Claim Forms / <i>Notice of Motion on Consent for Approval of Claim Forms</i> . / <i>Memorandum of Law in Support of Motion on Consent for Approval of Claim Forms</i> . Document filed by Association of American Publishers, Inc., The McGraw–Hill Companies, Inc., Pearson Education, Inc., Simon &Schuster, Inc., John Wiley & Sons, Inc.. (Attachments: # <u>1</u> Part 2 of 4, # <u>2</u> Part 3 of 4, # <u>3</u> Part 4 of 4)(Keller, Bruce) (Entered: 12/18/2008)
12/23/2008	<u>69</u>	ORDER APPROVING CLAIM FORMS: granting <u>67</u> Motion to Approve Claims Forms. The Motion is GRANTED. The Court

		approves as to forms attached to the to the Motions as Exhibits B and C, respectively. (Signed by Judge Paul A. Crotty on 12/23/2008) (tve) (Entered: 12/23/2008)
01/08/2009	<u>70</u>	NOTICE OF CASE REASSIGNMENT to Judge Denny Chin. Judge John E. Sprizzo is no longer assigned to the case. (mbe) (mbe). (Entered: 01/09/2009)
02/02/2009	<u>71</u>	NOTICE of Substitution of Attorney. Old Attorney: Asim Bhansali, New Attorney: Daralyn J. Durie, Address: Durie Tangri Lemley Roberts & Kent LLP, 332 Pine Street, Suite 200, San Francisco, CA, USA 94104, 415-362-6666. Document filed by Google Inc.. (Gratz, Joseph) (Entered: 02/02/2009)
03/20/2009	72	NOTICE of Opt-Out of proposed settlement agreement to this case, in both the author and the publisher sub-class. Filed by Joe Landwehr, author and publisher (DBA Ancient Tower Press). (djc) (Entered: 03/23/2009)
03/24/2009	<u>73</u>	MEMO ENDORSEMENT: So ordered on: <u>71</u> Notice of Substitution of Attorney, filed by Google Inc. (Signed by Judge Denny Chin on 3/24/09) (cd) (Entered: 03/24/2009)
03/30/2009	81	Objection to Proposed Settlement. (filed by Robert M. Kunstadt). (djc) (Entered: 04/14/2009)
03/31/2009	<u>74</u>	OBJECTION TO PROPOSED SETTLEMENT: Google pursued its copying project in calculated disregard of authors' rights. Its business plan was: "So, sue me". To approve the proposed settlement would vindicate Google's street ethics: that the law is whatever you can grab and get away with. Google's added twist --- its update on the Dickensian street pickpocket --- is that if you take very little from very many people, with a technological efficiency unimaginable to Fagan and outsourced at a low cost that he would have envied, you have some real money. Google's case should be referred to the U.S. Attorney for prosecution. Equal Justice demands no less. Filed by Robert M. Kunstadt (jpo) (Entered: 03/31/2009)
04/01/2009	<u>75</u>	ENDORSED LETTER addressed to Judge Denny Chin from Daniel Kornstein dated 3/27/09 re: Request that the Institute file its brief by 5/5/09. ENDORSEMENT: Approved. (Brief due by 5/5/2009.) (Signed by Judge Denny Chin on 4/1/09) (cd) (Entered: 04/01/2009)
04/08/2009	<u>76</u>	MOTION for Joseph C. Gratz to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 04/09/2009)
04/08/2009	<u>77</u>	MOTION for Daralyn J. Durie to Appear Pro Hac Vice. Document filed by Google Inc.(dle) (Entered: 04/09/2009)
04/09/2009	<u>78</u>	LETTER addressed to Office of the Clerk, J. Michael McMahon from Dr. Erik H. Fournier dated 3/21/2009 re: Requesting the reimbursement of necessary attorney costs by Google Inc., Defendant, from cause of the authors copyright perception in this procedure in accordance with F.R.C.P. Rule 54 (b) (1) and (2). (jpo) (Entered: 04/09/2009)
04/10/2009	<u>79</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>60</u> Motion for Daralyn J. Duri to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 4/14/2009) (jfe) (jfe). (Entered: 04/14/2009)
04/14/2009	<u>80</u>	ORDER FOR ADMISSION PRO HAC VICE: granting <u>62</u> Motion for Joseph C. Gratz to Appear Pro Hac Vice. (Signed by Judge Denny Chin on 4/14/2009) (jfe) (Entered: 04/14/2009)
04/14/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>79</u> Order on Motion to Appear Pro Hac Vice, <u>80</u> Order on Motion to

		Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (jfe) (Entered: 04/14/2009)
04/16/2009	82	Objection to Class Action Settlement. (filed by Anthony L. DeWitt, Atty at Law Pro Se here). (djc) (Entered: 04/20/2009)
04/23/2009	83	LETTER addressed to Judge Denny Chin and Mr. McMahon from Linda Tadic dated 4/7/2009 re: Author and member of the Author Class writes to raise objections to the parts of the settlement that will potentially impact how archives and libraries preserve access to orphan works. (tve) (Entered: 04/24/2009)
04/23/2009	<u>84</u>	LETTER addressed to J. Michael McMahon from Hope Ryden dated 4/17/2009 re: Author writes to raise objections to language in the Google Book Settlement. (tve) (Entered: 04/24/2009)
04/23/2009	85	LETTER addressed to J. Michael McMahon from John J. Hubbard dated 4/6/2009 re: Author wishes to opt-out of the proposed settlement and instructs Google not to include copies of any of his work, in whole or in part, including but not limited to the list further set forth in this letter in any of its databases. (tve) (Entered: 04/24/2009)
04/23/2009	<u>86</u>	LETTER addressed to J. Michael McMahon from Barbara Burke aka Barbara Burke Hubbard dated 4/6/2009 re: Author writes to confirm that she opted-out of the settlement and instruct Google not to include copies of any of her work, in whole or in part, including but not limited to the list further set forth in this letter in any of its databases. (tve) (Entered: 04/24/2009)
04/24/2009	<u>92</u>	ORDER re letters requesting a pre-motion conference from proposed interveners, Internet Archive, Lewis Hyde, Harry Lewis, and the Open Access Trust seeking leave to intervene: I have construed their letters as motions to intervene, and the motions are denied. The proposed interveners are, however, free to file objections to the proposed settlement or amicus briefs, either of which must be filed by the 5/5/09 objection deadline. (Signed by Judge Denny Chin on 4/24/09) (cd) (Entered: 04/30/2009)
04/27/2009	<u>87</u>	NOTICE OF APPEARANCE by Daniel Joseph Kornstein on behalf of New York Law School, Institute for Information Law and Policy (Kornstein, Daniel) (Entered: 04/27/2009)
04/27/2009	<u>88</u>	NOTICE OF APPEARANCE by Mikaela Ann McDermott on behalf of New York Law School, Institute for Information Law and Policy (McDermott, Mikaela) (Entered: 04/27/2009)
04/27/2009		CASHIERS OFFICE REMARK on <u>77</u> Motion to Appear Pro Hac Vice, <u>76</u> Motion to Appear Pro Hac Vice in the amount of \$50.00, paid on 04/08/2009, Receipt Number 683670. (jd) (Entered: 04/27/2009)
04/28/2009	<u>89</u>	ORDER: Upon consideration of the letters, I will grant approximately a four-month extension, as follows:(1) Paragraph 15 of the Preliminary Approval Order is amended to extend the Opt-Out deadline to September 4, 2009 ('Extended Opt-Out Deadline"). (2) References in Paragraphs 22 and 23 of the Preliminary Approval Order to May 5, 2009 (the original "Opt-Out Deadline") are amended to refer to the Extended Opt-Out Deadline of September 4, 2009. To the extent the Court gave objectors and amici curiae until May 5, 2009 to submit their views to the Court, that date is also extended to September 4, 2009. (3) No other deadlines or provisions set forth in the Settlement Agreement will be affected by this Order. (4) Paragraph 10 of the Preliminary Approval Order is amended to provide that the Final Fairness Hearing will be held on October 7, 2009 at 10:00 a.m. before the undersigned in Courtroom 11A, United States District Court for the

		Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007.(5) Class Counsel will promptly (a) post notice of the Extended Opt-Out Deadline and Final Fairness Hearing date at the top of the home page of the official Settlement website, (b) issue a press release to announce these dates, and (c) notify IFRRO and the other major rights organizations that have assisted the Notice Provider. So Ordered. (Signed by Judge Denny Chin on 4/28/09) (js) (Entered: 04/28/2009)
04/28/2009	<u>90</u>	LETTER addressed to J. Michael McMahon, Clerk of Court from Lee Killough dated April 20, 2009 re: I am writing to object to one provision of the Google settlement. (rw) (Entered: 04/29/2009)
04/28/2009	<u>91</u>	LETTER addressed to J. Michael McMahon, Clerk of Court from Donica Bettanin dated 20 April 2009 re: We wish to object the impending Google Book Settlement, the Fairness Hearing for which is scheduled for 11 June 2009. Our objection is enclosed. (rw) (Entered: 04/29/2009)
04/30/2009	<u>93</u>	ENDORSED LETTER addressed to Judge Denny Chin from Jeffrey Pearlman dated 4/28/2009 re: We write to request permission for Public Knowledge to file a brief amicus curiae on behalf of itself and other similarly interested amici in the above-captioned case on the issue of the proposed settlement's effects on orphan works—copyrighted works whose owners cannot be located. The brief, in support of neither party, will be no longer than 25 pages, and will be filed no later than May 5, 2009, the date set for opt-outs and objections to the proposed settlement agreement. ENDORSEMENT: Approved. The brief shall be filed by the new opt-out date. (Brief due by 5/5/2009.) (Signed by Judge Denny Chin on 4/30/2009) (jmi) (Entered: 05/01/2009)
05/01/2009	<u>94</u>	LETTER addressed to J. Michael McMahon from Mayer Brenner dated 4/24/09 re: Counsel writes to objection to several provisions of the Settlement. (mme) (Entered: 05/01/2009)
05/01/2009	<u>95</u>	LETTER addressed to J. Michael McMahon from Shirley A. Young dated 4/23/09 re: Counsel writes to objection to Google scanning or displaying any part of her book and it is so noted on the cover page that all rights reserved including the rights to reproduce this book or parts thereof in any form without prior written permission from the author. (mme) (Entered: 05/01/2009)
05/01/2009	<u>96</u>	LETTER addressed to J. Michael McMahon from John Moore dated 4/22/09 re: Counsel objects to the "opt-out" provisions of the settlement and request that the Court reject the settlement unless it is modified to "opt-in." (mme) (Entered: 05/01/2009)
05/01/2009	<u>97</u>	LETTER addressed to Settlement Administrator from Dennis Eddings dated 4/22/09 re: Counsel writes this letter to serve as an official notice that on behalf of his brother David Eddings, he is opting out of the Google Settlement for works by David Eddings, per the attached sheet. (mme) (Entered: 05/01/2009)
05/06/2009	<u>98</u>	NOTICE OF APPEARANCE by Joanne E. Zack on behalf of Paul Dickson, Joseph Goulden, The Author's Guild, Herbert Mitgang, Betty Miles, Daniel Hoffman (Zack, Joanne) (Entered: 05/06/2009)
05/06/2009	<u>99</u>	MOTION for John W. Davis to Appear Pro Hac Vice. Document filed by David Meininger.(dle) (Entered: 05/08/2009)
05/12/2009	<u>100</u>	LIBRARY ASSOCIATION COMMENTS ON THE PROPOSED SETTLEMENT. (tro) (Entered: 05/13/2009)
05/12/2009	<u>101</u>	LETTER addressed to J. Michael McMahon from Elanor Wood dated 5/5/09 re: Copies of the opt-out letters signed by authors and

		estate proprietors, as well as their lists of published works, are available upon request. (tro) (Entered: 05/13/2009)
05/12/2009	<u>102</u>	LETTER addressed to Judge Denny Chin from Australian Society of Authors dated 4/29/09 re: Submission to Fairness Hearing, Google books settlement, New York 11 June, by Australian Society of Authors. (tro) (Entered: 05/13/2009)
05/13/2009	<u>103</u>	NOTICE of opt out. Document filed by Linda D. Delgado. (djc) Modified on 5/18/2009 (tro). (tro). (Entered: 05/13/2009)
05/13/2009	<u>104</u>	Notice of Opt Out of Habibullah Saleem. (djc) (tro). (Entered: 05/13/2009)
05/13/2009	<u>105</u>	NOTICE of opt out of Maryann Mahmoodian. (djc) (tro). (Entered: 05/13/2009)
05/13/2009	<u>106</u>	NOTICE of opt out of Linda Kay Jitmoud. (djc) (tro). (Entered: 05/13/2009)
05/13/2009	<u>107</u>	NOTICE of Opt Out of Shirley Gavin Anjum. (djc) (tro). (Entered: 05/13/2009)
05/13/2009	<u>108</u>	NOTICE of Opt Out of Saaleh E. Bhamjee. (djc) (tro). (Entered: 05/13/2009)
05/14/2009		CASHIERS OFFICE REMARK on <u>99</u> Motion to Appear Pro Hac Vice in the amount of \$25.00, paid on 05/06/2009, Receipt Number 687220. (jd) (Entered: 05/14/2009)
05/15/2009	<u>109</u>	ORDER granting <u>99</u> Motion for John W. Davis to Appear Pro Hac Vice for class member David Meininger.. (Signed by Judge Denny Chin on 5/15/09) (cd) (Entered: 05/15/2009)
05/15/2009		Transmission to Attorney Admissions Clerk. Transmitted re: <u>109</u> Order on Motion to Appear Pro Hac Vice, to the Attorney Admissions Clerk for updating of Attorney Information. (cd) (Entered: 05/15/2009)
05/15/2009	<u>110</u>	LETTER addressed to the Clerk of Court from Dr. Else Maria Wischermann dated 5/5/09 re: Google settlement agreement (letter in German, no translation provided). (cd) (Entered: 05/15/2009)
05/15/2009	<u>111</u>	Submission To Fairness Hearing, Google Books Settlement, NY 6/11, by Australian Society of Authors, dated 4/29/09. (cd) (Entered: 05/15/2009)
05/22/2009	<u>112</u>	ENDORSED LETTER addressed to Judge Denny Chin from Michael J. Boni dated 5/20/2009 re: We write on behalf of all the settling parties to inform the Court of our position on an issue raised by Your Honor's Order of April 24, 2009. That Order states that the proposed intervenors are "free to file objections to the proposed settlement or amicus briefs..." (emphasis added). While the April 24 Order does not expressly state that any proposed intervenors who are not also members of the Settlement Class have standing to object, out of an abundance of caution we write now only to state our position that those persons lack such standing. ENDORSEMENT: My 4/24/09 Order does not purport to bestow standing on any persons who do not have standing. SO ORDERED. (Signed by Judge Denny Chin on 5/22/2009) (jmi) Modified on 5/27/2009 (jmi). (Entered: 05/22/2009)
05/26/2009	<u>113</u>	NOTICE OF APPEAL from <u>92</u> Order. Document filed by Lewis Hyde, Harry Lewis, Open Access Trust Inc. Filing fee \$ 455.00, receipt number E 688957. (nd) (Entered: 05/26/2009)
05/26/2009		Transmission of Notice of Appeal to the District Judge re: <u>113</u> Notice of Appeal. (nd) (Entered: 05/26/2009)

05/26/2009		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: <u>113</u> Notice of Appeal. (nd) (Entered: 05/26/2009)
06/01/2009	<u>114</u>	LETTER addressed to J. Michael McMahon, Clerk of Court from A. Michael Noll, Ph. D dated 5/19/09 re: Mr. Noll writes to object to the Google class action settlement. (tro) (Entered: 06/01/2009)
06/01/2009	<u>115</u>	LETTER addressed to J. Michael McMahon, Clerk of Court from Barbara Ann Gorte dated 4/3/09 re: Comments and Objections to Settlement for the Court's Consideration. (tro) (Entered: 06/01/2009)
06/05/2009	<u>116</u>	LETTER addressed to Judge Denny Chin from Takasu Jiro, Chairman of Ryutaikyo, Tokyo, Japan dated (no date provided), Re: As the chairman of a Japanese publishers' association comprising of 98 members, I hereby declare that we oppose to the Settlement so as to protect our publishing tradition from unlawful digitization by Google. (ae) (Entered: 06/05/2009)
06/12/2009	<u>117</u>	The Publishers' Association on Book Distribution, dated 5/18/09. (pl) (Entered: 06/12/2009)
06/15/2009		USCA Case Number 09-2224-cv from the USCA 2nd Circuit assigned to <u>113</u> Notice of Appeal filed by Lewis Hyde, Open Access Trust Inc., Harry Lewis. (tp) (Entered: 06/15/2009)