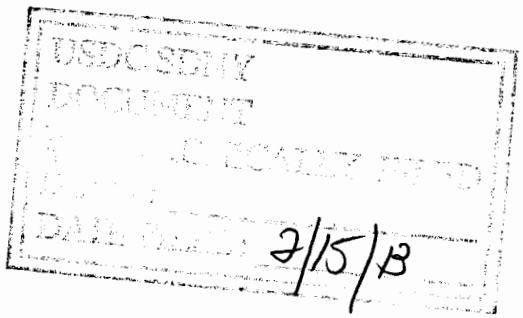


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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AMERICAN SOCIETY OF MEDIA :
PHOTOGRAPHERS, INC. et al., :

Plaintiffs,

- against -

GOOGLE, INC.,

Defendant.

----- -x

ORDER

10 Civ. 2977 (DC)

CHIN, Circuit Judge

The Court has received a series of letters from the parties addressing several disputes. The Court has reviewed the letters. It is hereby ORDERED as follows:

1) By letter dated February 12, 2013, plaintiffs seek permission to submit documents produced in discovery in this case to the United States Court of Appeals for the Second Circuit in connection with plaintiffs' Amicus brief in Authors Guild v. Google Inc., No. 12-3200. By letter dated February 14, 2013, Google opposes plaintiffs' application.

Plaintiffs' application is granted. Plaintiffs may submit the documents under seal to the Court of Appeals. I am not deciding whether the documents are properly part of the record in the appeal. I am simply holding that the documents may be submitted to the Court of Appeals under seal as part of

plaintiffs' motion to expand the record. To the extent that Google wishes to submit similar confidential documents under seal in response, it may do so.

2) Plaintiffs noticed depositions of two high ranking Google executives. By letter dated January 11, 2013, Google objects to these deposition notices.


The objection is sustained without prejudice to noticing the depositions at a later date, for good cause shown. Plaintiffs shall begin by deposing individuals more directly involved with the issues in this case, and they may thereafter notice other, higher-ranking officers only if it appears the information they would provide would be non-cumulative.

3) By letter dated February 6, 2013, the parties jointly seek a two-month extension of the deadline for the close of fact discovery.

The application is granted, and the schedule is extended as set forth in a separate scheduling order.

SO ORDERED.

Dated: New York, New York
February 15, 2013


DENNY CHIN
United States Circuit Judge
Sitting by Designation