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Counsel for Defendant Intervenors

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

THE AUTHORS GUILD, INC., et al.,

Plaintiffs,

v.

HATHITRUST, et al.,

Defendants.

Case No. 11-cv-6351(HB)

DEFENDANT INTERVENORS'
NOTICE OF MOTION FOR COSTS
AND ATTORNEYS' FEES

PLEASE TAKE NOTICE that upon the Declaration of Daniel F. Goldstein, dated October 31, 2012, offered in support of Defendant Intervenors' Motion for Costs and Attorneys' Fees; and upon all prior pleadings and proceedings had herein, the Defendant Intervenors in the

above-captioned action hereby move this Court, before the Honorable Harold Baer, Jr., United States District Judge, at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007, for an Order granting Costs and Attorneys' Fees pursuant to Fed. R. Civ. P. 54(d) and 17 U.S.C. § 505, in the amount of \$514,042.15 for attorneys' fees and \$14,001.35 in costs, and for such other and further relief as deemed just and proper by this Court.

PLEASE TAKE FURTHER NOTICE that any opposing and answering memoranda to this motion shall be served within fourteen days after service of Defendant Intervenor's moving papers pursuant to Local Rule 6.1(b).

DATED: October 31, 2012

Respectfully Submitted,

/s/ Daniel F. Goldstein

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