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**BY FACSIMILE (212) 805-7901**

Hon. Harold Baer, Jr.  
United States District Judge  
Southern District of New York  
500 Pearl Street, Rm. 2230  
New York, New York 10007-1312

Re: The Authors Guild, et al. v. Hathitrust, et al., 11 civ. 6351 (HB)

Dear Judge Baer:

We represent the plaintiffs in the above-captioned matter. We are writing with the consent of counsel for Defendants with respect to the briefing schedule for Defendants' motion for costs and attorneys' fees. The parties have agreed, subject to the Court's approval, that Plaintiffs' opposition to the motion will be served on or before November 20, 2012 and any reply by Defendants will be filed on or before December 6, 2012.

Thank you for your consideration of this request.

Respectfully submitted,

*E. H. Rosenthal*

Edward H. Rosenthal

cc: Joseph Petersen, Esq. (via email)  
Robert Bernstein, Esq. (via email)

*granted*  
SO ORDERED:  
*Harold Baer, Jr.*  
Harold Baer, Jr., U.S.D.J.  
11/7/12