

Edward H. Rosenthal
Jeremy S. Goldman
FRANKFURT KURNIT KLEIN & SELZ, P.C.
488 Madison Avenue, 10th Floor
New York, New York 10022
Tel: (212) 980-0120
Fax: (212) 593-9175
erosenthal@fkks.com
jgoldman@fkks.com

Attorneys for Plaintiffs-Appellants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
THE AUTHORS GUILD, INC., et al,	:	
	:	Index No. 11 Civ. 6351 (HB)
Plaintiffs,	:	
	:	
- against -	:	
	:	
HATHITRUST, et al.	:	
	:	
Defendants.	:	
-----X		

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that all of the Plaintiffs in the above-captioned action hereby appeal to the United States Court of Appeals for the Second Circuit from the Opinion and Order of Judge Harold Baer, Jr., dated October 10, 2012, denying Plaintiffs' motions for judgment on the pleadings and summary judgment; granting in part Defendants' motions for judgment on the pleadings; and granting Defendants' and Defendant Intervenors' motions for summary judgment, and from the Judgment entered on October 12, 2012.

Respectfully submitted on this 8th day of November, 2012.

FRANKFURT KURNIT KLEIN & SELZ, P.C.

By: Ed H. Rosenthal

Edward H. Rosenthal, Esq.
Jeremy S. Goldman, Esq.
488 Madison Avenue, 10th Floor
New York, New York 10022
Phone (212) 980-0120
Fax: (212) 593-9175

*Attorneys for Plaintiffs-Appellants The Authors
Guild, Inc., et al.*