

FRANKFURT KURNIT KLEIN & SELZ PC

488 Madison Avenue
New York, New York 10022
Telephone: (212) 980-0120
Facsimile: (347) 438-2110

Edward H. Rosenthal
Direct dial: (212) 826-5524
mail: erosenthal@fkks.com

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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

FRANK

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 Defendant-Intervenors National Federation of the Blind, et al. ("NFB") with respect to the briefing schedule for the NFB's 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. This would result in both Defendants' and the NFB's motions for costs and attorneys' fees being on the same schedule and fully briefed by December 6, 2012.

Thank you for your consideration of this request.

Some schedule seen appropriate - granted

Respectfully submitted,

Edward H. Rosenthal

Edward H. Rosenthal

SO ORDERED:

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

Harold Baer

Harold Baer, Jr., U.S.D.J.

Date: 11/20/12

Endorsement:

Same schedule seems appropriate - granted.