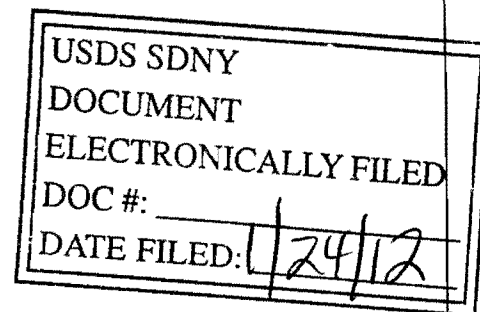


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK



THE AUTHORS GUILD, INC., et al.,

Plaintiffs,

v.

HATHITRUST, et al.,

Defendants.

Case No. 11-cv-6351(HB)

**NOTICE OF MOTION
TO INTERVENE**

**ORAL ARGUMENT
REQUESTED**

PLEASE TAKE NOTICE that upon the annexed Declarations of Daniel F. Goldstein, sworn to December 6, 2011; Dr. Marc Mauer, sworn to December 6, 2011, Georgina Kleege, sworn to December 5, 2011, Blair Seidlitz, sworn to December 6, 2011, and Courtney Wheeler, sworn to December 6, 2011; the accompanying Memorandum of Law in Support of the Motion of the National Federation of the Blind, Georgina Kleege, Blair Seidlitz and Courtney Wheeler (collectively, "Proposed Intervenors) to Intervene as Defendants in this action; and all prior pleadings herein, Proposed Intervenors will move this Court, before the Honorable Harold Baer, United States District Court Judge, in Courtroom 23B, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10017-1312, on the date and time to be set by the Court, for an order pursuant to Rule 24 of the Federal Rules of Civil Procedure permitting Proposed Intervenors to intervene as defendants in this action.

PLEASE TAKE FURTHER NOTICE that answering papers, if any, shall be served upon the undersigned no later than December 23, 2011.

Endorsement:

Motion granted on consent. The clerk is directed to close the motion to intervene.