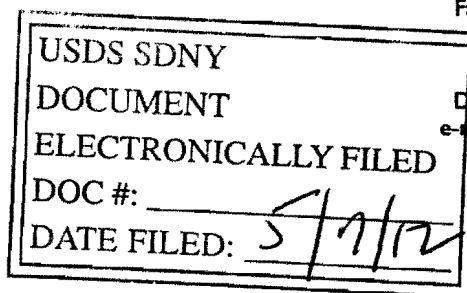


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May 1, 2012

**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)

FRAT

Dear Judge Baer:

We are the attorneys for Plaintiffs in the above-referenced case. We are writing with the consent of attorneys for Defendants and for Intervenors to request permission for the Plaintiffs to file a 15-page reply brief in connection with Plaintiffs' motion for Partial Judgment on the Pleadings. Plaintiffs' reply is due May 11 and oral argument has been scheduled for May 17.

The reason for this request is that separate opening briefs have been filed by Defendants and by Intervenors. In addition, counsel for the American Library Association, the Association of College and Research Libraries, and the Association of Research Libraries has filed a motion to file an amicus brief on this issue, which we do not intend to oppose.

Our proposal is that we would file a single 15-page reply to all of the opposing briefs filed on this motion.

Thank you for your consideration.

FRAT

Respectfully submitted,

Edward H. Rosenthal

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

5/7/12 SO ORDERED  
~~Edward H. Rosenthal~~  
USDS