

**General Docket
Court of Appeals, 2nd Circuit**

Court of Appeals Docket #: 14-60 Nature of Suit: 2410 STATUTES-Antitrust United States of America v. Apple, Inc. Appeal From: SDNY (NEW YORK CITY) Fee Status: Paid	Docketed: 01/17/2014
Case Type Information: 1) Civil 2) United States 3) -	
Originating Court Information: District: 0208-1 : 12-cv-2826 Trial Judge: Denise Cote, U.S. District Judge Date Filed: 04/11/2012 Date Order/Judgment: 01/16/2014 Date NOA Filed: 01/16/2014	
Prior Cases: None	
Current Cases: None	
Panel Assignment: Not available	

United States of America Plaintiff - Appellee	Finnuala K. Tessier, Trial Attorney Direct: 202-305-7420 [COR LD NTC US Attorney] United States Department of Justice Appellate Section, Antitrust Division Room 3311 950 Pennsylvania Avenue, NW Washington, DC 20530 Robert Nicholson, United States Attorney Direct: 202-514-2489 [COR NTC US Attorney] United States Department of Justice Civil Division, Office of Immigration Litigation 3228 950 Pennsylvania Avenue, NW Washington, DC 20530

Hachette Book Group, Inc. Defendant	
HarperCollins Publishers L.L.C. Defendant	
Verlagsgruppe Georg Von Holtzbrinck GMBH Defendant	
Holtzbrinck Publishers, LLC, DBA Macmillan Defendant	
The Penguin Group, A Division of Pearson PLC Defendant	
Penguin Group USA, Inc. Defendant	
Simon & Schuster Defendant	

Apple Inc.
Defendant - Appellant

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United States of America,

Plaintiff - Appellee,

v.

Apple, Inc.,

Defendant - Appellant,

Hachette Book Group, Inc., HarperCollins Publishers L.L.C., Verlagsgruppe Georg Von Holtzbrinck GMBH, Holtzbrinck Publishers, LLC, DBA Macmillan, The Penguin Group, A Division of Pearson PLC, Penguin Group (USA), Inc., Simon & Schuster, Inc.,

Defendants.

01/17/2014	<input type="checkbox"/> 1	NOTICE OF CIVIL APPEAL, with district court docket, on behalf of Appellant Apple, Inc., FILED. [1136651] [14-60] 73 pg, 397.78 KB
01/17/2014	<input type="checkbox"/> 2	DISTRICT COURT ORDER, dated 01/16/2014, RECEIVED.[1136655] [14-60] 64 pg, 271.26 KB
01/17/2014	<input type="checkbox"/> 3	ELECTRONIC INDEX, in lieu of record, FILED.[1136657] [14-60] 72 pg, 331.78 KB
01/17/2014	<input type="checkbox"/> 8	NOTICE OF APPEARANCE AS SUBSTITUTE COUNSEL, on behalf of Appellee United States of America, FILED. Service date 01/17/2014 by CM/ECF. [1136796] [14-60] 1 pg, 36.73 KB
01/17/2014	<input type="checkbox"/> 9	ATTORNEY, Finnuala K. Tessier, [8] , in place of attorney Benjamin Torrance, SUBSTITUTED.[1136808] [14-60]
01/17/2014	<input type="checkbox"/> 10	MOTION, to stay, on behalf of Appellant Apple, Inc., FILED. Service date 01/17/2014 by CM/ECF. [1137474] [14-60] 28 pg, 268.44 KB
01/17/2014	<input type="checkbox"/> 12	SUPPLEMENTARY PAPERS TO MOTION [10] , on behalf of Appellant Apple, Inc., FILED. Service date 01/17/2014 by CM/ECF.[1137528][12] [14-60] 756 pg, 16.88 MB
01/21/2014	<input type="checkbox"/> 16	MOTION ORDER, referring motion to stay [10] filed by Appellant Apple, Inc., by RJL, FILED. [1137792] [16] [14-60] 1 pg, 146.69 KB
01/21/2014	<input type="checkbox"/> 17	CERTIFIED ORDER, dated 01/21/2014, to Southern District of New York, ISSUED.[1137828] [14-60] 1 pg, 398.6 KB
01/22/2014	<input type="checkbox"/> 21	ARGUMENT NOTICE, to attorneys/parties, TRANSMITTED.[1139061] [14-60] 1 pg, 38.41 KB
01/24/2014	<input type="checkbox"/> 25	OPPOSITION TO MOTION to stay [10] , on behalf of Appellee United States of America, FILED. Service date 01/24/2014 by CM/ECF. [1141356][25] [14-60] 129 pg, 431.51 KB
01/27/2014	<input type="checkbox"/> 30	MOTION TO FILE AMICUS CURIAE BRIEF, on behalf David Milton Dorsen, FILED. Service date 01/27/2014 by CM/ECF.[1142673] [14-60]--[Edited 01/27/2014 by KR]
01/27/2014	<input type="checkbox"/> 31	DEFECTIVE DOCUMENT, MOTION TO FILE AMICUS CURIAE BRIEF, [30] , on behalf of David Milton Dorsen, FILED.[1142784] [14-60] 2 pg, 67.79 KB
01/28/2014	<input type="checkbox"/> 33	AMICUS BRIEF, on behalf David Milton Dorsen, FILED. Service date 01/28/2014 by CM/ECF, US mail. [1143954] [14-60]--[Edited 01/28/2014 by KR]
01/28/2014	<input type="checkbox"/> 34	DEFECTIVE DOCUMENT, AMICUS CURIAE BRIEF, on behalf David Milton Dorsen, [33] , on behalf of David Milton Dorsen, FILED.[1144071] [14-60] 2 pg, 57.32 KB
01/28/2014	<input type="checkbox"/> 35	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Appellee United States of America, FILED. Service date 01/28/2014 by CM/ECF.[1144174] [14-60] 1 pg, 37.77 KB
01/28/2014	<input type="checkbox"/> 36	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellee United States of America, FILED. Service date 01/28/2014 by CM/ECF. [1144191] [14-60] 1 pg, 37.21 KB
01/29/2014	<input type="checkbox"/> 37	ATTORNEY, Robert Nicholson for United States of America, in case 14-60 , [36] , ADDED.[1144263] [14-60]
01/29/2014	<input type="checkbox"/> 38	AMICUS BRIEF, on behalf David Milton Dorsen, FILED. Service date 01/29/2014 by US mail, CM/ECF. [1144421] [14-60]--[Edited 01/29/2014 by KR] 12 pg, 229.34 KB
01/29/2014	<input type="checkbox"/> 39	CURED DEFECTIVE, AMICUS CURIAE BRIEF, on behalf David Milton Dorsen, [38] , on behalf of David Milton Dorsen, FILED.[1144443] [14-60]
01/30/2014	<input type="checkbox"/> 40	ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Appellant Apple, Inc., FILED. Service date 01/30/2014 by CM/ECF.[1146565] [14-60] 1 pg, 43.77 KB
01/30/2014	<input type="checkbox"/> 41	FORM C, on behalf of Appellant Apple, Inc., FILED. Service date 01/30/2014 by CM/ECF.[1146566] [14-60] 171 pg, 1.5 MB
01/30/2014	<input type="checkbox"/> 42	FORM D, on behalf of Appellant Apple, Inc., FILED. Service date 01/30/2014 by CM/ECF.[1146567] [14-60] 1 pg, 40.39 KB
01/30/2014	<input type="checkbox"/> 43	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellant Apple, Inc., FILED. Service date 01/30/2014 by CM/ECF. [1146571] [14-60] 1 pg, 43.72 KB
01/30/2014	<input type="checkbox"/> 44	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellant Apple, Inc., FILED. Service date 01/30/2014 by CM/ECF. [1146573] [14-60] 1 pg, 43.17 KB
01/31/2014	<input type="checkbox"/> 45	ATTORNEY, Cynthia E. Richman for Apple, Inc., in case 14-60 , [43] , ADDED.[1146658] [14-60]
01/31/2014	<input type="checkbox"/> 46	ATTORNEY, Daniel Glen Swanson for Apple, Inc., in case 14-60 , [44] , ADDED.[1146661] [14-60]

01/31/2014	<input type="checkbox"/> 54 21 pg, 330.54 KB	REPLY TO OPPOSITION [25] , on behalf of Appellant Apple, Inc., FILED. Service date 01/31/2014 by CM/ECF.[1147265][54] [14-60]
02/10/2014	<input type="checkbox"/> 63 2 pg, 28.02 KB	MOTION ORDER, denying motion to stay portion of the district court's order and judgement, [10] filed by Appellant Apple, Inc., by PNL, GC, GEL, C.JJ., FILED. [1154419][63] [14-60]
02/11/2014	<input type="checkbox"/> 65 2 pg, 39.22 KB	STRIKE ORDER, striking Amicus Curiae David Milton Dorsen Motion to File Amicus Curiae Brief, on behalf David Milton Dorsen, [30] from the docket, FILED.[1155530] [14-60]
02/12/2014	<input type="checkbox"/> 67 1 pg, 34.43 KB	LR 31.2 SCHEDULING NOTIFICATION, on behalf of Appellant Apple, Inc., informing Court of proposed due date 05/01/2014, RECEIVED. Service date 02/12/2014 by CM/ECF.[1155869] [14-60]
02/14/2014	<input type="checkbox"/> 69 1 pg, 37.55 KB	NEW CASE MANAGER, Ahrona Crossman, ASSIGNED.[1156952] [14-60]
02/19/2014	<input type="checkbox"/> 72 2 pg, 41.46 KB	SO-ORDERED SCHEDULING NOTIFICATION, setting Appellant Apple, Inc. Brief due date as 05/01/2014;. Joint Appendix due date as 05/01/2014, FILED.[1159557] [14-60]
04/14/2014	<input type="checkbox"/> 73 2 pg, 60.79 KB	NON-DISPOSITIVE STIPULATION, re: deferred appendix RECEIVED. Service date 04/14/2014 by CM/ECF.[1201922] [14-60]
04/15/2014	<input type="checkbox"/> 76 1 pg, 165.46 KB	SO-ORDERED NON-DISPOSITIVE STIPULATION, deferred appendix, FILED.[1202254] [14-60]
05/01/2014	<input type="checkbox"/> 77 113 pg, 3.37 MB	MOTION, to supplement record on appeal, on behalf of Appellant Apple, Inc., FILED. Service date 05/01/2014 by CM/ECF. [1214979] [14-60]
05/01/2014	<input type="checkbox"/> 78 50 pg, 386.79 KB	PAGE PROOF BRIEF, on behalf of Appellant Apple, Inc., FILED. Service date 05/01/2014 by CM/ECF. [1214996] [14-60]
05/08/2014	<input type="checkbox"/> 83 1 pg, 42.3 KB	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellant Apple, Inc., FILED. Service date 05/08/2014 by CM/ECF. [1219812] [14-60]
05/08/2014	<input type="checkbox"/> 84 1 pg, 42.6 KB	NOTICE OF APPEARANCE AS ADDITIONAL COUNSEL, on behalf of Appellant Apple, Inc., FILED. Service date 05/08/2014 by CM/ECF. [1219918] [14-60]
05/09/2014	<input type="checkbox"/> 85	ATTORNEY, Lawrence J. Zweifach for Apple, Inc., in case 14-60 , [83] , ADDED.[1220180] [14-60]
05/09/2014	<input type="checkbox"/> 86	ATTORNEY, Blaine H. Evanson for Apple, Inc., in case 14-60 , [84] , ADDED.[1220181] [14-60]
05/09/2014	<input type="checkbox"/> 87 9 pg, 62.48 KB	OPPOSITION TO MOTION to supplement record on appeal [77] , on behalf of Appellee United States of America, FILED. Service date 05/09/2014 by CM/ECF. [1220590][87] [14-60]
05/12/2014	<input type="checkbox"/> 91 1 pg, 173.96 KB	MOTION ORDER, denying motion to supplement record on appeal, Appellant revised brief due 05/15/2014 [77] filed by Appellant Apple, Inc., by GEL, FILED. [1221734][91] [14-60]
05/15/2014	<input type="checkbox"/> 93 47 pg, 241.87 KB	PAGE PROOF BRIEF, on behalf of Appellant Apple, Inc., FILED. Service date 05/15/2014 by CM/ECF. [1226032] [14-60]
05/16/2014	<input type="checkbox"/> 94 2 pg, 56.15 KB	DEFECTIVE DOCUMENT, page proof brief, [93] , on behalf of Appellant Apple, Inc., FILED.[1226216] [14-60]
05/16/2014	<input type="checkbox"/> 95	CURED DEFECTIVE PAGE PROOF BRIEF [94] , [93] , on behalf of Appellant Apple, Inc., FILED.[1226403] [14-60]
06/25/2014	<input type="checkbox"/> 101 47 pg, 241.87 KB	PAGE PROOF BRIEF, on behalf of Appellant Apple, Inc., FILED. Service date 06/25/2014 by CM/ECF. [1257401] [14-60]
07/18/2014	<input type="checkbox"/> 102 5 pg, 163.39 KB	MOTION, to consolidate appeals, on behalf of Appellant Apple, Inc., FILED. Service date 07/18/2014 by CM/ECF. [1274722] [14-60]
07/21/2014	<input type="checkbox"/> 106 1 pg, 155.83 KB	MOTION ORDER, denying motion to consolidate appeals [102] filed by Appellant Apple, Inc., by RR, FILED. [1275301][106] [14-60]
07/21/2014	<input type="checkbox"/> 107 1 pg, 155.83 KB	MEMORANDUM, directing appeals 14-60,14-61 to be heard in tandem, FILED. [1275303] [14-60]
08/14/2014	<input type="checkbox"/> 109	PAGE PROOF BRIEF, on behalf of Appellee United States of America, FILED. Service date 08/14/2014 by CM/ECF. [1295470] [14-60]
08/19/2014	<input type="checkbox"/> 110 2 pg, 55.94 KB	DEFECTIVE DOCUMENT,page proof brief, [109] , on behalf of Appellee United States of America, FILED. [1298017] [14-60]
08/19/2014	<input type="checkbox"/> 111 63 pg, 282.91 KB	PAGE PROOF BRIEF, on behalf of Appellee United States of America, FILED. Service date 08/14/2014 by CM/ECF. [1299181] [14-60]
08/20/2014	<input type="checkbox"/> 112	CURED DEFECTIVE PAGE PROOF BRIEF [111] , on behalf of Appellee United States of America, FILED. [1299274] [14-60]

08/27/2014	<input type="checkbox"/> 114 1 pg, 31.77 KB	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Finnuala K. Tessier for Appellee United States of America, FILED. Service date 08/27/2014 by CM/ECF. [1305793] [14-60]
08/28/2014	<input type="checkbox"/> 116 1 pg, 35.29 KB	ORAL ARGUMENT STATEMENT LR 34.1 (a), on behalf of filer Attorney Mr. Theodore J. Boutrous, Jr., Esq. for Appellant Apple Inc., FILED. Service date 08/28/2014 by CM/ECF. [1307815] [14-60]
08/28/2014	<input type="checkbox"/> 117 37 pg, 324.72 KB	PAGE PROOF REPLY BRIEF, on behalf of Appellant Apple Inc., FILED. Service date 08/28/2014 by CM/ECF. [1307848] [14-60]
09/04/2014	<input type="checkbox"/> 120 162 pg, 1.77 MB	DEFERRED APPENDIX, volume 1 of 4, on behalf of Appellant Apple Inc., FILED. Service date 09/04/2014 by CM/ECF.[1312448] [14-60]
09/04/2014	<input type="checkbox"/> 121 286 pg, 4.11 MB	DEFERRED APPENDIX, volume 2 of 4, on behalf of Appellant Apple Inc., FILED. Service date 09/04/2014 by CM/ECF.[1312451] [14-60]
09/04/2014	<input type="checkbox"/> 122 299 pg, 7.18 MB	DEFERRED APPENDIX, volume 3 of 4, on behalf of Appellant Apple Inc., FILED. Service date 09/04/2014 by CM/ECF.[1312452] [14-60]
09/04/2014	<input type="checkbox"/> 123 294 pg, 6.67 MB	DEFERRED APPENDIX, volume 4 of 4, on behalf of Appellant Apple Inc., FILED. Service date 09/04/2014 by CM/ECF.[1312453] [14-60]
09/04/2014	<input type="checkbox"/> 124 95 pg, 1.48 MB	SPECIAL APPENDIX, on behalf of Appellant Apple Inc., FILED. Service date 09/04/2014 by CM/ECF. [1312454] [14-60]
09/17/2014	<input type="checkbox"/> 128 19 pg, 188.67 KB	MOTION, to strike [117] , to file supplemental brief, on behalf of Appellee United States of America, FILED. Service date 09/17/2014 by CM/ECF. [1322621] [14-60]
09/18/2014	<input type="checkbox"/> 131 1 pg, 153.93 KB	MOTION ORDER, referring motion to strike [128] filed by Appellee United States of America; referring motion to file supplemental brief [128] filed by Appellee United States of America, FILED. [1322871][131] [14-60]
09/18/2014	<input type="checkbox"/> 133 63 pg, 209.11 KB	FINAL FORM BRIEF, on behalf of Appellee United States of America, FILED. Service date 09/18/2014 by CM/ECF. [1323407] [14-60]
09/18/2014	<input type="checkbox"/> 134 47 pg, 445.38 KB	FINAL FORM BRIEF, on behalf of Appellant Apple Inc., FILED. Service date 09/18/2014 by CM/ECF. [1323605] [14-60]
09/18/2014	<input type="checkbox"/> 135 37 pg, 398.59 KB	FINAL FORM REPLY BRIEF, on behalf of Appellant Apple Inc., FILED. Service date 09/18/2014 by CM/ECF. [1323618] [14-60]

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