

STAYED, APPEAL, COMPLEX-CSMGMT, ECF

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:11-md-02293-DLC

In Re: Electronic Books Antitrust Litigation

Assigned to: Judge Denise L. Cote

Member case: ([View Member Case](#))Related Cases: [1:11-cv-05609-DLC](#)[1:11-cv-05621-DLC](#)[1:11-cv-05707-DLC](#)[1:11-cv-05750-DLC](#)[1:11-cv-05896-DLC](#)[1:11-cv-05898-DLC](#)[1:11-cv-05976-DLC](#)[1:11-cv-06019-DLC](#)[1:11-cv-06079-DLC](#)[1:11-cv-07507-DLC](#)[1:11-cv-07534-DLC](#)[1:11-cv-07323-DLC](#)[1:11-cv-08329-DLC](#)[1:11-cv-05576-DLC](#)[1:11-cv-08608-DLC](#)[1:12-cv-06625-DLC](#)[1:11-cv-09016-DLC](#)[1:11-cv-09014-DLC](#)[1:11-cv-09559-DLC](#)[1:11-cv-09560-DLC](#)[1:11-cv-09561-DLC](#)[1:11-cv-09562-DLC](#)[1:11-cv-09563-DLC](#)[1:11-cv-09564-DLC](#)[1:11-cv-09565-DLC](#)[1:11-cv-09566-DLC](#)[1:11-cv-09567-DLC](#)[1:12-cv-00476-DLC](#)[1:12-cv-02826-DLC-MHD](#)[1:12-cv-03394-DLC-MHD](#)

Cause: 15:1 Antitrust Litigation

Plaintiff**Shilpa Grover**represented by **Christopher Lovell**Lovell Stewart Halebian Jacobson LLP
61 Broadway

Suite 501
New York, NY 10006
(212) 608-1900
Fax: (212) 719-4677
Email: clovell@lshllp.com
ATTORNEY TO BE NOTICED

Don Allen Resnikoff
Finkelstein Thompson, L.L.P.
1050 30th Street
Washington, DC 20007
(202) 337-8000
Fax: (202) 337-8090
Email:
dresnikoff@finkelsteinthompson.com
ATTORNEY TO BE NOTICED

Douglas G. Thompson
Finkelstein, Thompson & Loughran
1050 30th, NW
Washington, DC 20007
(202) 337-8000
Fax: (202) 337-8090
Email:
dthompson@finkelsteinthompson.com
ATTORNEY TO BE NOTICED

Eugene J. Benick
Finkelstein Thompson LLP
1077 30th Street, N.W., Suite 150
Washington, DC 20007
(202)-337-8000
Fax: (202)-337-8090
Email: ebenick@finkelsteinthompson.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Fred Taylor Isquith
Lovell Stewart Halebian Jacobson LLP
61 Broadway
Suite 501
New York, NY 10006
(212) 608 1900
Fax: (212) 719-4775
Email: fisquith@lshllp.com
ATTORNEY TO BE NOTICED

Michael Glenn McLellan
Finkelstein Thompson LLP
1050 30th Street Nw

Washington, DC 20007
(202)-337-8000
Fax: (202)-337-8090
Email:
mmclellan@finkelsteinthompson.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Fredric A. Press

represented by **Christopher Lovell**
(See above for address)
ATTORNEY TO BE NOTICED

Don Allen Resnikoff
(See above for address)
ATTORNEY TO BE NOTICED

Douglas G. Thompson
(See above for address)
ATTORNEY TO BE NOTICED

Eugene J. Benick
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Fred Taylor Isquith
(See above for address)
ATTORNEY TO BE NOTICED

Michael Glenn McLellan
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Anthony Petru

represented by **Jason Allen Zweig**
Hagens Berman Sobol Shapiro LLP (NYC)
555 Fifth Ave Ste. 1700
New York, NY 10117
212-752-5455
Fax: 917-210-3980
Email: jasonz@hbsslaw.com
ATTORNEY TO BE NOTICED

Jeff D. Friedman
Hagens Berman Sobol Shapiro LLP (CA)
715 Hearst Avenue, Suite 202
Berkeley, CA 94710
(510) 725-3000

Fax: (510)-725-3001
Email: jefff@hbsslw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
93-16 214 Place
Queens Village, NY 11428
(510)-725-3000
Fax: (510)-725-3001
Email: shanas@hbsslw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
Hagens Berman Sobol Shapiro LLP
(Seattle)
1918 8th, Avenue
Suite 3300
Seattle, WA 98101
(206) 268-9320
Fax: (206) 623-0594
Email: steve@hbsslw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Stuart Mckinley Paynter
The Paynter Law Firm PLLC
1200 G Street N.W.
Suite 800
Washington, DC 20005
(202) 626-4486
Fax: (866) 734-0622
Email: stuart@smplegal.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Jeffrey Evans
on behalf of himself and all others
similarly situated

represented by **Christopher Lovell**
(See above for address)
ATTORNEY TO BE NOTICED

Craig M. Essenmacher
Lovell Stewart Halebian Jacobson LLP
61 Broadway, Suite 501
New York, NY 10006
(248)-615-1752
Fax: (248)-615-2752
Email: craigessenmacher@yahoo.com
PRO HAC VICE

ATTORNEY TO BE NOTICED

Douglas G. Thompson

(See above for address)

ATTORNEY TO BE NOTICED

Fred Taylor Isquith

(See above for address)

ATTORNEY TO BE NOTICED

Keith Essenmacher

Lovell, Steward, Halebian L.L.P.

500 Fifth Avenue

New York, NY 10110

212-608-1900

ATTORNEY TO BE NOTICED

Michael Glenn McLellan

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

Plaintiff

Clarissa Weiss

*on behalf of herself and all others
similarly situated*

represented by **Christopher Lovell**

(See above for address)

ATTORNEY TO BE NOTICED

Craig M. Essenmacher

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

Douglas G. Thompson

(See above for address)

ATTORNEY TO BE NOTICED

Fred Taylor Isquith

(See above for address)

ATTORNEY TO BE NOTICED

Keith Essenmacher

(See above for address)

ATTORNEY TO BE NOTICED

Michael Glenn McLellan

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

Plaintiff

Rhonda Burstein

represented by **Jay W. Eisenhofer**
Grant & Eisenhofer P.A. (NY)
485 Lexington Avenue
29th Floor
New York, NY 10017
(646)-722-8512
Fax: (646)-722-8501
Email: jeisenhofer@gelaw.com
ATTORNEY TO BE NOTICED

John D. Radice
Grant & Eisenhofer, PA
485 Lexington Avenue
29th Floor
New York, NY 10017
646-722-8500
Fax: 646-722-8501
Email: jradice@gelaw.com
ATTORNEY TO BE NOTICED

Linda P. Nussbaum
Grant & Eisenhofer P.A. (NY)
485 Lexington Avenue
29th Floor
New York, NY 10017
(646) 722-8500
Fax: (212) 687-7714
Email: lnussbaum@gelaw.com
ATTORNEY TO BE NOTICED

Plaintiff

Juan Sotomayor

represented by **Charles Pearsall Goodwin**
Berger & Montague, P.C.
1622 Locust Street
Philadelphia, PA 19103
(215) 875-4615
Fax: (215) 875-4604
Email: cgoodwin@bm.net
ATTORNEY TO BE NOTICED

David Howard Leventhal
Law Office of David H. Leventhal
188 Ludlow Street, Suite 3G
New York, NY 10017
(212) 729-3179
Fax: (212) 423-3179
Email: david@dhllawfirm.com
ATTORNEY TO BE NOTICED

David Francis Sorensen

Berger & Montague, P.C
1622 Locust Street
Philadelphia, PA 19103
(215)-875-5705
Fax: (215)-875-4604
Email: dsorensen@bm.net
ATTORNEY TO BE NOTICED

Eric L. Cramer
Berger & Montague, P.C.
1622 Locust Street
Philadelphia, PA 19103
(215)-875-3009
Fax: (215)-995-4658
Email: ecramer@bm.net
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jan R. Bartelli
Faruqi & Faruqi, LLP
369 Lexington Avenue, 10th Floor
New York, NY 10017
(212)-983-9330
Fax: (212)-983-9331
Email: jbartelli@faruqilaw.com
ATTORNEY TO BE NOTICED

Kendall S. Zylstra
Faruqi & Faruqi, LLP
101 Greenwood Avenue, Suite 600
Jenkintown, PA 19046
(215)-277-5770
Fax: (215)-277-5771
Email: kzylstra@faruqilaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Stephen E. Connolly
Faruqi & Faruqi, LLP
101 Greenwood Avenue, Suite 600
Jenkintown, PA 19046
(215)-277-5770
Fax: (215)-277-5771
Email: sconolly@faruqilaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Robert Cheatham

represented by **Jay L. Himes**
Labaton & Sucharow LLP (NYC)

140 Broadway
New York, NY 10005
212-907-0834
Fax: 212-818-0477
Email: jhimes@labaton.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bernard Persky
Robins, Kaplan, Miller & Ciresi, LLP
(NYC)
601 Lexington Avenue, Suite 3400
New York, NY 10022
(212) 980-7400
Fax: (212) 980-7499
Email: bpersky@rkmc.com
TERMINATED: 02/15/2013

Gregory Scott Ascioffa
Labaton Sucharow LLP (NYC)
140 Broadway
New York, NY 10005
(212)-907-0827
Fax: (212)-818-0477
Email: gascioffa@labaton.com
ATTORNEY TO BE NOTICED

Hollis L. Salzman
Labaton Sucharow, LLP
140 Broadway
New York, NY 10005
212-907-0717
Fax: 212-883-7017
Email: hsalzman@labaton.com
TERMINATED: 02/15/2013

Kellie Lerner
Labaton Sucharow & Rudoff LLP
100 Park Avenue
New York, NY 10017
(212) 907-0700
Fax: (212) 818-0477
Email: klerner@labaton.com
TERMINATED: 02/15/2013

Plaintiff

John T. Meyer
*on behalf of himself and all others
similarly situated*

represented by **Christopher Lovell**
(See above for address)
ATTORNEY TO BE NOTICED

Richard A. Lockridge

Lockridge, Grindal, Nauen, P.L.L.P.
100 Washington Avenue South, Suite 2200
Minneapolis, MN 55401
(612) 339-6900
Fax: (612)-339-0981
Email: ralockridge@locklaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

W. Joseph Bruckner

Lockridge, Grindal, Nauen & Holstein,
P.L.L.P.
100 Washington Avenue South, Suite 2200
Minneapolis, MN 55401
(612) 339-6900
Fax: (612)-339-0981
Email: wjbruckner@locklaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff**Paul Meyer**

represented by **Christopher Lovell**
(See above for address)
ATTORNEY TO BE NOTICED

Craig M. Essenmacher

(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Fred Taylor Isquith

(See above for address)
ATTORNEY TO BE NOTICED

Heidi M. Siltan

Lockridge, Grindal, Nauen P.L.L.P.
100 Washington Ave. S
Ste 2200
Mpls, MN 55401-2179
(612) 596-4092
Fax: (612) 339-0981
ATTORNEY TO BE NOTICED

Keith Essenmacher

(See above for address)
ATTORNEY TO BE NOTICED

W. Joseph Bruckner

(See above for address)

PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Paul J. Meyer
*on behalf of all others similarly
situated*

represented by **Christopher Lovell**
(See above for address)
ATTORNEY TO BE NOTICED

Craig M. Essenmacher
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Fred Taylor Isquith
(See above for address)
ATTORNEY TO BE NOTICED

Heidi M. Siltou
(See above for address)
ATTORNEY TO BE NOTICED

Keith Essenmacher
(See above for address)
ATTORNEY TO BE NOTICED

Richard A. Lockridge
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

W. Joseph Bruckner
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Liana Lingofelt

represented by **Christopher Lovell**
(See above for address)
ATTORNEY TO BE NOTICED

Craig M. Essenmacher
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Fred Taylor Isquith
(See above for address)
ATTORNEY TO BE NOTICED

Keith Essenmacher

(See above for address)
ATTORNEY TO BE NOTICED

Richard A. Lockridge
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

W. Joseph Bruckner
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Marcia Greene
on behalf of themselves and all others
similarly situated

represented by **Emmy L Levens**
Cohen Milstein Sellers & Toll PLLC (DC)
1100 New York Avenue, N.W.
Suite 500, West Tower
Washington, DC 20005
(202) 408-4600
Fax: (202) 408-4699
Email: elevens@cohenmilstein.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

George Farah
Cohen Milstein Sellers & Toll PLLC
88 Pine street, 14th Floor
New York, NY 10005
212-838-7797
Fax: 212-838-7745
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jeffrey Benjamin Dubner
Cohen Milstein Sellers & Toll
1100 New York Ave., Nw, Ste. 500
Washington, DC 20005
(202) 408-4600
Fax: (202) 408-4699
Email: jdubner@cohenmilstein.com
ATTORNEY TO BE NOTICED

John Douglas Richards
Cohen Milstein Sellers & Toll PLLC
14th Floor
88 Pine Street
New York, NY 10005
212-838-7797
Fax: 212-838-7745

ATTORNEY TO BE NOTICED

Kit A. Pierson

Cohen Milstein Sellers & Toll PLLC (DC)
1100 New York Avenue, N.W.
Suite 500, West Tower
Washington, DC 20005
(202) 408-4600
Fax: (202)-408-4699
Email: kpierson@cohenmilstein.com
PRO HAC VICE

ATTORNEY TO BE NOTICED

Michael Benjamin Eisenkraft

Cohen Milstein Sellers & Toll P.L.L.C.
88 Pine Street
14th, Floor
New York, NY 10005
(212) 838-7797
Fax: (212) 838-7745
Email: meisenkraft@cohenmilstein.com
ATTORNEY TO BE NOTICED

Plaintiff

Aubrie Ann Jones

*on behalf of themselves and all others
similarly situated*

represented by **Emmy L Levens**

(See above for address)
PRO HAC VICE

ATTORNEY TO BE NOTICED

George Farah

(See above for address)
PRO HAC VICE

ATTORNEY TO BE NOTICED

Jeffrey Benjamin Dubner

(See above for address)

ATTORNEY TO BE NOTICED

John Douglas Richards

(See above for address)

ATTORNEY TO BE NOTICED

Kit A. Pierson

(See above for address)
PRO HAC VICE

ATTORNEY TO BE NOTICED

Michael Benjamin Eisenkraft

(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff**David Yastrab***on behalf of himself and all others
similarly situated*

represented by **Darren J. Robbins**
Robbins Geller Rudman & Dowd LLP
(SAN DIEGO)
655 West Broadway
Suite 1900
San Diego, CA 92101
619-231-1058
Fax: 619-231-7423
Email: e_file_sd@rgrdlaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

David W. Mitchell

Robbins Geller Rudman & Dowd LLP
(SAN DIEGO)
655 West Broadway
Suite 1900
San Diego, CA 92101
(619)-231-1058
Fax: (619)-231-231-7423
Email: davidm@csgrr.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Samuel Howard Rudman

Robbins Geller Rudman & Dowd LLP(LI)
58 South Service Road
Suite 200
Melville, NY 11747
(631) 367-7100
Fax: (631) 367-1173
Email: srudman@rgrdlaw.com
ATTORNEY TO BE NOTICED

Plaintiff**Cyrus Joubin***on behalf of himself and all others
similarly situated*

represented by **Paul F. Novak**
Milberg LLP
One Kennedy Square, 777 Woodward
Avenue, Suite 890
Detroit, MI 48226
(313)-309-1761
Fax: (313)-447-2038
Email: pnovak@milberg.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Peter George Safirstein

Morgan & Morgan, LLP

5 Penn Plaza, 23rd Floor
New York, NY 10001
(646) 378-2198
Fax: (813) 222-2493
Email: psafirstein@forthepeople.com
ATTORNEY TO BE NOTICED

Plaintiff

Brian Brown

*on behalf of himself and all others
similarly situated*

represented by **Brian Douglas Penny**
Goldman Scarlato & Karon, P.C.
101 W. Elm Street, Suite 360
Conshohocken, PA 19087
(484) 342-0700
Fax: (484) 342-0701
Email: penny@gsk-law.com
ATTORNEY TO BE NOTICED

Plaintiff

Harrison Goldman

*on behalf of himself and all others
similarly situated*

represented by **Michael Morris Buchman**
Pomerantz LLP
600 Third Avenue, 20th Floor
New York, NY 10016
212-661-1100
Fax: 212-661-8665
Email: mbuchman@motleyrice.com
ATTORNEY TO BE NOTICED

Plaintiff

Kevin Rader-Rhodenbaugh

*on behalf of himself and all others
similarly situated*

represented by **Daniel Hume**
Kirby McInerney LLP
825 Third Avenue
16th Floor
New York, NY 10022
(212) 317-2300
Fax: (212) 751-2540
Email: dhume@kmlp.com
ATTORNEY TO BE NOTICED

David E Kovel

Kirby McInerney LLP
825 Third Avenue
16th Floor
New York, NY 10022
(212) 317-2300
Fax: (212) 751-2540
Email: dkovel@kmlp.com
ATTORNEY TO BE NOTICED

Gary E. Mason

The Mason Law Firm, P.C.

1225 19th Street, NW
Suite 500
Washington, NY 20038
(202) 429-2290
Fax: (202) 429-2294
ATTORNEY TO BE NOTICED

Plaintiff

Brian McGee

*on behalf of himself and all others
similarly situated*

represented by **Brett H Cebulash**

Taus, Cebulash & Landau, LLP
80 Maiden Lane, Suite 1204
New York, NY 10038
(212) 931-0704
Fax: (212) 931-0703
Email: bcebulash@tcllaw.com
ATTORNEY TO BE NOTICED

Daniel E. Gustafson

Gustafson Gluek PLLC
650 Northstar East
608 Second Avenue South
Minneapolis, MN 55402
(612) 333-8844
Fax: (612) 339-6622
Email: dgustafson@gustafsongluek.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Dianne M. Nast

Roda & Nast, P.C.
801 Estelle Drive
Lancaster, PA 17601
(717) 892-3000
Fax: (717) 892-1200
Email: dnast@nastlaw.com
ATTORNEY TO BE NOTICED

Erin C Burns

RodaNast P.C.
801 Estelle Drive
Lancaster, PA 17601
717-892-3000
Fax: 717-892-1200
Email: eburns@nastlaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Kevin Sylvan Landau

Taus, Cebulash & Landau, LLP
80 Maiden Lane, Suite 1204

New York, NY 10038
(212) 931-0704
Fax: (212) 931-0703
Email: klandau@tcllaw.com
ATTORNEY TO BE NOTICED

Plaintiff

Carol Ness

represented by **Brett H Cebulash**
(See above for address)
ATTORNEY TO BE NOTICED

Daniel E. Gustafson
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Dianne M. Nast
(See above for address)
ATTORNEY TO BE NOTICED

Erin C Burns
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Kevin Sylvan Landau
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Katrina Key

represented by **Joseph Peter Guglielmo**
Scott + Scott, L.L.P.(NYC)
405 Lexington Avenue
40th Floor
New York, NY 10174
(212) 223-6444
Fax: (212) 223-6334
Email: jguglielmo@scott-scott.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel Jay Mogin
The Mogin Law Firm P.C.
707 Broadway, Suite 1000
San Diego, CA 92101
619-687-6611
Fax: 619-687-6610
Email: dmogin@moginlaw.com
ATTORNEY TO BE NOTICED

Max Raphael Schwartz
Scott Scott, L.L.P.(NYC)
500 Fifth Avenue
40th Floor
New York, NY 10110
(212) 223-6444
Fax: (212) 223-6334
Email: mschwartz@scott-scott.com
ATTORNEY TO BE NOTICED

Richard S. Frankowski
Burnham Brown
1901 Harrison Street, 11th Floor
Oakland, CA 94612
(205)-930-9091
Fax: (205)-930-9054
Email: rfrankowski@bhfllegal.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Patsy Diamond

*Individually and on Behalf of All
Others Similarly Situated*

represented by **Eugene A. Spector**
Spector, Roseman & Kodroff Willis, P.C.
(PA)
1818 Market Street, 25th Floor
Philadelphia, PA 19103
(215) 496-0300
Fax: (215)-496-6611
Email: espector@srkw-law.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jeffrey J. Corrigan
Spector, Roseman & Kodroff Willis, P.C.
(PA)
1818 Market Street, 25th Floor
Philadelphia, PA 19103
(215)-496-0300
Fax: (215)-496-6611
Email: jcorrigan@srkw-law.com
ATTORNEY TO BE NOTICED

Jeffrey L. Kodroff
Spector Roseman Kodroff & Willis, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
(215) 496-0300
Fax: (215)-496-6611
Email: jkodroff@srkw-law.com
PRO HAC VICE

*ATTORNEY TO BE NOTICED***Jonathan M. Jagher**

Spector Roseman Kodroff & Willis PC
1818 Market Street, Suite 2500
Philadelphia, PA 19103
213496-0300
Fax: 215 496-6611
Email: jjagher@srkw-law.com
ATTORNEY TO BE NOTICED

Michael Francis Ram

Ram, Olson, Cereghino & Kopczynski LLP
555 Montgomery Street
Suite 820
San Francisco, CA 94111
415-433-4949
Fax: 415-433-7311
Email: mram@ramolson.com
ATTORNEY TO BE NOTICED

Plaintiff**Marcus Mathis**

*Individually and on Behalf of All
Others Similarly Situated*

represented by **Jeff D. Friedman**
(See above for address)

*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Shana Eve Scarlett

(See above for address)

*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Steve W. Berman

(See above for address)

*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Stuart Mckinley Paynter

(See above for address)

*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Plaintiff**Eugenia Ruane-Gonzales**

Eugenia Ruane-Gonzales

represented by **Harry Shulman**

Shulman Law
44 Montgomery St.
Suite 3830
San Francisco, CA 94104
415-901-0505
Fax: 866-422-4859

*ATTORNEY TO BE NOTICED***Plaintiff****Steven Rivers**

represented by **Amy Marie Zeman**
Girard Gibbs LLP
601 California Street
14th Floor
SF, CA 94108
415-981-4800
Email: amz@girardgibbs.com
ATTORNEY TO BE NOTICED

Plaintiff**Christian Gilstrap**

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff**Cynthia J. Tyler**

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff**Thomas Friedman**

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY

PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Jeremy Shepeck

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Aloysius J. Brown, Iii

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Anne M. Rinaldi

represented by **Jeff D. Friedman**
(See above for address)

*LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED*

Shana Eve Scarlett
(See above for address)
*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Steve W. Berman
(See above for address)
*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Plaintiff

Laura J. Warner

represented by **Jeff D. Friedman**
(See above for address)
*LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED*

Shana Eve Scarlett
(See above for address)
*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Steve W. Berman
(See above for address)
*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Plaintiff

Barbara Heath

represented by **Jeff D. Friedman**
(See above for address)
*LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED*

Shana Eve Scarlett
(See above for address)
*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Steve W. Berman
(See above for address)
*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Plaintiff

Kathleen Linda Pitlock

represented by **Jeff D. Friedman**

(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Kathleen Weiss

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Matthew A. Hosking

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Diane Urbanec

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Ed Macauley

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Ronna Hamelin

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff**James L. Nesmith**

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff**Lauren Albert**

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff**Sue Roberts**

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff**Shane S. Davis**

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff**Sue Ellen Gordon**

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff**Charles Leonard Pelton, Sr.**

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE

ATTORNEY TO BE NOTICED

Plaintiff

Kimberly Whiteside Brooks

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Steven D. Campbell

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Jessica Moyer

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)

*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Plaintiff

Andreas Albeck

represented by **Jeffrey Farley Keller**
Keller Grover LLP
1965 Market Street
San Francisco, CA 94103
(415) 543-1305
Fax: 415-543-7861
Email: jfkeller@kellergrover.com
*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Gregory Alan Frank
Murray Frank LLP
275 Madison Avenue, Ste. 801
New York, NY 10016
(212)-682-1818
Fax: (212)-682-1892
Email: gfrank@murrayfrank.com
ATTORNEY TO BE NOTICED

Jade Erin Butman
Keller Grover LLP
1965 Market Street
San Francisco, CA 94103
415-543-1305
Fax: 415-543-7861
Email: JButman@KellerGrover.com
ATTORNEY TO BE NOTICED

Plaintiff

Rebecca L. Rossman

represented by **Jeff D. Friedman**
(See above for address)
*LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED*

Jeffrey Scott Goldenberg
Goldenberg Schneider, Lpa
One West Fourth Street, 18th Floor
Cincinnati, OH 45202
513-345-8297
Fax: 513-345-8294
Email: jgoldenberg@gs-legal.com
*PRO HAC VICE
ATTORNEY TO BE NOTICED*

Shana Eve Scarlett

(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Stuart Mckinley Paynter
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Todd B. Naylor
Goldenberg Schneider & Groh, LPA
35 E. 7th Street, Suite 600
Cincinnati, OH 95202
(513) 345-8291
ATTORNEY TO BE NOTICED

Plaintiff

Miriam Cummings

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jeffrey Scott Goldenberg
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Stuart Mckinley Paynter
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Todd B. Naylor
(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

Carole C. Kehl

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jeffrey Scott Goldenberg
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Stuart Mckinley Paynter
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Todd B. Naylor
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Kamal Sonti

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Jeffrey Scott Goldenberg
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman

(See above for address)

*PRO HAC VICE**ATTORNEY TO BE NOTICED***Stuart Mckinley Paynter**

(See above for address)

*PRO HAC VICE**ATTORNEY TO BE NOTICED***Todd B. Naylor**

(See above for address)

*ATTORNEY TO BE NOTICED***Plaintiff****Gretchen Ulbee**represented by **Jeff D. Friedman**

(See above for address)

*LEAD ATTORNEY**PRO HAC VICE**ATTORNEY TO BE NOTICED***Shana Eve Scarlett**

(See above for address)

*PRO HAC VICE**ATTORNEY TO BE NOTICED***Plaintiff****Eugenia Ruane-Gonzales**represented by **Harry Shulman**

Shulman Law

44 Montgomery St.

Suite 3830

San Francisco, CA 94104

415-901-0505

Fax: 866-422-4859

Email: harry@shulmanlawfirm.com*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Douglas A. Millen**

Freed Kanner London & Millen LLC

2201 Waukegan Road, Suite 130

Bannockburn, IL 60015

224-632-4500

Fax: 224-632-4519

Email: doug@fkmlaw.com*ATTORNEY TO BE NOTICED***William H. London**

Freed Kanner London & Millen LLC

2201 Waukegan Road, Suite 130

Bannockburn, IL 60015
(224)-632-4500
Fax: (224)-632-4521
Email: wlondon@fklmlaw.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Katrina Key

represented by **Christopher M. Burke**
Scott + Scott, LLP (CA)
707 Broadway, Suite 1000
San Diego, CA 92101
(619) 233-4565
Fax: (619) 233-0508
Email: cburke@scott-scott.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Daniel Jay Mogin
(See above for address)
ATTORNEY TO BE NOTICED

Joseph Peter Guglielmo
(See above for address)
ATTORNEY TO BE NOTICED

Kristen M. Anderson
Scott + Scott, LLP (CA)
707 Broadway, Suite 1000
San Diego, CA 92101
(619) 233-4565
Fax: (619) 233-0508
Email: kanderson@scott-scott.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Richard S. Frankowski
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Walter W. Noss
Scott+Scott LLP
707 Broadway, Suite 1000
San Diego, CA 92101
(619)-798-5301
Fax: 619-233-0508
Email: wnoss@scott-scott.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff**Chad Miller**

represented by **Dina Elizabeth Micheletti**
Fazio & Micheletti LLP
4900 hopyard rd, ste 290
Pleasanton, CA 94588
925-469-2420
Email: dem@fazmiclaw.com
ATTORNEY TO BE NOTICED

Jeffrey Louis Fazio
Fazio | Micheletti LLP
2410 Camino Ramon
Suite 315
San Ramon, CA 94583
925-543-2555
Fax: 925-369-0344
Email: jlf@fazmiclaw.com
ATTORNEY TO BE NOTICED

Renaë Diane Steiner
Heins Mills & Olson, P.L.C.
310 Clifton Avenue
Minneapolis, MN 55403
612-338-4605
Fax: 612-338-4692
Email: rsteiner@heinsmills.com
ATTORNEY TO BE NOTICED

Vincent J. Esades
Heins Mills & Olson, P.L.C.
3550 IDS Center
80 South Eighth Street
Minneapolis, MN 55402
1-612-338-4605
Fax: (612)-338-4692
Email: vesades@heinsmills.com
ATTORNEY TO BE NOTICED

Plaintiff**Grace Hoke**

represented by **Dina Elizabeth Micheletti**
(See above for address)
ATTORNEY TO BE NOTICED

Jeffrey Louis Fazio
(See above for address)
ATTORNEY TO BE NOTICED

Renaë Diane Steiner
(See above for address)

ATTORNEY TO BE NOTICED

Vincent J. Esades
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Steven Rivers

represented by **Amy Marie Zeman**
(See above for address)
ATTORNEY TO BE NOTICED

Elizabeth Cheryl Pritzker
Girard Gibbs LLP
601 California Street, Suite 1400
San Francisco, CA 94108
(415)-981-4800
Fax: (415)-981-4846
Email: ecp@girardgibbs.com
ATTORNEY TO BE NOTICED

Eric H. Gibbs
Girard, Gibbs & De Bartolomeo
601 California Street
Suite 1400
San Francisco, CA 94108
(415) 981-4800
Email: ehg@girardgibbs.com
ATTORNEY TO BE NOTICED

Plaintiff

Susan Horowitz

represented by **Jeff D. Friedman**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE
ATTORNEY TO BE NOTICED

Bryan Lee Clobes
Cafferty Faucher LLP
1717 Arch Street
Philadelphia, PA 19103
(215)-864-2800
Fax: (215)-864-2810
Email: bclobes@caffertyclobes.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Christopher B. Sanchez
Cafferty Faucher LLP
30 North LaSalle Street
Suite 3200

Chicago, IL 60602
312-782-4880
Fax: 312-782-4485
Email: csanchez@caffertyfaucher.com
ATTORNEY TO BE NOTICED

Daniel Herrera
Cafferty Faucher LLP
30 North LaSalle Street
Suite 3200
Chicago, IL 60602
312-782-4880
Fax: 312-782-4485
ATTORNEY TO BE NOTICED

Ellen Meriwether
Miller Faucher & Cafferty, LLP
(Philadelphia)
One Logan Square, 18th and Cherry Streets,
Suite 1700
Philadelphia, PA 19103
(215)-864-2800
Fax: (215)-864-2810
Email: emeriwether@millerfaucher.com
ATTORNEY TO BE NOTICED

Kelly Tucker
Caferty Faucher LLP
1717 Arch Street
Suite 3610
Philadelphia, PA 19103
215-864-2800
Fax: 215-864-2810
ATTORNEY TO BE NOTICED

Shana Eve Scarlett
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Steve W. Berman
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

Amy D. Nolan
*on behalf of herself and all others
similarly situated*

represented by **Mario Nunzio Alioto**
Trump Alioto Trump & Prescott LLP
2280 Union Street
San Francisco, CA 94123

415-563-7200
Fax: 415-346-0679
Email: malioto@tatp.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joseph Mario Patane
Law Office of Joseph M. Patane
2280 Union Street
San Francisco, CA 94123
415-563-7200
Fax: 415-346-0679
Email: jpatane@tatp.com
ATTORNEY TO BE NOTICED

Lauren Clare Russell
Trump, Alioto, Trump & Prescott, LLP
2280 Union Street
San Francisco, CA 94123
415-563-7200
Fax: 415-346-0679
Email: laurenrussell@tatp.com
ATTORNEY TO BE NOTICED

Plaintiff

Elvira Monzon

represented by **Steven Joesph Greenfogel**
Lite Depalma Greenberg, LLC
1521 Locust Street, Suite 1201
Philadelphia, PA 19102
(973)-877-3819
Fax: (973)-877-3845
Email: sgreenfogel@litedepalma.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

United States Of America

represented by **Daniel McCuaig**
U.S. Department of Justice, Antitrust Div
(DC5thSt)
450 5th Street
Suite 4000
Washington, DC 20001
(202) 307-0468 x0520
Fax: (202) 514-7308
Email: daniel.mccuaig@usdoj.gov
ATTORNEY TO BE NOTICED

Mary Beth McGee
United States Litigation III Section
450 Fifth St. Nw, Suite 4000

Washington, DC 20008
(202) 307-0520
Fax: (202) 514-7308
ATTORNEY TO BE NOTICED

Nathan P. Sutton
United States Litigation III Section
450 Fifth St. Nw, Suite 4000
Washington, DC 20008
(202) 307-0520
Fax: (202) 514-7308
ATTORNEY TO BE NOTICED

Owen M Kendler
United States Litigation III Section
450 Fifth St. Nw, Suite 4000
Washington, DC 20008
(202) 307-0520
Fax: (202) 514-7308
ATTORNEY TO BE NOTICED

Stephen Thayer Fairchild
U.S. Department of Justice, Antitrust
Division
450 Fifth St. Nw, Suite 4000
Washington, DC 20008
(202) 532-4925
Fax: (202) 307-9952
Email: stephen.fairchild@usdoj.gov
ATTORNEY TO BE NOTICED

William H. Jones
United States Litigation III Section
450 Fifth St. Nw, Suite 4000
Washington, DC 20008
(202) 307-0520
Fax: (202) 514-7308
ATTORNEY TO BE NOTICED

Plaintiff

The State of Texas

represented by **Eric Lipman**
Office of The Attorney General, State of
Texas
Po Box 12548
Austin, TX 78711
(512) 463-2100
Fax: (512) 475-2994
Email:
eric.lipman@texasattorneygeneral.gov
LEAD ATTORNEY

*ATTORNEY TO BE NOTICED***David M. Ashton**

Texas Attorney General's Office
State of Texas
300 W. 15th Street, 7th Floor
Austin, TX 78701
(512)-936-1781
Fax: (512)-320-0975

Email:

david.ashton@texasattorneygeneral.gov

*PRO HAC VICE**ATTORNEY TO BE NOTICED***Gabriel R. Gervey**

Assistant Attorney General
PO Box 12548
Austin, Tx 78711-2548
512.463.1262
Fax: 512.620.0975

Email:

Gabriel.Gervey@texasattorneygeneral.gov

*ATTORNEY TO BE NOTICED***Rebecca Fisher**

Senior Assistant Attorney General
PO Box 12548
Austin, TX 78711
512-463-1265

*PRO HAC VICE**ATTORNEY TO BE NOTICED***Plaintiff****The State of Connecticut**represented by **Gary M. Becker**

Connecticut Office of the Attorney General
55 Elm Street
Hartford, CT 06106
(860)-808-5169
Fax: (860)-808-5033

Email: gary.becker@ct.gov

*ATTORNEY TO BE NOTICED***Michael E. Cole**

Attorney General
Antitrust Department
55 Elm Street, P.O. Box 120
Hartford, CT 06141-0120
(860) 808-5040
Fax: (860) 808-5033

ATTORNEY TO BE NOTICED

W. Joseph Nielsen

State of Connecticut Office of The Attorney
General

55 Elm Street

Hartford, CT 06106

(860)-808-5396

Fax: (860)-808-5033

Email: joseph.nielsen@ct.gov

PRO HAC VICE

ATTORNEY TO BE NOTICED

Plaintiff**The State of Alaska**represented by **Clyde E. Sniffen , Jr.**

Senoir Assistant Attorney General

1031 W. Fourth Avenue, #200

Anchorage, AK 99501

(907) 269-5200

Fax: 907-276-8554

ATTORNEY TO BE NOTICED

Plaintiff**The State of Arizona**represented by **Devin M. Laiho**

Assistant Attorney General

Colorado Department of Law

1300 Broadway, 7th Floor

Denver, CO 80203

702-508-6000

Fax: 720-508-6040

Email: devin.laiho@state.co.us

ATTORNEY TO BE NOTICED

Nancy M. Bonnell

Attorney General of Arizona

1275 West Washington Street

Phoenix, AZ 85007

(602) 542-7752

Email: nancy.bonnell@azag.gov

ATTORNEY TO BE NOTICED

Susan V. Myers

Assistant Attorney General

Office of the Arizona Attorney General

Consumer Protection and Advocacy Section

1275 West Washington

Phoeniz, AZ 85028

(602)-542-7768

Fax: (602)-542-9088

Email: susan.myers@azag.gov

PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

The State of Illinois

represented by **Chadwick O. Brooker**
Assistant Attorney General
Office of the Illinois Attorney General
Antitrust Bureau
100 West Randolph Street
Chicago, IL 60601
312.793.3891
Fax: 312.814.4209
Email: cbrooker@atg.state.il.us
ATTORNEY TO BE NOTICED

Robert W. Pratt
Office of the Illinois Attorney General
Antitrust Bureau
100 West Randolph Street
Chicago, IL 60601
(312) 814-3722
Fax: 312-814-4209
ATTORNEY TO BE NOTICED

Plaintiff

The State of Colorado

represented by **Devin M. Laiho**
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

The State of Iowa

represented by **Layne M. Lindebak**
Iowa Department of Justice
Special Litigation Division
Hoover Office Building - Second Floor
1305 E. Walnut Street
Des Moines, IA 50319
(515) 281-7054
Fax: (515) 281-4902
ATTORNEY TO BE NOTICED

Plaintiff

The State of Maryland

represented by **Ellen S. Cooper**
Office of the Attorney General
200 St. Paul Street
19th Floor
Baltimore, MD 21202
(410) 576-6470
Fax: 410-576-7830
ATTORNEY TO BE NOTICED

John R. Tennis

State of Maryland
Office of the Attorney General
200 St. Paul Place
19th Floor
Baltimore, MD 21202-2021
(410) 576-6470
Fax: 410-576-7830
ATTORNEY TO BE NOTICED

Schonette Walker

Assistant Attorney General
Office of the Maryland Attorney General
Antitrust Division
200 St. Paul Place
19th Floor
Baltimore, MD 21202
410.5766470
Fax: 410.576.6404
ATTORNEY TO BE NOTICED

Plaintiff**The State of Missouri**

represented by **Anne E. Schneider**
Office of the Attorney General
P.O. Box 899
Jefferson City, MO 65102
(573) 751-7445
Fax: (573) 751-2041
ATTORNEY TO BE NOTICED

Brianna Lynne Lennon

Assistant Attorney General
PO Box 899
Jefferson City, MO 65102
573.751.7445
Fax: 573.751.2041
ATTORNEY TO BE NOTICED

Plaintiff**The State of Ohio**

represented by **Doreen C. Johnson**
Office of the Attorney General
150 East Gay Street
23rd Floor
Columbus, OH 43215
614.466.4328
Fax: 614.995.0266
ATTORNEY TO BE NOTICED

Edward J. Olszewski

Assistant Attorney General

Office of the Ohio Attorney General
Antitrust Section
150 East Gay Street; 23rd Floor
Columbus, OH 43215
614.466.4328
Fax: 614.995.0269
Email:
edward.olszewski@ohioattorneygeneral.gov

ATTORNEY TO BE NOTICED

Jessica I. Oldham
Office of the Attorney General
Antitrust Section
150 East Gay Street, 23rd Floor
Columbus, OH 43215
614.466.4328
Fax: 614.995.0269
ATTORNEY TO BE NOTICED

Mitchell L. Gentile
Office of the Ohio Attorney General
Antitrust Section
150 E. Gay Street, 23rd Floor
Columbus, OH 43215
(614) 466-4328
Fax: (614) 995-0266
ATTORNEY TO BE NOTICED

Plaintiff

**The Commonwealth of
Pennsylvania**

represented by **James A. Donahue**
Chief Deputy Attorney General
PA Office of Attorney General
14 Floor, Strawberry Square
Harrisburg, PA 17120
717.787.4530
Fax: 717.787.1190
ATTORNEY TO BE NOTICED

Jennifer J. Kirk
Deputy Attorney General
PA Office of Attorney General
14th Floor, Strawberry Square
Harrisburg, PA 17120
717.787.4530
Fax: 717.787.1190
Email: jkirk@attorneygeneral.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Joseph S. Betsko

Pennsylvania Office of Attorney General
Strawberry Square, 14th Floor
Harrisburg, PA 17120
(717)-705-5393
Fax: (717)-787-1190
Email: jbetsko@attorneygeneral.gov
ATTORNEY TO BE NOTICED

Plaintiff**The Commonwealth of Puerto Rico**represented by **Jose M. Tous Cardona**

Office of the Attorney General
PO Box 9020192
San Juan, PR 00902-0192
787.712.2900
Fax: 787.723.8891
ATTORNEY TO BE NOTICED

Jose G. Diaz-Tejera

Chief Deputy Attorney General
Office of Monopolistic Affairs
Department of Justice for The
Commonwealth of Puerto Rico
PO Box 9020192
San Juan, PR 00902-0192
787.721.2900x2669
Fax: 787.723.9188
ATTORNEY TO BE NOTICED

Plaintiff**The State of South Dakota**represented by **Jeffrey P. Hallem**

S.D. Office of Attorney General
1302 East Hwy. 14, Suite 1
Pierre, SD 57501
(605) 773-3215
Fax: (605)-773-4106
Email: jeff.hallem@state.sd.us
ATTORNEY TO BE NOTICED

Plaintiff**the State of Tennessee**represented by **Victor John Domen , Jr.**

Office of the Tennessee Attorney General
425 Fifth Avenue North
Nashville, TN 37202
(615) 532-5732
Fax: (615) 532-2910
Email: vic.domen@ag.tn.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff**The State of Vermont**

represented by **Ryan Kriger**
Assistant Attorney General
Public Protection Division
Vermont Attorney General's Office
109 State Street
Montpelier, VT 05609
802.828.5749
Fax: 802.828.2154
ATTORNEY TO BE NOTICED

Plaintiff**The State of West Virginia**

represented by **Douglas L. Davis**
Assisant Attorney General
Office of the West Virginia Attorney
General
PO Box 1789
Charleston, WV 25326
304.558.8986
Fax: 304.558.0184
ATTORNEY TO BE NOTICED

Plaintiff**The Territory of American Samoa**

represented by **The Territory of American Samoa**
PRO SE

Plaintiff**The State of Alabama**

represented by **The State of Alabama**
PRO SE

Plaintiff**The State of Arkansas**

represented by **Kevin Wells**
Arkansas Attorney General's Office
323 Center Street, Suite 200
Little Rock, AR 72201
(501)-682-8063
Fax: (501)-682-8118
Email: kevin.wells@arkansasag.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Nancy M. Bonnell
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff**The State of California**

represented by **The State of California**
PRO SE

Plaintiff

The State of Delaware

represented by **The State of Delaware**
PRO SE

Plaintiff

The District of Columbia

represented by **Catherine Anne Jackson**
Attorney General's Office For The District
of Columbia
441 4th St., Nw
Washington, DC 20001
(202)-442-9864
Fax: (202)-741-0655
Email: catherine.jackson@dc.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

The State of Florida

represented by **Lizabeth Ann Brady**
Fl Office of The Attorney General []
Pl-01, The Capitol
Tallahassee, FL 32399
(850)-414-3851
Fax: (850)-488-9134
Email: liz.brady@myfloridalegal.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

The State of Georgia

represented by **The State of Georgia**
PRO SE

Plaintiff

The Territory of Guam

represented by **The Territory of Guam**
PRO SE

Plaintiff

The State of Hawaii

represented by **The State of Hawaii**
PRO SE

Plaintiff

The State of Idaho

represented by **Brett Talmage DeLange**
Idaho Attorney General's Office
P.O. Box 83720
Boise, ID 83720
(208)-334-4114
Fax: (208)-334-2830
Email: brett.delange@ag.idaho.gov
ATTORNEY TO BE NOTICED

Plaintiff

The State of Indiana

represented by **The State of Indiana**
PRO SE

Plaintiff

The Commonwealth of Kentucky

represented by **Charles T. Miller**
ATTORNEY TO BE NOTICED

Plaintiff

The State of Maine

represented by **The State of Maine**
PRO SE

Plaintiff

**The Commonwealth of
Massachusetts**

represented by **Michael Paul Franck**
Massachusetts Office of The Attorney
General
One Ashburton Place
Boston, MA 02108
(617) 963-2613
Fax: (617) 722-0184
Email: michael.franck@state.ma.us
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

The State of Michigan

represented by **Jason Robert Evans**
Michigan Department of Attorney General
525 West Ottawa Street
Lansing, MI 48933
(517)-373-1160
Fax: (517)-335-6755
Email: evansj@michigan.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

The State of Mississippi

represented by **The State of Mississippi**
PRO SE

Plaintiff

The State of Nebraska

represented by **Gregory John Walklin**
Nebraska Attorney General's Office
2115 State Capitol
Lincoln, NE 68509
(402)-471-3840
Fax: (402)-471-2957
Email: greg.walklin@nebraska.gov
ATTORNEY TO BE NOTICED

Melissa R. Vincent
Nebraska Attorney General's Office

2115 State Capitol
Lincoln, NE 68509
(402) 471-2653
Fax: (402) 471-3297
Email: melissa.vincent@nebraska.gov
PRO HAC VICE

Plaintiff

The State of Montana

represented by **The State of Montana**
PRO SE

Plaintiff

The State of New Hampshire

represented by **David A. Rienzo**
New Hampshire Department of Justice
33 Capitol Street
Concord, NH 03301
(603)-271-1249
Fax: (603)-223-6239
Email: david.rienzo@doj.nh.gov
ATTORNEY TO BE NOTICED

Plaintiff

The State of New Jersey

represented by **The State of New Jersey**
PRO SE

Plaintiff

The State of New Mexico

represented by **Matthew E. Jackson**
New Mexico Attorney General's Office
P.O. Drawer 1508
Suite 576 South
Santa Fe, NM 87504
(505)-827-6021
Fax: (505)-827-6036
Email: mjackson@nmag.gov
ATTORNEY TO BE NOTICED

Plaintiff

The State Of New York

represented by **Geralyn Jeanette Trujillo**
State of New York Office of the Attorney
General
120 Broadway
New York, NY 10271
(212) 416-8262
Fax: (212) 416-6015
Email: geralyn.trujillo@ag.ny.gov
ATTORNEY TO BE NOTICED

Linda J. Gargiulo
New York State Attorney General
120 Broadway

Suite 26-01
New York, NY 10271
(212) 416-8274
Fax: (212) 416-6015
Email: linda.gargiulo@ag.ny.gov
ATTORNEY TO BE NOTICED

Robert L. Hubbard
New York Attorney General's Office,
Antitrust Bureau
120 Broadway
26th Floor
New York, NY 10271
212 416-8267
Fax: 212 416-6015
Email: robert.hubbard@ag.ny.gov
ATTORNEY TO BE NOTICED

Plaintiff

The State of North Carolina

represented by **K. D. Sturgis**
North Carolina Department of Justice
P.O. Box 629
Raleigh, NC 27602-0629
(919) 716-6000
ATTORNEY TO BE NOTICED

Plaintiff

**The Commonwealth of the
Northern Mariana Islands**

represented by **The Commonwealth of the Northern
Mariana Islands**
PRO SE

Plaintiff

The State of Oklahoma

represented by **The State of Oklahoma**
PRO SE

Plaintiff

The State of Oregon

represented by **The State of Oregon**
PRO SE

Plaintiff

The State of Rhode Island

represented by **Edmund F. Murray**
Attorney General of Rhode Island
Antitrust Division
Providence, RI 02903
(401) 274-4400
ATTORNEY TO BE NOTICED

Plaintiff

The State of South Carolina

represented by **C. Harvid Jones, Jr.**
Attorney General of South Carolina

P.O. Box 11549
Columbia, SC 29211
(803) 734-3680
ATTORNEY TO BE NOTICED

Jenny Draffin Smith
South Carolina Office of The Attorney
General
Post Office Box 11549
Columbia, SC 29211
(803)-734-5254
Fax: (803)-734-3677
Email: jdsmith@scag.gov
ATTORNEY TO BE NOTICED

Plaintiff

The State of Utah

represented by **Ronald J. Ockey**
Attorney General of Utah
160 East 300 South
Fifth Floor
Salt Lake City, UT 84111
(801) 366-0310
Fax: (801)-366-0315
Email: rockey@utah.gov
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

The Commonwealth of Virginia

represented by **Sarah Oxenham Allen**
Office of The Attorney General
900 East Main Street
Richmond, VA 23219
(804)-786-6557
Fax: (804)-786-0122
Email: soallen@oag.state.va.us
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

The Territory of the Virgin Islands

represented by **The Territory of the Virgin Islands**
PRO SE

Plaintiff

The State of Washington

represented by **The State of Washington**
PRO SE

Plaintiff

The State of Wisconsin

represented by **Gwendolyn Jean Cooley**
Wisconsin Department of Justice
PO Box 7857

Madison, WI 53707-7857
(608) 261-5810
Fax: (608) 267-2778
Email: cooleygj@doj.state.wi.us
PRO HAC VICE
ATTORNEY TO BE NOTICED

Plaintiff

The State of Wyoming

represented by **The State of Wyoming**
PRO SE

Plaintiff

The State of Nevada

represented by **The State of Nevada**
PRO SE

V.

Consolidated Plaintiff

The State of Texas

represented by **The State of Texas**
PRO SE

Consolidated Plaintiff

The State of Connecticut

represented by **The State of Connecticut**
PRO SE

Consolidated Plaintiff

The State of Alabama

represented by **The State of Alabama**
(See above for address)
PRO SE

Consolidated Plaintiff

The State of Alaska

represented by **The State of Alaska**
PRO SE

Consolidated Plaintiff

The State of Arizona

represented by **The State of Arizona**
PRO SE

Consolidated Plaintiff

The State of Arkansas

represented by **The State of Arkansas**
PRO SE

Consolidated Plaintiff

The State of Colorado

represented by **The State of Colorado**
PRO SE

Consolidated Plaintiff

The State of Delaware

represented by **The State of Delaware**
(See above for address)

PRO SE

Consolidated Plaintiff**The District of Columbia**represented by **The District of Columbia**
PRO SE**Consolidated Plaintiff****The State of Idaho**represented by **The State of Idaho**
PRO SE**Consolidated Plaintiff****The State of Indiana**represented by **The State of Indiana**
(See above for address)
PRO SE**Consolidated Plaintiff****The State of Kansas**represented by **The State of Kansas**
PRO SE**Consolidated Plaintiff****The State of Louisiana**represented by **The State of Louisiana**
PRO SE**Consolidated Plaintiff****The State of Maryland**represented by **The State of Maryland**
PRO SE**Consolidated Plaintiff****The Commonwealth of
Massachusetts**represented by **The Commonwealth of Massachusetts**
PRO SE**Consolidated Plaintiff****The State of Michigan**represented by **The State of Michigan**
PRO SE**Consolidated Plaintiff****The State of Missouri**represented by **The State of Missouri**
PRO SE**Consolidated Plaintiff****The State of Nebraska**represented by **Gregory John Walklin**
(See above for address)
*ATTORNEY TO BE NOTICED***Consolidated Plaintiff****The State of New Mexico**represented by **The State of New Mexico**
PRO SE**Consolidated Plaintiff**

The State of New York

represented by **Eric Jonathan Stock**
Hogan Lovells US LLP (nyc)
875 Third Avenue
New York, NY 10022
212-918-3000
Fax: 212-918-3100
Email: eric.stock@ag.ny.gov
ATTORNEY TO BE NOTICED

Consolidated Plaintiff

The State of North Dakota

represented by **The State of North Dakota**
PRO SE

Consolidated Plaintiff

**The Commonwealth of
Pennsylvania**

represented by **The Commonwealth of Pennsylvania**
PRO SE

Consolidated Plaintiff

The Commonwealth of Puerto Rico

represented by **The Commonwealth of Puerto Rico**
PRO SE

Consolidated Plaintiff

The State of Utah

represented by **The State of Utah**
PRO SE

Consolidated Plaintiff

The Commonwealth of Virginia

represented by **The Commonwealth of Virginia**
PRO SE

Consolidated Plaintiff

The State of Wisconsin

represented by **Gwendolyn Jean Cooley**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Consolidated Plaintiff

Class Plaintiffs

represented by **Steve W. Berman**
(See above for address)
ATTORNEY TO BE NOTICED

V.

Movant

Katrina Key

represented by **Christopher M. Burke**
(See above for address)
ATTORNEY TO BE NOTICED

Richard S. Frankowski
(See above for address)

PRO HAC VICE
ATTORNEY TO BE NOTICED

V.

Defendant

MacMillian, Inc

represented by **Alexandra Shear**
Sidley Austin LLP(NY)
787 Seventh Avenue
New York, NY 10019
(212)-839-7356
Fax: (212)-839-5599
Email: ashear@sidley.com
ATTORNEY TO BE NOTICED

Joel M. Mitnick
Sidley Austin LLP
787 Seventh Avenue
New York, NY 10019
(212) 839-5300
Fax: (212)-839-5599
Email: jmitnick@sidley.com
ATTORNEY TO BE NOTICED

Defendant

Harpercollins Publishers

represented by **Clifford Hank Aronson**
Skadden, Arps, Slate, Meagher & Flom
4 Times Square
New York, NY 10036-6522
(212)735-2000
Email: caronson@skadden.com
ATTORNEY TO BE NOTICED

Paul Madison Eckles
Skadden, Arps, Slate, Meagher & Flom
LLP (NYC)
Four Times Square
New York, NY 10036
(212)-735-2578
Fax: (917)-777-2578
Email: pmeckles@skadden.com
ATTORNEY TO BE NOTICED

Raoul Dion Kennedy
Skadden Arps Slate Meagher & Flom LLP
525 University Avenue
Suite 1100
Palo Alto, CA 94301
650-470-4500
Fax: 650-470-4570

Email: rkennedy@skadden.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Richard Stephen Horvath , Jr.
Skadden Arps Slate Meagher and Flom LLP

525 University Avenue, Suite 100
Palo Alto, CA 94301
650-470-4500
Fax: 650-470-4570
Email: richard.horvath@skadden.com
ATTORNEY TO BE NOTICED

Shepard Goldfein
Skadden, Arps, Slate, Meagher & Flom
LLP (NYC)
Four Times Square
42nd floor
New York, NY 10036
(212)-735-3610
Fax: (917)-777-3610
Email: sgoldfei@skadden.com
ATTORNEY TO BE NOTICED

Defendant

Penguin Group USA, Inc.

represented by **Allison Sheedy**
Akin Gump Strauss Hauer & Feld, LLP
1333 New Hampshire Ave. NW
Washington, DC 20036
(202) 887-4000
Fax: (202) 887-4288
Email: asheedy@akingump.com
ATTORNEY TO BE NOTICED

Daniel F. McInnis
Akin, Gump, Strauss, Hauer & Feld, LLP
(DC)
Robert S. Strauss Building
1333 New Hampshire Avenue, N.W.
Washington, DC 20036
(202)-887-4000
Fax: (202)-887-4288
Email: dmcinnis@akingump.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

David A. Donohoe
Akin, Gump, Strauss, Hauer & Feld
65 E. 55th St.

33rd Floor
New York, NY 20036
(202)-887-4050
Fax: (202)-887-4288
Email: ddonohoe@akingump.com
ATTORNEY TO BE NOTICED

Gregory J. Granitto
Akin Gump Strauss Hauer & Feld, LLP
1333 New Hampshire Ave., NW
Washington, DC 20036
202-887-4000
Fax: 202-887-4288
Email: ggranitto@akingump.com
ATTORNEY TO BE NOTICED

Mollie McGowan Lemberg
Akin Gump Strauss Hauer & Feld LLP
1333 New Hampshire Avenue, N.W.
Washington, DC 20036
(202)-887-4599
Fax: (202)-887-4288
Email: mmcgowanlemborg@akingump.com
ATTORNEY TO BE NOTICED

Reginald David Steer
Akin Gump Strauss Hauer & Feld LLP (SF)

580 California Street
15th Floor
San Francisco, CA 94104
(415) 765-9500
Fax: (415) 765-9501
ATTORNEY TO BE NOTICED

Defendant

Random House Inc.

represented by **Saul P Morgenstern**
Kaye Scholer LLP
425 Park Avenue
New York, NY 10022
212-259-8000
Fax: 212-836-6333
Email: smorgenstern@kayescholer.com
ATTORNEY TO BE NOTICED

Defendant

Apple Inc.

represented by **Christine Louise Demana**
Gibson, Dunn & Crutcher, LLP (NY)
200 Park Avenue, 48th Floor

New York, NY 10166
(212)-351-2636
Fax: (212)-716-0836
Email: cdemana@gibsondunn.com
ATTORNEY TO BE NOTICED

Daniel S. Floyd
Gibson, Dunn & Crutcher LLP (CA2)
333 S. Grand Avenue, Suite 4600
Los Angeles, CA 90070
(213)-229-7148
Fax: (213)-229-6148
Email: dfloyd@gibsondunn.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Daniel G. Swanson
Gibson, Dunn & Crutcher LLP (CA2)
333 S. Grand Avenue, Suite 4600
Los Angeles, CA 90070
(213)-229-7148
Fax: (213)-229-6148
Email: dswanson@gibsondunn.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Hane Lee Kim
Gibson, Dunn & Crutcher, LLP (NY)
200 Park Avenue, 48th Floor
New York, NY 10166
(212)-351-2412
Fax: (212)-351-6312
Email: hlkim@gibsondunn.com
ATTORNEY TO BE NOTICED

Jay Srinivasan
Gibson, Dunn & Crutcher LLP
333 S. Grand Ave., Suite 4600
Los Angeles, CA 90071
(213) 229-7296
Fax: (213) 229-6696
PRO HAC VICE
ATTORNEY TO BE NOTICED

Lawrence Jay Zweifach
Gibson, Dunn & Crutcher, LLP (NY)
200 Park Avenue, 48th Floor
New York, NY 10166
(212) 351-4000
Fax: (212) 351-4035

Email: lzweifach@gibsondunn.com
ATTORNEY TO BE NOTICED

Lisa Heather Rubin
Gibson, Dunn & Crutcher, LLP (NY)
200 Park Avenue, 48th Floor
New York, NY 10166
(212)-351-2390
Fax: (212)-716-0790
Email: lrubin@gibsondunn.com
ATTORNEY TO BE NOTICED

Orin Snyder
Gibson, Dunn & Crutcher, LLP (NY)
200 Park Avenue, 48th Floor
New York, NY 10166
(212)351-2400
Fax: (212)3531-6355
Email: osnyder@gibsondunn.com
ATTORNEY TO BE NOTICED

Theodore J. Boutrous , Jr.
Gibson, Dunn & Crutcher, LLP (LA)
333 South Grand Avenue
Los Angeles, CA 90071
(213) 229-7804
Fax: (213) 229-6804
Email: tboutrous@gibsondunn.com
ATTORNEY TO BE NOTICED

Defendant

Hachette Book Group

represented by **Samuel Joseph Rubin**
Freshfields Bruckhaus Deringer LLP
601 Lexington Avenue
New York, NY 10022
(212)-230-4661
Fax: (646)-465-7461
Email: samuel.rubin@freshfields.com
ATTORNEY TO BE NOTICED

Timothy P. Harkness
Freshfields Bruckhaus Deringer LLP
601 Lexington Avenue
New York, NY 10022
(212) 277-4000
Fax: (212) 277-4001
Email: timothy.harkness@freshfields.com
ATTORNEY TO BE NOTICED

Walter B. Stuart , IV

Freshfields Bruckhaus Deringer LLP
601 Lexington Avenue
New York, NY 10022
(212) 277-4000
Fax: (212) 277-4001
Email: walter.stuart@freshfields.com
ATTORNEY TO BE NOTICED

Defendant

Simon & Schuster

TERMINATED: 05/15/2012

represented by **James W. Quinn**

Weil, Gotshal & Manges LLP (NYC)
767 Fifth Avenue, 25th Fl.
New York, NY 10153
2123108000
Fax: 2128333148
Email: james.quinn@weil.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Helene Debra Jaffe

Proskauer Rose LLP (NY)
11 Times Square
New York, NY 10036
(212)-969-3000
Fax: (212)-969-2900
Email: hjaffe@proskauer.com
ATTORNEY TO BE NOTICED

Yehudah Lev Buchweitz

Weil, Gotshal & Manges LLP (NYC)
767 Fifth Avenue, 25th Fl.
New York, NY 10153
(212)310-8000 x8256
Fax: (212) 310-8007
Email: yehudah.buchweitz@weil.com
ATTORNEY TO BE NOTICED

Defendant

Amazon.Com, Inc.

represented by **Jeffrey Ross Wang**

Friedman Kaplan Seiler & Adelman LLP
7 Times Square
New York, NY 10036
(212)-833-1175
Fax: (212)-373-7975
Email: jwang@fklaw.com
ATTORNEY TO BE NOTICED

Michael Edward Kipling

Kipling Law Group PLLC
3601 Fremont Avenue, N., Suite 414

Seattle, WA 98103
(206)-545-0345
Fax: (206)-545-0350
Email: kipling@kiplinglawgroup.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Robert David Kaplan
Friedman, Kaplan, Seiler and Adelman
1633 Broadway
NY, NY 10019
212-833-1104
Fax: 212-833-1250
Email: rkaplan@fklaw.com
ATTORNEY TO BE NOTICED

Defendant

Barnes & Noble Inc.

represented by **David Boies , II**
Boies, Schiller & Flexner LLP
333 Main Street
Armonk, NY 10504
(914)-749-8200
Fax: (914)-749-8300
Email: dboies@bsfllp.com
ATTORNEY TO BE NOTICED

Julia Carolyn Hamilton
Boies Schiller & Flexner LLP
575 Lexington Avenue
New York, NY 10022
(212) 446-2383
Fax: (212) 446-2350
Email: jchamilton@bsfllp.com
ATTORNEY TO BE NOTICED

William A. Isaacson
Boies, Schiller & Flexner LLP (D.C.)
5301 Wisconsin Avenue, NW
Suite 800
Washington, DC 20015
(202) 237-2727
Fax: (202) 237-6131
Email: wisaacson@bsfllp.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Defendant

Harpercollins publishers, inc.;

represented by **Raoul Dion Kennedy**
(See above for address)
LEAD ATTORNEY

PRO HAC VICE
ATTORNEY TO BE NOTICED

Paul Madison Eckles
(See above for address)
ATTORNEY TO BE NOTICED

Richard Stephen Horvath , Jr.
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Macmillan Publishers, Inc..

represented by **Joel M. Mitnick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alexandra Shear
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Hachette Digital, Inc.

represented by **Walter B. Stuart , IV**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Hiram Robert Andrews
Freshfields Bruckhaus Deringer US LLP
701 Pennsylvania Avenue, Suite 600
Washington, DC 20004-2692
(202)-777-4522
Fax: (202)-507-5922
Email: hiram.andrews@freshfields.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Richard Sutton Snyder , Sr.
Freshfields Bruckhaus Deringer Us LLP
701 Pennsylvania Ave, Nw, Suite 600
Washington, DC 20004
Email: richard.snyder@freshfields.com
PRO HAC VICE
ATTORNEY TO BE NOTICED

Samuel Joseph Rubin
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Hachette Livre USA, Inc.

Defendant

Hachette Livre SA

represented by **Walter B. Stuart , IV**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Hiram Robert Andrews
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Richard Sutton Snyder , Sr.
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Samuel Joseph Rubin
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Holtzbrinck Publishers, LLC

represented by **Joel M. Mitnick**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alexandra Shear
(See above for address)
ATTORNEY TO BE NOTICED

David Joseph Carey
Sidley Austin LLP(NY)
787 Seventh Avenue
New York, NY 10019
(212) 839-5604
Fax: (212) 839-5599
Email: David.Carey@thompsonhine.com
ATTORNEY TO BE NOTICED

John J. Lavelle
Sidley Austin LLP (NY)
787 Seventh Avenue
New York, NY 10019
(212)-839-5300
Fax: (212)-839-5599
Email: jlavelle@sidley.com
ATTORNEY TO BE NOTICED

Defendant

**Simon & Schuster Digital Sales,
Inc.**
TERMINATED: 05/15/2012

represented by **Yehudah Lev Buchweitz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eric Stephen Wolfish
Weil, Gotshal & Manges LLP (NYC)
767 Fifth Avenue, 25th Fl.
New York, NY 10153
(212) 310-8895
Fax: (212) 310-8007
Email: eric.wolfish@weil.com
ATTORNEY TO BE NOTICED

Jeffrey Leonard White
Weil, Gotshal & Manges, LLP
1300 Eye St. Nw
Washington, DC 20005
(202)-682-7059
Fax: (202)-857-0940
Email: jeff.white@weil.com
ATTORNEY TO BE NOTICED

Defendant

Hachette Book Group, Inc.

represented by **Walter B. Stuart , IV**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Hiram Robert Andrews
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Richard Sutton Snyder , Sr.
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Samuel Joseph Rubin
(See above for address)
ATTORNEY TO BE NOTICED

Timothy P. Harkness
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

HarperCollins Publishers L.L.C.

represented by **Matthew Michael Martino**

Skadden, Arps, Slate, Meagher & Flom
LLP (NYC)
Four Times Square
42nd floor
New York, NY 10036
(212)-735-2402
Fax: (917)-777-2402
Email: mamartin@skadden.com
ATTORNEY TO BE NOTICED

Shepard Goldfein
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Simon & Schuster, Inc.
TERMINATED: 05/15/2012

Defendant

Hachette Digital, Inc.

represented by **Walter B. Stuart , IV**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Hiram Robert Andrews
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Richard Sutton Snyder , Sr.
(See above for address)
PRO HAC VICE
ATTORNEY TO BE NOTICED

Timothy P. Harkness
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

**Verlagsgruppe Georg Von
Holtzbrinck GMBH**

Defendant

Holtzbrinck Publishers, LLC
Doing business as Macmillan

represented by **David Joseph Carey**
(See above for address)
ATTORNEY TO BE NOTICED

Joel M. Mitnick
(See above for address)
ATTORNEY TO BE NOTICED

John J. Lavelle
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

The Penguin Group
A Division of Pearson PLC

Defendant

Penguin Group (USA), Inc.

represented by **Daniel F. McInnis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Allison Sheedy
(See above for address)
ATTORNEY TO BE NOTICED

Gregory J. Granitto
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Hachette Book Group, Inc

represented by **Walter B. Stuart , IV**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Bryan Lewis Bloom
Freshfields Bruckhaus Deringer US LLP
701 Pennsylvania Avenue, Nw, Suite 600
Washington, DC 20004
(202) 777-4559
Fax: (202) 507-5959
Email: bryan.bloom@freshfields.com
ATTORNEY TO BE NOTICED

Defendant

Harpercollins Publishers, LLC

Defendant

Simon & Schuster, Inc.

represented by **Yehudah Lev Buchweitz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Eric Stephen Wolfish
(See above for address)
ATTORNEY TO BE NOTICED

James W. Quinn

(See above for address)

*ATTORNEY TO BE NOTICED***Jeffrey Leonard White**

(See above for address)

*ATTORNEY TO BE NOTICED***ADR Provider****Holtzbrinck Publishers, LLC**represented by **Joel M. Mitnick**

(See above for address)

*LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Alexandra Shear**

(See above for address)

*ATTORNEY TO BE NOTICED***David Joseph Carey**

(See above for address)

*ATTORNEY TO BE NOTICED***John J. Lavelle**

(See above for address)

*ATTORNEY TO BE NOTICED***Objector****Bob Kohn**represented by **Steven Brower**

Buchalter Nemer

18400 Von Karman, Suite 800

Irvine, CA 92626-1902

(714)-549-5150

Fax: (949)-224-6410

Email: sbrower@buchalter.com

*ATTORNEY TO BE NOTICED***Interested Party****Rebecca L. Rossman**represented by **Jeff D. Friedman**

(See above for address)

*PRO HAC VICE**ATTORNEY TO BE NOTICED***Jeffrey Scott Goldenberg**

(See above for address)

*PRO HAC VICE**ATTORNEY TO BE NOTICED***Interested Party****Baker & Taylor, Inc.**represented by **Evan Glassman**

Steptoe & Johnson, LLP (NYC)
 1114 Avenue of the Americas
 New York, NY 10036
 (212) 506-3900
 Fax: (212) 506-3950
 Email: eglassman@steptoe.com
ATTORNEY TO BE NOTICED

Michael Jarrett Allan
 Steptoe & Johnson, LLP (DC)
 1330 Connecticut Avenue, N.W.
 Washington, DC 20036
 (202)-429-3000
 Fax: (202)-429-3902
 Email: mallan@steptoe.com
ATTORNEY TO BE NOTICED

V.

All Plaintiffs

Anthony Petru, et al.

represented by **Jeff D. Friedman**
 (See above for address)
ATTORNEY TO BE NOTICED

All Plaintiffs

Class Plaintiffs

represented by **Steve W. Berman**
 (See above for address)
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|-------------------|-------------------|---|
| 12/09/2011 | 1 | CERTIFIED TRUE COPY OF CONDITIONAL MDL TRANSFER IN ORDER FROM THE MDL PANEL...transferring this action from the United States District Court-that pursuant to 28 U.S.C. 1407, the actions listed on the attached schedule A and pending in the Southern District of New York and Northern District of California, with consent of that court, assigned to the Honorable Denise L. Cote, for coordinated or consolidated pretrial proceedings with the actions pending in that district and listed on Schedule A. (Signed by MDL Panel on 12/09/2011) (sj) (Entered: 12/09/2011) |
| 12/09/2011 | | Magistrate Judge Michael H. Dolinger is so designated. (sj) (Entered: 12/09/2011) |
| 12/09/2011 | | CASES ORIGINATING FROM THE SOUTHERN DISTRICT OF NEW YORK: 1:11-cv-5576 (DLC), 1:11-cv-5609 (DLC), 1:11-cv-5621 (DLC). (sj) (Entered: 12/09/2011) |
| 12/09/2011 | | Case Designated ECF. (sj) (Entered: 12/09/2011) |
| 12/09/2011 | 2 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE |

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| | | <p>MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. (Signed by Judge Loretta A. Preska on 10/31/2011) (sjo) (Entered: 12/09/2011)</p> |
| 12/14/2011 | 3 | <p>NOTICE OF PRETRIAL CONFERENCE: A conference has been scheduled for December 20, 2011 at 2:30 PM at the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 15B in all but one of these actions. A conference has not yet been scheduled in 11cv8329, which was accepted as related on 12/12/2011. A conference in these actions, and for any actions transferred by December 19, 2011, shall be held on December 20, 2011 at 2:30 PM at the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 15B. Any plaintiff and plaintiffs' counsel seeking appointment to represent a consolidated putative class shall file an application to do so by December 19 at 10:00 AM. (Signed by Judge Denise L. Cote on 12/14/2011) (jar) (Entered: 12/14/2011)</p> |
| 12/15/2011 | 4 | <p>CERTIFICATE OF SERVICE of Notice of Pretrial Conference served on N.D. Cal. Plaintiff Counsel of Record on 12/15/2011. Document filed by Anthony Petru. (Friedman, Jeff) (Entered: 12/15/2011)</p> |
| 12/15/2011 | 5 | <p>STIPULATION AND ORDER EXTENDING TIME TO RESPOND TO THE COMPLAINT: Until this Court sets a response date for Defendants to answer, move, or otherwise respond to a consolidated amended complaint in the Consolidated New York Actions, Defendants have no further need to answer, move, or otherwise respond to the complaint in this action. If any of the Defendants that are a party to this Stipulation responds to a complaint in any of the Actions prior to the time provided in this Stipulation, Defendants will respond to the complaint in this action at the same time. None of Plaintiffs' claims or Defendants' defenses are prejudiced or waived by its submission of this Stipulation and this stipulation is without prejudice to Plaintiffs' and Defendants' positions as to the dates on which Defendants should answer, move, or otherwise respond to a consolidated amended complaint in the Consolidated New York Actions. (Signed by Judge Denise L. Cote on 12/15/2011) (ft) (Entered: 12/15/2011)</p> |
| 12/16/2011 | 6 | <p>CERTIFICATE OF SERVICE of Notice of Pretrial Conference served on SDNY Plaintiffs' Counsel of Record on 12/16/2011. Document filed by Rhonda Burstein. Filed In Associated Cases: 1:11-md-02293-DLC et al. (Nussbaum, Linda) (Entered: 12/16/2011)</p> |
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| 12/19/2011 | 7 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. (Signed by Judge Loretta A. Preska on 10/31/2011) (sjo) (Entered: 12/19/2011) |
| 12/19/2011 | 8 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. (Signed by Judge Loretta A. Preska on 10/31/2011) (sjo) (Entered: 12/19/2011) |
| 12/19/2011 | 9 | NOTICE OF APPEARANCE by Joseph Peter Guglielmo on behalf of Katrina Key (Guglielmo, Joseph) (Entered: 12/19/2011) |
| 12/19/2011 | 10 | NOTICE OF APPEARANCE by Max Raphael Schwartz on behalf of Katrina Key (Schwartz, Max) (Entered: 12/19/2011) |
| 12/19/2011 | 11 | BRIEF re: (24 in 1:11-cv-07507-DLC, 24 in 1:11-cv-07507-DLC, 28 in 1:11-cv-05896-DLC, 28 in 1:11-cv-05896-DLC, 37 in 1:11-cv-05609-DLC, 37 in 1:11-cv-05609-DLC, 27 in 1:11-cv-05898-DLC, 27 in 1:11-cv-05898-DLC, 54 in 1:11-cv-05621-DLC, 54 in 1:11-cv-05621-DLC, 7 in 1:11-cv-08329-DLC, 7 in 1:11-cv-08329-DLC, 15 in 1:11-cv-07534-DLC, 15 in 1:11-cv-07534-DLC, 38 in 1:11-cv-05750-DLC, 38 in 1:11-cv-05750-DLC, 32 in 1:11-cv-06019-DLC, 32 in 1:11-cv-06019-DLC, 3 in 1:11-md-02293-DLC, 3 in 1:11-md-02293-DLC, 16 in 1:11-cv-07323-DLC, 16 in 1:11-cv-07323-DLC, 25 in 1:11-cv-06079-DLC, 25 in 1:11-cv-06079-DLC, 56 in 1:11-cv-05576-DLC, 56 in 1:11-cv-05576-DLC, 55 in 1:11-cv-05707-DLC, 55 in 1:11-cv-05707-DLC, 8 in 1:11-cv-08608-DLC, 8 in 1:11-cv-08608-DLC, 27 |

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| | | in 1:11-cv-05976-DLC, 27 in 1:11-cv-05976-DLC) Order, Set Deadlines/Hearings,,,,, <i>Application of Cohen Milstein Sellers & Toll PLLC Seeking Appointment to Represent Consolidated Putative Class</i> . Document filed by Marcia Greene, Aubrie Ann Jones, Cyrus Joubin, Kevin Rader-Rhodenbaugh, Harrison Goldman. (Attachments: # 1 Certificate of Service) Filed In Associated Cases: 1:11-md-02293-DLC et al.(Pierson, Kit) (Entered: 12/19/2011) |
| 12/19/2011 | 12 | BRIEF re: (10 in 1:11-cv-08608-DLC, 25 in 1:11-cv-09014-DLC, 29 in 1:11-cv-05976-DLC, 30 in 1:11-cv-05896-DLC, 17 in 1:11-cv-07534-DLC, 57 in 1:11-cv-05707-DLC, 40 in 1:11-cv-05750-DLC, 58 in 1:11-cv-05576-DLC, 66 in 1:11-cv-09016-DLC, 26 in 1:11-cv-07507-DLC, 39 in 1:11-cv-05609-DLC, 11 in 1:11-md-02293-DLC, 9 in 1:11-cv-08329-DLC, 34 in 1:11-cv-06019-DLC, 29 in 1:11-cv-05898-DLC, 27 in 1:11-cv-06079-DLC, 56 in 1:11-cv-05621-DLC, 18 in 1:11-cv-07323-DLC) Brief,,,, <i>Declaration of Kit A. Pierson in Support of Application of Cohen Milstein Sellers & Toll PLLC Seeking Appointment to Represent Consolidated Putative Class</i> . Document filed by Marcia Greene, Aubrie Ann Jones, Cyrus Joubin, Kevin Rader-Rhodenbaugh, Harrison Goldman. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Certificate of Service)Filed In Associated Cases: 1:11-md-02293-DLC et al.(Pierson, Kit) (Entered: 12/19/2011) |
| 12/19/2011 | 13 | BRIEF <i>Plaintiff Rhonda Burstein's Application for the Appointment of Grant & Eisenhofer P.A. as Interim Lead Counsel</i> . Document filed by Rhonda Burstein. (Attachments: # 1 Certificate of Service)Filed In Associated Cases: 1:11-md-02293-DLC et al.(Nussbaum, Linda) (Entered: 12/19/2011) |
| 12/19/2011 | 14 | MOTION to Appoint Counsel. Document filed by Patsy Diamond.(Corrigan, Jeffrey) (Entered: 12/19/2011) |
| 12/19/2011 | 15 | MEMORANDUM OF LAW in Support re: 14 MOTION to Appoint Counsel.. Document filed by Patsy Diamond. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Corrigan, Jeffrey) (Entered: 12/19/2011) |
| 12/19/2011 | 16 | MOTION to Appoint Counsel (<i>Application of Katrina Key for Appointment to Represent a Consolidated Putative Class</i>). Document filed by Katrina Key. Return Date set for 12/20/2011 at 02:30 PM. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Guglielmo, Joseph) (Entered: 12/19/2011) |
| 12/19/2011 | 17 | MOTION to Appoint Counsel <i>Notice of Hagens Berman's Application to be Appointed Interim Lead Counsel</i> . Document filed by Anthony Petru.Filed In Associated Cases: 1:11-md-02293-DLC et al.(Berman, Steve) (Entered: 12/19/2011) |
| 12/19/2011 | 18 | BRIEF. Document filed by Jeffrey Evans, Shilpa Grover, Fredric A. Press, Clarissa Weiss.(Isquith, Fred) (Entered: 12/19/2011) |
| 12/19/2011 | 19 | MOTION to Appoint Counsel <i>Application to Appoint Hagens Berman Interim Lead Counsel</i> . Document filed by Anthony Petru.Filed In Associated Cases: 1:11-md-02293-DLC et al.(Berman, Steve) (Entered: 12/19/2011) |
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| 12/19/2011 | 20 | DECLARATION of Steve W. Berman in Support re: (62 in 1:11-cv-05576-DLC, 70 in 1:11-cv-09016-DLC, 14 in 1:11-cv-08608-DLC, 44 in 1:11-cv-05750-DLC, 34 in 1:11-cv-05896-DLC, 33 in 1:11-cv-05976-DLC, 31 in 1:11-cv-09014-DLC, 43 in 1:11-cv-05609-DLC, 30 in 1:11-cv-07507-DLC, 13 in 1:11-cv-08329-DLC, 33 in 1:11-cv-05898-DLC, 22 in 1:11-cv-07323-DLC, 61 in 1:11-cv-05707-DLC, 31 in 1:11-cv-06079-DLC, 19 in 1:11-md-02293-DLC, 21 in 1:11-cv-07534-DLC, 38 in 1:11-cv-06019-DLC, 60 in 1:11-cv-05621-DLC) MOTION to Appoint Counsel <i>Application to Appoint Hagens Berman Interim Lead Counsel</i> .. Document filed by Anthony Petru. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)Filed In Associated Cases: 1:11-md-02293-DLC et al.(Berman, Steve) (Entered: 12/19/2011) |
| 12/19/2011 | 21 | BRIEF <i>in support of lead plaintiff</i> . Document filed by Jeffrey Evans, Shilpa Grover, Fredric A. Press, Clarissa Weiss. (Attachments: # 1 Supplement Declaration of Doug Thompson, # 2 Exhibit Thompson Exhibit A, # 3 Exhibit Thompson Exhibit B, # 4 Supplement Declaration of Eugene Benick, # 5 Exhibit Benick Exhibit A, # 6 Exhibit Cert. of Service)(Isquith, Fred) (Entered: 12/19/2011) |
| 12/19/2011 | 37 | MOTION for Eugene A. Spector to Appear Pro Hac Vice. Document filed by Patsy Diamond.Filed In Associated Cases: 1:11-md-02293-DLC, 1:11-cv-09014-DLC(bwa) (pgu). (Entered: 01/04/2012) |
| 12/20/2011 | 22 | ORDER: That the Court waives any interest it might have in this putative class action lawsuit. IT IS FURTHER ORDERED that any motion for class certification made in this action shall define the class so as to exclude individuals described in 28 U.S.C. § 455 (b) (4) -(5). (Signed by Judge Denise L. Cote on 12/20/2011) Filed In Associated Cases: 1:11-md-02293-DLC et al. (rdz) (Entered: 12/21/2011) |
| 12/20/2011 | | Minute Entry for proceedings held before Judge Denise L. Cote: Initial Pretrial Conference held on 12/20/2011. Associated Cases: 1:11-md-02293-DLC et al.(js) (Entered: 12/21/2011) |
| 12/21/2011 | 23 | CASE MANAGEMENT ORDER: Hagens Berman LLP and Cohen Milstein Sellers & Toll PLLC shall serve as Co-Lead Counsel for all plaintiffs in this action and the class. Every pleading filed in this action, and in any separate action subsequently included therein, shall bear the following caption: IN RE: ELECTRONIC BOOKS ANTITRUST LITIGATION. Amended Pleadings due by 3/16/2012. Motions due by 4/13/2012. Responses due by 5/11/2012. Replies due by 5/25/2012. (Signed by Judge Denise L. Cote on 12/21/2011) Filed In Associated Cases: 1:11-md-02293-DLC et al.(ft) (Entered: 12/21/2011) |
| 12/22/2011 | 24 | CERTIFICATE OF SERVICE of Case Management Order served on Counsel of Record - Non-transferred N.D. Cal. Actions on 12-22-2011. Document filed by Marcus Mathis, Anthony Petru. (Friedman, Jeff) (Entered: 12/22/2011) |
| 12/23/2011 | 25 | REVISED CASE MANAGEMENT ORDER: Paragraph III(1)(e) of the December 21 Case Management Order is stricken. The following paragraph is |

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| | | inserted as numbered paragraph III(4): Upon the first appearance of any new defendant(s), Lead Counsel for plaintiffs shall mail to the attorneys for such defendant(s) in such newly filed or transferred case a copy of the December 21 Case Management Order. (Signed by Judge Denise L. Cote on 12/23/2011) Filed In Associated Cases: 1:11-md-02293-DLC et al. (ab) (Entered: 12/23/2011) |
| 12/27/2011 | 26 | CERTIFIED TRUE COPY OF CONDITIONAL MDL TRANSFER IN ORDER FROM THE MDL PANEL (CTO-1) transferring this action from the United States District Court - that pursuant to 28 U.S.C. 1407, the actions listed on the attached schedule A and pending in the District of California, and the same hereby are, transferred to the Southern District of New York, with the consent of that court, assigned to the Honorable Judge Denise L. Cote, for coordinated or consolidated pretrial proceedings with the actions pending in that district and listed on Schedule A. (Signed by MDL Panel on 12/27/2011) (sjo) (Entered: 12/27/2011) |
| 12/28/2011 | 27 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. Filed in Associated Cases 1:11-cv-9559-DLC, 1:11-md-2293-DLC. (Signed by Judge Loretta A. Preska on 10/31/2011) (pgu) (Entered: 12/29/2011) |
| 12/28/2011 | 28 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. Filed in Associated Cases: 1:11-cv-9560-DLC, 1:11-md-2293-DLC. (Signed by Judge Loretta A. Preska on 10/31/2011) (pgu) (Entered: 12/29/2011) |

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| 12/28/2011 | 29 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. Filed in Associated Cases: 1:11-cv-9561-DLC, 1:11-md-2293-DLC. (Signed by Judge Loretta A. Preska on 10/31/2011) (pgu) (Entered: 12/29/2011) |
| 12/28/2011 | 30 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. Files in Associated Cases: 1:11-cv-9562-DLC, 1:11-md-2293-DLC. (Signed by Judge Loretta A. Preska on 10/31/2011) (pgu) (Entered: 12/29/2011) |
| 12/28/2011 | 31 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. Filed in Associated Cases: 1:11-cv-9563-DLC, 1:11-md-2293-DLC. (Signed by Judge Loretta A. Preska on 10/31/2011) (pgu) (Entered: 12/29/2011) |
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| 12/28/2011 | 32 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. Filed in Associated Cases: 1:11-cv-9564-DLC, 1:11-md-2293-DLC. (Signed by Judge Loretta A. Preska on 10/31/2011) (pgu) (Entered: 12/29/2011) |
| 12/28/2011 | 33 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. Filed in Associated Cases: 1:11-cv-9565-DLC, 1:11-md-2293-DLC. (Signed by Judge Loretta A. Preska on 10/31/2011) (pgu) (Entered: 12/29/2011) |
| 12/28/2011 | 34 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. Filed in Associated Cases; 1:11-cv-9566-DLC, 1:11-md-2293-DLC. (Signed by Judge Loretta A. Preska on 10/31/2011) (pgu) (Entered: 12/29/2011) |
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| 12/28/2011 | 35 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. Filed in Associated Cases; 1:11-cv-9567-DLC, 1:11-md-2293-DLC. (Signed by Judge Loretta A. Preska on 10/31/2011) (pgu) (Entered: 12/29/2011) |
| 01/03/2012 | 36 | NOTICE OF APPEARANCE by Gregory Alan Frank on behalf of Andreas Albeck (Frank, Gregory) (Entered: 01/03/2012) |
| 01/05/2012 | 39 | MOTION for Richard S. Frankowski to Appear Pro Hac Vice. Document filed by Katrina Key.(wb) (Entered: 01/13/2012) |
| 01/06/2012 | 38 | NOTICE OF APPEARANCE by James W. Quinn on behalf of Simon & Schuster (Quinn, James) (Entered: 01/06/2012) |
| 01/11/2012 | 49 | MOTION for Shana E. Scarlett to Appear Pro Hac Vice. Document filed by Anthony Petru.(bwa) (sjo). (Entered: 01/31/2012) |
| 01/17/2012 | | CASHIERS OFFICE REMARK on 39 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 1/06/2012, Receipt Number 1026195. (jd) (Entered: 01/17/2012) |
| 01/17/2012 | 40 | ORDER FOR ADMISSION PRO HAC VICE granting (37) Motion for Eugene A. Spector to Appear Pro Hac Vice in case 1:11-md-02293-DLC; granting (36) Motion for Eugene A. Spector to Appear Pro Hac Vice in case 1:11-cv-09014-DLC. It is hereby Ordered that Eugene A. Spector is admitted to appear for all purposes as counsel for Pasty Diamond. (Signed by Judge Denise L. Cote on 1/17/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:11-cv-09014-DLC(mro) (Entered: 01/17/2012) |
| 01/17/2012 | 41 | ORDER FOR ADMISSION PRO HAC VICE in case 1:11-cv-05576-DLC; granting (39) Motion for Richard S. Frankowski to Appear Pro Hac Vice in case 1:11-md-02293-DLC for all purposes as counsel for Plaintiff Katrina Key in the above entitled action. Additional relief as st forth in this Order.. (Signed by Judge Denise L. Cote on 1/17/12) Filed In Associated Cases: 1:11-md-02293-DLC et al.(pl) (Entered: 01/17/2012) |
| 01/18/2012 | 46 | MOTION for Daniel J. Mogin to Appear Pro Hac Vice. Document filed by Katrina Key.(pgu) (Entered: 01/23/2012) |
| 01/19/2012 | 42 | CERTIFIED TRUE COPY OF CONDITIONAL MDL TRANSFER IN ORDER FROM THE MDL PANEL (CTO-2) transferring this action from the |

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| | | United States District Court - that pursuant to 28 U.S.C. 1407, the actions listed on the attached schedule A and pending in the District of California, and the same hereby are, transferred to the Southern District of New York, with the consent of that court, assigned to the Honorable Judge Denise L. Cote, for coordinated or consolidated pretrial proceedings with the actions pending in that district and listed on Schedule A. (Signed by MDL Panel on 1/19/2012) (sjo) (Entered: 01/19/2012) |
| 01/20/2012 | 43 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. Files in Associated cases: 1:12-cv-476-DLC, 1:11-md-2293-DLC. (Signed by Judge Loretta A. Preska on 10/31/2011) (pgu) (Entered: 01/20/2012) |
| 01/20/2012 | 44 | NOTICE OF CHANGE OF ADDRESS by Helene Debra Jaffe on behalf of Simon & Schuster, Inc., Simon & Shuster, Simon & Schuster, Inc., Simon & Schuster, Inc., Simon & Schuster. New Address: Proskauer Rose LLP, Eleven Times Square, New York, New York, USA 10036-8299, 212-969-3900. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Jaffe, Helene) (Entered: 01/20/2012) |
| 01/20/2012 | 45 | CERTIFICATE OF SERVICE. Document filed by Marcus Mathis, Anthony Petru. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Friedman, Jeff) (Entered: 01/20/2012) |
| 01/20/2012 | 47 | CONSOLIDATED AMENDED CLASS ACTION COMPLAINT against Apple Inc., Holtzbrinck Publishers, LLC, Penguin Group USA, Inc., Hachette Book Group, Inc., HarperCollins Publishers L.L.C., Simon & Schuster, Inc. with JURY DEMAND. Document filed by Steven D. Campbell, Ronna Hamelin, Marcus Mathis, Shane S. Davis, Kathleen Linda Pitlock, Kimberly Whiteside Brooks, Aloysius J. Brown, Iii, Charles Leonard Pelton, Sr, Ed Macauley, Sue Roberts, Diane Urbanec, Jessica Moyer, Barbara Heath, Lauren Albert, Cynthia J. Tyler, Matthew A. Hosking, Christian Gilstrap, Kathleen Weiss, Laura J. Warner, Jeremy Sheppeck, James L. Nesmith, Anthony Petru, Thomas Friedman, Anne M. Rinaldi, Sue Ellen Gordon. ***This document relates to all actions.(mro) (Entered: 01/24/2012) |
| 01/25/2012 | | CASHIERS OFFICE REMARK on 46 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 01/19/2012, Receipt Number 1027326. (jd) (Entered: 01/25/2012) |

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| 01/26/2012 | 48 | MEMO ENDORSED in case 1:11-cv-05576-DLC; granting (46) Motion for Daniel J Mogin to Appear Pro Hac Vice for plaintiff Karina Key in case 1:11-md-02293-DLC. (Signed by Judge Denise L. Cote on 1/26/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(cd) (Entered: 01/27/2012) |
| 02/01/2012 | 50 | MEMO ENDORSEMENT ON MOTION FOR ADMISSION PRO HAC VICE granting 49 Motion for Shana E. Scarlett to Appear Pro Hac Vice. (Signed by Judge Denise L. Cote on 2/1/2012) (djc) (Entered: 02/01/2012) |
| 02/08/2012 | 53 | MOTION for Richard A. Lockridge to Appear Pro Hac Vice. Document filed by Liana Lingofelt, John T. Meyer, Paul J. Meyer.(pgu) (Entered: 02/17/2012) |
| 02/08/2012 | 54 | MOTION for W. Joseph Bruckner to Appear Pro Hac Vice. Document filed by Liana Lingofelt, John T. Meyer, Paul J. Meyer.(pgu) (Entered: 02/17/2012) |
| 02/09/2012 | | CASHIERS OFFICE REMARK on 49 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 01/11/2012, Receipt Number 1026790. (jd) (Entered: 02/09/2012) |
| 02/14/2012 | 51 | MOTION for Erin C. Burns to Appear Pro Hac Vice. Document filed by Brian McGee, Carol Ness.(bwa) (Entered: 02/17/2012) |
| 02/14/2012 | 52 | MOTION for Dianne M. Nast to Appear Pro Hac Vice. Document filed by Brian McGee, Carol Ness.(bwa) (Entered: 02/17/2012) |
| 02/22/2012 | 55 | NOTICE of CHANGE OF FIRM NAME. Document filed by Kevin Rader-Rhodenbaugh. (Attachments: # 1 Certificate of Service)Filed In Associated Cases: 1:11-md-02293-DLC, 1:11-cv-08329-DLC(Kovel, David) (Entered: 02/22/2012) |
| 02/23/2012 | 69 | MOTION for Daniel G. Swanson to Appear Pro Hac Vice. Document filed by Apple Inc..(bwa) (Entered: 03/01/2012) |
| 02/23/2012 | 70 | MOTION for Daniel S. Floyd to Appear Pro Hac Vice. Document filed by Apple Inc..(bwa) (Entered: 03/01/2012) |
| 02/23/2012 | 71 | MOTION for Jay Srinivasan to Appear Pro Hac Vice. Document filed by Apple Inc..(bwa) (Entered: 03/01/2012) |
| 02/24/2012 | | CASHIERS OFFICE REMARK on 54 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 02/09/2012, Receipt Number 1029199. (jd) (Entered: 02/24/2012) |
| 02/24/2012 | | CASHIERS OFFICE REMARK on 53 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 02/09/2012, Receipt Number 1029198. (jd) (Entered: 02/24/2012) |
| 02/27/2012 | 56 | MEMO ENDORSEMENT on MOTION FOR ADMISSION PRO HAC VICE. ENDORSEMENT: Granted. Granting 52 Motion for Dianne M. Nast to Appear Pro Hac Vice. (Signed by Judge Denise L. Cote on 2/27/2012) (rjm) (Entered: 02/27/2012) |
| 02/27/2012 | 57 | MEMO ENDORSEMENT on MOTION FOR ADMISSION PRO HAC |

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| | | VICE. ENDORSEMENT: Granted. Granting 51 Motion for Erin C. Burns to Appear Pro Hac Vice. (Signed by Judge Denise L. Cote on 2/27/2012) (rjm) (Entered: 02/27/2012) |
| 02/27/2012 | 58 | MEMO ENDORSEMENT on MOTION FOR ADMISSION PRO HAC VICE. ENDORSEMENT: Granted. Granting 53 Motion for Richard A. Lockridge to Appear Pro Hac Vice. (Signed by Judge Denise L. Cote on 2/27/2012) (rjm) (Entered: 02/27/2012) |
| 02/27/2012 | 59 | MEMO ENDORSEMENT on MOTION FOR ADMISSION PRO HAC VICE. ENDORSEMENT: Granted. Granting 54 Motion for W. Joseph Bruckner to Appear Pro Hac Vice. (Signed by Judge Denise L. Cote on 2/27/2012) (rjm) (Entered: 02/27/2012) |
| 02/28/2012 | | CASHIERS OFFICE REMARK on 52 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 02/15/2012, Receipt Number 1029756. (jd) (Entered: 02/28/2012) |
| 02/28/2012 | | CASHIERS OFFICE REMARK on 51 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 02/15/2012, Receipt Number 1029759. (jd) (Entered: 02/28/2012) |
| 02/28/2012 | 60 | NOTICE OF APPEARANCE by Joel M. Mitnick on behalf of MacMillan Publishers, Inc., MacMillan Publishers, Inc, Macmillan, Holtzbrinck Publishers, LLC, MacMillian, Inc, Macmillan Publishers, Inc.. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Mitnick, Joel) (Entered: 02/28/2012) |
| 02/28/2012 | 61 | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by MacMillan Publishers, Inc., MacMillan Publishers, Inc, Macmillan, Holtzbrinck Publishers, LLC, MacMillian, Inc, Macmillan Publishers, Inc...Filed In Associated Cases: 1:11-md-02293-DLC et al. (Mitnick, Joel) (Entered: 02/28/2012) |
| 02/28/2012 | 62 | NOTICE OF APPEARANCE by W. Joseph Bruckner on behalf of Liana Lingofelt, John T. Meyer, Paul J. Meyer (Bruckner, W.) (Entered: 02/28/2012) |
| 02/28/2012 | 63 | NOTICE OF APPEARANCE by Richard A. Lockridge on behalf of Liana Lingofelt, John T. Meyer, Paul J. Meyer (Lockridge, Richard) (Entered: 02/28/2012) |
| 02/28/2012 | 64 | NOTICE OF APPEARANCE by Alexandra Shear on behalf of MacMillan Publishers, Inc., Mcmillan Publishers, Inc., MacMillan Publishers, Inc, Macmillan, Holtzbrinck Publishers, LLC, MacMillian, Inc, Macmillan Publishers, Inc.. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Shear, Alexandra) (Entered: 02/28/2012) |
| 03/01/2012 | 65 | NOTICE OF APPEARANCE by Dianne M. Nast on behalf of Brian McGee, Carol Ness Filed In Associated Cases: 1:11-md-02293-DLC, 1:11-cv-08608-DLC(Nast, Dianne) (Entered: 03/01/2012) |
| 03/01/2012 | 66 | NOTICE OF APPEARANCE by Erin C Burns on behalf of Brian McGee, Carol Ness Filed In Associated Cases: 1:11-md-02293-DLC, 1:11-cv-08608- |

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| | | DLC(Burns, Erin) (Entered: 03/01/2012) |
| 03/01/2012 | 67 | STIPULATION OF VOLUNTARY DISMISSAL It is hereby stipulated and agreed by and between the parties and/or their respective counsel(s) that the above-captioned action is voluntarily dismissed, without prejudice against the defendant(s) Macmillan Publishers, Inc.. and without costs to either party pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure. Document filed by Katrina Key, Cyrus Joubin, John T. Meyer, Rhonda Burstein, Amy D. Nolan, Paul J. Meyer, Steven D. Campbell, Ronna Hamelin, Marcus Mathis, Kathleen Linda Pitlock, Shane S. Davis, Paul Meyer, Juan Sotomayor, Liana Lingofelt, Kimberly Whiteside Brooks, David Yastrab, Rebecca L. Rossman, Steven Rivers, Aloysius J. Brown, Iii, Brian McGee, Susan Horowitz, Clarissa Weiss, Charles Leonard Pelton, Sr, Ed Macauley, Kamal Sonti, Sue Roberts, Diane Urbanec, Shilpa Grover, Carol Ness, Gretchen Ulbee, Jessica Moyer, Kevin Rader-Rhodenbaugh, Barbara Heath, Lauren Albert, Cynthia J. Tyler, Andreas Albeck, Jeffrey Evans, Matthew A. Hosking, Grace Hoke, Brian Brown, Eugenia Ruane-Gonzales, Christian Gilstrap, Laura J. Warner, Kathleen Weiss, Chad Miller, Carole C. Kehl, Jeremy Sheppeck, James L. Nesmith, Robert Cheatham, Patsy Diamond, Anthony Petru, Thomas Friedman, Marcia Greene, Fredric A. Press, Sue Ellen Gordon, Anne M. Rinaldi, Miriam Cummings, Harrison Goldman, Aubrie Ann Jones. (Attachments: # 1 Certificate of Service) (Dubner, Jeffrey) (Entered: 03/01/2012) |
| 03/01/2012 | 68 | NOTICE OF VOLUNTARY DISMISSAL Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, the plaintiff(s) and or their counsel(s), hereby give notice that the above-captioned action is voluntarily dismissed, without prejudice against the defendant(s) Hachette Livre USA, Inc.. Document filed by All Plaintiffs. (Attachments: # 1 Certificate of Service) (Dubner, Jeffrey) (Entered: 03/01/2012) |
| 03/01/2012 | 72 | ENDORSED LETTER addressed to Judge Denise L. Cote from Paul M. Eckles dated 2/29/2012 re: request a revision to the page length for the Publisher Defendants' contemplated initial motion to dismiss pursuant to Rule 12(b)(6). ENDORSEMENT: GRANTED. (Signed by Judge Denise L. Cote on 3/01/2012) (ama) (Entered: 03/01/2012) |
| 03/02/2012 | | CASHIERS OFFICE REMARK on 69 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 02/23/2012, Receipt Number 1030568. (jd) (Entered: 03/02/2012) |
| 03/02/2012 | | CASHIERS OFFICE REMARK on 70 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 02/23/2012, Receipt Number 1030569. (jd) (Entered: 03/02/2012) |
| 03/02/2012 | | CASHIERS OFFICE REMARK on 71 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 02/23/2012, Receipt Number 1030567. (jd) (Entered: 03/02/2012) |
| 03/02/2012 | 73 | MOTION to Dismiss <i>the Consolidated Amended Class Action Complaint</i> . Document filed by Apple Inc.. Responses due by 3/30/2012(Floyd, Daniel) (Entered: 03/02/2012) |
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| 03/02/2012 | 74 | MEMORANDUM OF LAW in Support re: 73 MOTION to Dismiss <i>the Consolidated Amended Class Action Complaint</i> .. Document filed by Apple Inc.. (Floyd, Daniel) (Entered: 03/02/2012) |
| 03/02/2012 | 75 | NOTICE OF APPEARANCE by Walter B. Stuart, IV on behalf of Hachette Digital, Inc. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Stuart, Walter) (Entered: 03/02/2012) |
| 03/02/2012 | 76 | CERTIFICATE OF SERVICE of Motion to Dismiss and Memorandum of Law in Support served on All Counsel of Record on March 2, 2012. Document filed by Apple Inc.. (Floyd, Daniel) (Entered: 03/02/2012) |
| 03/02/2012 | 77 | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Apple Inc..(Floyd, Daniel) (Entered: 03/02/2012) |
| 03/02/2012 | 78 | CERTIFICATE OF SERVICE of Rule 7.1 Statement served on All Counsel of Record on March 2, 2012. Document filed by Apple Inc.. (Floyd, Daniel) (Entered: 03/02/2012) |
| 03/02/2012 | 79 | FILING ERROR - CORPORATE PARENT/OTHER AFFILIATE NOT ADDED TO SPREAD CASES - RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Hachette Livre USA, Inc., Corporate Parent Lagardere SCA, Corporate Parent Lagardere North America Inc., Corporate Parent Hachette Book Group, Inc, Corporate Parent Hachette SAS for Hachette Digital, Inc.. Document filed by Hachette Digital, Inc..Filed In Associated Cases: 1:11-md-02293-DLC et al.(Stuart, Walter) Modified on 3/5/2012 (lb). (Entered: 03/02/2012) |
| 03/02/2012 | 80 | NOTICE OF APPEARANCE by Walter B. Stuart, IV on behalf of Hachette Book Group, Inc. Filed In Associated Cases: 1:11-md-02293-DLC et al. (Stuart, Walter) (Entered: 03/02/2012) |
| 03/02/2012 | 81 | FILING ERROR - CORPORATE PARENT/OTHER AFFILIATE NOT ADDED TO SPREAD CASES - RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Hachette Livre USA, Inc., Corporate Parent Lagardere SCA, Corporate Parent Lagardere North America Inc., Corporate Parent Hachette SAS for Hachette Book Group, Inc.. Document filed by Hachette Book Group, Inc..Filed In Associated Cases: 1:11-md-02293-DLC et al.(Stuart, Walter) Modified on 3/5/2012 (lb). (Entered: 03/02/2012) |
| 03/02/2012 | 82 | NOTICE OF APPEARANCE by Timothy P. Harkness on behalf of Hachette Digital, Inc. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Harkness, Timothy) (Entered: 03/02/2012) |
| 03/02/2012 | 83 | NOTICE OF APPEARANCE by Timothy P. Harkness on behalf of Hachette Book Group, Inc. Filed In Associated Cases: 1:11-md-02293-DLC et al. (Harkness, Timothy) (Entered: 03/02/2012) |
| 03/02/2012 | 84 | NOTICE OF APPEARANCE by Samuel Joseph Rubin on behalf of Hachette Digital, Inc. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Rubin, Samuel) (Entered: 03/02/2012) |
| 03/02/2012 | 85 | NOTICE OF APPEARANCE by Samuel Joseph Rubin on behalf of Hachette |

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| | | Book Group, Inc. Filed In Associated Cases: 1:11-md-02293-DLC et al. (Rubin, Samuel) (Entered: 03/02/2012) |
| 03/02/2012 | 86 | MOTION to Compel Arbitration <i>and Stay Proceedings</i> . Document filed by Penguin Group USA, Inc..(Donohoe, David) (Entered: 03/02/2012) |
| 03/02/2012 | 87 | FILING ERROR - DEFICIENT DOCKET ENTRY - MEMORANDUM OF LAW in Support re: 86 MOTION to Compel Arbitration <i>and Stay Proceedings</i> .. Document filed by Penguin Group USA, Inc.. (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit, # 4 Exhibit, # 5 Affidavit, # 6 Certificate of Service)(Donohoe, David) Modified on 3/5/2012 (ldi). (Entered: 03/02/2012) |
| 03/02/2012 | 88 | MOTION to Dismiss <i>The Consolidated Amended Class Action Complaint</i> . Document filed by HarperCollins Publishers L.L.C..(Goldfein, Shepard) (Entered: 03/02/2012) |
| 03/02/2012 | 89 | MEMORANDUM OF LAW in Support re: 88 MOTION to Dismiss <i>The Consolidated Amended Class Action Complaint</i> .. Document filed by HarperCollins Publishers L.L.C.. (Goldfein, Shepard) (Entered: 03/02/2012) |
| 03/02/2012 | 90 | NOTICE of Request for Judicial Notice re: 88 MOTION to Dismiss <i>The Consolidated Amended Class Action Complaint</i> .. Document filed by HarperCollins Publishers L.L.C.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H)(Goldfein, Shepard) (Entered: 03/02/2012) |
| 03/02/2012 | | ***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney David A. Donohoe to RE-FILE Document 87 Memorandum of Law in Support of Motion. ERROR (S): Supporting documents must be filed separately, each receiving their own document number. Declaration in Support of Motion is found under the event list Replies, Opposition and Supporting Documents. (ldi) (Entered: 03/05/2012) |
| 03/05/2012 | 91 | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent News Corporation for Harpercollins Publishers. Document filed by Harpercollins Publishers.(Eckles, Paul) (Entered: 03/05/2012) |
| 03/05/2012 | 92 | FILING ERROR - DEFICIENT DOCKET ENTRY - MEMORANDUM OF LAW in Support re: 86 MOTION to Compel Arbitration <i>and Stay Proceedings</i> .. Document filed by Penguin Group USA, Inc.. (Attachments: # 1 Affidavit (Declaration) of Allison Sheedy, # 2 Exhibit A, # 3 Exhibit B, # 4 Exhibit C, # 5 Exhibit D)(Donohoe, David) Modified on 3/5/2012 (ka). (Entered: 03/05/2012) |
| 03/05/2012 | | ***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Walter B. Stuart to RE-FILE Document 79 Rule 7.1 Corporate Disclosure Statement,,. ERROR (S): Corporate Parents were not added. Please re-file this document and when prompted: Are there any corporate parents or other affiliates?, select the YES radio button and enter the Corporate Parent(s) or Affiliate(s). (lb) (Entered: 03/05/2012) |

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| 03/05/2012 | 98 | MEMORANDUM OF LAW in Support re: 86 MOTION to Compel Arbitration <i>and Stay Proceedings</i> .. Document filed by Penguin Group USA, Inc.. (Donohoe, David) (Entered: 03/05/2012) |
| 03/05/2012 | 99 | DECLARATION of Allison Sheedy in Support re: 86 MOTION to Compel Arbitration <i>and Stay Proceedings</i> .. Document filed by Penguin Group USA, Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D) (Donohoe, David) (Entered: 03/05/2012) |
| 03/05/2012 | 100 | ORDER: It is hereby ORDERED that the plaintiffs' opposition must be submitted by March 30, 2012. The defendant's reply, if any, must be submitted by April 13, 2012. IT IS FURTHER ORDERED that at the time any reply is served, the moving party shall supply two courtesy copies of all motion papers by mail or delivery to the United States Courthouse, 500 Pearl Street1 New York, New York. Set Deadlines/Hearing as to (86 in 1:11-md-02293-DLC) MOTION to Compel Arbitration <i>and Stay Proceedings</i> . : (Responses due by 3/30/2012, Replies due by 4/13/2012.) (Signed by Judge Denise L. Cote on 3/5/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(jfe) (Entered: 03/05/2012) |
| 03/06/2012 | 101 | NOTICE OF APPEARANCE by Matthew Michael Martino on behalf of HarperCollins Publishers L.L.C. (Martino, Matthew) (Entered: 03/06/2012) |
| 03/13/2012 | 102 | MOTION for Daniel E. Gustafson to Appear Pro Hac Vice. Document filed by Brian McGee, Carol Ness.(pgu) (Entered: 03/14/2012) |
| 03/15/2012 | 103 | MEMO ENDORSEMENT: granting 102 Motion for Daniel E Gustafson to Appear Pro Hac Vice ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 3/15/2012) (cd) (Entered: 03/16/2012) |
| 03/16/2012 | 104 | MOTION for Allison Sheedy to Appear Pro Hac Vice. Document filed by Penguin Group USA, Inc..(bwa) (bwa). (Entered: 03/19/2012) |
| 03/20/2012 | 105 | MEMO ENDORSEMENT on MOTION FOR ADMISSION PRO HAC VICE. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 3/20/2012). Granting (104) Motion for Allison Sheedy to Appear Pro Hac Vice in case 1:11-md-02293-DLC. Filed In Associated Cases: 1:11-md-02293-DLC et al. (rjm) Modified on 3/21/2012 (rjm). (Entered: 03/21/2012) |
| 03/23/2012 | 106 | MOTION for Jeffrey S. Goldenberg to Appear Pro Hac Vice. Document filed by Miriam Cummings, Carole C. Kehl, Rebecca L. Rossman, Kamal Sonti. (bwa) (Entered: 03/26/2012) |
| 03/26/2012 | 107 | NOTICE OF APPEARANCE by Steven Joesph Greenfogel on behalf of Elvira Monzon (Greenfogel, Steven) (Entered: 03/26/2012) |
| 03/26/2012 | 108 | ENDORSED LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 3/26/2012 re: We write on behalf of Plaintiffs to request the Court's permission to file a consolidated opposition to the pending motions to dismiss not to exceed sixty (60) pages. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 3/26/2012) (lmb) (Entered: 03/27/2012) |
| 03/28/2012 | | CASHIERS OFFICE REMARK on 104 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 03/19/2012, Receipt Number 1032867. (jd) |

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| | | Modified on 3/29/2012 (mj). (Entered: 03/28/2012) |
| 03/28/2012 | | CASHIERS OFFICE REMARK on 106 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 03/23/2012, Receipt Number 1033461. (jd) (Entered: 03/28/2012) |
| 03/29/2012 | 109 | MEMO ENDORSEMENT on 106 Motion for Jeffrey S. Goldenberg to Appear Pro Hac Vice. Granted. (Signed by Judge Denise L. Cote on 3/28/2012) (ft) (Entered: 03/29/2012) |
| 03/30/2012 | 110 | OPPOSITION BRIEF re: 90 Notice (Other), Notice (Other) <i>Plaintiffs' Opposition to Publisher Defendants' Request for Judicial Notice</i> . Document filed by Andreas Albeck, Lauren Albert, Kimberly Whiteside Brooks, Aloysius J. Brown, Iii, Brian Brown, Rhonda Burstein, Steven D. Campbell, Robert Cheatham, Miriam Cummings, Shane S. Davis, Patsy Diamond, Jeffrey Evans, Thomas Friedman, Christian Gilstrap, Harrison Goldman, Sue Ellen Gordon, Marcia Greene, Shilpa Grover, Ronna Hamelin, Barbara Heath, Grace Hoke, Susan Horowitz, Matthew A. Hosking, Aubrie Ann Jones, Cyrus Joubin, Carole C. Kehl, Katrina Key, Liana Lingofelt, Ed Macauley, Marcus Mathis, Brian McGee, John T. Meyer, Paul J. Meyer, Chad Miller, Elvira Monzon, Jessica Moyer, James L. Nesmith, Carol Ness, Amy D. Nolan, Charles Leonard Pelton, Sr, Anthony Petru, Kathleen Linda Pitlock, Fredric A. Press, Kevin Rader-Rhodenbaugh, Anne M. Rinaldi, Steven Rivers, Sue Roberts, Rebecca L. Rossman, Eugenia Ruane-Gonzales, Jeremy Sheppeck, Kamal Sonti, Juan Sotomayor, Cynthia J. Tyler, Gretchen Ulbee, Diane Urbanec, Laura J. Warner, Clarissa Weiss, Kathleen Weiss, David Yastrab. (Attachments: # 1 Certificate of Service)(Pierson, Kit) (Entered: 03/30/2012) |
| 03/30/2012 | 111 | MEMORANDUM OF LAW in Opposition re: 86 MOTION to Compel Arbitration <i>and Stay Proceedings</i> .. Document filed by Andreas Albeck, Lauren Albert, Kimberly Whiteside Brooks, Aloysius J. Brown, Iii, Brian Brown, Rhonda Burstein, Steven D. Campbell, Robert Cheatham, Miriam Cummings, Shane S. Davis, Patsy Diamond, Jeffrey Evans, Thomas Friedman, Christian Gilstrap, Harrison Goldman, Sue Ellen Gordon, Marcia Greene, Shilpa Grover, Ronna Hamelin, Barbara Heath, Grace Hoke, Susan Horowitz, Matthew A. Hosking, Aubrie Ann Jones, Cyrus Joubin, Carole C. Kehl, Katrina Key, Liana Lingofelt, Ed Macauley, Marcus Mathis, Brian McGee, John T. Meyer, Paul J. Meyer, Chad Miller, Elvira Monzon, Jessica Moyer, James L. Nesmith, Carol Ness, Amy D. Nolan, Charles Leonard Pelton, Sr, Anthony Petru, Kathleen Linda Pitlock, Fredric A. Press, Kevin Rader-Rhodenbaugh, Anne M. Rinaldi, Steven Rivers, Sue Roberts, Rebecca L. Rossman, Eugenia Ruane-Gonzales, Eugenia Ruane-Gonzales(Eugenia Ruane-Gonzales), Jeremy Sheppeck, Kamal Sonti, Juan Sotomayor, Cynthia J. Tyler, Gretchen Ulbee, Diane Urbanec, Laura J. Warner, Clarissa Weiss, Kathleen Weiss, David Yastrab. (Attachments: # 1 Certificate of Service) (Pierson, Kit) (Entered: 03/30/2012) |
| 03/30/2012 | 112 | DECLARATION of Kit A. Pierson in Opposition re: 86 MOTION to Compel Arbitration <i>and Stay Proceedings</i> .. Document filed by Andreas Albeck, Lauren Albert, Kimberly Whiteside Brooks, Aloysius J. Brown, Iii, Brian Brown, Rhonda Burstein, Steven D. Campbell, Robert Cheatham, Miriam |

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| | | <p>Cummings, Shane S. Davis, Patsy Diamond, Jeffrey Evans, Thomas Friedman, Christian Gilstrap, Harrison Goldman, Sue Ellen Gordon, Marcia Greene, Shilpa Grover, Ronna Hamelin, Barbara Heath, Grace Hoke, Susan Horowitz, Matthew A. Hosking, Aubrie Ann Jones, Cyrus Joubin, Carole C. Kehl, Katrina Key, Liana Lingofelt, Ed Macauley, Marcus Mathis, Brian McGee, John T. Meyer, Paul J. Meyer, Chad Miller, Elvira Monzon, Jessica Moyer, James L. Nesmith, Carol Ness, Amy D. Nolan, Charles Leonard Pelton, Sr, Anthony Petru, Kathleen Linda Pitlock, Fredric A. Press, Kevin Rader-Rhodenbaugh, Anne M. Rinaldi, Steven Rivers, Sue Roberts, Rebecca L. Rossman, Eugenia Ruane-Gonzales, Jeremy Sheppeck, Kamal Sonti, Juan Sotomayor, Cynthia J. Tyler, Gretchen Ulbee, Diane Urbanec, Laura J. Warner, Clarissa Weiss, Kathleen Weiss, David Yastrab. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S, # 20 Exhibit T, # 21 Exhibit U, # 22 Exhibit V, # 23 Exhibit W, # 24 Exhibit X, # 25 Exhibit Y, # 26 Exhibit Z, # 27 Exhibit AA, # 28 Exhibit BB, # 29 Exhibit CC, # 30 Exhibit DD, # 31 Exhibit EE, # 32 Exhibit FF, # 33 Exhibit GG, # 34 Exhibit HH, # 35 Exhibit II, # 36 Exhibit JJ, # 37 Exhibit KK, # 38 Exhibit LL, # 39 Exhibit MM, # 40 Exhibit NN - Part 1 of 3, # 41 Exhibit NN - Part 2 of 3, # 42 Exhibit NN - Part 3 of 3, # 43 Certificate of Service)(Pierson, Kit) (Entered: 03/30/2012)</p> |
| 03/30/2012 | 113 | <p>MEMORANDUM OF LAW in Opposition re: 88 MOTION to Dismiss <i>The Consolidated Amended Class Action Complaint.</i>, 73 MOTION to Dismiss <i>the Consolidated Amended Class Action Complaint.</i>. Document filed by Anthony Petru, et al.. (Berman, Steve) (Entered: 03/30/2012)</p> |
| 04/02/2012 | 115 | <p>MOTION for Jeffrey L. Kodroff to Appear Pro Hac Vice. Document filed by Patsy Diamond.(bwa) (Entered: 04/05/2012)</p> |
| 04/05/2012 | 114 | <p>NOTICE of Supplemental Authority re: 113 Memorandum of Law in Opposition to Motion,. Document filed by Anthony Petru, et al.. (Attachments: # 1 Attachment A)(Berman, Steve) (Entered: 04/05/2012)</p> |
| 04/10/2012 | 116 | <p>MEMO ENDORSEMENT granting 115 Motion for Jeffrey L. Kodroff to Appear Pro Hac Vice. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 4/10/2012) (mro) (Entered: 04/11/2012)</p> |
| 04/11/2012 | 117 | <p>ENDORSED LETTER addressed to Judge Denise L. Cote from Daniel S. Floyd dated 4/11/12 re: Counsel writes on behalf of Apple Inc. to request the Court's permission to file a 16-page Reply in support of Apple's Motion to Dismiss the Consolidated Amended Class Action Complaint. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 4/11/2012) (mro) (Entered: 04/11/2012)</p> |
| 04/12/2012 | 118 | <p>ENDORSED LETTER addressed to Judge Denise L Cote from Joel M Mitnick dated 4/11/2012 re: Macmillan and Penguin would be committed to moving the class action along and Penguin has also authorized me to inform the Court that it is prepared to file its reply brief relating to Penguin Group (USA), Inc.'s Motion to Stay Proceedings and Compel Arbitration this Friday.</p> |

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| | | Plaintiffs have not consented to this request for a two-week extension of time. We are available immediately by telephone or in person to address this issue with the Court. ENDORSEMENT: Denied. (Signed by Judge Denise L. Cote on 4/12/2012) (cd) (Entered: 04/12/2012) |
| 04/12/2012 | 119 | ORDER: Conference set for 4/18/2012 at 02:00 PM in Courtroom 15B, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote. Counsel representing parties in any related litigation, including The State of Texas, et al. vs Penguin Group (USA) Inc., et al., 12 CV 0324(W.D. TX), may also attend. Counsel for the defendants are requested to notify the plaintiffs in any related action of this Order. (Signed by Judge Denise L. Cote on 4/12/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(cd) (Entered: 04/12/2012) |
| 04/12/2012 | 120 | NOTICE of Related Action. Document filed by Andreas Albeck, Lauren Albert, Aloysius J. Brown, Iii, Brian Brown, Rhonda Burstein, Steven D. Campbell, Robert Cheatham, Miriam Cummings, Shane S. Davis, Patsy Diamond, Jeffrey Evans, Thomas Friedman, Christian Gilstrap, Harrison Goldman, Sue Ellen Gordon, Marcia Greene, Shilpa Grover, Ronna Hamelin, Barbara Heath, Grace Hoke, Susan Horowitz, Matthew A. Hosking, Aubrie Ann Jones, Cyrus Joubin, Carole C. Kehl, Katrina Key, Liana Lingofelt, Ed Macauley, Marcus Mathis, Brian McGee, John T. Meyer, Paul J. Meyer, Chad Miller, Elvira Monzon, Jessica Moyer, James L. Nesmith, Carol Ness, Amy D. Nolan, Charles Leonard Pelton, Sr, Anthony Petru, Kathleen Linda Pitlock, Fredric A. Press, Kevin Rader-Rhodenbaugh, Anne M. Rinaldi, Steven Rivers, Sue Roberts, Rebecca L. Rossman, Eugenia Ruane-Gonzales, Jeremy Sheppeck, Kamal Sonti, Juan Sotomayor, Cynthia J. Tyler, Gretchen Ulbee, Diane Urbanec, Laura J. Warner, Clarissa Weiss, Kathleen Weiss, David Yastrab. (Attachments: # 1 Exhibit A - Schedule of New Related Action, # 2 Exhibit B - Complaint, # 3 Certificate of Service)(Pierson, Kit) (Entered: 04/12/2012) |
| 04/12/2012 | 123 | Letter addressed to Judge Denise L. Cote from Steve W. Berman dated 4/12/2012 re: Plaintiffs write to respond to two letters submitted to the Court on April 11,2012.. Document filed by Andreas Albeck, Lauren Albert, Kimberly Whiteside Brooks, Aloysius J. Brown, Iii, Brian Brown, Rhonda Burstein, Steven D. Campbell, Robert Cheatham, Miriam Cummings, Shane S. Davis, Patsy Diamond, Jeffrey Evans, Thomas Friedman, Christian Gilstrap, Harrison Goldman.(pl) (Entered: 04/13/2012) |
| 04/12/2012 | 124 | Letter addressed to Judge Denise L. Cote from Daniel Ferrel McInnis dated 4/12/2012 re: counsel for Penguin Group (USA) Inc. filed a notice of potential tag-along with the Judicial Panel on Multidistrict Litigation concerning a related case styled The State of Texas, et at. vs. Penguin Group (USA) Inc, et at., 1:12-CV-0324 (W.D. Tx.). I respectfully suggest that the same invitation be extended to the plaintiffs' counsel in the Texas tag-along case. Document filed by Penguin Group (USA), Inc., Penguin Group USA, Inc..(pl) (Entered: 04/13/2012) |
| 04/12/2012 | 125 | Letter addressed to Judge Denise L. Cote from Stephard Goldfein dated 4/11/2012 re: counsel for Defendants HarperCollins Publishers, L.L.c. ("HarperCollins"), Simon & Schuster, Inc. ("Simon & Schuster") and |

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| | | Hachette Book Group, Inc. and Hachette Digital, Inc. (together, "Hachettelt") in regard to the above-referenced matter to request a status conference at the Court's earliest convenience. Document filed by HarperCollins Publishers L.L.C.(pl) (Entered: 04/13/2012) |
| 04/13/2012 | 121 | REPLY MEMORANDUM OF LAW in Support re: 73 MOTION to Dismiss <i>the Consolidated Amended Class Action Complaint</i> .. Document filed by Apple Inc.. (Floyd, Daniel) (Entered: 04/13/2012) |
| 04/13/2012 | 122 | CERTIFICATE OF SERVICE of Reply Memorandum served on All Counsel of Record on 04/13/12. Document filed by Apple Inc.. (Floyd, Daniel) (Entered: 04/13/2012) |
| 04/13/2012 | 126 | REPLY re: 110 Opposition Brief,,,,, <i>re Notice of Request for Judicial Notice</i> . Document filed by Holtzbrinck Publishers, LLC(Doing business as Macmillan), Penguin Group (USA), Inc., Simon & Schuster, Inc.. (Attachments: # 1 Exhibit Certificate of Service)(Donohoe, David) (Entered: 04/13/2012) |
| 04/13/2012 | 127 | DECLARATION of Allison Sheedy in Support re: 126 Reply,. Document filed by Holtzbrinck Publishers, LLC(Doing business as Macmillan), Penguin Group (USA), Inc., Simon & Schuster, Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit Certificate of Service)(Donohoe, David) (Entered: 04/13/2012) |
| 04/13/2012 | 128 | REPLY MEMORANDUM OF LAW in Support re: 86 MOTION to Compel Arbitration <i>and Stay Proceedings</i> .. Document filed by Penguin Group (USA), Inc.. (Attachments: # 1 Exhibit Certificate of Service)(Donohoe, David) (Entered: 04/13/2012) |
| 04/13/2012 | 129 | REPLY MEMORANDUM OF LAW in Support re: (88 in 1:11-md-02293-DLC) MOTION to Dismiss <i>The Consolidated Amended Class Action Complaint</i> .. Document filed by MacMillan Publishers, Inc., Mcmillan Publishers, Inc., Penguin Group (USA) Inc., Simon & Schuster, Inc., Simon & Schuster, Inc., Penguin Group (USA), Inc., Simon & Schuster, Inc., MacMillan Publishers, Inc, Penquin Group (USA) Inc, Macmillan, Simon & Schuster, Simon & Schuster, Inc., Simon & Shuster, Simon and Schuster, Inc., Holtzbrinck Publishers, LLC(Doing business as Macmillan), Holtzbrinck Publishers, LLC, MacMillian, Inc, Macmillan Publishers, Inc., Penguin Group USA, Inc., Simon & Schuster Digital Sales, Inc., The Penguin Group. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Mitnick, Joel) (Entered: 04/13/2012) |
| 04/13/2012 | 130 | Letter addressed to Judge Denise L. Cote from Steve W. Berman dated 4/12/2012 re: Plaintiffs' position is that Defendants should file their reply papers on Court's previously ordered schedule. Second, with respect to the Settling Defendants' request for a status conference, it is unclear exactly what they are seeking. Third, we have requested that each Defendant produce to plaintiffs the documents and/or testimony they have already provided to governmental authorities. Document filed by Plaintiffs(js) (Entered: 04/17/2012) |
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| 04/13/2012 | 131 | Letter addressed to Judge Denise L. Cote from Daniel Ferrel McInnis dated 4/12/2012 re: Counsel understands that the Court will hold a status conference soon and has asked that lawyers from the Antitrust Division of the Department of Justice to attend. Given that the Texas case will be transferred to this Court, Counsel suggests that the same invitation be extended to the plaintiffs' counsel in the Texas tag-along case. Document filed by Penguin Group (USA), Inc., Penguin Group USA, Inc.(js) (Entered: 04/17/2012) |
| 04/13/2012 | 132 | Letter addressed to Judge Denise L. Cote from Shepard Goldfein dated 4/11/2012 re: Counsel for defendant requests a status conference with the Court to discuss the Court's present scheduling order and the manner in which the purported Class Actions should proceed given these developments. Document filed by HarperCollins Publishers L.L.C.(js) (Entered: 04/17/2012) |
| 04/17/2012 | 133 | Letter addressed to Judge Denise L. Cote from Gabriel R. Gervy dated 4/16/12 re: Counsel for the plaintiff writes to notify the Court that the plaintiff States will not contest transfer of the State Action to the SDNY. ***Accepted for filing as a Docket and File from Chambers.(mro) (Entered: 04/17/2012) |
| 04/18/2012 | | Minute Entry for proceedings held before Judge Denise L. Cote: Status Conference held on 4/18/2012. Court Reporter: Denise Richards present Associated Cases: 1:11-md-02293-DLC et al.(djc) (Entered: 04/20/2012) |
| 04/19/2012 | | CASHIERS OFFICE REMARK on 115 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 04/03/2012, Receipt Number 1034235. (jd) (Entered: 04/19/2012) |
| 04/23/2012 | 134 | CASE MANAGEMENT ORDER: It is hereby ORDERED as follows: 1. Any application by Penguin Group USA, Inc. to withdraw its Motion to Compel Arbitration and Stay Proceedings must be submitted by April 27, 2012. 2. The Government and defendants Hachette Book Group, Inc.; HarperCollins Publishers L.L.C.; and Simon & Schuster, Inc. (collectively, the "Settling Parties") shall submit a proposed order for a stay by April 30, 2012. 3. The Government shall file any motion with respect to a proposed final judgment by July 27. Any submissions in response to this motion by a party in one of the above-captioned actions shall be filed by August 8, 2012, and shall not exceed 5 pages. The limit of 10 pages described at the conference is hereby reduced to 5 pages. The Government shall have until August 15, 2012 to file any reply. IT IS FURTHER ORDERED that a conference in these actions, and any related actions subsequently accepted by this Court, will be held on June 22, 2012 at 2:30 p.m. at the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 15B. IT IS FURTHER ORDERED that prior to the June 22, 2012 conference, the parties in these actions, and any related actions subsequently accepted by this Court, shall submit to the Court a proposal for coordinated discovery and a proposed confidentiality agreement. Motions due by 7/27/2012. Responses due by 8/8/2012. Replies due by 8/15/2012. Status Conference set for 6/22/2012 at 02:30 PM in Courtroom 15B, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote. (Signed by Judge Denise L. Cote on 4/23/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(rjm) (Entered: 04/24/2012) |
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| 04/25/2012 | 136 | Letter addressed to Judge Denise L. Cote from Daniel Ferrel McInnis dated 4/23/2012 re: Because the Court need not resolve Penguin's motion at this time, and additional time would allow for the Second Circuit to conclude the proceedings in a principal case governing the motion, Penguin's view is that it would be best to postpone consideration of its motion to compel arbitration Document filed by Penguin Group (USA), Inc.(djc) (Entered: 04/26/2012) |
| 04/25/2012 | 137 | ENDORSED LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 4/24/2012 re: We are writing on behalf of the putative class in response to Penguin Group (USA) Inc.'s letter of April 23, 2012 in support of its pending motion to compel arbitration. ENDORSEMENT: Counsel are reminded that letters to the Court should not exceed two pages. (Signed by Judge Denise L. Cote on 4/25/2012) (djc) (Entered: 04/26/2012) |
| 04/25/2012 | 138 | ORDER: ORDERED that, unless Penguin advises the Court by April 30, 2012 that it wishes its March 2 motion to stay proceedings and compel arbitration to be addressed, the motion will be deemed withdrawn. IT IS FURTHER ORDERED that in the event Penguin files a renewed motion to arbitrate, any party opposing the motion may present any arguments that are appropriate, including that Penguin has waived its right to arbitrate. (Signed by Judge Denise L. Cote on 4/25/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(djc) (Entered: 04/26/2012) |
| 04/26/2012 | 135 | CERTIFIED TRUE COPY OF CONDITIONAL MDL TRANSFER IN ORDER FROM THE MDL PANEL (CTO-3) transferring this action from the United States District Court - that pursuant to 28 U.S.C. 1407, the actions listed on the attached schedule A and pending in the District of Texas, and the same hereby are, transferred to the Southern District of New York, with the consent of that court, assigned to the Honorable Judge Denise L. Cote, for coordinated or consolidated pretrial proceedings with the actions pending in that district and listed on Schedule A. (Signed by MDL Panel on 4/26/2012) (sjo) (Entered: 04/26/2012) |
| 04/26/2012 | 139 | NOTICE OF APPEARANCE by Hane Lee Kim on behalf of Apple Inc. (Kim, Hane) (Entered: 04/26/2012) |
| 04/27/2012 | 140 | Letter addressed to Judge Denise L. Cote from Daniel Floyd dated 4/25/2012 re: Per our discussion at the April 18, 2012 Status Conference, HaneL. Kim, my colleague from Gibson Dunn's New York office, will serve as coordinating counsel for non-settling defendants in the above-captioned actions. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(ama) (Entered: 04/27/2012) |
| 04/30/2012 | 141 | STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, |

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| | | 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. Filed in Associated Cases; 1:12-cv-3394-DLC, 1:11-md-2293-DLC. (Signed by Judge Loretta A. Preska on 10/31/2011) (sjo) (Entered: 04/30/2012) |
| 04/30/2012 | 142 | Letter addressed to Judge Denise L. Cote from Daniel G. Swanson and Daniel McCuaig dated 4/27/2012 re: Counsels write as liaison counsel to provide the Court with an update on the parties' efforts to negotiate a protective order for the Court's consideration. Document filed by Apple Inc. United States Of America.(ft) (Entered: 04/30/2012) |
| 05/01/2012 | 143 | Letter addressed to Judge Denise L Cote from Daniel Ferrel McInnis dated 4/30/2012 re: We request that the Court decide Penguin's pending motion. Document filed by Penguin Group (USA), Inc.(cd) (Entered: 05/01/2012) |
| 05/01/2012 | 144 | Letter addressed to Judge Denise L Cote from Shepard Goldfein dated 4/30/2012 re: The settling defendants request that the Court enter the eclosed Stay Order. Document filed by HarperCollins Publishers L.L.C.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(cd) (Entered: 05/01/2012) |
| 05/01/2012 | 145 | Letter addressed to Judge Denise L Cote from Steve W Berman dated 4/30/2012 re: We submit an alternative Stay Order for the court's consideration. Document filed by Shilpa Grover et al.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(cd) (Entered: 05/01/2012) |
| 05/01/2012 | 146 | Letter addressed to Judge Denise L Cote from Gabriel R Gervy dated 4/30/2012 re: Memorandum of Understanding with Simon & Schuster is possible. Document filed by The State of Texas et al.(cd) (Entered: 05/01/2012) |
| 05/01/2012 | 147 | ORDER STAYING CASE until 7/11/2012 as to defendants HarperCollins Publishers, Hachette Book Group, Inc, Hachette Digital Inc. (settling defendants), and as further set forth in this document. (Signed by Judge Denise L. Cote on 5/1/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(cd) (Entered: 05/01/2012) |
| 05/04/2012 | 148 | ENDORSED LETTER addressed to Judge Denise L. Cote from Daniel G. Swanson and Daniel McCuaig dated 5/3/2012 re: The undersigned writes as liaison counsel to provide the Court with a further update on the parties' efforts to negotiate a protective order for the Court's consideration. With apologies for the delay, unless the Court instructs otherwise, the parties will submit a proposed protective order to the Court on or before next Monday (May 7th). ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 5/4/2012) (pl) Modified on 5/11/2012 (pl). (Entered: 05/04/2012) |
| 05/09/2012 | 149 | STIPULATED PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Judge Denise L. Cote on 5/9/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(lmb) (Entered: 05/09/2012) |

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| 05/10/2012 | 150 | NOTICE OF APPEARANCE by Eric Lipman on behalf of The State of Texas Filed In Associated Cases: 1:11-md-02293-DLC et al.(Lipman, Eric) (Entered: 05/10/2012) |
| 05/11/2012 | 151 | MOTION for Leave to File Second Amended Complaint (<i>Unopposed</i>). Document filed by The State of Texas. (Attachments: # 1 Exhibit Proposed Second Amended Complaint)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 05/11/2012) |
| 05/11/2012 | 152 | MEMORANDUM OF LAW in Support re: (151 in 1:11-md-02293-DLC, 74 in 1:12-cv-03394-DLC) MOTION for Leave to File Second Amended Complaint (<i>Unopposed</i>).. Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 05/11/2012) |
| 05/11/2012 | 153 | CERTIFICATE OF SERVICE of Unopposed Motion for Leave to File Second Amended Complaint and Memorandum in Support served on Defendants Penguin Group(USA), Inc., Holtzbrinck Publishers, LLC d/b/a MacMillan, Apple Inc., and Simon & Schuster, Inc. on 5-11-12. Service was made by MAIL. Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 05/11/2012) |
| 05/11/2012 | 154 | ENDORSED LETTER addressed to Judge Denise L. Cote from Gabriel R. Gervy dated 5/10/2012 re: In counsel for the Additional States also need not move for admission pro hac vice, and that, going forward, attorneys from the Offices of the Texas or Connecticut Attorneys General, who are already counsel of record, may sign and file documents on behalf of the Plaintiff States without obtaining original signatures from counsel for each individual state. This will minimize the logistical burden associated with filings in this case and is consistent with the approach taken in connection with the filing of the proposed stipulated protective order, which was entered by the Court yesterday, May 9, 2012. To the extent this procedure is not acceptable to the Court, and the Court will require counsel from the Additional States to be admitted pro hac vice, we would alternatively and respectfully request that the Court consider granting a waiver of the \$200 fee per attorney and the requirement that all counsel submit copies of Certificates of Good Standing from each jurisdiction in which the attorney is licensed to practice. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 5/11/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(rdz) (Entered: 05/11/2012) |
| 05/11/2012 | 155 | ORDER GRANTING UNOPPOSED MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT: Having reviewed Plaintiff States' unopposed motion for leave to file a second amended complaint and the memorandum in support filed therewith, and upon all pleadings and proceedings heretofore had herein, Plaintiff States' motion is GRANTED. granting (151) Motion for Leave to File Document in case 1:11-md-02293-DLC; granting (74) Motion for Leave to File Document in case 1:12-cv-03394-DLC. (Signed by Judge Denise L. Cote on 5/11/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(rdz) (Entered: 05/11/2012) |

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| 05/14/2012 | 157 | ENDORSED LETTER addressed to Judge Denise L Cote from Jennifer R Scullion dated 5/14/2012 re: Request to amend the Stay order to add Simon Schuster as an additional Settling Defendant protected by and subject to the terms of the existing Stay Order. ENDORSEMENT: So Ordered. (Signed by Judge Denise L. Cote on 5/14/2012) (cd) (Entered: 05/15/2012) |
| 05/15/2012 | 156 | OPINION & ORDER # 101815: The Publisher Defendants' 3/2/2012 Motion to Dismiss is denied. Apple's 3/2/2012 Motion to Dismiss is also denied re: (88 in 1:11-md-02293-DLC) MOTION to Dismiss <i>The Consolidated Amended Class Action Complaint</i> filed by HarperCollins Publishers L.L.C., (73 in 1:11-md-02293-DLC) MOTION to Dismiss <i>the Consolidated Amended Class Action Complaint</i> filed by Apple Inc. (Signed by Judge Denise L. Cote on 5/15/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(cd) Modified on 5/21/2012 (ft). (Entered: 05/15/2012) |
| 05/15/2012 | 158 | ORDER GRANTING JOINT MOTION TO DISMISS WITHOUT PREJUDICE SIMON & SCHUSTER, INC. AND SIMON & SCHUSTER DIGITAL SALES, INC: in case 1:11-md-02293-DLC; granting (82) Motion to Dismiss; granting (86) Motion to Dismiss in case 1:12-cv-03394-DLC; granting [] Motion to Dismiss; granting [] Motion to Dismiss in case 1:11-md-02293-DLC. (Signed by Judge Denise L. Cote on 5/15/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(cd) (Entered: 05/15/2012) |
| 05/16/2012 | 159 | NOTICE OF APPEARANCE by David Joseph Carey on behalf of Holtzbrinck Publishers, LLC(Doing business as Macmillan), Holtzbrinck Publishers, LLC (Carey, David) (Entered: 05/16/2012) |
| 05/16/2012 | 160 | NOTICE OF APPEARANCE by John Joseph Lavelle on behalf of Holtzbrinck Publishers, LLC(Doing business as Macmillan), Holtzbrinck Publishers, LLC (Lavelle, John) (Entered: 05/16/2012) |
| 05/17/2012 | 161 | SECOND AMENDED COMPLAINT amending 7 Amended Complaint against Apple Inc., Holtzbrinck Publishers, LLC, Penguin Group (USA) Inc. with JURY DEMAND.Document filed by the State of Tennessee, The State of Missouri, The Commonwealth of Pennsylvania, The State of Iowa, The State of Texas, The State of Ohio, The State of Arizona, The State of South Dakota, The State of Vermont, The State of Colorado, The Commonwealth of Puerto Rico, The State of Illinois, The State of Alaska, The State of Connecticut, The State of West Virginia, The State of Maryland, The Commonwealth of Virginia, The State of New York, The State of Arkansas, The State of Louisiana, The State of Wisconsin, The State of Delaware, The State of Utah, The State of North Dakota, The State of Nebraska, The State of Alabama, The District of Columbia, The State of Michigan, The Commonwealth of Massachusetts, The State of New Mexico, The State of Kansas, The State of Idaho.***Also docketed in case number 12cv3394. (mro) (Entered: 05/21/2012) |
| 05/24/2012 | 162 | NOTICE of Withdrawal of Counsel John D. Radice. Document filed by Rhonda Burstein. (Nussbaum, Linda) (Entered: 05/24/2012) |
| 05/29/2012 | 163 | ANSWER to 47 Amended Complaint,,. Document filed by Penguin Group |

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| | | (USA), Inc..(McInnis, Daniel) (Entered: 05/29/2012) |
| 05/29/2012 | 164 | ANSWER to 47 Amended Complaint,,. Document filed by Holtzbrinck Publishers, LLC.(Mitnick, Joel) (Entered: 05/29/2012) |
| 05/29/2012 | 165 | ANSWER to 47 Amended Complaint,, with JURY DEMAND. Document filed by Apple Inc..(Floyd, Daniel) (Entered: 05/29/2012) |
| 05/29/2012 | 166 | CERTIFICATE OF SERVICE of Apple Inc.'s Answer to Consolidated Amended Class Action Complaint served on All Counsel of Record on May 29, 2012. Service was made by Mail. Document filed by Apple Inc.. (Floyd, Daniel) (Entered: 05/29/2012) |
| 05/30/2012 | 167 | NOTICE OF APPEARANCE by Eric Lipman on behalf of The State of Texas (Lipman, Eric) (Entered: 05/30/2012) |
| 06/08/2012 | 168 | MOTION for Gregory J. Granitto to Appear Pro Hac Vice. Document filed by Penguin Group (USA), Inc., Penguin Group USA, Inc.(pgu) (Entered: 06/08/2012) |
| 06/11/2012 | 169 | MEMO ENDORSEMENT granting 168 Motion for Gregory J. Granitto to Appear Pro Hac Vice. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 6/11/2012) (tro) (Entered: 06/11/2012) |
| 06/20/2012 | 170 | STATUS REPORT. <i>Joint Initial Report of All Parties</i> Document filed by United States Of America. (Attachments: # 1 Exhibit Proposed Schedules, # 2 Exhibit Parties' Current Disputes, # 3 Exhibit Joint ESI Submission)Filed In Associated Cases: 1:11-md-02293-DLC et al.(Syme, Carrie) (Entered: 06/20/2012) |
| 06/20/2012 | | CASHIERS OFFICE REMARK on 168 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 06/08/2012, Receipt Number 1040441. (jd) (Entered: 06/20/2012) |
| 06/20/2012 | 171 | Letter addressed to Judge Denise L Cote from Daniel Floyd dated 6/19/2012 re: Apple's position on the remaining disputes among the parties re joint initial report. Document filed by Apple, Inc.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(cd) (Entered: 06/21/2012) |
| 06/20/2012 | 172 | Letter addressed to Judge Denise L Cote from Steve W Berman dated 6/20/2012 re: Disputes to the Joint Initial Report, filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(cd) (Entered: 06/21/2012) |
| 06/20/2012 | 173 | Letter addressed to Judge Denise L Cote from Joel M Mitnick dated 6/20/2012 re: Remaining Disputes and the Joint Initial Report. Document filed by Holtzbrinck Publishers, LLC, Verlagsgruppe Georg Von Holtzbrinck GMBH.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(cd) (Entered: 06/21/2012) |
| 06/20/2012 | 174 | Letter addressed to Judge Denise L Cote from Shepard Goldfein dated 6/19/2012 re: Settling defendants have complied with the terms of their 4/11/12 memorandum of understanding. Document filed by Hachette Book |

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| | | Group, Inc., HarperCollins Publishers L.L.C., Simon & Schuster.(cd) (Entered: 06/21/2012) |
| 06/20/2012 | 175 | Letter addressed to Judge Denise L Cote from Gabriel R Gervy and W. Joseph Nielsen dated 6/20/2012 re: Plaintiff States request that the Court adopt the Plaintiffs' proposed schedule. Document filed by Plaintiff States.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(cd) (Entered: 06/21/2012) |
| 06/21/2012 | 176 | Letter addressed to Judge Denise L Cote from Mark W Ryan dated 6/20/2012 re: Discovery should proceed without delay and the resolution of the United States' claims need not be combined with trials in the other set of cases. Document filed by United States of America. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(cd) (Entered: 06/21/2012) |
| 06/21/2012 | 177 | NOTICE OF APPEARANCE by Walter B. Stuart, IV on behalf of Hachette Livre SA (Stuart, Walter) (Entered: 06/21/2012) |
| 06/21/2012 | 178 | RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Lagardere SCA, Corporate Parent Hachette SA for Hachette Livre SA. Document filed by Hachette Livre SA.(Stuart, Walter) (Entered: 06/21/2012) |
| 06/21/2012 | 179 | NOTICE OF APPEARANCE by Samuel Joseph Rubin on behalf of Hachette Livre SA (Rubin, Samuel) (Entered: 06/21/2012) |
| 06/22/2012 | 180 | ANSWER to 161 Amended Complaint,,, with JURY DEMAND. Document filed by Apple Inc.. (Attachments: # 1 Certificate of Service)(Floyd, Daniel) (Entered: 06/22/2012) |
| 06/22/2012 | 181 | ANSWER to 161 Amended Complaint,,, Document filed by Holtzbrinck Publishers, LLC.(Mitnick, Joel) (Entered: 06/22/2012) |
| 06/22/2012 | 182 | ANSWER to 161 Amended Complaint,,, Document filed by Penguin Group (USA), Inc..(Sheedy, Allison) (Entered: 06/22/2012) |
| 06/22/2012 | | Minute Entry for proceedings held before Judge Denise L. Cote: Status Conference held on 6/22/2012. (Court Reporter Pam Utter) Associated Cases: 1:11-md-02293-DLC et al.(gr) (Entered: 07/12/2012) |
| 06/25/2012 | 183 | SCHEDULING ORDER: Amended Initial Report due by 7/6/2012. Government shall file any motion with respect to a proposed final judgment in 12cv2826 by 8/3/2012, Responses due by 8/15/2012, replies due by 8/22/2012. Fact Discovery due by 3/22/2012. Expert Discovery due by 3/22/2012. The plaintiffs in 12cv3394 shall submit by 8/20/2012, any motion for preliminary approval of any settlement agreement. Any motion to certify class in 11MD2293 must be submitted by 11/16/2012. The defendants' opposition due by 12/14/2012. Plaintiffs' reply due by 1/18/2012. Joint pretrial order due by 4/26/2013 in 12cv2826. Motions in limine in 12cv2826 are due by 4/26/2012, responses due by 5/3/2012, replies due by 5/8/2012. Final pretrial conference in 12cv2826 is scheduled for 5/24/2013 at 2:00 p.m. in Courtroom 15B, 500 Pearl Street. Trial in 12cv2826 will begin on 6/3/2013 at 9:30 a.m. Any motion for summary judgment in the above listed actions in |

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| | | 11MD2293 or 12cv3394 must be served by 9/13/2013, any opposition served by 10/4/2012, any reply due by 10/18/2012. All other deadlines are as set forth in this order. (Signed by Judge Denise L. Cote on 6/25/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(jar) (Entered: 06/25/2012) |
| 06/25/2012 | 184 | Letter addressed to Judge Denise L. Cote from Shepard Goldfein dated 6/21/2012 re: response to characterizations of the settling defendants' position set forth in the barrage of letters taht have been submitted relating to the Joint Report. Document filed by Hachette Book Group, Inc., HarperCollins Publishers L.L.C., Simon & Schuster, Inc.(jar) (Entered: 06/25/2012) |
| 06/25/2012 | 185 | ORDER: With respect to these cases only, communications with Chambers by letter shall not exceed two pages in length and shall be e-mailed as a pdf attachment to the following address: see order. A copy shall simultaneously be delivered to all counsel. Copies of correspondence between counsel shall not be sent to the Court. No e-mailed letter shall be sent to the Court by mail unless it has an attachment greater than ten pages. (Signed by Judge Denise L. Cote on 6/25/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(jar) (Entered: 06/25/2012) |
| 06/25/2012 | 186 | STIPULATION AND STAY ORDER: The Stay Order be amended to add HLSA as an additional Settling Defendant protected by and subject to the same terms of the existing Stay Order until 7/11/2012. (Signed by Judge Denise L. Cote on 6/25/2012) (jar) (Entered: 06/25/2012) |
| 06/26/2012 | 187 | Letter addressed to Judge Denise L. Cote from Mark W. Ryan dated 6/20/12 re: The United States believes that discovery should proceed without delay and that the resolution of the United States' claims need not be combined with trials in the other sets of cases. Document filed by United States of America.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(mro) (Entered: 06/26/2012) |
| 06/26/2012 | 188 | AFFIDAVIT OF SERVICE of Summons and Amended Complaint,, Hachette Livre SA served on 6/4/2012, answer due 8/3/2012. Service was accepted by Mr. Mignan Denis, In House Counsel. Document filed by Cyrus Joubin; John T. Meyer; Steven D. Campbell; Marcus Mathis; Shane S. Davis; Elvira Monzon; Liana Lingofelt; Kimberly Whiteside Brooks; Rebecca L. Rossman; Steven Rivers; Aloysius J. Brown, Iii; Brian McGee; Charles Leonard Pelton, Sr; Kamal Sonti; Diane Urbanec; Jessica Moyer; Barbara Heath; Cynthia J. Tyler; Andreas Albeck; Jeffrey Evans; Matthew A. Hosking; Grace Hoke; Eugenia Ruane-Gonzales; Carole C. Kehl; Thomas Friedman; Fredric A. Press; Miriam Cummings; Aubrie Ann Jones; Katrina Key; Rhonda Burstein; Amy D. Nolan; Paul J. Meyer; Ronna Hamelin; Kathleen Linda Pitlock; Juan Sotomayor; David Yastrab; Susan Horowitz; Clarissa Weiss; Ed Macauley; Sue Roberts; Shilpa Grover; Carol Ness; Gretchen Ulbee; Kevin Rader-Rhodenbaugh; Lauren Albert; Brian Brown; Christian Gilstrap; Kathleen Weiss; Laura J. Warner; Chad Miller; Jeremy Sheppeck; James L. Nesmith; Robert Cheatham; Anthony Petru; Patsy Diamond; Marcia Greene; Anne M. Rinaldi; Sue Ellen Gordon; Harrison Goldman. (Dubner, Jeffrey) (Entered: 06/26/2012) |
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| 06/27/2012 | 189 | Letter addressed to Judge Denise L Cote from Gabriel R Gervy and Gary Becker dated 6/26/2012 re: Plaintiff states are aenable to a bench trial. Document filed by The State of Texas.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(cd) (Entered: 06/28/2012) |
| 06/27/2012 | 190 | OPINION & ORDER # 102013 denying as to plaintiffs' federal claims re: (86 in 1:11-md-02293-DLC) MOTION to Compel Arbitration <i>and Stay Proceedings</i> filed by Penguin Group USA, Inc. (Signed by Judge Denise L. Cote on 6/27/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(cd) Modified on 6/29/2012 (ft). (Entered: 06/28/2012) |
| 07/02/2012 | 191 | MOTION for Richard Snyder to Appear Pro Hac Vice. Document filed by Hachette Book Group, Inc., Hachette Digital, Inc., Hachette Livre SA.(pgu) (Entered: 07/02/2012) |
| 07/06/2012 | | CASHIERS OFFICE REMARK on 191 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 07/02/2012, Receipt Number 1042551. (jd) (Entered: 07/06/2012) |
| 07/06/2012 | 192 | MOTION for DAVID J. CAREY to Withdraw as Attorney <i>and [Proposed] Order</i> . Document filed by Holtzbrinck Publishers, LLC(Doing business as Macmillan), Holtzbrinck Publishers, LLC, MacMillian, Inc, Macmillan Publishers, Inc...(Mitnick, Joel) (Entered: 07/06/2012) |
| 07/06/2012 | 193 | STATUS REPORT. <i>Revised Joint Initial Report</i> Document filed by United States of America. (Attachments: # 1 Exhibit Schedule, # 2 Exhibit Revised ESI Report)Filed In Associated Cases: 1:11-md-02293-DLC et al.(Syme, Carrie) (Entered: 07/06/2012) |
| 07/09/2012 | 194 | MEMO ENDORSED ON MOTION FOR ADMISSION PRO HAC VICE: granting 191 Motion for Richard Snyder to Appear Pro Hac Vice. (Signed by Judge Denise L. Cote on 7/9/2012) (js) (Entered: 07/10/2012) |
| 07/09/2012 | 195 | ORDER: It is hereby ordered that the stay in this litigation as to defendant Hachette Digital, Inc. is extended from July 11, 2011 to August 10, 2012. (Signed by Judge Denise L. Cote on 7/9/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(js) (Entered: 07/10/2012) |
| 07/10/2012 | 196 | MOTION for Hiram Andrews to Appear Pro Hac Vice. Document filed by Hachette Book Group, Inc., Hachette Digital, Inc., Hachette Livre SA.(pgu) (Entered: 07/10/2012) |
| 07/10/2012 | | CASHIERS OFFICE REMARK on 196 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 07/10/2012, Receipt Number 1043070. (jd) (Entered: 07/10/2012) |
| 07/11/2012 | 197 | ORDER granting 196 Motion for Hiram Andrews to Appear Pro Hac Vice. (Signed by Judge Denise L. Cote on 7/11/2012) (ama) (Entered: 07/12/2012) |
| 07/20/2012 | 198 | ENDORSED LETTER addressed to Judge Denise L. Cote from Elizabeth A. McNamara dated 7/18/2012 re: We represent non-party Walter Isaacson and this letter responds to the July 16, 2012 letter from counsel for Class Plaintiffs in the captioned matter seeking "an informal discovery conference" relating to |

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| | | their subpoena dated May 21, 2012 to Mr. Isaacson (the "Subpoena"), author of the Steve Jobs biography (the "Biography"). ENDORSEMENT: The plaintiff may renew its application when it can show that it meets the test for disclosure of non confidential material. See U.S. v Treacy, 639 F3d 32, 42 (2d Cir. 2011). (Signed by Judge Denise L. Cote on 7/20/2012) (rjm) (Entered: 07/20/2012) |
| 07/20/2012 | 199 | Letter addressed to Judge Denise L. Cote from Steve W. Berman dated 7/16/2012 re: Class Plaintiffs respectfully ask for an informal discovery conference concerning Walter Isaacson's refusal to produce recordings and notes of Steve Jobs' statements, Mr. Isaacson wrote Steve Jobs' biography and asserts the reporter's privilege bars production of any of Mr. Jobs' non-published statements whatsoever, and in particular, concerning Apple's eBook strategy. (rjm) (Entered: 07/20/2012) |
| 07/25/2012 | 200 | NOTICE OF APPEAL from 190 Memorandum & Opinion. Document filed by Penguin Group (USA), Inc. Filing fee \$ 455.00, receipt number 465401044546. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (tp) (Entered: 07/25/2012) |
| 07/25/2012 | 201 | MOTION for George Farah to Appear Pro Hac Vice. Document filed by Marcia Greene, Aubrie Ann Jones.(pgu) (Entered: 07/25/2012) |
| 07/25/2012 | | Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 200 Notice of Appeal. (tp) (Entered: 07/25/2012) |
| 07/25/2012 | | Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 79 Rule 7.1 Corporate Disclosure Statement, filed by Hachette Digital, Inc., 152 Memorandum of Law in Support of Motion, filed by The State of Texas, 88 MOTION to Dismiss <i>The Consolidated Amended Class Action Complaint</i> filed by HarperCollins Publishers L.L.C., 15 Memorandum of Law in Support of Motion filed by Patsy Diamond, 80 Notice of Appearance filed by Hachette Book Group, Inc., 67 Stipulation of Voluntary Dismissal, filed by Chad Miller, Christian Gilstrap, Clarissa Weiss, Liana Lingofelt, Thomas Friedman, Kathleen Weiss, Gretchen Ulbee, Aubrie Ann Jones, Jessica Moyer, Kathleen Linda Pitlock, Carol Ness, Miriam Cummings, Paul J. Meyer, Aloysius J. Brown, Iii, Sue Roberts, Harrison Goldman, Patsy Diamond, Steven Rivers, Carole C. Kehl, Juan Sotomayor, Shane S. Davis, Cyrus Joubin, Diane Urbanec, Kevin Rader-Rhodenbaugh, Shilpa Grover, Eugenia Ruane-Gonzales, Steven D. Campbell, Rhonda Burstein, Cynthia J. Tyler, Andreas Albeck, James L. Nesmith, Paul Meyer, Susan Horowitz, Rebecca L. Rossman, Grace Hoke, Kimberly Whiteside Brooks, Laura J. Warner, Amy D. Nolan, Anne M. Rinaldi, Ed Macauley, Charles Leonard Pelton, Sr., Robert Cheatham, Anthony Petru, Brian McGee, Marcia Greene, Jeffrey Evans, Barbara Heath, Matthew A. Hosking, Brian Brown, Marcus Mathis, Katrina Key, Kamal Sonti, John T. Meyer, Fredric A. Press, David Yastrab, Jeremy Sheppeck, Lauren Albert, Sue Ellen Gordon, Ronna Hamelin, 52 MOTION for Dianne M. Nast to Appear Pro Hac Vice. filed by Carol Ness, Brian McGee, 94 Order on Motion to Appear Pro Hac Vice, 55 Notice (Other) filed by Kevin Rader-Rhodenbaugh, 46 MOTION for Daniel J. Mogin to Appear Pro Hac Vice. filed by Katrina Key, 143 Letter filed by Penguin Group (USA), Inc., 171 Letter, filed by Apple, Inc., 161 |

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| | <p>Carole C. Kehl, Juan Sotomayor, Shane S. Davis, Cyrus Joubin, Diane Urbanec, Kevin Rader-Rhodenbaugh, Shilpa Grover, Eugenia Ruane-Gonzales, Steven D. Campbell, Rhonda Burstein, Cynthia J. Tyler, Andreas Albeck, James L. Nesmith, Susan Horowitz, Rebecca L. Rossman, Grace Hoke, Kimberly Whiteside Brooks, Laura J. Warner, Amy D. Nolan, Anne M. Rinaldi, Ed Macauley, Charles Leonard Pelton, Sr., Brian McGee, Anthony Petru, Robert Cheatham, Marcia Greene, Jeffrey Evans, Barbara Heath, Matthew A. Hosking, Katrina Key, Marcus Mathis, Brian Brown, Kamal Sonti, Elvira Monzon, John T. Meyer, Fredric A. Press, Jeremy Sheppeck, David Yastrab, Lauren Albert, Sue Ellen Gordon, Ronna Hamelin, 137 Endorsed Letter, 32 Standing Order re Complex Civil Cases, 157 Endorsed Letter, 166 Certificate of Service Other filed by Apple Inc., 35 Standing Order re Complex Civil Cases, 174 Letter, filed by Simon & Schuster, Hachette Book Group, Inc., HarperCollins Publishers L.L.C., 168 MOTION for Gregory J. Granitto to Appear Pro Hac Vice filed by Penguin Group USA, Inc., Penguin Group (USA), Inc., 98 Memorandum of Law in Support of Motion filed by Penguin Group USA, Inc., 111 Memorandum of Law in Opposition to Motion, filed by Chad Miller, Christian Gilstrap, Clarissa Weiss, Liana Lingofelt, Thomas Friedman, Kathleen Weiss, Gretchen Ulbee, Aubrie Ann Jones, Jessica Moyer, Kathleen Linda Pitlock, Carol Ness, Miriam Cummings, Paul J. Meyer, Aloysius J. Brown, Iii, Sue Roberts, Harrison Goldman, Patsy Diamond, Steven Rivers, Carole C. Kehl, Juan Sotomayor, Shane S. Davis, Cyrus Joubin, Diane Urbanec, Kevin Rader-Rhodenbaugh, Shilpa Grover, Eugenia Ruane-Gonzales, Steven D. Campbell, Rhonda Burstein, Cynthia J. Tyler, Andreas Albeck, James L. Nesmith, Susan Horowitz, Rebecca L. Rossman, Grace Hoke, Kimberly Whiteside Brooks, Laura J. Warner, Amy D. Nolan, Anne M. Rinaldi, Ed Macauley, Charles Leonard Pelton, Sr., Brian McGee, Anthony Petru, Robert Cheatham, Marcia Greene, Jeffrey Evans, Barbara Heath, Matthew A. Hosking, Katrina Key, Marcus Mathis, Brian Brown, Kamal Sonti, Elvira Monzon, John T. Meyer, Fredric A. Press, Jeremy Sheppeck, David Yastrab, Lauren Albert, Sue Ellen Gordon, Ronna Hamelin, 102 MOTION for Daniel E. Gustafson to Appear Pro Hac Vice filed by Carol Ness, Brian McGee, 25 Case Management Plan, 134 Case Management Plan, 154 Endorsed Letter, 175 Letter, 19 MOTION to Appoint Counsel <i>Application to Appoint Hagens Berman Interim Lead Counsel</i> filed by Anthony Petru, 194 Order on Motion to Appear Pro Hac Vice, 41 Order on Motion to Appear Pro Hac Vice, 50 Order on Motion to Appear Pro Hac Vice, 44 Notice of Change of Address, filed by Simon & Schuster, Inc., Simon & Schuster, Simon & Shuster, 43 Standing Order re Complex Civil Cases, 149 Protective Order, 122 Certificate of Service Other filed by Apple Inc., 20 Declaration in Support of Motion, filed by Anthony Petru, 155 Order on Motion for Leave to File Document, 10 Notice of Appearance filed by Katrina Key, 178 Rule 7.1 Corporate Disclosure Statement filed by Hachette Livre SA, 128 Reply Memorandum of Law in Support of Motion filed by Penguin Group (USA), Inc., 13 Brief, filed by Rhonda Burstein were transmitted to the U.S. Court of Appeals. (tp) (Entered: 07/25/2012)</p> |
| 07/25/2012 | <p>CASHIERS OFFICE REMARK on 201 Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 07/25/2012, Receipt Number 1044606. (jd) (Entered: 07/25/2012)</p> |

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| 07/26/2012 | 202 | MEMO ENDORSED in case 1:11-cv-05576-DLC; granting (201) Motion for George Farah to Appear Pro Hac Vice in case 1:11-md-02293-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-05576-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-05609-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-05621-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-05707-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-05750-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-05896-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-05898-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-05976-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-06019-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-06079-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-07507-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-07534-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-07323-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-08329-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-08608-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-09016-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-09014-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-09559-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-09560-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-09561-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-09562-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-09563-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-09564-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-09565-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-09566-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:11-cv-09567-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:12-cv-00476-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:12-cv-02826-DLC; granting <input type="checkbox"/> Motion for George Farah to Appear Pro Hac Vice in case 1:12-cv-03394-DLC. (Signed by Judge Denise L. Cote on 7/26/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al. (cd) (Entered: 07/27/2012) |
| 08/07/2012 | 203 | ORDER: that any corrections or observations by Apple that pertain to the Government's Response and motion remain limited to five pages. Apple was required to set forth its analysis of any "substantive deficiencies in the proposed settlement" in its submission during the public comment period. In reviewing the Government's motion, the Court will consider Apple's nine page public comment as well as any submission it makes on August 15. IT IS FURTHER ORDERED that the Court will inform the parties after the motion is fully submitted whether either oral argument or a hearing on the motion would be of assistance to the Court. (Signed by Judge Denise L. Cote on 8/7/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(pl) (Entered: 08/07/2012) |

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| 08/14/2012 | 204 | FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - MOTION for Extension of Time <i>to file Motion for Preliminary Approval of Settlements</i> . Document filed by The State of Ohio. (Johnson, Doreen) Modified on 8/15/2012 (ldi). (Entered: 08/14/2012) |
| 08/14/2012 | | ***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. 204 HAS BEEN REJECTED. Note to Attorney Doreen C. Johnson : THE CLERK'S OFFICE DOES NOT ACCEPT LETTERS FOR FILING, either through ECF or otherwise, except where the judge has ordered that a particular letter be docketed. Letters may be sent directly to a judge. (ldi) (Entered: 08/15/2012) |
| 08/27/2012 | 205 | ENDORSED LETTER addressed to Judge Denise L. Cote from Doreen C. Johnson dated 8/14/2012 re: Counsel requests an extension until 8/29/2012 to file the motion for preliminary Approval of the related Settlement Agreements. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 8/27/2012) (jfe) Modified on 8/28/2012 (jfe). (Entered: 08/28/2012) |
| 08/27/2012 | | Set/Reset Deadlines: Motions due by 8/29/2012. (jfe) (Entered: 08/28/2012) |
| 09/04/2012 | 206 | STIPULATION TO EXTEND TIME TO RESPOND TO CONSOLIDATED AMENDED CLASS ACTION COMPLAINT: NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and the Settling Defendants, subject to the approval of the Court, as follows: Settling Defendants' time to answer, move or otherwise respond to the Complaint is hereby extended to September 14, 2012. SO ORDERED. (Amended Pleadings due by 9/14/2012.) (Signed by Judge Denise L. Cote on 9/04/2012) (ama) (Entered: 09/05/2012) |
| 09/04/2012 | 207 | ENDORSED LETTER addressed to Judge Denise Cote from Doreen C. Johnson dated 8/27/2012 re: Accordingly, we respectfully request that the Court permit us to file a brief up to 32 pages in length. ENDORSEMENT: GRANTED. (Signed by Judge Denise L. Cote on 9/04/2012) (ama) (Entered: 09/05/2012) |
| 09/06/2012 | 208 | ORDER: It is hereby ORDERED that a telephone conference regarding the August 29 motion will be held on September 10, 2012 at 4:00 P.M. IT IS FURTHER ORDERED that any parties in the above-captioned actions who wish to appear at the September 10 telephone conference shall contact the offices of plaintiff states' liaison counsel, Rebecca Fisher, the State of Texas Attorney General's Office, P.O. Box 12548, Austin, TX 78711, 512-463-1265. (Telephone Conference set for 9/10/2012 at 04:00 PM before Judge Denise L. Cote.) (Signed by Judge Denise L. Cote on 9/6/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(jfe) (Entered: 09/07/2012) |
| 09/07/2012 | 209 | ENDORSED LETTER addressed to Judge Denise L. Cote from Rebecca Fisher dated 9/6/2012 re: Rebecca Fisher of the Texas Attorney General's Office writes to request that the Court waive the requirements for admission pro hac vice for all attorneys representing the Plaintiff States who are not already admitted to practice in the Southern District of New York. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 9/7/2012) |

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| | | (ago) Modified on 9/10/2012 (ago). (Entered: 09/10/2012) |
| 09/10/2012 | 210 | ORDER: These cases involve alleged anticompetitive conduct by defendants, including companies that publish electronic books. During a conference held on December 20, 2011, the Court notified counsel for all parties that it has purchased electronic books. By Order of that same day, the Court waived any interest it might have in the putative class action. It is hereby ORDERED that the Court waives as well any interest it might have in the above-captioned parens patriae lawsuits, The State of Texas, et al. v. Penguin Group (USA) Inc., et al., 12 Civ. 3394 (DLC) and The State of Texas, et al. v. Hachette Book Group Inc., et al., 12 Civ. 6625 (DLC). (Signed by Judge Denise L. Cote on 9/10/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(ago) (Entered: 09/10/2012) |
| 09/10/2012 | | Minute Entry for proceedings held before Judge Denise L. Cote: Telephone Conference held on 9/10/2012. (Court Reporter Rebecca Forman) Associated Cases: 1:11-md-02293-DLC et al.(gr) (Entered: 09/11/2012) |
| 09/13/2012 | 211 | Letter addressed to Judge Denise L. Cote from Rebecca Fisher dated 9/13/2012 re: In response to comments you made during our call yesterday, Plaintiff States revised and attach (to the cover email for this letter) the following revised documents: 1) Exhibits A, B, and D to the Notice Plan (Appendix H to Memorandum in Support of Plaintiff States' Motion for Preliminary Approval of Settlements and Proposed Consumer Notice and Distribution Plans); 2) The Proposed Order for Preliminary Approval (Appendix J to the Memorandum in Support); and 3) The Claim Form and the Exclusion Form referred to in the various notices, and as further specified in this letter. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(rjm) (Entered: 09/14/2012) |
| 09/13/2012 | 212 | ORDER PRELIMINARILY APPROVING PROPOSED SETTLEMENTS. The terms of the Settlement Agreements and the Distribution Plan are hereby preliminarily approved and notice of them shall be given as provided in this Order, and as further set forth. A hearing on final settlement approval (the "Fairness Hearing") is hereby scheduled to be held before the undersigned on February 8, 2013 at 10:00 a.m. Eastern Standard Time in Courtroom No. 15B, United States Courthouse, 500 Pearl Street, New York, NY, 10007-1312 to consider the fairness, reasonableness and adequacy of the Settlements, the dismissal with prejudice of this action as to the Defendants, and the entry of final judgment in this action, and as further set forth. (Fairness Hearing set for 2/8/2013 at 10:00 AM in Courtroom 15B, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote.) (Signed by Judge Denise L. Cote on 9/13/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(rjm) (Entered: 09/14/2012) |
| 09/14/2012 | 213 | SUPPLEMENTAL MEMORANDUM OF LAW in Support re: (3 in 1:12-cv-06625-DLC) MOTION to Approve of Settlements and Proposed Notice and Distribution Plans.. Document filed by The State of Texas. (Attachments: # 1 Appendix F, # 2 Appendix H, # 3 Appendix J, # 4 Appendix K, # 5 Affidavit L) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC (Fisher, Rebecca) (Entered: 09/14/2012) |
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| 09/14/2012 | 214 | SUPPLEMENTAL MEMORANDUM OF LAW in Support re: (3 in 1:12-cv-06625-DLC) MOTION to Approve of Settlements and Proposed Notice and Distribution Plans. (<i>SECOND SUPPLEMENTAL MEMO AND SUPPLEMENTAL APPENDICES</i>). Document filed by The State of Texas. (Attachments: # 1 Supplement Appendix H, # 2 Supplement Appendix J, # 3 Supplement Appendix K, # 4 Supplement Appendix L) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Fisher, Rebecca) (Entered: 09/14/2012) |
| 09/14/2012 | 215 | ANSWER to 47 Amended Complaint,,. Document filed by Hachette Book Group, Inc, Hachette Digital, Inc., Hachette Livre SA.(Stuart, Walter) (Entered: 09/14/2012) |
| 09/14/2012 | 216 | ANSWER to 47 Amended Complaint,, with JURY DEMAND. Document filed by HarperCollins Publishers L.L.C..(Goldfein, Shepard) (Entered: 09/14/2012) |
| 09/14/2012 | 217 | ANSWER to 47 Amended Complaint,,. Document filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc..(Buchweitz, Yehudah) (Entered: 09/14/2012) |
| 09/17/2012 | | ***DELETED DOCUMENT. Deleted document number 218 ORDER PRELIMINARILY APPROVING PROPOSED SETTLEMENTS The document was incorrectly filed in this case. (djc) (Entered: 09/18/2012) |
| 09/17/2012 | 220 | Letter addressed to Judge Denise L. Cote from Rebecca Fisher dated 9/17/2012 re: Liaison Counsel for Plaintiff States received the signed Order Preliminarily Approving the Proposed Settlements last Friday. We greatly appreciate the opportunity to proceed to give notice of the settlements to consumers and will do so will all diligence.(djc) (Entered: 09/19/2012) |
| 09/17/2012 | 221 | [CORRECTED] ORDER PRELIMINARILY APPROVING PROPOSED SETTLEMENTS: re: (15 in 1:12-cv-06625-DLC. The terms of the Settlement Agreements and the Distribution Plan are hereby preliminarily approved and notice of them shall be given as provided in this Order, and as further set forth. A hearing on final settlement approval (the "Fairness Hearing") is hereby scheduled to be held before the undersigned on February 8, 2013 at 10:00 a.m. Eastern Standard Time in Courtroom No. 15B, United States Courthouse, 500 Pearl Street, New York, NY, 10007-1312 to consider the fairness, reasonableness and adequacy of the Settlements, the dismissal with prejudice of this action as to the Defendants, and the entry of final judgment in this action, and as further set forth. (Fairness Hearing set for 2/8/2013 at 10:00 AM in Courtroom 15B, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote.) (Signed by Judge Denise L. Cote on 9/17/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC (djc) (Entered: 09/19/2012) |
| 09/18/2012 | 219 | ENDORSED LETTER addressed to Judge Denise L. Cote from Andrew J. Frackman dated 9/17/2012 re: Counsel writes in response to Amazon's September 14 letter. We disagree with Amazon and believe the case authority shows that this Court, where the MDL is pending, has jurisdiction over discovery disputes. We enclose a courtesy copy of the notice we have filed in |

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| | | the Western District of Washington that sets forth the relevant case authority. ENDORSEMENT: This Court shall promptly address the discovery dispute in the event it is transferred from the Western District of Washington. (Signed by Judge Denise L. Cote on 9/18/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC (dj) (Entered: 09/18/2012) |
| 09/20/2012 | 222 | ENDORSED LETTER addressed to Judge Denise L. Cote from Daniel Ferrel McInnis dated 9/19/2012 re: Counsel writes regarding the Court's preliminary approval of the state settlement (DE 221) and its effect upon the schedule for class certification. Penguin therefore respectfully asks that class certification briefing and decision thereon be postponed until after final settlements between the settling Defendants and the states are approved, or that the Court otherwise provide guidance on how it intends any such class certification process to proceed in light of the foregoing. ENDORSEMENT: Denied. (Signed by Judge Denise L. Cote on 9/20/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(jfe) (Entered: 09/21/2012) |
| 09/20/2012 | 223 | Letter addressed to Judge Denise L. Cote from Gabriel R. Gervy dated 9/20/2012 re: The Plaintiff States I write to clarify certain issues raised in Dan McInnis's September 19, 2012 letter to the Court on behalf of Penguin Group (USA) Inc. Penguin's letter conflates two separate actions that have been consolidated under the above-referenced MDL case number. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(jfe) (Entered: 09/21/2012) |
| 09/20/2012 | 224 | Letter addressed to Judge Denise L. Cote from Steve W. Berman dated 9/20/2012 re: Class Plaintiffs write in response to Penguin's letter of September 19, 2012. Penguin's request to delay class certification is unwarranted. Penguin made no effort to confer with Class Plaintiffs or the Litigating States before contacting the Court. Had Penguin done so, it may not have caused the Court to expend resources on this issue. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(jfe) (Entered: 09/21/2012) |
| 09/25/2012 | 225 | NOTICE OF CHANGE OF ADDRESS by Joseph Peter Guglielmo on behalf of Katrina Key. New Address: Scott+Scott LLP, 405 Lexington Ave., 40th Floor, New York, NY, 10174, 212-223-6444. (Guglielmo, Joseph) (Entered: 09/25/2012) |
| 10/02/2012 | 226 | STATUS REPORT. <i>re Settlement Distribution and Notice Plans</i> Document filed by The State of Texas. (Attachments: # 1 Exhibit Revised Distribution Plan, # 2 Exhibit Revised Notice Plan)(Fisher, Rebecca) (Entered: 10/02/2012) |
| 10/05/2012 | 227 | NOTICE OF APPEARANCE by Gregory John Walklin on behalf of The State of Nebraska (Attachments: # 1 Supplement)(Walklin, Gregory) (Entered: 10/05/2012) |
| 10/05/2012 | 228 | NOTICE OF APPEARANCE by Matthew Ryan Hull on behalf of The Commonwealth of Virginia Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Hull, Matthew) (Entered: 10/05/2012) |
| 10/05/2012 | 229 | NOTICE OF APPEARANCE by James Palmer on behalf of The State of |

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| | | Utah Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC (Palmer, James) (Entered: 10/05/2012) |
| 10/08/2012 | 230 | NOTICE OF APPEARANCE by Elin S Alm on behalf of The State of North Dakota Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC (Alm, Elin) (Entered: 10/08/2012) |
| 10/08/2012 | 231 | NOTICE OF APPEARANCE by Michael Andrew Delaware Department of Justice on behalf of The State of Delaware Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Delaware Department of Justice, Michael) (Entered: 10/08/2012) |
| 10/08/2012 | 232 | NOTICE OF APPEARANCE by Jenny Draffin Smith on behalf of The State of South Carolina Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Smith, Jenny) (Entered: 10/08/2012) |
| 10/08/2012 | 233 | NOTICE OF APPEARANCE by Gwendolyn Jean Cooley on behalf of The State of Wisconsin Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Cooley, Gwendolyn) (Entered: 10/08/2012) |
| 10/08/2012 | 234 | NOTICE OF APPEARANCE by Michael Allen Kakuk on behalf of The State of Oregon Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Kakuk, Michael) (Entered: 10/08/2012) |
| 10/08/2012 | 235 | NOTICE OF APPEARANCE by Brian Gerard Armstrong on behalf of The State of Nevada Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Armstrong, Brian) (Entered: 10/08/2012) |
| 10/08/2012 | 236 | NOTICE OF APPEARANCE by Paula Lauren Gibson on behalf of The State of California Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Gibson, Paula) (Entered: 10/08/2012) |
| 10/09/2012 | 237 | NOTICE OF APPEARANCE by Jah-Juin Ho on behalf of The State of New Jersey Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC (Ho, Jah-Juin) (Entered: 10/09/2012) |
| 10/09/2012 | 238 | NOTICE OF APPEARANCE by Lizabeth Ann Brady on behalf of The State of Florida (Brady, Lizabeth) (Entered: 10/09/2012) |
| 10/09/2012 | 239 | NOTICE OF APPEARANCE by Kevin Wells on behalf of The State of Arkansas (Wells, Kevin) (Entered: 10/09/2012) |
| 10/09/2012 | 240 | NOTICE OF APPEARANCE by Eric Stephen Wolfish on behalf of Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc. (Wolfish, Eric) (Entered: 10/09/2012) |
| 10/09/2012 | 241 | NOTICE OF APPEARANCE by Christina Moylan on behalf of The State of Maine Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC (Moylan, Christina) (Entered: 10/09/2012) |
| 10/09/2012 | 242 | NOTICE OF APPEARANCE by James M. Steinwinder on behalf of The State of Alabama Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Steinwinder, James) (Entered: 10/09/2012) |
| 10/09/2012 | 243 | NOTICE OF APPEARANCE by Sarah Oxenham Allen on behalf of The |

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| | | Commonwealth of Virginia Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Allen, Sarah) (Entered: 10/09/2012) |
| 10/09/2012 | 244 | NOTICE OF APPEARANCE by Rodney I. Kimura on behalf of The State of Hawaii Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC (Kimura, Rodney) (Entered: 10/09/2012) |
| 10/09/2012 | | Minute Entry for proceedings held before Judge Denise L. Cote: Telephone Conference held on 10/9/2012. (Court Reporter Ann Hairston) Associated Cases: 1:11-md-02293-DLC et al.(gr) (Entered: 10/10/2012) |
| 10/10/2012 | 245 | NOTICE OF APPEARANCE by Rhaiza Velez on behalf of The Commonwealth of Puerto Rico Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Velez, Rhaiza) (Entered: 10/10/2012) |
| 10/10/2012 | 246 | NOTICE OF APPEARANCE by Charles Edmond Brasington on behalf of The Commonwealth of the Northern Mariana Islands Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Brasington, Charles) (Entered: 10/10/2012) |
| 10/11/2012 | 247 | NOTICE OF APPEARANCE by Chuck R. Munson on behalf of The State of Montana Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Munson, Chuck) (Entered: 10/11/2012) |
| 10/12/2012 | 248 | TRANSCRIPT of Proceedings re: CONFERNCE held on 9/10/2012 before Judge Denise L. Cote. Court Reporter/Transcriber: Rebecca Forman, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/5/2012. Redacted Transcript Deadline set for 11/16/2012. Release of Transcript Restriction set for 1/14/2013. Filed In Associated Cases: 1:11-md-02293-DLC et al.(McGuirk, Kelly) (Entered: 10/12/2012) |
| 10/12/2012 | 249 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 9/10/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...Filed In Associated Cases: 1:11-md-02293-DLC et al. (McGuirk, Kelly) (Entered: 10/12/2012) |
| 10/16/2012 | 250 | Letter addressed to Judge Denise L. Cote from Gabriel R. Gervy dated 10/15/2012 re: I write in response to the Defendants' request during the October 9, 2012 telephone conference that the Plaintiff States clarify their position as to whether Penguin and Macmillan's e-book distribution contracts with Apple establish "genuine" agency relationships between the publishers and Apple. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(rjm) (Entered: 10/16/2012) |
| 10/16/2012 | 251 | NOTICE OF APPEARANCE by Jonathan Adam Mark on behalf of The State of Washington Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv- |

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| | | 06625-DLC(Mark, Jonathan) (Entered: 10/16/2012) |
| 10/17/2012 | 252 | Letter addressed to Judge Denise L. Cote from Daniel Floyd dated 10/17/2012 re: This letter will respond to the letters dated October 15, 2012 from the Department of Justice and the Plaintiff States setting forth their positions as to whether the bilateral agency agreements between Apple and the defendant book publishers established genuine agency relationships. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(rjm) (Entered: 10/18/2012) |
| 10/17/2012 | 253 | Letter addressed to Judge Denise L. Cote from Daniel Ferrel McInnis dated 10/17/2012 re: As requested during the October 9, 2012 conference call with the Court, Penguin Group (USA), Inc. writes in response to the letters to Your Honor from the United States and the Plaintiff States regarding their respective positions on the genuineness of Penguin's agency relationships with its eBook distributors, and Penguin's standpoint on whether we will agree to waive a potential defense at this point in the litigation, apparently so that Class Plaintiffs can avoid discovery into currently-named plaintiffs by dropping them from the case. (rjm) (Entered: 10/18/2012) |
| 10/18/2012 | 254 | Letter addressed to Judge Denise L. Cote from Joel M. Mitnick dated 10/17/2012 re: I write on behalf of defendants Holtzbrinck Publishers, LLC d/b/a Macmillan ("Macmillan") and Verlagsgruppe Georg von Holtzbrinck GmbH ("VGvH") in response to the letters submitted on October 15, 2012 by the Department of Justice and the Plaintiff States. At a conference with all parties on October 9, 2012, Your Honor directed the Department of Justice and the Plaintiff States to provide the Court and Defendants with a clear statement as to whether they plan to challenge the bona fides of the agency distribution contracts between the Publisher Defendants and Apple for the distribution of each Publisher Defendant's trade eBooks in the United States. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(rjm) (Entered: 10/18/2012) |
| 10/19/2012 | 255 | ORDER. The three above-captioned actions are related. It is hereby ORDERED that the Clerk of Court shall assign In re: Amazon.com, 12 MC 351 (DLC), for all purposes to this Court's docket. (Signed by Judge Denise L. Cote on 10/19/2012) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(rjm) (Entered: 10/22/2012) |
| 10/24/2012 | 256 | TRANSCRIPT of Proceedings re: conference held on 10/9/2012 before Judge Denise L. Cote. Court Reporter/Transcriber: Ann Hairston, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/19/2012. Redacted Transcript Deadline set for 11/29/2012. Release of Transcript Restriction set for 1/25/2013. Filed In Associated Cases: 1:11-md-02293-DLC et al.(McGuirk, Kelly) (Entered: 10/24/2012) |
| 10/24/2012 | 257 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a conference proceeding held on 10/9/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to |

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| | | Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...Filed In Associated Cases: 1:11-md-02293-DLC, 1:11-cv-05576-DLC(McGuirk, Kelly) (Entered: 10/24/2012) |
| 10/25/2012 | 258 | ENDORSED LETTER addressed to Judge Denise L. Cote from Michael E. Kipling dated 10/19/2012 re: Request to redact the following portion of the October 9 hearing transcript: p. 35, line 21- p. 36, line 7. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 10/25/2012) (cd) (Entered: 10/25/2012) |
| 10/26/2012 | 259 | Letter addressed to Judge Denise L. Cote from Michael E. Kipling dated 10/15/2012 re: Search terms Amazon has agreed to run with hits broken out by the five custodians. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(ad) (Entered: 11/01/2012) |
| 10/26/2012 | 260 | Letter addressed to Judge Denise L. Cote from Michael E. Kipling dated 10/16/2012 re: In response to Apple's 10/15/12 letter to the Court. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(ad) (Entered: 11/01/2012) |
| 10/26/2012 | 261 | Letter addressed to Judge Denise L. Cote from Daniel F. McInnis dated 10/25/2012 re: Request for a promotion conference. Document filed by Penguin Group (USA), Inc.Filed In Associated Cases: 1:11-md-02293-DLC et al.(ad) (Entered: 11/01/2012) |
| 10/26/2012 | 262 | Letter addressed to Judge Denise L. Cote from Mark W. Ryan dated 10/17/2012 re: The United States request that the Court extend the cutoff for fact and expert discovery until 6/21/2013, and adjust all remaining dates accordingly. (ad) (Entered: 11/01/2012) |
| 10/26/2012 | 263 | Letter addressed to Judge Denise L. Cote from Daniel Floyd dated 10/18/2012 re: Apple opposes DOJ's request for an extension of the trial date from early June to 9/2013. Document filed by Apple, Inc.(ad) (Entered: 11/01/2012) |
| 10/26/2012 | 264 | Letter addressed to Judge Denise L. Cote from Orin Snyder dated 10/25/2012 re: Non-settling parties propose that class certification briefing be postponed until after the conclusion of the trial in this matter. (ad) (Entered: 11/01/2012) |
| 11/14/2012 | 265 | Redaction of (72 in 1:11-cv-06019-DLC, 49 in 1:11-cv-09567-DLC, 68 in 1:11-cv-09564-DLC, 110 in 1:11-cv-09016-DLC, 54 in 1:11-cv-09562-DLC, 68 in 1:11-cv-09566-DLC, 62 in 1:11-cv-09559-DLC, 61 in 1:11-cv-09565-DLC, 79 in 1:11-cv-05609-DLC, 95 in 1:11-cv-05707-DLC, 54 in 1:12-cv-06625-DLC, 96 in 1:11-cv-05576-DLC, 78 in 1:11-cv-05750-DLC, 67 in 1:11-cv-05976-DLC, 54 in 1:11-cv-08329-DLC, 70 in 1:11-cv-07507-DLC, 58 in 1:11-cv-09561-DLC, 65 in 1:11-cv-06079-DLC, 73 in 1:11-cv-09014-DLC, 40 in 1:12-cv-00476-DLC, 56 in 1:11-cv-08608-DLC, 67 in 1:11-cv-05898-DLC, 147 in 1:12-cv-02826-DLC, 61 in 1:11-cv-07534-DLC, 68 in 1:11-cv-05896-DLC, 256 in 1:11-md-02293-DLC, 60 in 1:11-cv-07323-DLC, 58 in 1:11-cv-09560-DLC, 95 in 1:11-cv-05621-DLC, 129 in 1:12-cv-03394-DLC, 62 in 1:11-cv-09563-DLC) Transcript,, Filed In Associated Cases: 1:11-md-02293-DLC et al.(McGuirk, Kelly) (Entered: 11/14/2012) |

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| 11/14/2012 | 266 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERNCE proceeding held on 10/9/12 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...Filed In Associated Cases: 1:11-md-02293-DLC et al. (McGuirk, Kelly) (Entered: 11/14/2012) |
| 11/30/2012 | 267 | SUPPLEMENTAL STIPULATED PROTECTIVE ORDER RE: AMAZON DATA PRODUCTION... regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Judge Denise L. Cote on 11/30/2012) (rjm) (Entered: 11/30/2012) |
| 12/03/2012 | 268 | NOTICE OF CHANGE OF ADDRESS by Dianne M. Nast on behalf of Brian McGee, Carol Ness. New Address: NastLaw LLC, 1101 Market Street, Suite 2801, Philadelphia, Pennsylvania, USA 19107, 215-923-9300. Filed In Associated Cases: 1:11-md-02293-DLC, 1:11-cv-08608-DLC(Nast, Dianne) (Entered: 12/03/2012) |
| 12/03/2012 | 269 | NOTICE OF CHANGE OF ADDRESS by Erin C Burns on behalf of Brian McGee, Carol Ness. New Address: NastLaw LLC, 1101 Market Street, Suite 2801, Philadelphia, Pennsylvania, USA 19107, 215-923-9300. Filed In Associated Cases: 1:11-md-02293-DLC, 1:11-cv-08608-DLC(Burns, Erin) (Entered: 12/03/2012) |
| 12/19/2012 | 270 | JOINT STIPULATION AND ORDER REGARDING DATE FOR EXCHANGE OF TRIAL WITNESS LISTS: WHEREAS, Attachment A to the Revised Joint Initial Report, entered on July 6, 2012, currently sets a date of December 18, 2012 for the exchange of initial trial witness lists between the parties (Docket No. 111-1); WHEREAS, such date was mutually agreed to by the parties; NOW, THEREFORE, the parties to this Joint Stipulation and Proposed Order, by and through their undersigned counsel, hereby stipulate that the date for exchange of initial trial witness lists for the trial commencing June 3, 2013 shall be changed to February 15, 2013. For the avoidance of doubt, this stipulation does not pertain to the trial in the class litigation, In re Electronic Books Antitrust Litigation, 11-md-02293, or to any trial on damages in the States' action, State of Texas et al. v. Penguin Group (USA), Inc. et al., 12-cv-03394. (Signed by Judge Denise L. Cote on 12/19/12) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(ago) Modified on 12/26/2012 (ago). (Entered: 12/20/2012) |
| 01/08/2013 | 271 | ORDER: By letter dated January 7, 2013, class plaintiffs request the Court's assistance in enforcing a subpoena served by plaintiffs on non-party Baker & Taylor, Inc. ("Baker & Taylor") It is hereby ORDERED that a teleconference regarding the enforcement of the Baker & Taylor subpoena will be held on Thursday, January 17 at 3:30 p.m. IT IS FURTHER ORDERED that class plaintiffs and Baker & Taylor shall confer with each other in advance of the January 17 teleconference. Counsel representing parties in any related litigation may also participate in the teleconference., (Telephone Conference set for 1/17/2013 at 03:30 PM before Judge Denise L. Cote.) (Signed by Judge Denise L. Cote on 1/8/2013) Filed In Associated Cases: 1:11-md- |

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| | | 02293-DLC et al.(lmb) (Entered: 01/08/2013) |
| 01/08/2013 | 272 | NOTICE OF APPEARANCE by Evan Glassman on behalf of Baker & Taylor, Inc. (Glassman, Evan) (Entered: 01/08/2013) |
| 01/08/2013 | 273 | NOTICE OF APPEARANCE by Michael Jarrett Allan on behalf of Baker & Taylor, Inc. (Allan, Michael) (Entered: 01/08/2013) |
| 01/15/2013 | 274 | ENDORSED LETTER addressed to Judge Denise L. Cote from Jeffrey B. Dubner dated 1/14/13 re: Counsel writes to request that the conference scheduled for January 17 be taken off the calendar. ENDORSEMENT: The conference is cancelled. (Signed by Judge Denise L. Cote on 1/14/2013) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(mro) (Entered: 01/15/2013) |
| 01/17/2013 | 275 | ENDORSED LETTER addressed to Judge Denise L. Cote from Daniel Ferrel McInnis dated 1/16/2013 re: Penguin writes in response to Plaintiff States letter dated 1/15/2012. ENDORSEMENT: The conference call with the Court will take place on 1/22 at 4:00 pm. (Telephone Conference set for 1/22/2013 at 04:00 PM before Judge Denise L. Cote.) (Signed by Judge Denise L. Cote on 1/17/2013) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(cd) (Entered: 01/17/2013) |
| 01/18/2013 | 276 | NOTICE OF APPEARANCE by Bryan Lewis Bloom on behalf of Hachette Book Group, Inc (Bloom, Bryan) (Entered: 01/18/2013) |
| 01/28/2013 | 277 | MOTION for and Memorandum in Support of Final Approval of Settlement Agreements and Revised Distribution Plan. Document filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Buchweitz, Yehudah) (Entered: 01/28/2013) |
| 02/08/2013 | 278 | ORDER AND STIPULATED INJUNCTION: NOW THEREFORE, before any testimony is taken, without trial or adjudication of any issue of fact or law, and upon consent of Defendants, it is ORDERED, ADJUDGED, AND DECREED:This Court has jurisdiction over the subject matter of this action and over the Defendants. The Complaint states a claim upon which relief may be granted against Defendants under Section 1 of the Sherman Act, as amended, 15 U.S.C. § 1. Unless this Court grants an extension, this Order and Stipulated Injunction shall expire five years from the date of the entry of the DOJ Final Judgment (Signed by Judge Denise L. Cote on 2/8/2013) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(js) (Entered: 02/08/2013) |
| 02/08/2013 | 279 | FINAL JUDGMENT settling action. (Signed by Judge Denise L. Cote on 2/8/13) (Attachments: # 1 Notice of Right to Appeal)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(ml) (Entered: 02/08/2013) |
| 02/15/2013 | 280 | NOTICE OF APPEARANCE by Jay L. Himes on behalf of Robert Cheatham Filed In Associated Cases: 1:11-md-02293-DLC et al.(Himes, Jay) (Entered: 02/15/2013) |
| 02/15/2013 | 281 | AGREED ORDER FOR CONFIDENTIALITY RELATED TO |

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| | | INFORMATION PROVIDED UNDER ORDER AND STIPULATED INJUNCTION...regarding procedures to be followed that shall govern the handling of confidential material...(Signed by Judge Denise L. Cote on 2/15/2013) filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(djc) (Entered: 02/15/2013) |
| 02/15/2013 | 282 | MOTION for Hollis Salzman, Kellie Lerner and Bernard Persky to Withdraw as Attorney. Document filed by Robert Cheatham.(Salzman, Hollis) (Entered: 02/15/2013) |
| 02/15/2013 | 283 | NOTICE OF CHANGE OF ADDRESS by Jay L. Himes on behalf of Robert Cheatham. New Address: Labaton Sucharow LLP, 140 Broadway, New York, New York, USA 10005, 212-907-0834. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Himes, Jay) (Entered: 02/15/2013) |
| 02/15/2013 | 284 | ORDER GRANTING MOTION TO WITHDRAW ATTORNEY APPEARANCE: in case 1:11-cv-05576-DLC; granting (282) Motion to Withdraw as Attorney. BEFORE THE COURT is a Motion by Hollis Salzman, Kellie Lerner and Bernard Persky to withdraw their appearances as Counsel for Plaintiffs. The motion is GRANTED. Hollis Salzman, Kellie Lerner and Bernard Persky shall be removed as attorneys for Plaintiffs. I direct the clerk to terminate all ECF noticing for them in the above referenced action.(Signed by Judge Denise L. Cote on 2/15/2013) Filed In Associated Cases: 1:11-md-02293-DLC et al.(ama) (Entered: 02/15/2013) |
| 02/19/2013 | 285 | ORDER: By letter dated February 13, 2013, class plaintiffs request the Court's assistance in settling a discovery dispute with respect to non-party Walter Isaacson ("Isaacson"). Having reviewed class plaintiffs' February 13 letter and the letter in response submitted by counsel for Isaacson on February 18, it is hereby ORDERED that a teleconference regarding the discovery dispute with Isaacson will be held on Friday, February 22 at 3:30p.m. Counsel representing parties in any related litigation may also participate in the teleconference. (Telephone Conference set for 2/22/2013 at 03:30 PM before Judge Denise L. Cote.) (Signed by Judge Denise L. Cote on 02/19/2013) Filed In Associated Cases: 1:11-md-02293-DLC et al.(jcs) (Entered: 02/19/2013) |
| 02/20/2013 | 286 | SEALED DOCUMENT placed in vault.(nm) (Entered: 02/20/2013) |
| 02/21/2013 | 287 | ORDER: that the February 22 teleconferences are adjourned to February 26. The teleconference regarding the discovery dispute with Isaacson will be held on February 26 at 4:00 p.m. The teleconference regarding the discovery dispute with Amazon will be held on February 26 at 4:30 p.m. Counsel representing parties in any related litigation may also participate in these teleconferences. (Telephone Conference set for 2/26/2013 at 04:00 PM before Judge Denise L. Cote., Telephone Conference set for 2/26/2013 at 04:30 PM before Judge Denise L. Cote.) (Signed by Judge Denise L. Cote on 02/21/2013) (jcs) (Entered: 02/21/2013) |
| 02/22/2013 | 288 | NOTICE OF CHANGE OF ADDRESS by Devin M. Laiho on behalf of The State of Colorado. New Address: Colorado Department of Law, Consumer Protection, 1300 Broadway, Seventh Floor, Denver, CO, USA 80203, 720- |

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| | | 508-6000. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Laiho, Devin) (Entered: 02/22/2013) |
| 02/25/2013 | 289 | ORDER: It is hereby ORDERED that Apple's February 14 redaction requests and Amazon's February 19 redaction requests are denied. Apple and Amazon will be given an opportunity at the 4:30 p.m. Conference to explain why any of their proposed redactions should be made. IT IS FURTHER ORDERED that the Court will also discuss at the 4:30 p.m. Conference (i) class plaintiffs' discovery dispute with Penguin, and (ii) Penguin's participation in the June 2013 trial. (Signed by Judge Denise L. Cote on 2/25/2013) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(lmb) (Entered: 02/25/2013) |
| 02/27/2013 | 290 | Letter addressed to Judge Cote from Apple, Inc. (Richard Parker) dated 2/14/2013 re: Apple/Amazon Discovery Dispute. Document filed by Apple, Inc. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(cr) (Entered: 02/27/2013) |
| 02/27/2013 | 291 | Letter addressed to Judge Cote from Amazon.com, Inc. (Michael Kipling) dated 2/19/2013 re: Apple/Amazon discovery dispute. Document filed by Amazon.Com, Inc. (Attachments: #(1) Exhibit Zapolsky Decl., #(2) Exhibit A, #(3) Exhibit B, #(4) Exhibit C) (cr) (Entered: 02/27/2013) |
| 02/27/2013 | 292 | Letter addressed to Judge Cote from Penguin (Daniel McInnis) dated 2/22/2013 re: Penguin participation in June trial. Document filed by Penguin Group (USA) Inc. (cr) (Entered: 02/27/2013) |
| 02/27/2013 | 293 | Letter addressed to Judge Cote from State of Texas (Eric Lipman) dated 2/25/2013 re: Penguin participation in June trial. Document filed by The State of Texas. (cr) (Entered: 02/27/2013) |
| 02/27/2013 | 294 | ORDER: It is hereby ORDERED that defendant Apple's challenge to non-party Amazon's invocation of the attorney-client privilege is denied. IT IS FURTHER ORDERED that defendant Penguin's request not to participate in the June 2013 trial is denied. IT IS FURTHER ORDERED that Penguin shall provide its initial witness list by March 1, 2013. To the extent that Penguin wishes to file a motion (i) to assert its right not to defend against the lawsuit brought by plaintiff States at the June 2013 trial and/or (ii) to request to hear live direct testimony of two Penguin executives in exception to the Court's Individual Practices, that motion is due March 15, 2013. Opposition by plaintiff States and by any parties in related litigation is due March 29, 2013. Penguin's reply, if any, is due April 5, 2013. IT IS FURTHER ORDERED that at the time any reply is served, the moving party shall supply two courtesy copies of all motion papers to Chambers by mail or delivery to the United States Courthouse, 500 Pearl Street, New York, New York. (Motions due by 3/15/2013., Responses due by 3/29/2013., Replies due by 4/5/2013.) (Signed by Judge Denise L. Cote on 2/27/2013) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(lmb) (Entered: 02/27/2013) |
| 03/01/2013 | 295 | Letter addressed to Judge Cote from Class Plaintiffs (Steve W. Berman) dated 2/13/2013 re: Isaacson discovery dispute. Pursuant to the Court's July 20, |

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| | | 2012 Order, Class Plaintiffs respectfully renew their discovery request from Walter Isaacson, Steve Jobs' biographer. (Attachments: #(1) Exhibit Attachment A, #(2) Exhibit Attachment B, #(3) Exhibit Attachment C, #(4) Exhibit Attachment D, #(5) Exhibit Attachment E) (cr) (Entered: 03/01/2013) |
| 03/01/2013 | 296 | Letter addressed to Judge Cote from Walter Isaacson (Elizabeth A. McNamara) dated 2/18/2013 re: Isaacson discovery dispute. We represent non-party Walter Isaacson and this letter responds to the February 13, 2013 letter from counsel for Class Plaintiffs which seeks to enforce two subpoenas directed to Mr. Isaacson. (cr) (Entered: 03/01/2013) |
| 03/01/2013 | 297 | Letter addressed to Judge Cote from Apple, Inc. (Orin Snyder) dated 2/20/2013 re: Isaacson discovery dispute. Document filed by Apple Inc. On behalf of Apple and in advance of the teleconference, we respectfully submit this letter in response to Class Plaintiff's February 13, 2013 letter seeking document discovery and testimony from Walter Isaacson. (cr) (Entered: 03/01/2013) |
| 03/01/2013 | 298 | Letter addressed to Judge Cote from Class Plaintiffs (Steve W. Berman) dated 2/20/2013 re: Isaacson discovery dispute. In response to Apple's letter dated February 20, 2013, in connection with plaintiffs' discovery motion involving Mr. Isaacson, please see the attached excerpt of testimony Apple provided on December 13, 2012. (Attachments: #(1) Exhibit Attachment 1) (cr) (Entered: 03/01/2013) |
| 03/01/2013 | 299 | Letter addressed to Judge Cote from Walter Isaacson (Elizabeth A. McNamara) dated 2/26/2013 re: Isaacson discovery dispute. We represent non-party Walter Isaacson and we write to report that pursuant to stipulation, Plaintiffs have agreed to withdraw the subpoenas to Mr. Isaacson. Accordingly there is no need for the hearing scheduled for this afternoon at 4 p.m. on the discovery dispute with Mr. Isaacson. (cr) (Entered: 03/01/2013) |
| 03/15/2013 | 300 | MOTION FOR A JURY TRIAL ON THE PLAINTIFF STATES' CLAIMS. Document filed by Penguin Group (USA) Inc.. Return Date set for 3/29/2013 at 11:59 PM.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(McInnis, Daniel) (Entered: 03/15/2013) |
| 03/15/2013 | 301 | MEMORANDUM OF LAW in Support re: (150 in 1:12-cv-03394-DLC, 300 in 1:11-md-02293-DLC) MOTION FOR A JURY TRIAL ON THE PLAINTIFF STATES' CLAIMS.. Document filed by Penguin Group (USA) Inc.. (Attachments: # 1 Appendix Certificate of Service)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(McInnis, Daniel) (Entered: 03/15/2013) |
| 03/15/2013 | 302 | MOTION APPLICATION OF PENGUIN GROUP (USA), INC. TO PRESENT THE LIVE DIRECT TESTIMONY OF DAVID SHANKS AND JOHN MAKINSON. Document filed by Penguin Group (USA) Inc.. Return Date set for 3/29/2013 at 11:59 PM.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(McInnis, Daniel) (Entered: 03/15/2013) |
| 03/15/2013 | 303 | MEMORANDUM OF LAW in Support re: (152 in 1:12-cv-03394-DLC, 302 in 1:11-md-02293-DLC) MOTION APPLICATION OF PENGUIN GROUP (USA), INC. TO PRESENT THE LIVE DIRECT TESTIMONY OF DAVID |

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| | | SHANKS AND JOHN MAKINSON. MOTION APPLICATION OF PENGUIN GROUP (USA), INC. TO PRESENT THE LIVE DIRECT TESTIMONY OF DAVID SHANKS AND JOHN MAKINSON.. Document filed by Penguin Group (USA) Inc.. (Attachments: # 1 Appendix Certificate of Service)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(McInnis, Daniel) (Entered: 03/15/2013) |
| 03/20/2013 | 304 | NOTICE of Substitution of Attorney. Old Attorney: Matthew Jackson, New Attorney: Nicholas M. Sydow, Address: Office of the New Mexico Attorney General, P.O. Drawer 1508, Santa Fe, New Mexico, USA 87504-1508, 505-827-6021. Document filed by The State of New Mexico. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-06625-DLC(Sydow, Nicholas) (Entered: 03/20/2013) |
| 03/27/2013 | 305 | MOTION for Mollie McGowan Lemberg to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8362913. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Penguin Group (USA) Inc., Penguin Group USA, Inc., The Penguin Group. (Attachments: # 1 Exhibit Certificates of Good Standing, # 2 Text of Proposed Order Text of Proposed Order, # 3 Exhibit Certificate of Service)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 03/27/2013) |
| 03/28/2013 | 306 | MEMORANDUM OF LAW in Opposition re: (152 in 1:12-cv-03394-DLC) MOTION APPLICATION OF PENGUIN GROUP (USA), INC. TO PRESENT THE LIVE DIRECT TESTIMONY OF DAVID SHANKS AND JOHN MAKINSON. MOTION APPLICATION OF PENGUIN GROUP (USA), INC. TO PRESENT THE LIVE DIRECT TESTIMONY OF DAVID SHANKS AND JOHN MAKINSON.. Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Lipman, Eric) (Entered: 03/28/2013) |
| 03/29/2013 | 307 | ORDER granting (305) Motion for Mollie McGowan Lemberg to Appear Pro Hac Vice in case 1:11-md-02293-DLC; granting (154) Motion for Mollie McGowan Lemberg to Appear Pro Hac Vice in case 1:12-cv-03394-DLC; granting [] Motion for Mollie McGowan Lemberg to Appear Pro Hac Vice in case 1:11-md-02293-DLC; granting [] Motion for Mollie McGowan Lemberg to Appear Pro Hac Vice in case 1:12-cv-03394-DLC (HEREBY ORDERED by Judge Denise L. Cote)(Text Only Order) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Cote, Denise) (Entered: 03/29/2013) |
| 03/29/2013 | 308 | MEMORANDUM OF LAW in Opposition re: (150 in 1:12-cv-03394-DLC) MOTION FOR A JURY TRIAL ON THE PLAINTIFF STATES' CLAIMS.. Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Ashton, David) (Entered: 03/29/2013) |
| 03/29/2013 | 309 | DECLARATION of David Ashton in Support re: (157 in 1:12-cv-03394-DLC) Memorandum of Law in Opposition to Motion. Document filed by The State of Texas. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Ashton, David) (Entered: 03/29/2013) |

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| 04/05/2013 | 310 | NOTICE OF APPEARANCE by Lynette Renee Bakker on behalf of The State of Kansas Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Bakker, Lynette) (Entered: 04/05/2013) |
| 04/05/2013 | 311 | REPLY MEMORANDUM OF LAW in Support re: (150 in 1:12-cv-03394-DLC) MOTION FOR A JURY TRIAL ON THE PLAINTIFF STATES' CLAIMS.. Document filed by Penguin Group (USA) Inc.. (Attachments: # 1 Exhibit Certificate of Service)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 04/05/2013) |
| 04/05/2013 | 312 | REPLY MEMORANDUM OF LAW in Support re: (152 in 1:12-cv-03394-DLC) MOTION APPLICATION OF PENGUIN GROUP (USA), INC. TO PRESENT THE LIVE DIRECT TESTIMONY OF DAVID SHANKS AND JOHN MAKINSON. MOTION APPLICATION OF PENGUIN GROUP (USA), INC. TO PRESENT THE LIVE DIRECT TESTIMONY OF DAVID SHANKS AND JOHN MAKINSON.. Document filed by Penguin Group (USA) Inc.. (Attachments: # 1 Exhibit Certificate of Service)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 04/05/2013) |
| 04/24/2013 | 313 | OPINION AND ORDER re: (150 in 1:12-cv-03394-DLC, 300 in 1:11-md-02293-DLC) MOTION FOR A JURY TRIAL ON THE PLAINTIFF STATES' CLAIMS filed by Penguin Group (USA) Inc. Penguin's March 15, 2013 motion for a jury trial on the States' claims is denied. (Signed by Judge Denise L. Cote on 4/24/2013) (lmb) (Entered: 04/24/2013) |
| 04/26/2013 | 314 | Letter addressed to Judge Denise L. Cote from Rebecca Fisher dated 4/25/2013 re: On behalf of counsel for Plaintiff States, Settlement Class and Macmillan, I am pleased to report we have executed a Settlement Agreement. In the meantime, the parties to this Settlement Agreement request your approval of the Joint Stipulation Adjourning Pre-trial Deadlines Concerning Defendants Holtzbrinck Publishers, LLC d/b/a Macmillan and Verlagsgruppe Georg Von Holtzbrinck GMBH which was filed with the clerk yesterday. Document filed by The State of Texas.(lmb) (Entered: 04/26/2013) |
| 04/26/2013 | | ***DELETED DOCUMENT. Deleted document number 315 Order. The document was incorrectly filed in this case. (lmb) (Entered: 05/01/2013) |
| 04/26/2013 | 315 | ORDER: By letter dated April 25, 2013, plaintiffs in the above-captioned actions inform the Court that they have executed a settlement agreement as to defendants Holtzbrinck Publishers, LLC d/b/a/ Macmillan and Verlagsgruppe Georg Von Holtzbrinck GMBH (collectively, "Macmillan"). It is hereby ORDERED that plaintiffs shall file any motion for preliminary approval of a settlement as to Macmillan by May 24, 2013., (Motions due by 5/24/2013.) (Signed by Judge Denise L. Cote on 4/26/2013) Filed In Associated Cases: 1:11-md-02293-DLC et al.(lmb) (Entered: 05/01/2013) |
| 05/06/2013 | 316 | NOTICE OF APPEARANCE by Orin Snyder on behalf of Apple, Inc., Apple Inc. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(Snyder, Orin) (Entered: 05/06/2013) |
| 05/06/2013 | 317 | NOTICE OF APPEARANCE by Lisa Heather Rubin on behalf of Apple, Inc., Apple Inc. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv- |

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| | | 02826-DLC, 1:12-cv-03394-DLC(Rubin, Lisa) (Entered: 05/06/2013) |
| 05/06/2013 | 318 | MOTION for Cynthia E. Richman to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8485125. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Apple, Inc., Apple Inc.. (Attachments: # 1 Declaration of Orin S. Snyder, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Text of Proposed Order)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(Snyder, Orin) (Entered: 05/06/2013) |
| 05/07/2013 | | >>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 318 MOTION for Cynthia E. Richman to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8485125. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bwa) (Entered: 05/07/2013) |
| 05/07/2013 | 319 | ORDER in case 1:11-cv-05576-DLC; granting (318) Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-md-02293-DLC; granting (180) Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:12-cv-03394-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-md-02293-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:12-cv-03394-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09204-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09350-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-05576-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-05609-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-05621-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-05707-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-05750-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-05896-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-05898-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-05976-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-06019-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-06079-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-07507-DLC; |

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| | | granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-07534-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-07323-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-08329-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-08608-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09016-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09014-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09559-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09560-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09561-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09562-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09563-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09564-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09565-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09566-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:11-cv-09567-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:12-cv-00476-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:12-cv-02826-DLC; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice; granting <input type="checkbox"/> Motion for Cynthia E. Richman to Appear Pro Hac Vice in case 1:12-cv-06625-DLC (HEREBY ORDERED by Judge Denise L. Cote)(Text Only Order) Filed In Associated Cases: 1:11-md-02293-DLC et al.(Cote, Denise) (Entered: 05/07/2013) |
| 05/14/2013 | 320 | PRETRIAL MEMORANDUM. Document filed by The State of Texas.Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 05/14/2013) |
| 05/14/2013 | 321 | OPPOSITION BRIEF <i>Plaintiff States' Response to Penguin's Memorandum of Law</i> . Document filed by The State of Texas.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 05/14/2013) |

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| 05/14/2013 | 322 | OPPOSITION BRIEF <i>Plaintiff States' Response to Apple Inc.'s Motion in Limine to Exclude the Expert Testimony of Professors Baker and Ashenfelter</i> . Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 05/14/2013) |
| 05/14/2013 | 323 | OPPOSITION BRIEF <i>Plaintiff States' Response to Penguin's Motion to Compel Arbitration</i> . Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 05/14/2013) |
| 05/14/2013 | 324 | PRETRIAL MEMORANDUM. Document filed by The State of Texas. (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2, # 3 Exhibit Exhibit 3, # 4 Exhibit Exhibit 4, # 5 Exhibit Exhibit 5, # 6 Exhibit Exhibit 6, # 7 Exhibit Exhibit 7, # 8 Exhibit Exhibit 8, # 9 Exhibit Exhibit 9, # 10 Exhibit Exhibit 10, # 11 Exhibit Exhibit 11, # 12 Exhibit Exhibit 12, # 13 Exhibit Exhibit 13, # 14 Exhibit Exhibit 14, # 15 Exhibit Exhibit 15, # 16 Exhibit Exhibit 16, # 17 Exhibit Exhibit 17, # 18 Exhibit Exhibit 18, # 19 Exhibit Exhibit 19, # 20 Exhibit Exhibit 20, # 21 Exhibit Exhibit 21, # 22 Exhibit Exhibit 22, # 23 Exhibit Exhibit 23, # 24 Exhibit Exhibit 24, # 25 Exhibit Exhibit 25, # 26 Exhibit Exhibit 26, # 27 Exhibit Exhibit 27, # 28 Exhibit Exhibit 28, # 29 Exhibit Exhibit 29, # 30 Exhibit Exhibit 30, # 31 Exhibit Exhibit 31, # 32 Exhibit Exhibit 32, # 33 Exhibit Exhibit 33) Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 05/14/2013) |
| 05/14/2013 | 325 | ENDORSED LETTER addressed to Judge Cote from Daniel F. McInnis dated 5/14/2013 re: Penguin has conferred with all third parties whose documents or data are referenced in Penguin's pre-trial submissions. Penguin is prepared to publically file on ECF the documents listed in their letter. ENDORSEMENT: The documents on the first page may be promptly filed. The two documents listed on the second page shall be filed in redacted form. The Court shall promptly review the redacted material. (Signed by Judge Denise L. Cote on 5/14/2013) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(gr) (Entered: 05/14/2013) |
| 05/14/2013 | 326 | PRETRIAL MEMORANDUM. Document filed by Penguin Group (USA) Inc.. Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 05/14/2013) |
| 05/14/2013 | 327 | PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW. Document filed by Penguin Group (USA) Inc.. Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 05/14/2013) |
| 05/14/2013 | 328 | FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION in Limine <i>To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications</i> . Document filed by Penguin Group (USA) Inc.. (Attachments: # 1 Exhibit Exhibit A, # 2 Text of Proposed Order Proposed Order) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) Modified on 5/15/2013 (ldi). (Entered: 05/14/2013) |
| 05/14/2013 | 329 | FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION to Compel Arbitration. Document filed by Penguin Group (USA) Inc.. |

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| | | (Attachments: # 1 Declaration of Allison Sheedy, # 2 Exhibit A, # 3 Exhibit B, # 4 Text of Proposed Order)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) Modified on 5/15/2013 (Idi). (Entered: 05/14/2013) |
| 05/14/2013 | 330 | FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU - MOTION Penguin Group (USA), Inc. Joinder of Apple Inc's Motion in Limine to Exclude the Expert Testimony of Professors Baker and Ashenfelter. Document filed by Penguin Group (USA) Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) Modified on 5/15/2013 (Idi). (Entered: 05/14/2013) |
| 05/14/2013 | 331 | OPPOSITION BRIEF re: (189 in 1:12-cv-03394-DLC, 320 in 1:11-md-02293-DLC) Pretrial Memorandum. Document filed by Penguin Group (USA) Inc.. (Attachments: # 1 Appendix A, # 2 Appendix B)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 05/14/2013) |
| 05/14/2013 | 332 | FILING ERROR - DEFICIENT DOCKET ENTRY - REPLY to Response to Motion re: (201 in 1:12-cv-03394-DLC, 328 in 1:11-md-02293-DLC) MOTION in Limine <i>To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications.</i> . Document filed by Penguin Group (USA) Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) Modified on 5/15/2013 (Idi). (Entered: 05/14/2013) |
| 05/14/2013 | 333 | FILING ERROR - DEFICIENT DOCKET ENTRY - REPLY MEMORANDUM OF LAW in Support re: (329 in 1:11-md-02293-DLC, 202 in 1:12-cv-03394-DLC) MOTION to Compel Arbitration.. Document filed by Penguin Group (USA) Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) Modified on 5/15/2013 (Idi). (Entered: 05/14/2013) |
| 05/14/2013 | 334 | FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU - MOTION Penguin Group (USA), Inc. Joinder of Apple Inc's Opposition to Plaintiffs' Motion in Limine to Preclude Dr. Michelle Burtis from Offering at Trial an Opinion on Competitive Effects. Document filed by Penguin Group (USA) Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) Modified on 5/15/2013 (Idi). (Entered: 05/14/2013) |
| 05/14/2013 | | ***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Mollie Mcgowan Lemberg to RE-FILE Document (329 in 1:11-md-02293-DLC, 202 in 1:12-cv-03394-DLC) MOTION to Compel Arbitration., (328 in 1:11-md-02293-DLC, 201 in 1:12-cv-03394-DLC) MOTION in Limine To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications. ERROR(S): Supporting documents must be filed separately, each receiving their own document number. Declaration in Support of Motion and Memorandum of Law in Support of Motion are both found under the event list Replies, Opposition and Supporting Documents. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Idi) (Entered: 05/15/2013) |

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| 05/14/2013 | | <p>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - EVENT TYPE ERROR. Note to Attorney Mollie McGowan Lemberg to RE-FILE Document (203 in 1:12-cv-03394-DLC, 330 in 1:11-md-02293-DLC) MOTION Penguin Group (USA), Inc. Joinder of Apple Inc's Motion in Limine to Exclude the Expert Testimony of Professors Baker and Ashenfelter. MOTION Penguin Group (USA), Inc. Joinder of Apple Inc's Motion in Limine to Exclude the Expert Testimony of Professors Baker and Ashenfelter., (210 in 1:12-cv-03394-DLC, 334 in 1:11-md-02293-DLC) MOTION Penguin Group (USA), Inc. Joinder of Apple Inc's Opposition to Plaintiffs' Motion in Limine to Preclude Dr. Michelle Burtis from Offering at Trial an Opinion on Competitive Effects. MOTION Penguin Group (USA), Inc. Joinder of Apple Inc's Opposition to Plaintiffs' Motion in Limine to Preclude Dr. Michelle Burtis from Offering at Trial an Opinion on Competitive Effects. Use the event type Joinder found under the event list Other Documents. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Idi) (Entered: 05/15/2013)</p> |
| 05/14/2013 | | <p>***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Mollie McGowan Lemberg to RE-FILE Document (332 in 1:11-md-02293-DLC, 207 in 1:12-cv-03394-DLC) Reply to Response to Motion, (208 in 1:12-cv-03394-DLC, 333 in 1:11-md-02293-DLC) Reply Memorandum of Law in Support of Motion. ERROR(S): Documents linked to filing error. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Idi) (Entered: 05/15/2013)</p> |
| 05/15/2013 | 335 | <p>MOTION in Limine <i>To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications</i>. Document filed by Penguin Group (USA) Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 05/15/2013)</p> |
| 05/15/2013 | 336 | <p>MEMORANDUM OF LAW in Support re: (211 in 1:12-cv-03394-DLC, 335 in 1:11-md-02293-DLC) MOTION in Limine <i>To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications</i>.. Document filed by Penguin Group (USA) Inc.. (Attachments: # 1 Exhibit A, # 2 Text of Proposed Order)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 05/15/2013)</p> |
| 05/15/2013 | 337 | <p>MOTION to Compel Arbitration. Document filed by Penguin Group (USA) Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Lemberg, Mollie) (Entered: 05/15/2013)</p> |
| 05/15/2013 | 338 | <p>MEMORANDUM OF LAW in Support re: (213 in 1:12-cv-03394-DLC, 337 in 1:11-md-02293-DLC) MOTION to Compel Arbitration.. Document filed by Penguin Group (USA) Inc.. (Attachments: # 1 Text of Proposed Order) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Lemberg, Mollie) (Entered: 05/15/2013)</p> |
| 05/15/2013 | 339 | <p>DECLARATION of Allison Sheedy in Support re: (213 in 1:12-cv-03394-DLC, 337 in 1:11-md-02293-DLC) MOTION to Compel Arbitration.. Document filed by Penguin Group (USA) Inc.. (Attachments: # 1 Exhibit A,</p> |

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| | | # 2 Exhibit B) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 05/15/2013) |
| 05/15/2013 | 340 | REPLY MEMORANDUM OF LAW in Support re: (211 in 1:12-cv-03394-DLC, 335 in 1:11-md-02293-DLC) MOTION in Limine <i>To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications..</i> Document filed by Penguin Group (USA) Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 05/15/2013) |
| 05/15/2013 | 341 | REPLY MEMORANDUM OF LAW in Support re: (213 in 1:12-cv-03394-DLC, 337 in 1:11-md-02293-DLC) MOTION to Compel Arbitration.. Document filed by Penguin Group (USA) Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 05/15/2013) |
| 05/15/2013 | 342 | JOINDER to join re: (205 in 1:12-cv-03394-DLC) MOTION in Limine / <i>APPLE INC.'S MOTION IN LIMINE TO EXCLUDE THE EXPERT TESTIMONY OF PROFESSORS BAKER AND ASHENFELTER..</i> Document filed by Penguin Group (USA) Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 05/15/2013) |
| 05/15/2013 | 343 | JOINDER to join <i>Apple Inc.'s Opposition to Plaintiffs' Motion in Limine to Preclude Dr. Michelle Burtis from Offering at Trial Any Opinion on Competitive Effects.</i> Document filed by Penguin Group (USA) Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lemberg, Mollie) (Entered: 05/15/2013) |
| 05/17/2013 | 344 | Letter addressed to Judge Cote from Michael E. Kipling dated 5/14/2013 re: I am writing on behalf of non-party Amazon.com, Inc., regarding a matter of critical importance. Several of the pretrial papers submitted by Apple contain Amazon's highly confidential proprietary business information, the public disclosure of which would significantly harm Amazon's competitive standing. (gr) (Entered: 05/17/2013) |
| 05/17/2013 | 345 | Letter addressed to Judge Cote from Michael E. Kipling dated 5/14/2013 re: I am writing on behalf of non-party Amazon.com, Inc., regarding certain highly confidential information contained in one of Penquin's pretrial submissions. (gr) (Entered: 05/17/2013) |
| 05/17/2013 | 346 | Letter addressed to Judge Cote from Michael E. Kipling dated 5/15/2013 re: I am writing on behalf of non-party Amazon.com Inc. It had been our understanding of the Court's directions from May 8 that, after Amazon served its proposed redactions to the pretrial filings, the parties were to meet and confer to discuss (and resolve, to the extent possible) the redactions prior to the time they were submitted to the Court. (gr) (Entered: 05/17/2013) |
| 05/21/2013 | 347 | Letter addressed to Judge Cote from Elizabeth A. McNamara dated 2/26/2013 re: We represent non-party Walter Isaacson and we write to report that pursuant to stipulation, Plaintiffs have agreed to withdraw the subpoenas to Mr. Isaacson. Accordingly, there is no need for the hearing scheduled for this afternoon at 4 p.m. on the discovery dispute with Mr. Isaacson. (gr) (Entered: 05/21/2013) |

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| 05/22/2013 | 348 | ENDORSED LETTER addressed to Judge cote from Daniel F. McInnis dated 5/22/2013 re: we respectfully withdraw all pending motions. See Dkt. No 335; Dkt No.337. ENDORSEMENT: The two motions--335 and 337--filed in 11 MD 2293 are deemed withdrawn. Penguin is not required to attend the 5/23 pretrial conference and will not be offering its evidence at the trial. (Signed by Judge Denise L. Cote on 5/22/2013) (gr) (Entered: 05/22/2013) |
| 05/22/2013 | 349 | ENDORSED LETTER addressed to Judge Cote from Rebecca Fisher, Doreen C. Johnson, Gary M. Becker, Jeff D. Friedman dated 5/22/2013 re: On behalf of Plaintiff States and Settlement Class, we request a thirty-day extension to file our Motion for Preliminary Approval of the settlement between Plaintiffs and Holtzbrinck Publishers, LLC, d/b/a Macmillan. ENDORSEMENT: Preliminary approval papers are due 6/21/13. (Signed by Judge Denise L. Cote on 5/22/2013) (gr) (Entered: 05/22/2013) |
| 05/24/2013 | 350 | MANDATE of USCA (Certified Copy) as to 200 Notice of Appeal filed by Penguin Group (USA), Inc. USCA Case Number 12-2999. The parties have filed a stipulation withdrawing this appeal pursuant to FRAP 42. The stipulation is hereby "So Ordered". Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 05/24/2013. (nd) (Entered: 05/24/2013) |
| 05/28/2013 | 351 | MOTION to Dismiss <i>Plaintiff States' Motion to Voluntarily Dismiss Certain State Law Claims</i> . Document filed by The State of Texas. (Attachments: # 1 Text of Proposed Order Proposed Order Granting Plaintiff States' Motion to Dismiss Certain State Law Claims)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Ashton, David) (Entered: 05/28/2013) |
| 05/29/2013 | 352 | MEMO ENDORSEMENT granting 351 Motion to Dismiss. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 5/29/2013) (lmb) (Entered: 05/29/2013) |
| 05/29/2013 | 353 | ORDER GRANTING PLAINTIFF STATES' MOTION TO VOLUNTARILY DISMISS CERTAIN STATE LAW CLAIMS: Upon consideration of the Plaintiff States' Motion to Voluntarily Dismiss Certain State Law Claims, the Court has determined that the Motion to Dismiss should be, and is hereby, GRANTED. (Signed by Judge Denise L. Cote on 5/29/2013) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(lmb) (Entered: 05/29/2013) |
| 06/06/2013 | 354 | Letter addressed to Judge Cote from Gabriel R. Gervy, Assistant Attorney General Antitrust Section Consumer Protection Division Texas Office of the Attorney General dated 6/3/2013 re: I write in response to Apple's letter of May 31, 2013 regarding Professor Baker's revised declaration. (gr) (Entered: 06/06/2013) |
| 06/06/2013 | 355 | Letter addressed to Judge Cote from David Ashton, Assistant Attorney General Antitrust Section, Attorney General of Texas dated 6/3/2013 re: During trial this morning, the Court requested clarification that the States are pursuing their state law claims only to the extent that those claims are congruent with Section 1 of the Sherman Act. The Court had previously suggested, at the Final Pretrial Conference on May 23, that the States |

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| | | voluntarily dismiss any state law claims that did not fall into that category. The States took the Court up on its suggestion and, on May 28, filed a Rule 41(a) Motion seeking voluntarily dismiss claims asserted pursuant to certain statutes of 6 states, as well as seven state common law claims. The court granted that motion on May 29. (gr) (Entered: 06/06/2013) |
| 06/12/2013 | 356 | Letter addressed to Judge Cote from David Ashton, Assistant Attorney General dated 6/10/2013 re: We write to briefly respond to Apple's letter of June 9 regarding the States' requests for non-injunctive relief, including civil penalties under state law. Document filed by The State of Texas.(gr) (Entered: 06/12/2013) |
| 06/19/2013 | 357 | LETTER addressed to Judge Cote from Michael E. Kipling dated 6/10/2013 re: Amazon respectfully requests that the Court redact from the public file portions of two exhibits that were prepared by Plaintiff's experts. (gr) (Entered: 06/19/2013) |
| 06/19/2013 | 358 | LETTER addressed to Judge Cote from Michael E. Kipling dated 6/16/2013 re: Amazon.com, Inc., has met and conferred extensively with counsel for Apple regarding certain charts and graphs based on Amazon's Highly Confidential data that Apple intends to submit through expert testimony this week at trial. (gr) (Entered: 06/19/2013) |
| 06/21/2013 | 359 | MOTION for Settlement <i>for Preliminary Approval of Settlements</i> . Document filed by The State of Texas.Filed In Associated Cases: 1:11-md-02293-DLC et al.(Fisher, Rebecca) (Entered: 06/21/2013) |
| 06/21/2013 | 360 | MEMORANDUM OF LAW in Support re: (359 in 1:11-md-02293-DLC, 82 in 1:12-cv-06625-DLC, 234 in 1:12-cv-03394-DLC) MOTION for Settlement <i>for Preliminary Approval of Settlements</i> .. Document filed by The State of Texas. (Attachments: # 1 Exhibit Macmillan Settlement Agreement, # 2 Exhibit Penguin Settlement Agreement, # 3 Exhibit Dr. Wickelgren Declaration, # 4 Exhibit Notice Plan, # 5 Exhibit Kinsella Declaration, # 6 Exhibit Rust Declaration, # 7 Exhibit Distribution Plan, # 8 Exhibit Proposed Order for Prel Approval)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Fisher, Rebecca) (Entered: 06/21/2013) |
| 06/21/2013 | 361 | MOTION for Settlement <i>Motion for Preliminary Approval of HarperCollins, Hachette and Simon & Schuster Settlements and Proposed Notice and Distribution Plans</i> . Document filed by Anthony Petru, et al..(Friedman, Jeff) (Entered: 06/21/2013) |
| 06/21/2013 | 362 | MEMORANDUM OF LAW in Support re: 361 MOTION for Settlement <i>Motion for Preliminary Approval of HarperCollins, Hachette and Simon & Schuster Settlements and Proposed Notice and Distribution Plans</i> .. Document filed by Anthony Petru, et al.. (Attachments: # 1 Exhibit A - Settlement Agreement, # 2 Exhibit B - Proposed Order)(Friedman, Jeff) (Entered: 06/21/2013) |
| 07/01/2013 | 363 | ORDER that a telephone conference will be held to discuss preliminary approval of these settlements on 7/9/2013 at 2 p.m. Counsel representing parties in any related litigation may also participate in the teleconference. |

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| | | Telephone Conference set for 7/9/2013 at 02:00 PM before Judge Denise L. Cote. (Signed by Judge Denise L. Cote on 7/1/2013) (gr) (Entered: 07/01/2013) |
| 07/05/2013 | 364 | NOTICE OF CHANGE OF ADDRESS by Michael Morris Buchman on behalf of Harrison Goldman. New Address: Motley Rice LLC, 275 Seventh Avenue, Second Floor, New York, New York, USA 10001, 212-577-0040. (Buchman, Michael) (Entered: 07/05/2013) |
| 07/09/2013 | | Minute Entry for proceedings held before Judge Denise L. Cote: Telephone Conference held on 7/9/2013. (Court Reporter Eve Giniger) (gr) (Entered: 07/09/2013) |
| 07/10/2013 | 365 | ORDER. The Court having filed its trial Opinion in "The State of Texas, et al. v. Penguin Group (USA) Inc., et al., 12 Civ. 3394 (DLC)" and related action "United States of America v. Apple, Inc., 12 Civ. 2826 (DLC)", on July 10, 2013, it is hereby ORDERED that the parties seeking preliminary approval of settlements in the above-captioned actions shall advise the Court no later than August 2, 2013 whether they wish to proceed with final approval and distribution of these settlement amounts at this time or wish to defer those proceedings. (gr) (Entered: 07/10/2013) |
| 07/11/2013 | 366 | FILING ERROR - ELECTRONIC FILING OF NON-ECF DOCUMENT - MEMORANDUM OF LAW in Support re: (234 in 1:12-cv-03394-DLC) MOTION for Settlement <i>for Preliminary Approval of Settlements. Amended Notice Plan (Ex. D)</i> . Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Fisher, Rebecca) Modified on 7/11/2013 (db). (Entered: 07/11/2013) |
| 07/11/2013 | | ***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney Rebecca Fisher. Document Nos. [366 in 11md2293, 240 in 12cv3394] Exhibit. These documents are not filed via ECF. Exhibits are only added AS ATTACHMENTS to documents that are permitted to be filed via the rules of ECF. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(db) (Entered: 07/11/2013) |
| 07/11/2013 | 367 | MANDATE of USCA (Certified Copy) USCA Case Number 13-1744. In light of the Petitioner's letter dated May 22, 2013, IT IS HEREBY ORDERED that the petition for writ of mandamus is deemed withdrawn. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Mandate: 7/11/2013. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(nd) (Entered: 07/12/2013) |
| 07/12/2013 | 371 | ENDORSED LETTER addressed to Judge Denise L. Cote from Rebecca Fisher dated 7/11/2013 re: The Settlement Agreement with Macmillan provides that Plaintiffs' Motion for Final Approval of the Settlements shall be submitted within 30 days of the end of the Notice Period, which is, under this schedule, Saturday, October 26th, which we propose be moved to Monday, October 28, 2013. Paragraph 19 of the proposed Preliminary Approval Order requires the Final Approval papers be submitted at least ten calendar days before the Fairness Hearing, which would be Wednesday November 7, 2013. |

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| | | Therefore, Plaintiffs request this Court schedule the Fairness Hearing for November 7, 2013, or such later date as fits the Court's schedule. ENDORSEMENT: The revised notice is approved. Review and execution of the preliminary approval order shall await the 8/2/13 submission. (Signed by Judge Denise L. Cote on 7/12/2013) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(djc) Modified on 7/25/2013 (djc). (Entered: 07/25/2013) |
| 07/23/2013 | 368 | LETTER addressed to Judge Denise L. Cote from Rebecca Fisher dated 7/10/2013 re: After further discussion with defense counsel, and to assist your review of the proposed settlements between Plaintiffs and Macmillan and Penguin and the proposed class settlement for Minnesota residents, attached please find a revised chart that provides estimated damages and settlement amounts for each of the five settling publishers. The only revision was to add the asterisked language. I have circulated this revised chart among all counsel for settling defendants. If additional information would be useful in your review, please contact me. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(djc) (Entered: 07/23/2013) |
| 07/24/2013 | 369 | TRANSCRIPT of Proceedings re: CONFERENCE held on 7/9/2013 before Judge Denise L. Cote. Court Reporter/Transcriber: Eve Giniger, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 8/19/2013. Redacted Transcript Deadline set for 8/29/2013. Release of Transcript Restriction set for 10/25/2013.(McGuirk, Kelly) (Entered: 07/24/2013) |
| 07/24/2013 | 370 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 7/9/2013 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(McGuirk, Kelly) (Entered: 07/24/2013) |
| 08/02/2013 | 372 | BRIEF <i>in Support of Plaintiffs' Proposed Injunction</i> . Document filed by The State of Texas. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 08/02/2013) |
| 08/05/2013 | 374 | ORDER PRELIMINARILY APPROVING CLASS PLAINTIFFS' SETTLEMENTS WITH HARPERCOLLINS, HACHETTE AND SIMON & SCHUSTER: granting 361 Motion for Settlement. 1. The Court has jurisdiction over this action and each of the parties. 2. The Court, for purposes of this Order, adopts the definitions set forth in the Settlement Agreement. 3. The Court, for purposes of this Order, finds a class consisting of natural persons in the State of Minnesota who have purchased E-books published by the Named Publishers during the period from April 1, 2010 until May 21, 2012 is hereby conditionally certified pending final approval of the Settlement Agreement, and meets all the prerequisites of Rule 23 of the Federal Rules of Civil Procedure. 4. The Court designates Hagens Berman |

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| | | <p>Sobol Shapiro LLP and Cohen Milstein Sellers & Toll PLLC as Counsel for the Settlement Class. 5. The Court designates Anthony Petru, Marcus Mathis, Christian Gilstrap, Cynthia J. Tyler, Thomas Friedman, Jeremy Sheppeck, Aloysius J. Brown, III, Anne M. Rinaldi, Laura J. Warner, Barbara Heath, Kathleen Linda Pitlock, Kathleen Weiss, Matthew A. Hosking, Diane Urbanec, Ed Macauley, Ronna Hamelin, James L. Nesmith, Lauren Albert, Sue Roberts, Shane S. Davis, Sue Ellen Gordon, Charles Leonard Pelton, Sr., Kimberly Whiteside Brooks, Steven D. Campbell, and Jessica Moyer as the Settlement Class Plaintiffs. A hearing on final settlement approval (the "Fairness Hearing") is hereby scheduled to be held before the undersigned on Eastern Standard Time in Courtroom No. 15B, United States Courthouse, 500 Pearl Street, New York, NY, 10007- 1312 to consider the fairness, reasonableness and adequacy of the Settlement, the dismissal with prejudice of this action as to HarperCollins, Hachette and Simon & Schuster, and the entry of final judgment in this action. Any eligible Consumer who has not previously filed a request for exclusion from the Settlements may appear at the Fairness Hearing in person or by counsel and may be heard, to the extent allowed by the Court, either in support of or in opposition to the fairness, reasonableness and adequacy of the Settlement, the dismissal with prejudice of this action as to both Macmillan and Penguin and/or the entry of final judgment. Provided, however, no person shall be heard in opposition to the Settlements, dismissal and/or entry of final judgment and no papers or briefs submitted by or on behalf of any such person shall be accepted or considered by the Court, unless person's intention to appear as well as a statement that indicates the basis for such person's opposition to the Settlements, the dismissal of claims and/or the entry of final judgment and any documentation in support of such opposition, and (b) serves a copy of such notice, statement and documentation, as well as any other papers or briefs that such person files with the Court, either in person or by mail, upon the Claims Administrator at: E-books AG Settlements Objections, P.O. Box 2825, Faribault, MN 55021-8630.(Signed by Judge Denise L. Cote on 8/5/2013) (Attachments: # 1 Exhibit) (djc) Modified on 8/6/2013 (djc). (Entered: 08/06/2013)</p> |
| 08/05/2013 | | <p>Set/Reset Hearings: Fairness Hearing set for 12/6/2013 at 03:00 PM in Courtroom 15B, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote. Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(djc) (Entered: 08/06/2013)</p> |
| 08/06/2013 | 373 | <p>ORDER PRELIMINARILY APPROVING MACMILLAN AND PENGUIN SETTLEMENTS: granting (359) Motion for Settlement in case 1:11-md-02293-DLC; granting (234) Motion for Settlement in case 1:12-cv-03394-DLC; granting (124) Motion for Settlement in case 1:11-md-02293-DLC; granting Motion for Settlement in case 1:12-cv-03394-DLC. 5. The Court, for purposes relating to the Settlement Agreements, confirms the Attorneys General of the States of Texas, Connecticut and Ohio as Liaison Counsel for Plaintiff States. The Court designates Hagens Berman Sobol Shapiro LLP and Cohen Milstein Sellers & Toll PLLC as Counsel for the Settlement Class. The Court designates Anthony Petru, Marcus Mathis, Christian Gilstrap, Cynthia J. Tyler, Thomas Friedman, Jeremy Sheppeck, Aloysius J. Brown, III, Anne M. Rinaldi, Laura J. Warner, Barbara Heath, Kathleen Linda Pitlock, Kathleen Weiss, Matthew A. Hosking, Diane Urbanec, Ed Macauley, Ronna</p> |

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| | | <p>Hamelin, James L. Nesmith, Lauren Albert, Sue Roberts, Shane S. Davis, Sue Ellen Gordon, Charles Leonard Pelton, Sr., Kimberly Whiteside Brooks, Steven D. Campbell, and Jessica Moyer as the Settlement Class Plaintiffs. The Court confirms the appointment of Fifth Third Bank as Escrow Agent, and Kinsella Communications and Rust Consulting as the Notice and Claims Administrators for purposes of the implementation of the Settlement Agreements. The Court finds the Settlement Agreements satisfies the requirements of 15 U.S.C. 15, 15c and due process. The terms of the Settlement Agreements and the Distribution Plan are hereby preliminarily approved and notice of them shall be given as provided in this Order. A hearing on final settlement approval (the "Fairness Hearing") is hereby scheduled to be held before the undersigned on December 6, 2013 at 3:00 p.m. Eastern Standard Time in Courtroom No. 15B, United States Courthouse, 500 Pearl Street, New York, NY 10007-1312 to consider the fairness, reasonableness and adequacy of the Settlement, the dismissal with prejudice of this action as to both Macmillan and penguin, and the entry of final judgment in this action. Any eligible Consumer who has not previously filed a request for exclusion from the Settlements may appear at the Fairness Hearing in person or by counsel and may be heard, to the extent allowed by the Court, either in support of or in opposition to the fairness, reasonableness and adequacy of the Settlement, the dismissal with prejudice of this action as to both Macmillan and Penguin and/or the entry of final judgment. Provided, however, no person shall be heard in opposition to the Settlements, dismissal and/or entry of final judgment and no papers or briefs submitted by or on behalf of any such person shall be accepted or considered by the Court, unless on or before October 21, 2013 such person: (a) files with the Clerk of Court a notice of such person's intention to appear as well as a statement that indicates the basis for such person's opposition to the Settlements, the dismissal of claims and/or the entry of final judgment and any documentation in support of such opposition, and (b) serves a copy of such notice, statement and documentation, as well as any other papers or briefs that such person files with the Court, either in person or by mail, upon the Claims Administrator at: E-books AG Settlements Objections, P.O. Box 2825, Faribault, MN 55021-8630. (Signed by Judge Denise L. Cote on 8/5/2013) (Attachments: # 1 Exhibit) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(djc) Modified on 8/6/2013 (djc). Modified on 8/6/2013 (djc). Modified on 8/19/2013 (djc). (Entered: 08/06/2013)</p> |
| 08/08/2013 | 375 | LETTER addressed to Judge Cote from Steve W. Berman dated 8/2/2013 re: In response to the Court's July 10 order and in consultation with Plaintiff States, Class Plaintiffs submit the proposed scheduled attached as Exhibit A. (gr) (Entered: 08/08/2013) |
| 08/08/2013 | 376 | LETTER addressed to Judge Cote from Gary M. Becker, Assistant Attorney General, State of Connecticut dated 8/2/2013 re: On behalf of counsel for Plaintiff States and Settlement Class, I write in response to the Court's order date July 10, 2013. (gr) (Entered: 08/08/2013) |
| 08/08/2013 | 377 | LETTER addressed to Judge Cote from Steve W. Berman dated 8/5/2013 re: Class Plaintiffs oppose Apple's request for a stay. (gr) (Entered: 08/08/2013) |
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| 08/08/2013 | 378 | LETTER addressed to Judge Cote from Orin Snyder dated 8/7/2013 re: On behalf of Apple, we write in response to the August 5, 2013 letter submitted by the Department of Justice opposing Apple's request for a stay of further proceedings. Document filed by Apple, Inc..(gr) (Entered: 08/08/2013) |
| 08/09/2013 | 379 | NOTICE OF APPEARANCE by Christine Louise Demana on behalf of Apple, Inc., Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(Demana, Christine) (Entered: 08/09/2013) |
| 08/13/2013 | 380 | SCHEDULING ORDER: Parties shall provide notice to each other by August 23,2013 of all remaining fact discovery they wish to conduct. Expert Discovery due by 12/13/2013. The following motions will be served by the dates indicatedbelow. Any motion for class certification: Motion served by October 11, 2013. Opposition served by November 15, 2013. Reply served by December 13, 2013. Any motion for summary judgment: Motion served by January 24, 2014. Opposition served by February 14, 2014. Reply served by February 28, 2014. Joint Pretrial Order due by 4/11/2014. The case is placed on the May 2014 trial ready calendar. (Signed by Judge Denise L. Cote on 8/13/2013)Filed In Associated Cases: 1:11-md-02293-DLC et al.(djc) (Entered: 08/14/2013) |
| 08/22/2013 | 381 | MOTION for Theodore J. Boutrous, Jr. to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8809526. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Apple, Inc., Apple Inc.. (Attachments: # 1 Declaration of Orin Snyder, # 2 Exhibit 1, # 3 Text of Proposed Order)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(Snyder, Orin) (Entered: 08/22/2013) |
| 08/23/2013 | | >>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. (358 in 1:12-cv-02826-DLC) MOTION for Theodore J. Boutrous, Jr. to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8809526. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC(wb) (Entered: 08/23/2013) |
| 08/23/2013 | 382 | FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU - BRIEF in Support of Plaintiffs' Revised Proposed Injunction. Document filed by The State of Texas. (Attachments: # 1 Declaration of Lawrence E. Buterman in Support of Plaintiffs' Revised Proposed Injunction)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) Modified on 8/23/2013 (ka). (Entered: 08/23/2013) |
| 08/23/2013 | 383 | FILING ERROR - ELECTRONIC FILING OF NON-ECF DOCUMENT - BRIEF re: (245 in 1:12-cv-03394-DLC) Response <i>Apple's Proposed Injunction and Letter in Support</i> . Document filed by Apple Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Snyder, Orin) Modified on 8/23/2013 (ka). (Entered: 08/23/2013) |
| 08/23/2013 | 384 | MEMORANDUM OF LAW in Support of <i>Plaintiffs' Revised Proposed</i> |

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| | | <i>Injunction.</i> Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 08/23/2013) |
| 08/23/2013 | 385 | DECLARATION of Lawrence E. Buterman in Support re: (384 in 1:11-md-02293-DLC) Memorandum of Law in Support. Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 08/23/2013) |
| 08/23/2013 | 386 | ORDER granting 381 Motion for Theodore J. Boutrous, Jr. to Appear Pro Hac Vice (HEREBY ORDERED by Judge Denise L. Cote)(Text Only Order) (Cote, Denise) (Entered: 08/23/2013) |
| 08/26/2013 | 387 | NOTICE OF APPEARANCE by Jeffrey Leonard White on behalf of Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc.. (White, Jeffrey) (Entered: 08/26/2013) |
| 08/26/2013 | 388 | NOTICE OF APPEARANCE by Eric Jonathan Stock on behalf of The State of New York. (Stock, Eric) (Entered: 08/26/2013) |
| 08/27/2013 | | Minute Entry for proceedings held before Judge Denise L. Cote: Pretrial Conference held on 8/27/2013. (Court Reporter Karen Gorlanski) (gr) (Entered: 08/28/2013) |
| 08/28/2013 | 389 | ORDER. As described on the record at the conference held on August 27, 2013, it is hereby ORDERED that the parties are instructed to contact the chambers of Judge Wood prior to September 6 in order to pursue settlement discussions under her supervision in September or October 2013 (Signed by Judge Denise L. Cote on 8/27/2013) (gr) (Entered: 08/28/2013) |
| 08/29/2013 | 390 | NOTICE OF APPEARANCE by Theodore J. Boutrous, Jr on behalf of Apple, Inc., Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-02826-DLC, 1:12-cv-03394-DLC(Boutrous, Theodore) (Entered: 08/29/2013) |
| 08/30/2013 | 391 | NOTICE of Withdrawal of Tyler B. McCormick as Counsel. Document filed by The State of Missouri. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(McCormick, Tyler) (Entered: 08/30/2013) |
| 09/04/2013 | 392 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 09-03-2013 re: Permissible Discovery, Class Certification and Damages. Document filed by Class Plaintiffs. (Attachments: # 1 Exhibits A-D)(Berman, Steve) (Entered: 09/04/2013) |
| 09/04/2013 | 393 | ORDER: A Telephone Conference will be held on 9/6/2013 at 03:30 PM before Judge Denise L. Cote. IT IS FURTHER ORDERED that any letter in response by Apple shall be submitted electronically on ECF, in accordance with the Court's revised Individual Practices in Civil Cases, no later than September 5 at 12:00 p.m. (Signed by Judge Denise L. Cote on 9/4/2013) (gr) (Entered: 09/04/2013) |
| 09/04/2013 | 394 | LETTER addressed to Judge Denise L. Cote from Gabriel Gervy dated September 3, 2013 re: Scope of Discovery. Document filed by The State of |

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| | | Texas.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Lipman, Eric) (Entered: 09/04/2013) |
| 09/04/2013 | 395 | LETTER addressed to Judge Denise L. Cote from Orin Snyder dated 09/04/2013 re: to request that the Court move the telephonic hearing. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Snyder, Orin) (Entered: 09/04/2013) |
| 09/05/2013 | 396 | ENDORSED LETTER addressed to Judge Denise L. Cote from Orin Snyder dated 9/4/2013 re: On behalf of Apple, we respectfully submit this letter to request that the Court move the telephonic hearing presently scheduled for Friday, September 6 at 3:30 p.m. to Monday, September 9 at 3:30 p.m. We also request the Court permit Apple to submit any letter regarding the proper scope of discovery by Friday, September 6 at noon rather than by Thursday, September 5 at noon. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 9/5/2013) (gr) (Entered: 09/05/2013) |
| 09/06/2013 | 397 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated September 6, 2013 re: Scope of Discovery. Document filed by Apple Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Snyder, Orin) (Entered: 09/06/2013) |
| 09/09/2013 | 398 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated September 9, 2013 re: Discovery Conference - Scheduling. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Snyder, Orin) (Entered: 09/09/2013) |
| 09/09/2013 | | Minute Entry for proceedings held before Judge Denise L. Cote: Telephone Conference held on 9/9/2013. (Court Reporter Ann Hairston) (gr) (Entered: 09/09/2013) |
| 09/10/2013 | 399 | ORDER. As described on the record at the conference held in these actions on September 9, 2013, it is hereby ORDERED that the parties shall submit by September 27, 2013 a report and any proposed stipulation addressing issues of collateral estoppel. IT IS FURTHER ORDERED that Apple shall submit by September 11, 2013 any letter regarding its right to depose Professor Wickelgren over the States objection. Any letter in response by the States or class plaintiffs shall be submitted by September 16, 2013. (Signed by Judge Denise L. Cote on 9/9/2013) (gr) (Entered: 09/10/2013) |
| 09/10/2013 | 400 | ORDER. The Court having ordered on August 27 that parties in the above-captioned actions pursue settlement discussions in September or October 2013, it is hereby ORDERED that the parties shall either pursue settlement discussions under the supervision of Judge Wood or pursue meditation under the supervision of a privately retained mediator in September or October. (Signed by Judge Denise L. Cote on 9/10/2013) (gr) (Entered: 09/10/2013) |
| 09/11/2013 | 401 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated September 11, 2013 re: Wickelgren discovery. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Snyder, Orin) (Entered: 09/11/2013) |

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| 09/12/2013 | 402 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated September 12, 2013 re: Deposition of Dr. Wickelgren. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 09/12/2013) |
| 09/13/2013 | 403 | LETTER addressed to Judge Denise L. Cote from Eric Lipman dated September 13, 2013 re: Discovery of Dr. Wickelgren. Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 09/13/2013) |
| 09/16/2013 | 404 | ENDORSED LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated 9/11/2013 re: Apple seeks the materials relief upon by Dr. Wickelgren in forming his disclosed opinions and to depose him regarding the subjects set forth in his declarations. ENDORSEMENT: Application to depose Dr. Wickelgren is denied. The Plaintiff States have represented that he will not be called to testify at trial. Apple will have the opportunity to depose and cross-examine at trial any trial witnesses. (Signed by Judge Denise L. Cote on 9/16/2013) (gr) Modified on 9/16/2013 (gr). (Entered: 09/16/2013) |
| 09/19/2013 | 405 | TRANSCRIPT of Proceedings re: CONFERENCE held on 9/9/2013 before Judge Denise L. Cote. Court Reporter/Transcriber: Ann Hairston, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 10/15/2013. Redacted Transcript Deadline set for 10/24/2013. Release of Transcript Restriction set for 12/23/2013.(Rodriguez, Somari) (Entered: 09/19/2013) |
| 09/19/2013 | 406 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 9/9/13 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 09/19/2013) |
| 09/20/2013 | 407 | LETTER addressed to Judge Denise L. Cote from Eric Lipman dated September 20, 2013 re: Civil Penalties. Document filed by The State of Texas. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Ashton, David) (Entered: 09/20/2013) |
| 09/25/2013 | 408 | ORDER. On 9/20/2013, Plaintiff States filed a letter in support of their contention that Apple is liable for civil penalties under various state antitrust statutes, as set forth in Appendix A of their letter...Apple filed a responsive letter on the same day. In order to guide the parties in advance of the damages trial scheduled for May 2014, this Court sets forth the following presumptions: (See Order)...The parties shall meet and confer to agree on a stipulation with respect to the issue of Apple's liability for civil penalties under various state antitrust statutes as set forth in Appendix A. If unable to do so and a party disagrees with respect to the preliminary guidance set forth in this Order, the parties shall propose a briefing schedule that permits these |

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| | | legal issues to be fully briefed no later than March 7, 2014. (Signed by Judge Denise L. Cote on 9/25/2013) (gr) (Entered: 09/25/2013) |
| 09/27/2013 | 409 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous Jr. dated September 27, 2013 re: Collateral Estoppel Issue. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Snyder, Orin) (Entered: 09/27/2013) |
| 09/27/2013 | 410 | LETTER addressed to Judge Denise L. Cote from David Ashton dated September 27, 2013 re: Collateral Estoppel. Document filed by The State of Texas.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Ashton, David) (Entered: 09/27/2013) |
| 09/27/2013 | 411 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated Sept. 27, 2013 re: Collateral Estoppel. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 09/27/2013) |
| 09/30/2013 | 412 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated Sept. 30, 2013 re: Scheduling. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 09/30/2013) |
| 10/02/2013 | 413 | LETTER addressed to Judge Denise L. Cote from Daniel G. Swanson dated October 2, 2013 re: Expert Rebuttal Report. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Snyder, Orin) (Entered: 10/02/2013) |
| 10/03/2013 | 414 | ENDORSED LETTER addressed to Judge Denise L. Cote from Daniel G. Swanson dated 10/2/2013 re: We write in response to Class Plaintiffs' September 30, 2013 letter concerning whether the Class and States are permitted to submit a class certification and damages expert rebuttal report. ENDORSEMENT: Plaintiff may serve a rebuttal expert report. The parties' shall discuss a schedule for service of that report and the close of expert discovery. To the extent the plaintiffs' rebuttal report includes new opinions that could not have been anticipated by Apple's expert(s), Apply may file a sur-reply report before the close of expert discovery. (Signed by Judge Denise L. Cote on 10/3/2013) (gr) (Entered: 10/03/2013) |
| 10/07/2013 | 415 | FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION for Attorney Fees , <i>Reimbursement of Expenses, and Participation Awards for Named Plaintiffs</i> . Document filed by Class Plaintiffs. (Attachments: # 1 Memorandum)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Berman, Steve) Modified on 10/8/2013 (db). (Entered: 10/07/2013) |
| 10/07/2013 | 416 | FILING ERROR - DEFICIENT DOCKET ENTRY - DECLARATION of Steve W. Berman in Support re: (86 in 1:12-cv-06625-DLC) MOTION for Attorney Fees , <i>Reimbursement of Expenses, and Participation Awards for Named Plaintiffs</i> .. Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, |

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| | | # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Berman, Steve) Modified on 10/8/2013 (db). (Entered: 10/07/2013) |
| 10/07/2013 | 417 | FILING ERROR - DEFICIENT DOCKET ENTRY - DECLARATION of Kit A. Pierson in Support re: (86 in 1:12-cv-06625-DLC) MOTION for Attorney Fees , <i>Reimbursement of Expenses, and Participation Awards for Named Plaintiffs</i> .. Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit 1) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Berman, Steve) Modified on 10/8/2013 (db). (Entered: 10/07/2013) |
| 10/08/2013 | | ***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Steve W. Berman to RE-FILE Document (86 in 1:12-cv-06625-DLC, 311 in 1:12-cv-03394-DLC, 415 in 1:11-md-02293-DLC) MOTION for Attorney Fees , <i>Reimbursement of Expenses, and Participation Awards for Named Plaintiffs</i>. ERROR(S): Supporting Documents are filed separately, each receiving their own document #. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(db) (Entered: 10/08/2013) |
| 10/08/2013 | | ***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Steve W. Berman to RE-FILE Document (87 in 1:12-cv-06625-DLC, 312 in 1:12-cv-03394-DLC, 416 in 1:11-md-02293-DLC) Declaration in Support of Motion. ERROR (S): Document linked to filing error. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(db) (Entered: 10/08/2013) |
| 10/08/2013 | | ***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Steve W. Berman to RE-FILE Document (88 in 1:12-cv-06625-DLC, 313 in 1:12-cv-03394-DLC, 417 in 1:11-md-02293-DLC) Declaration in Support of Motion. ERROR (S): Document linked to filing error. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(db) (Entered: 10/08/2013) |
| 10/08/2013 | 418 | MOTION for Attorney Fees , <i>Reimbursement of Expenses, and Participation Awards for Named Plaintiffs</i> . Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Berman, Steve) (Entered: 10/08/2013) |
| 10/08/2013 | 419 | MEMORANDUM OF LAW in Support re: (89 in 1:12-cv-06625-DLC) MOTION for Attorney Fees , <i>Reimbursement of Expenses, and Participation Awards for Named Plaintiffs</i> .. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Berman, Steve) (Entered: 10/08/2013) |
| 10/08/2013 | 420 | DECLARATION of Steve W. Berman in Support re: (89 in 1:12-cv-06625-DLC) MOTION for Attorney Fees , <i>Reimbursement of Expenses, and</i> |

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| | | <i>Participation Awards for Named Plaintiffs..</i> Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Berman, Steve) (Entered: 10/08/2013) |
| 10/08/2013 | 421 | DECLARATION of Kit A. Pierson in Support re: (89 in 1:12-cv-06625-DLC) MOTION for Attorney Fees , <i>Reimbursement of Expenses, and Participation Awards for Named Plaintiffs..</i> Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit 1)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Berman, Steve) (Entered: 10/08/2013) |
| 10/11/2013 | 422 | MOTION to Certify Class <i>Class Plaintiffs' Notice of Motion for Class Certification and Appointment of Counsel.</i> Document filed by Class Plaintiffs. Responses due by 11/15/2013(Berman, Steve) (Entered: 10/11/2013) |
| 10/11/2013 | 423 | MEMORANDUM OF LAW in Support re: 422 MOTION to Certify Class <i>Class Plaintiffs' Notice of Motion for Class Certification and Appointment of Counsel..</i> Document filed by Class Plaintiffs. (Berman, Steve) (Entered: 10/11/2013) |
| 10/11/2013 | 424 | DECLARATION of Roger G. Noll in Support re: 422 MOTION to Certify Class <i>Class Plaintiffs' Notice of Motion for Class Certification and Appointment of Counsel..</i> Document filed by Class Plaintiffs. (Berman, Steve) (Entered: 10/11/2013) |
| 10/17/2013 | 425 | LETTER addressed to Judge Denise L. Cote from Rebecca Fisher dated October 17, 2013 re: Clarification of settlement administration. Document filed by The State of Texas. (Attachments: # 1 Modification to Settlement Agreement)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Fisher, Rebecca) (Entered: 10/17/2013) |
| 10/18/2013 | 426 | Objection re: 373 Order on Motion for Settlement,,,,,,,,,,,,,,,,,,,,,,,,,,,,, 374 Order on Motion for Settlement,,,,,,,,,,,,,. Document filed by Bob Kohn. (Brower, Steven) (Entered: 10/18/2013) |
| 10/21/2013 | 427 | NOTICE of Corrected Declaration. Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit A)(Berman, Steve) (Entered: 10/21/2013) |
| 10/21/2013 | 428 | DECLARATION of Roger Noll [Corrected] in Support re: 422 MOTION to Certify Class <i>Class Plaintiffs' Notice of Motion for Class Certification and Appointment of Counsel..</i> Document filed by Class Plaintiffs. (Berman, Steve) (Entered: 10/21/2013) |
| 10/22/2013 | 429 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous Jr. dated October 22, 2013 re: Deposition of Dr. Roger Noll. Document filed by Apple Inc.. (Attachments: # 1 Attachment A, # 2 Attachment B)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Snyder, Orin) |

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| | | (Entered: 10/22/2013) |
| 10/23/2013 | 430 | JOINT STIPULATION AND ORDER Regarding Filing of Consolidated First Amended Class Action Complaint. (So Ordered by Judge Denise L. Cote on 10/23/2013) (gr) (Entered: 10/23/2013) |
| 10/23/2013 | 431 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 10/23/2013 re: Deposition of Roger Noll. Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Berman, Steve) (Entered: 10/23/2013) |
| 10/23/2013 | 432 | FIRST AMENDED CONSOLIDATED CLASS ACTION COMPLAINT amending 47 Amended Complaint,, against Apple Inc., Hachette Book Group, Inc, Hachette Digital, Inc., Hachette Livre SA, Hachette Livre USA, Inc., HarperCollins Publishers L.L.C., Holtzbrinck Publishers, LLC(Doing business as Macmillan), Penguin Group (USA), Inc., Simon & Schuster, Inc. with JURY DEMAND.Document filed by Shane S. Davis, Thomas Friedman, Anthony Petru. Related document: 47 Amended Complaint filed by James L. Nesmith, Christian Gilstrap, Thomas Friedman, Kimberly Whiteside Brooks, Laura J. Warner, Kathleen Weiss, Jessica Moyer, Kathleen Linda Pitlock, Anne M. Rinaldi, Ed Macauley, Charles Leonard Pelton, Sr., Anthony Petru, Aloysius J. Brown, Iii, Sue Roberts, Barbara Heath, Marcus Mathis, Matthew A. Hosking, Shane S. Davis, Jeremy Sheppeck, Lauren Albert, Diane Urbanec, Steven D. Campbell, Sue Ellen Gordon, Cynthia J. Tyler, Ronna Hamelin.(ft) (sdi). (Entered: 10/28/2013) |
| 10/23/2013 | | ***NOTE TO ATTORNEY TO E-MAIL PDF. Note to Attorney Steve W. Berman for noncompliance with Section 14.3 of the S.D.N.Y. Electronic Case Filing Rules & Instructions. E-MAIL the PDF for Document 432 Amended Complaint to: caseopenings@nysd.uscourts.gov. (ft) (Entered: 10/28/2013) |
| 10/24/2013 | | Minute Entry for proceedings held before Judge Denise L. Cote: Telephone Conference held on 10/24/2013. (Court Reporter Sabrina D'Emidio) (gr) (Entered: 10/24/2013) |
| 10/31/2013 | 433 | TRANSCRIPT of Proceedings re: CONFERENCE held on 10/24/2013 before Judge Denise L. Cote. Court Reporter/Transcriber: Sabrina D'Emidio, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 11/25/2013. Redacted Transcript Deadline set for 12/5/2013. Release of Transcript Restriction set for 2/1/2014.(Rodriguez, Somari) (Entered: 10/31/2013) |
| 10/31/2013 | 434 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a CONFERENCE proceeding held on 10/24/13 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 10/31/2013) |
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| 11/04/2013 | 435 | ANSWER to 432 Amended Complaint,,,. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 11/04/2013) |
| 11/12/2013 | 436 | LETTER addressed to Judge Denise L. Cote from Eric Lipman dated November 12, 2013 re: Civil Penalty Briefing Schedule. Document filed by The State of Texas.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 11/12/2013) |
| 11/13/2013 | 437 | ENDORSED LETTER addressed to Judge Denise L. Cote from Eric Lipman, Assistant Attorney General dated 11/12/2013 re:...the parties jointly proposed the following briefing schedule for such remaining issues: States' Opening Brief to be filed no later than January 8, 2014; Apple's Opposition Brief to be filed no later than February 10, 2014; States Reply Brief to be filed no later than March 7, 2014. ENDORSEMENT: So Ordered. (Signed by Judge Denise L. Cote on 11/12/2013) (gr) (Entered: 11/13/2013) |
| 11/13/2013 | 438 | LETTER addressed to Mark Ryan from Bob Kohn dated 10/28/2013 re: Seeking from the Government any evidence in the record, or otherwise produced during discovery in this or any related action, regarding Amazon's e-book pricing prior to April, 2010-including any economic data, information or other materials regarding Amazon's marginal costs of e-books acquired and the prices Amazon charged for such e-books during such period, including any documents, testimony or other materials (in any form) referring to such data, information or materials... (gr) (Entered: 11/13/2013) |
| 11/13/2013 | 439 | LETTER addressed to Judge Denise L. Cote from Bob Kohn dated 11/7/2013 re: I am a member of the class in the above-captioned action, and I have filed an Objection to the recent proposed Settlement of claims...in that action...Accordingly, I respectfully request that the Court authorize the issuance of a subpoena to the Department of Justice for the focused discovery sought in my letter of October 28, 2013.... (gr) (Entered: 11/13/2013) |
| 11/13/2013 | 440 | LETTER addressed to Judge Denise L. Cote from Gary M. Becker, Assistant Attorney General, State of Connecticut dated 11/8/2013 re: I write on behalf of the Plaintiff States in response to the letter dated November 7, 2013 and sent to the Court by Mr. Robert Kohn. Document filed by Class Plaintiffs.(gr) (Entered: 11/13/2013) |
| 11/13/2013 | 441 | LETTER addressed to Judge Denise L. Cote from Bob Kohn dated 11/12/2013 re: I am writing to respond to the letter to this Court by the Attorneys General ("AGs") dated November 8, 2013, objecting to my request for discovery. (gr) (Entered: 11/13/2013) |
| 11/13/2013 | 442 | ORDER. By letter of October 28, 2013, Bob Kohn, an objector to the settlement which is the subject of an upcoming December 6 Fairness Hearing in this Court, requests that the Court compel the Department of Justice, Amazon, and plaintiff and defense counsel in the class action to produce certain materials for purposes of discovery. It is hereby ORDERED that the application is denied. (Signed by Judge Denise L. Cote on 11/13/2013) Copies Mailed By Chambers to Mr. Bob Kohn. (gr) (Entered: 11/13/2013) |
| 11/15/2013 | 443 | MEMORANDUM OF LAW in Opposition re: 422 MOTION to Certify Class <i>Class Plaintiffs' Notice of Motion for Class Certification and Appointment of</i> |

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| | | <i>Counsel. DEFENDANT APPLE INC.'S MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION.</i> Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 11/15/2013) |
| 11/15/2013 | 444 | MOTION - DEFENDANT APPLE INC.'S MOTION TO EXCLUDE OPINIONS OFFERED BY DR. ROGER NOLL IN SUPPORT OF MOTION FOR CLASS CERTIFICATION. Document filed by Apple Inc..(Boutrous, Theodore) (Entered: 11/15/2013) |
| 11/15/2013 | 445 | MEMORANDUM OF LAW in Support re: 444 MOTION - DEFENDANT APPLE INC.'S MOTION TO EXCLUDE OPINIONS OFFERED BY DR. ROGER NOLL IN SUPPORT OF MOTION FOR CLASS CERTIFICATION.. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 11/15/2013) |
| 11/15/2013 | 446 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous Jr. dated November 15, 2013 re: Documents for filing under seal. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Boutrous, Theodore) (Entered: 11/15/2013) |
| 11/18/2013 | 447 | SCHEDULING ORDER: On November 15, 2013 the defendant Apple filed a motion to dismiss the Plaintiff States' claims in the above captioned action on the ground that the Plaintiff States lack Article III standing. Apple moves in the alternative to compel the Plaintiff States to seek class certification. It is hereby ORDERED that any opposition is due by 12/6/2013. Any reply is due 12/13/2013. At the time any reply is served, the moving party shall supply Chambers with two (2) courtesy copies of all motion papers by mailing or delivering them to the United States Courthouse, 500 Pearl Street, New York, NY. (Signed by Judge Denise L. Cote on 11/18/2013) (gr) Modified on 11/19/2013 (gr). (Entered: 11/18/2013) |
| 11/19/2013 | 448 | LETTER MOTION for Leave to File Excess Pages addressed to Judge Denise L. Cote from Rebecca Fisher dated November 19, 2013. Document filed by The State of Texas.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Fisher, Rebecca) (Entered: 11/19/2013) |
| 11/20/2013 | 449 | ENDORSED LETTER addressed to Judge Denise L. Cote from Rebecca Fisher, Senior Assistant Attorney General, Texas Attorney General dated 11/19/2013 re: Request to permit Counsel for Plaintiff States and Settlement Class to file a brief up to 35 pages in length. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 11/19/2013) (gr) (Entered: 11/20/2013) |
| 11/20/2013 | 450 | ENDORSED LETTER addressed to Judge Denise L. Cote from Michael E. Kipling dated 11/19/2013 re: Letter on behalf of non-party Amazon.com regarding the expert declarations that were lodged conditionally with the Court by Apple on Friday, November 15.. ENDORSEMENT: The parties shall report to the Court by Monday, 11/26/13. Apple shall advise Amazon promptly of this Order. (Signed by Judge Denise L. Cote on 11/19/2013) (gr) (Entered: 11/20/2013) |
| 11/21/2013 | 451 | MOTION for Settlement <i>Motion for Final Approval of Macmillan and Penguin Settlements.</i> Document filed by The State of Texas.Filed In |

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| | | Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Fisher, Rebecca) (Entered: 11/21/2013) |
| 11/21/2013 | 452 | MEMORANDUM OF LAW in Support re: (95 in 1:12-cv-06625-DLC, 451 in 1:11-md-02293-DLC, 346 in 1:12-cv-03394-DLC) MOTION for Settlement <i>Motion for Final Approval of Macmillan and Penguin Settlements..</i> Document filed by The State of Texas. (Attachments: # 1 Text of Proposed Order Proposed Order and Injunction for Macmillan, # 2 Text of Proposed Order Proposed Order and Injunction for Penguin, # 3 Affidavit Declaration for Kinsella Media, # 4 Affidavit Declaration for Rust Consulting, # 5 Affidavit Declaration for Amazon, # 6 Affidavit Declaration for Barnes and Noble, # 7 Affidavit Declaration for Apple, # 8 Affidavit Declaration for Kobo, # 9 Affidavit Declaration for Sony, # 10 Affidavit Declaration for Google, # 11 Exhibit Consumer Distribution Plan, # 12 Text of Proposed Order Proposed Final Judgment)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC, 1:12-cv-06625-DLC(Fisher, Rebecca) (Entered: 11/21/2013) |
| 11/22/2013 | 453 | LETTER OBJECTION TO CLASS SETTLEMENT addressed to Clerk of Court from Christopher Batman dated 10/15/2013 re: Objection to the Court's approval of the settlement in the above referenced class action lawsuit and the award of excessive attorneys' fees to class counsel. (gr) (Entered: 11/22/2013) |
| 11/25/2013 | 454 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous Jr. dated November 25, 2013 re: Filing Under Seal. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Boutrous, Theodore) (Entered: 11/25/2013) |
| 11/26/2013 | 455 | MOTION for Settlement <i>Class Plaintiffs Motion for Final Approval of HarperCollins, Hachette and Simon & Schuster Settlements and Distribution Plan.</i> Document filed by Class Plaintiffs.(Berman, Steve) (Entered: 11/26/2013) |
| 11/26/2013 | 456 | MEMORANDUM OF LAW in Support re: 455 MOTION for Settlement <i>Class Plaintiffs Motion for Final Approval of HarperCollins, Hachette and Simon & Schuster Settlements and Distribution Plan..</i> Document filed by Class Plaintiffs. (Attachments: # 1 Text of Proposed Order)(Berman, Steve) (Entered: 11/26/2013) |
| 11/26/2013 | 457 | MOTION for Settlement <i>Re: Motion for Final Approval of HarperCollins, Hachette and Simon & Schuster Settlements and Distribution Plan.</i> Document filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc.. (Buchweitz, Yehudah) (Entered: 11/26/2013) |
| 11/26/2013 | 458 | LETTER addressed to Judge Denise L. Cote from Jeff D. Friedman dated 11/26/2013 re: Class Counsel's Motion for Attorneys' Fees. Document filed by Class Plaintiffs. (Attachments: # 1 Text of Proposed Order)(Friedman, Jeff) (Entered: 11/26/2013) |
| 11/27/2013 | 459 | FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION to Intervene <i>for purposes of appeal.</i> Document filed by Bob Kohn. (Attachments: # 1 Supplement Memorandum in Support)(Brower, Steven) Modified on 12/2/2013 (db). (Entered: 11/27/2013) |

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| 12/02/2013 | | ***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Steven Brower to RE-FILE Document 459 MOTION to Intervene for purposes of appeal. ERROR(S): Supporting Documents are filed separately, each receiving their own document #. (db) (Entered: 12/02/2013) |
| 12/03/2013 | 460 | MOTION for Confidentiality. Document filed by The State of Texas. (Attachments: # 1 Text of Proposed Order Proposed Agreed Order re Confidentiality)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Fisher, Rebecca) (Entered: 12/03/2013) |
| 12/04/2013 | 461 | ORDER. Regarding the Plaintiffs' request for a bond covering the mentioned purported costs, the Objectors must respond in writing by December 6 2013 at 10 a.m. Eastern Standard Time. Regarding Bob Kohn's motion to intervene in the above captioned action pursuant to Rule 24(a) for purpose of appeal, Plaintiffs must respond in writing by December 6, 2013 at 10 a.m. Eastern Standard Time to Kohn's motion to intervene. Plaintiffs must immediately serve this Order on the Objectors. (Signed by Judge Denise L. Cote on 12/4/2013) (gr) (Entered: 12/04/2013) |
| 12/04/2013 | 462 | ENDORSED LETTER addressed to Judge Denise L. Cote from Bob Kohn dated 12/3/2013 re: Request for authorization to bring an electronic device for the hearing scheduled December 6, 2013. ENDORSEMENT: Denied. (Signed by Judge Denise L. Cote on 12/4/2013) Copies Mailed By Chambers to Bob Kohn. (gr) (Entered: 12/04/2013) |
| 12/04/2013 | 463 | ORDER granting (460) Motion for Confidentiality in case 1:11-md-02293-DLC; granting (353) Motion for Confidentiality in case 1:12-cv-03394-DLC. (Signed by Judge Denise L. Cote on 12/4/2013) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (gr) (Entered: 12/04/2013) |
| 12/06/2013 | 464 | RESPONSE re: 461 Order,, <i>Opposition to Request for Requiring Objectors to file Bond on Appeal</i> . Document filed by Bob Kohn. (Attachments: # 1 Exhibit)(Brower, Steven) (Entered: 12/06/2013) |
| 12/06/2013 | 465 | LETTER addressed to Judge Denise L. Cote from W. Joseph Nielsen dated 12/6/13 re: compliance with the notice requirements of the Court's Order of 12/4/13. Document filed by The State of Connecticut.(Becker, Gary) (Entered: 12/06/2013) |
| 12/06/2013 | 466 | FILING ERROR - DEFICIENT DOCKET ENTRY - MEMORANDUM OF LAW in Opposition re: 459 MOTION to Intervene for purposes of appeal.. Document filed by The State of Connecticut. (Becker, Gary) Modified on 12/6/2013 (db). (Entered: 12/06/2013) |
| 12/06/2013 | | ***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Gary M. Becker to RE-FILE Document 466 Memorandum of Law in Opposition to Motion. ERROR(S): Document linked to filing error. (db) (Entered: 12/06/2013) |
| 12/06/2013 | 467 | BRIEF of Plaintiff States in Opposition to Bob Kohn's Motion to Intervene. Document filed by The State of Connecticut.(Becker, Gary) (Entered: 12/06/2013) |

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| 12/06/2013 | 468 | LETTER addressed to Judge Denise L. Cote from Shana Scarlett dated 12/06/13 re: Withdrawal of Objection to Settlement by Christopher Batman. Document filed by Class Plaintiffs.(Scarlett, Shana) (Entered: 12/06/2013) |
| 12/06/2013 | 469 | MEMORANDUM OF LAW in Opposition re: (339 in 1:12-cv-03394-DLC) MOTION to Dismiss / <i>NOTICE OF DEFENDANT APPLE INC.'S MOTION TO DISMISS FOR LACK OF JURISDICTION OR, IN THE ALTERNATIVE, TO COMPEL THE PLAINTIFF STATES TO SEEK CLASS CERTIFICATION.</i> . Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 12/06/2013) |
| 12/06/2013 | 470 | LETTER addressed to Judge Denise L. Cote from Jeff D. Friedman dated December 6, 2013 re: Stipulation and [Proposed] Order Modifying August 13, 2013 Scheduling Order. Document filed by Class Plaintiffs. (Attachments: # 1 Attachment A)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Friedman, Jeff) (Entered: 12/06/2013) |
| 12/06/2013 | | Minute Entry for proceedings held before Judge Denise L. Cote: Fairness Hearing held on 12/6/2013. (Court Reporter Karen Gorlasky) (gr) (Entered: 12/09/2013) |
| 12/06/2013 | 479 | OPPOSITION TO Plaintiffs' Motion for Appeal Bond. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(rdz) (Entered: 12/10/2013) |
| 12/09/2013 | 471 | ENDORSED LETTER addressed to Judge Denise L. Cote from Theodore J. Boutros, Jr. dated 11/25/2013 re: Counsel for Apple (O'Melveny & Myers LLP) and counsel for non-party Amazon.com, Inc., met and conferred regarding the proposed redactions to the declarations of Apple's experts, Joseph Kalt and Jonathan Orszag. ENDORSEMENT: The proposed redactions in Exhibits F and G to the Demana declaration, and Exhibit 1 to the Kalt Declaration are approved. The redactions to the Kalt Declaration are approved with two exceptions; Table of Figure redaction and redaction at 43a on page 18. The parties shall identify which of the proposed redactions to the Corrected Orszag Declaration are of information already in the public record through the June trial or other proceedings before this Court. Public record information may not be redacted. The other documents shall be filed in the public record in redacted form and the pages containing redactions provided to the Court for filing under seal. By 12/12/13, the parties shall present proposed redactions for the Corrected Orszag Declaration. (Signed by Judge Denise L. Cote on 12/6/2013) (gr) (Entered: 12/09/2013) |
| 12/09/2013 | 472 | ORDER. For the reasons set forth on the record at the December 6, 2013 Fairness Hearing...it is hereby ORDERED that objector Bob Kohn's ("Kohn") November 27, 2013 motion to intervene is denied...IT IS FURTHER ORDERED that the request by Class Counsel and the Plaintiff States of November 21 that a bond be imposed on Kohn in the event of any appeal is denied in light of Kohn's representations -- in writing, and orally at the Fairness Hearing of December 6 -- that he will not seek to impede the distribution of any funds related to the settlements at issue or to seek recuperation of any disbursed funds at any point. (Signed by Judge Denise L. Cote on 12/6/2013) (gr) (Entered: 12/09/2013) |

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| 12/09/2013 | 473 | STIPULATION AND ORDER MODIFYING AUGUST 13, 2013 SCHEDULING ORDER....The parties shall supply the Court with two courtesy copies of the papers already filed on these motions and of the papers that remain to be filed at the time they are served. The schedule is approved. (Signed by Judge Denise L. Cote on 12/9/2013) (gr) (Entered: 12/09/2013) |
| 12/09/2013 | 474 | ORDER GRANTING CLASS PLAINTIFF' MOTION FOR AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES. (Signed by Judge Denise L. Cote on 12/6/2013) (gr) (Entered: 12/09/2013) |
| 12/09/2013 | 475 | FINAL JUDGMENT AND FINAL APPROVAL OF MINNESOTA AND HARPERCOLLINS, HACHETTE AND SIMONE & SCHUSTER SETTLEMENT WITH MINNESOTA CLASS. (Signed by Judge Denise L. Cote on 12/6/2013) (gr) (Entered: 12/09/2013) |
| 12/09/2013 | 476 | ORDER AND STIPULATED INJUNCTION as to defendant Macmillan. (Signed by Judge Denise L. Cote on 12/6/2013) (gr) (Entered: 12/09/2013) |
| 12/09/2013 | 477 | ORDER AND STIPULATED INJUNCTION as to defendant Penguin. (Signed by Judge Denise L. Cote on 12/6/2013) (gr) (Entered: 12/09/2013) |
| 12/09/2013 | 478 | FINAL JUDGMENT in favor of Aloysius J. Brown, Iii, Anne M. Rinaldi, Anthony Petru, Barbara Heath, Charles Leonard Pelton, Sr, Cynthia J. Tyler, Diane Urbanec, Ed Macauley, James L. Nesmith, Jeremy Sheppeck, Jessica Moyer, Kathleen Weiss, Kathleen Linda Pitlock, Kimberly Whiteside Brooks, Laura J. Warner, Lauren Albert, Marcus Mathis, Matthew A. Hosking, Ronna Hamelin, Shane S. Davis, Steven D. Campbell, Sue Roberts, Sue Ellen Gordon, Thomas Friedman against Macmillan Publishers, Inc., Penguin Group (USA), Inc., Penguin Group USA, Inc. (Signed by Judge Denise L. Cote on 12/6/2013) (gr) (Entered: 12/09/2013) |
| 12/10/2013 | 480 | DECLARATION of CHRISTINE DEMANA in Support re: 445 Memorandum of Law in Support of Motion, 443 Memorandum of Law in Opposition to Motion,. Document filed by Apple Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Boutrous, Theodore) (Entered: 12/10/2013) |
| 12/10/2013 | 481 | DECLARATION of JOSEPH P. KALT, Ph.D. in Support re: (319 in 1:12-cv-03394-DLC) Statement of Damages, (445 in 1:11-md-02293-DLC) Memorandum of Law in Support of Motion, (443 in 1:11-md-02293-DLC) Memorandum of Law in Opposition to Motion,. Document filed by Apple Inc.. (Attachments: # 1 Exhibit 1, Part 1, # 2 Exhibit 1, Part 2)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Boutrous, Theodore) (Entered: 12/10/2013) |
| 12/10/2013 | 482 | NOTICE of CORRECTIONS TO DECLARATION OF JOSEPH P. KALT re: (481 in 1:11-md-02293-DLC, 367 in 1:12-cv-03394-DLC) Declaration in Support,. Document filed by Apple Inc.. (Attachments: # 1 Errata List, # 2 Exhibit 1, # 3 Exhibit 2, # 4 Exhibit 3, # 5 Exhibit 4)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Boutrous, Theodore) (Entered: 12/10/2013) |
| 12/11/2013 | 483 | SEALED DOCUMENT placed in vault.(mps) (Entered: 12/11/2013) |

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| 12/12/2013 | 484 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated December 12, 2013 re: Orszag Declaration Redactions. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Boutrous, Theodore) (Entered: 12/12/2013) |
| 12/17/2013 | 485 | NOTICE OF APPEARANCE by Kayna Stavast-Piper on behalf of The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Stavast-Piper, Kayna) (Entered: 12/17/2013) |
| 12/17/2013 | 486 | ENDORSED LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated 12/12/2013 re: Pursuant to the Court's December 9, 2013 Order, Apple submits to the Court the Corrected Declaration of Jonathan Orszag with proposed redactions of Confidential and Highly Confidential Information that is not already in the public record. ENDORSEMENT: Approved. The redacted document may be publicly filed. (Signed by Judge Denise L. Cote on 12/17/2013) (gr) (Entered: 12/17/2013) |
| 12/18/2013 | 487 | RESPONSE to Motion re: 444 MOTION - DEFENDANT APPLE INC.'S MOTION TO EXCLUDE OPINIONS OFFERED BY DR. ROGER NOLL IN SUPPORT OF MOTION FOR CLASS CERTIFICATION. <i>Plaintiff States' Response to Motion to Exclude</i> . Document filed by The State of New York. (Hubbard, Robert) (Entered: 12/18/2013) |
| 12/18/2013 | 488 | DECLARATION of JONATHAN ORSZAG in Support re: (319 in 1:12-cv-03394-DLC) Statement of Damages, (445 in 1:11-md-02293-DLC) Memorandum of Law in Support of Motion, (443 in 1:11-md-02293-DLC) Memorandum of Law in Opposition to Motion,. Document filed by Apple Inc.. (Attachments: # 1 Appendix A, # 2 Appendix B, # 3 Appendix C)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Boutrous, Theodore) (Entered: 12/18/2013) |
| 12/18/2013 | 489 | MOTION to Exclude Expert Opinions Contained in the Declaration of Jonathan Orszag. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 12/18/2013) |
| 12/18/2013 | 490 | MOTION to Exclude Expert Opinions Contained in the Declaration of Joseph P. Kalt. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 12/18/2013) |
| 12/18/2013 | 491 | MOTION to Preclude <i>Testimony of Jonathan Orszag</i> . Document filed by The State of New York.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Hubbard, Robert) (Entered: 12/18/2013) |
| 12/18/2013 | 492 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated December 18, 2013 re: Filing of Under Seal Documents. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 12/18/2013) |
| 12/18/2013 | 493 | CERTIFICATE OF SERVICE of Sealed Documents re Reply in Support of Class Cert. Motion, Daubert Motions and Expert Report served on Apple Inc. on 12/18/2013. Service was accepted by Counsel for Apple Inc.. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, |

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| | | 1:12-cv-03394-DLC(Berman, Steve) (Entered: 12/18/2013) |
| 12/18/2013 | 494 | RESPONSE in Support of Motion re: 490 MOTION to Exclude Expert Opinions Contained in the Declaration of Joseph P. Kalt. <i>Plaintiff States' Response to Motion to Exclude</i> . Document filed by The State Of New York. (Hubbard, Robert) (Entered: 12/18/2013) |
| 12/18/2013 | 495 | LETTER addressed to Judge Denise L. Cote from Robert Hubbard dated 12/18/13 re: Motion to Exclude Opinions Offered by Jonathan Orszag. Document filed by The State of New York.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Hubbard, Robert) (Entered: 12/18/2013) |
| 12/19/2013 | 496 | TRANSCRIPT of Proceedings re: HEARING held on 12/6/2013 before Judge Denise L. Cote. Court Reporter/Transcriber: Karen Gorlaski, (212) 805-0300. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 1/13/2014. Redacted Transcript Deadline set for 1/24/2014. Release of Transcript Restriction set for 3/24/2014.(Rodriguez, Somari) (Entered: 12/19/2013) |
| 12/19/2013 | 497 | NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a HEARING proceeding held on 12/6/13 has been filed by the court reporter/transcriber in the above-captioned matter. The parties have seven (7) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days...(Rodriguez, Somari) (Entered: 12/19/2013) |
| 12/20/2013 | 498 | NOTICE OF APPEAL from (476 in 1:11-md-02293-DLC, 363 in 1:12-cv-03394-DLC) Stipulation and Order, (365 in 1:12-cv-03394-DLC, 478 in 1:11-md-02293-DLC) Judgment,, (472 in 1:11-md-02293-DLC, 360 in 1:12-cv-03394-DLC) Order,,. Document filed by Bob Kohn. Filing fee \$ 505.00, receipt number 465401083976. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(nd) (Entered: 12/20/2013) |
| 12/20/2013 | | Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: (384 in 1:12-cv-03394-DLC, 498 in 1:11-md-02293-DLC) Notice of Appeal,. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(nd) (Entered: 12/20/2013) |
| 12/20/2013 | | Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files (ONLY) for (384 in 1:12-cv-03394-DLC, 498 in 1:11-md-02293-DLC) Notice of Appeal, filed by Bob Kohn were transmitted to the U.S. Court of Appeals. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(nd) (Entered: 12/20/2013) |
| 12/23/2013 | 499 | LETTER addressed to Judge Denise L. Cote from Daniel G. Swanson dated December 23, 2013 re: Prof. Noll's Deposition and Sur-Reply. Document filed by Apple Inc.. (Attachments: # 1 Exhibit 1)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Swanson, Daniel) (Entered: 12/23/2013) |

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| | | 12/23/2013) |
| 12/24/2013 | 500 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 12/24/2013 re: Dr. Noll's Deposition and Sur-Reply. Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 12/24/2013) |
| 12/24/2013 | 501 | LETTER addressed to Judge Denise L. Cote from Robert Hubbard dated 12/24/13 re: Apple request of 12/23/13. Document filed by The State of New York.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Hubbard, Robert) (Entered: 12/24/2013) |
| 12/27/2013 | 502 | ORDER re: (499 in 1:11-md-02293-DLC, 385 in 1:12-cv-03394-DLC) Letter, filed by Apple Inc. ORDERED that Apple's request to re-depose Noll is denied.By Memo Endorsement of October 3, the Court ordered that [t]o the extent the plaintiffs rebuttal report includes new opinions that could not have been anticipated by Apple's expert(s), Apple may file a sur-reply report before the close of expert discovery. Accordingly, IT IS FURTHER ORDERED that Apple may file a sur-reply report and a sur-reply brief limited to addressing new opinions that could not have been anticipated by Apple's experts. (Signed by Hon. Denise Cote by Hon. Katherine Polk Failla, Part I on 12/27/2013) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(djc) Modified on 12/30/2013 (djc). (Entered: 12/27/2013) |
| 12/30/2013 | 503 | OPPOSITION BRIEF re: (370 in 1:12-cv-03394-DLC) Order,,,,,,. Document filed by The State of Texas.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 12/30/2013) |
| 01/02/2014 | 504 | DECLARATION of Michael R. Bromwich in Opposition re: (370 in 1:12-cv-03394-DLC) Order,,,,,,. Document filed by The State of Texas. (Attachments: # 1 Exhibits A-Z to Declaration of Michael R. Bromwich, # 2 Exhibits AA-PP to Declaration of Michael R. Bromwich)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 01/02/2014) |
| 01/08/2014 | 505 | BRIEF <i>on Civil Penalties</i> . Document filed by The State of Texas. (Attachments: # 1 Exhibit 1: November 21, 2013 Email from Cynthia Richman)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Lipman, Eric) (Entered: 01/08/2014) |
| 01/10/2014 | 506 | ENDORSED LETTER addressed to Judge Denise L. Cote from Robert L. Hubbard, Assistant Attorney General dated 12/18/2013 re: Letter requesting to file documents under seal in this action. ENDORSEMENT: The parties may file these materials in this redacted form. They shall consult with each other and relevant trial parties to isolate passages that must be redacted pursuant to legal standards this Court has previously discussed with counsel. The fact that material is covered by a protective order is insufficient to support redactions. More limited redactions must be proposed by 2/7/2014. (Signed by Judge Denise L. Cote on 1/10/2014) (gr) (Entered: 01/10/2014) |
| 01/10/2014 | 507 | ENDORSED LETTER addressed to Judge Denise L. Cote from Steve Berman dated 12/18/2013 re: Class Plaintiffs respectfully submit the list of documents for filing under seal. ENDORSEMENT: The parties may file these |

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| | | materials in their redacted form. They shall consult with each other and relevant third parties to isolate passages that must be redacted pursuant to legal standards this Court has previously discussed with counsel. The fact that material is covered by a protective order is insufficient to support redaction. More limited redactions must be proposed by 2/7/2014. (Signed by Judge Denise L. Cote on 1/10/2014) (gr) (Entered: 01/10/2014) |
| 01/13/2014 | | Minute Entry for proceedings held before Judge Denise L. Cote: Oral Argument held on 1/13/2014 (Court Reporter Sam Mauro) (gr) (Entered: 01/14/2014) |
| 01/15/2014 | 508 | MEMORANDUM OF LAW in Support re: (380 in 1:12-cv-03394-DLC) MOTION to Preclude <i>Testimony of Jonathan Orszag. (redacted version)</i> . Document filed by The State of New York. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Hubbard, Robert) (Entered: 01/15/2014) |
| 01/15/2014 | 509 | DECLARATION of Robert Hubbard in Support re: (380 in 1:12-cv-03394-DLC) MOTION to Preclude <i>Testimony of Jonathan Orszag.</i> . Document filed by The State of New York. (Attachments: # 1 Exhibit A through J)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Hubbard, Robert) (Entered: 01/15/2014) |
| 01/17/2014 | 510 | NOTICE OF APPEARANCE by Geralyn Jeanette Trujillo on behalf of The State of New York. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Trujillo, Geralyn) (Entered: 01/17/2014) |
| 01/17/2014 | 511 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated January 17, 2014 re: consolidated opposition brief. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Boutrous, Theodore) (Entered: 01/17/2014) |
| 01/21/2014 | 512 | ENDORSED LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated 1/17/2014 re: Apple request for permission to file a single consolidated opposition brief of no more than 35 pages, which will streamline the process and conserve judicial resources. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 1/17/2014) (gr) (Entered: 01/21/2014) |
| 01/21/2014 | 513 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous Jr. dated January 21, 2014 re: Filing of documents. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Boutrous, Theodore) (Entered: 01/21/2014) |
| 01/21/2014 | 514 | REPLY MEMORANDUM OF LAW in Support re: 444 MOTION - DEFENDANT APPLE INC.'S MOTION TO EXCLUDE OPINIONS OFFERED BY DR. ROGER NOLL IN SUPPORT OF MOTION FOR CLASS CERTIFICATION.. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 01/21/2014) |
| 01/27/2014 | 515 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 01/27/2014 re: Defendant Apple's Sur-Reply in Opposition to Motion for Class Certification. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 01/27/2014) |

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| 01/27/2014 | 516 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 01/27/2014 re: Summary Judgment Page Limits and Schedule. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 01/27/2014) |
| 01/29/2014 | 517 | ENDORSED LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 1/27/2014 re: Class Plaintiffs write on behalf of the parties concerning page limits and the schedule for the upcoming motion(s) for summary judgment. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 1/29/2014) (gr) (Entered: 01/29/2014) |
| 01/31/2014 | 518 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 01/31/2014 re: Request for Consolidated Reply Brief Regarding Motions to Exclude Orszag Opinions. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 01/31/2014) |
| 01/31/2014 | 519 | LETTER addressed to Judge Denise L. Cote from Daniel G. Swanson dated January 31, 2014 re: response to Plaintiffs' January 27, 2014 Letter. Document filed by Apple Inc.. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Swanson, Daniel) (Entered: 01/31/2014) |
| 01/31/2014 | 520 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 01/31/2014 re: Request to File Under Seal. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 01/31/2014) |
| 01/31/2014 | 521 | FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION for Summary Judgment. Document filed by Class Plaintiffs. (Attachments: # 1 Class Plaintiffs' Statement of Undisputed Facts) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) Modified on 2/3/2014 (ldi). (Entered: 01/31/2014) |
| 01/31/2014 | 522 | FILING ERROR - DEFICIENT DOCKET ENTRY - MEMORANDUM OF LAW in Support re: (418 in 1:12-cv-03394-DLC) MOTION for Summary Judgment.. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) Modified on 2/3/2014 (ldi). (Entered: 01/31/2014) |
| 01/31/2014 | 523 | CERTIFICATE OF SERVICE of Declaration of Steve W. Berman in Support of Class Plaintiffs' Motion for Summary Judgment and Statement of Undisputed Facts and accompanying exhibits served on Counsel for Apple Inc. on 01/31/2014. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 01/31/2014) |
| 01/31/2014 | | ***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Steve W. Berman to RE-FILE Document (521 in 1:11-md-02293-DLC, 418 in 1:12-cv-03394-DLC) MOTION for Summary Judgment. ERROR(S): Supporting documents |

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| | | must be filed separately, each receiving their own document number. Rule 56.1 Statement is found under the event list Other Answers. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Idi) (Entered: 02/03/2014) |
| 01/31/2014 | | ***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Steve W. Berman to RE-FILE Document (419 in 1:12-cv-03394-DLC, 522 in 1:11-md-02293-DLC) Memorandum of Law in Support of Motion. ERROR(S): Document linked to filing error. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Idi) (Entered: 02/03/2014) |
| 02/03/2014 | 524 | ENDORSED LETTER addressed to Judge Denise L. Cote from Steve Berman dated 1/31/2014 re: Letter from the Class and State Plaintiffs seeking permission to file a single one joint brief, no longer than twenty pages, instead of two, ten-page briefs. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 1/31/2014) (gr) (Entered: 02/03/2014) |
| 02/03/2014 | 525 | MOTION for Summary Judgment. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 02/03/2014) |
| 02/03/2014 | 526 | RULE 56.1 STATEMENT. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 02/03/2014) |
| 02/03/2014 | 527 | MEMORANDUM OF LAW in Support re: (422 in 1:12-cv-03394-DLC) MOTION for Summary Judgment.. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 02/03/2014) |
| 02/04/2014 | 528 | RESPONSE in Support of Motion re: (379 in 1:12-cv-03394-DLC) MOTION to Exclude Expert Opinions Contained in the Declaration of Joseph P. Kalt. <i>Plaintiff States' Response to Class Reply Memorandum.</i> Document filed by The State of New York. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Hubbard, Robert) (Entered: 02/04/2014) |
| 02/04/2014 | 529 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 02/04/2014 re: Letter requesting to file documents under seal. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 02/04/2014) |
| 02/04/2014 | 530 | CERTIFICATE OF SERVICE of Reply Mem. of Laws re Mots. to Exclude Expert Ops. of Messrs. Orszag and Kalt; Declaration in Further Support and Exs. A-S served on Defendant Apple Inc.'s Counsel on 02/04/2014. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 02/04/2014) |
| 02/05/2014 | 531 | NOTICE OF APPEARANCE by Geralyn Jeanette Trujillo on behalf of The State Of New York. (Trujillo, Geralyn) (Entered: 02/05/2014) |
| 02/06/2014 | 532 | ENDORSED LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 2/4/2014 re: Class Plaintiffs' letter regarding certain documents |

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| | | to be filed under seal. ENDORSEMENT: The parties shall meet promptly to identify proposed redactions. (Signed by Judge Denise L. Cote on 2/5/2014) (gr) (Entered: 02/06/2014) |
| 02/07/2014 | 533 | ENDORSED LETTER addressed to Judge Denise L. Cote from Michael E. Kipling dated 2/2/2014 re: Amazon proposes a few additional redactions after conferring with counsel for Apple, and in each case, they agree to the additional proposed redactions.. ENDORSEMENT: The requests to redact material made by the parties and Amazon are approved. The redacted documents shall promptly be filed in the public record. The unredacted pages shall be provided to Chambers and filed under seal. (Signed by Judge Denise L. Cote on 2/7/2014) (gr) (Entered: 02/07/2014) |
| 02/07/2014 | 534 | LETTER addressed to Judge Denise L. Cote from Geralyn J. Trujillo dated February 7, 2014 re: Request to File Documents Under Seal. Document filed by The State of New York.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Trujillo, Geralyn) (Entered: 02/07/2014) |
| 02/10/2014 | 535 | ENDORSED LETTER addressed to Judge Denise L. Cote from Steve Berman dated 2/7/2014 re: Updated Request to File Documents Under Seal. ENDORSEMENT: The application to redact exhibits or portions of exhibits are approved. Many of the redactions from the memoranda are overbroad. Permission to redact specific numbers and information regarding Amazon's profits or losses on its sales of books or e-readers is granted. The parties may not redact the more narrative material around those items. Proposed redactions to the memoranda shall be submitted to the Court by 2/17/2014. (Signed by Judge Denise L. Cote on 2/10/2014) (gr) Modified on 2/10/2014 (gr). (Entered: 02/10/2014) |
| 02/10/2014 | 536 | ENDORSED LETTER addressed to Judge Denise L. Cote from Geralyn J. Trujillo, Assistant Attorney General/Acting Deputy Bureau Chief Antitrust Bureau dated 2/7/2014 re: Request to File Documents Under Seal as described in the letter. ENDORSEMENT: The application is granted. (Signed by Judge Denise L. Cote on 2/10/2014) (gr) (Entered: 02/10/2014) |
| 02/11/2014 | 537 | REPLY MEMORANDUM OF LAW in Opposition re: 422 MOTION to Certify Class <i>Class Plaintiffs' Notice of Motion for Class Certification and Appointment of Counsel. / DEFENDANT APPLE INC.'S SUR-REPLY MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFFS' MOTION FOR CLASS CERTIFICATION</i> . Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 02/11/2014) |
| 02/11/2014 | 538 | DECLARATION of JOSEPH P. KALT, Ph.D. in Opposition re: (379 in 1:12-cv-03394-DLC, 490 in 1:11-md-02293-DLC) MOTION to Exclude Expert Opinions Contained in the Declaration of Joseph P. Kalt.. Document filed by Apple Inc.. (Attachments: # 1 Exhibit 1)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Boutrous, Theodore) (Entered: 02/11/2014) |
| 02/11/2014 | 539 | MEMORANDUM OF LAW in Opposition re: (379 in 1:12-cv-03394-DLC, 490 in 1:11-md-02293-DLC) MOTION to Exclude Expert Opinions Contained in the Declaration of Joseph P. Kalt. / <i>DEFENDANT APPLE INC.'S MEMORANDUM OF LAW IN OPPOSITION TO CLASS</i> |

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| | | <i>PLAINTIFFS' MOTION TO EXCLUDE EXPERT OPINIONS OFFERED BY DR. JOSEPH KALT.</i> Document filed by Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Boutrous, Theodore) (Entered: 02/11/2014) |
| 02/11/2014 | 540 | MEMORANDUM OF LAW in Opposition re: (380 in 1:12-cv-03394-DLC, 491 in 1:11-md-02293-DLC) MOTION to Preclude <i>Testimony of Jonathan Orszag.</i> , (489 in 1:11-md-02293-DLC, 378 in 1:12-cv-03394-DLC) MOTION to Exclude Expert Opinions Contained in the Declaration of Jonathan Orszag. <i>DEFENDANT APPLE INC.'S CONSOLIDATED MEMORANDUM OF LAW IN OPPOSITION TO CLASS PLAINTIFFS' AND PLAINTIFF STATES' MOTIONS TO EXCLUDE EXPERT OPINIONS OFFERED BY JONATHAN ORSZAG.</i> Document filed by Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Boutrous, Theodore) (Entered: 02/11/2014) |
| 02/11/2014 | 541 | DECLARATION of JONATHAN ORSZAG in Opposition re: (380 in 1:12-cv-03394-DLC, 491 in 1:11-md-02293-DLC) MOTION to Preclude <i>Testimony of Jonathan Orszag.</i> , (489 in 1:11-md-02293-DLC, 378 in 1:12-cv-03394-DLC) MOTION to Exclude Expert Opinions Contained in the Declaration of Jonathan Orszag.. Document filed by Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Boutrous, Theodore) (Entered: 02/11/2014) |
| 02/11/2014 | 542 | DECLARATION of CYNTHIA E. RICHMAN in Support re: (539 in 1:11-md-02293-DLC, 435 in 1:12-cv-03394-DLC) Memorandum of Law in Opposition to Motion, (436 in 1:12-cv-03394-DLC, 540 in 1:11-md-02293-DLC) Memorandum of Law in Opposition to Motion,, (537 in 1:11-md-02293-DLC) Reply Memorandum of Law in Oppisition to Motion, (514 in 1:11-md-02293-DLC) Reply Memorandum of Law in Support of Motion, (437 in 1:12-cv-03394-DLC, 541 in 1:11-md-02293-DLC) Declaration in Opposition to Motion, (434 in 1:12-cv-03394-DLC, 538 in 1:11-md-02293-DLC) Declaration in Opposition to Motion,. Document filed by Apple Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Boutrous, Theodore) (Entered: 02/11/2014) |
| 02/12/2014 | 543 | LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 02/12/2014 re: Revised Proposed Redactions to Class Certification Briefs. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 02/12/2014) |
| 02/12/2014 | 544 | MEMORANDUM OF LAW in Support re: (380 in 1:12-cv-03394-DLC) MOTION to Preclude <i>Testimony of Jonathan Orszag. (Public Version).</i> Document filed by The State of New York. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Trujillo, Geralyn) (Entered: 02/12/2014) |
| 02/12/2014 | 545 | DECLARATION of Robert L. Hubbard in Support re: (380 in 1:12-cv- |

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| | | 03394-DLC) MOTION to Preclude <i>Testimony of Jonathan Orszag</i> .. Document filed by The State of New York. (Attachments: # 1 Exhibits to Declaration of Robert L. Hubbard (Public Version)) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC(Trujillo, Geralyn) (Entered: 02/12/2014) |
| 02/13/2014 | 546 | ENDORSED LETTER addressed to Judge Denise L. Cote from Steve Berman dated 2/12/2014 re: Class Plaintiffs request for a one day extension to 2/18/2014 to resubmit proposed redactions to (1) Reply in Support of Class Certification; (2) Reply Report of Roger Noll; (3) Motion to Exclude Expert Opinions of Joseph Kalt; (4) Motion to Exclude Expert Opinions of Jonathan Orszag; and (5) Opposition to Apple's Motion to Exclude Expert Opinions of Roger Noll. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 2/13/2014) (gr) (Entered: 02/13/2014) |
| 02/14/2014 | 547 | ENDORSED LETTER addressed to Judge Denise L. Cote from Steve Berman dated 1/31/2014 re: Letter requesting that the Declaration of Steve W. Berman and accompanying exhibits in Support of Class Plaintiffs' Motion for Summary Judgment and Statement of Undisputed Facts be filed under seal. ENDORSEMENT: Approved. The parties shall meet and confer promptly. (Signed by Judge Denise L. Cote on 2/14/2014) (gr) (Entered: 02/14/2014) |
| 02/18/2014 | 548 | SEALED DOCUMENT placed in vault.(mps) (Entered: 02/19/2014) |
| 02/21/2014 | 549 | MOTION to Remand / <i>APPLE INC.'S MOTION FOR SUGGESTION OF REMAND TO THE JUDICIAL PANEL FOR MULTIDISTRICT LITIGATION</i> . Document filed by Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Boutrous, Theodore) (Entered: 02/21/2014) |
| 02/21/2014 | 550 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated February 21, 2014 re: filings under seal. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 02/21/2014) |
| 02/24/2014 | 551 | SCHEDULING ORDER: Any opposition to Apple's "Suggestion of Remand to the Judicial Panel for Multidistrict Litigation" is due by 3/7/2014. Any reply is due by 3/14/2014. At the time any reply is served the moving party shall supply two courtesy copies of all motion papers to Chambers by mail or delivery to the U.S. District Courthouse, 500 Pearl Street, New York, New York. (Signed by Judge Denise L. Cote on 2/24/2014) (gr) (Entered: 02/24/2014) |
| 02/24/2014 | 552 | NOTICE OF APPEARANCE by Lawrence Jay Zweifach on behalf of Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Zweifach, Lawrence) (Entered: 02/24/2014) |
| 02/24/2014 | 553 | ORDER. By letter of 2/18/2014, plaintiffs in the In re: Electronic Books Antitrust Litigation, 11 MD 2293, submitted four documents with revised redaction requests. ORDERED that plaintiffs requests for redactions are granted, with two exceptions. Plaintiffs request for redaction on page 11 of their Memorandum of Law in Support of Class Plaintiffs Motion to Exclude Opinions Offered by Dr. Joseph Kalt is denied. Likewise, plaintiffs requests for redaction on page 18 of their Memorandum of Law in Support of Class |

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| | | Plaintiffs Motion to Exclude the Expert Opinions Offered by Apples Expert Jonathan Orszag are denied. IT IS FURTHER ORDERED that plaintiffs shall publicly file these four documents, with the approved redactions, forthwith, and file unredacted pages of these documents under seal. (Signed by Judge Denise L. Cote on 2/24/2014) (gr) (Entered: 02/24/2014) |
| 02/24/2014 | 554 | REPLY MEMORANDUM OF LAW in Support re: (422 in 1:11-md-02293-DLC) MOTION to Certify Class <i>Class Plaintiffs' Notice of Motion for Class Certification and Appointment of Counsel.</i> . Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 02/24/2014) |
| 02/24/2014 | 555 | REPLY AFFIDAVIT of Roger G. Noll in Support re: (422 in 1:11-md-02293-DLC) MOTION to Certify Class <i>Class Plaintiffs' Notice of Motion for Class Certification and Appointment of Counsel.</i> . Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 02/24/2014) |
| 02/24/2014 | 556 | MEMORANDUM OF LAW in Opposition re: 444 MOTION - DEFENDANT APPLE INC.'S MOTION TO EXCLUDE OPINIONS OFFERED BY DR. ROGER NOLL IN SUPPORT OF MOTION FOR CLASS CERTIFICATION.. Document filed by Class Plaintiffs. (Berman, Steve) (Entered: 02/24/2014) |
| 02/24/2014 | 557 | MEMORANDUM OF LAW in Support re: 490 MOTION to Exclude Expert Opinions Contained in the Declaration of Joseph P. Kalt.. Document filed by Class Plaintiffs. (Berman, Steve) (Entered: 02/24/2014) |
| 02/24/2014 | 558 | MEMORANDUM OF LAW in Support re: 489 MOTION to Exclude Expert Opinions Contained in the Declaration of Jonathan Orszag.. Document filed by Class Plaintiffs. (Berman, Steve) (Entered: 02/24/2014) |
| 02/24/2014 | 559 | DECLARATION of Steve W. Berman in Support re: 422 MOTION to Certify Class <i>Class Plaintiffs' Notice of Motion for Class Certification and Appointment of Counsel.</i> , 490 MOTION to Exclude Expert Opinions Contained in the Declaration of Joseph P. Kalt., 489 MOTION to Exclude Expert Opinions Contained in the Declaration of Jonathan Orszag.. Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 25, # 25 Exhibit 26, # 26 Exhibit 27, # 27 Exhibit 28, # 28 Exhibit 29, # 29 Exhibit 30, # 30 Exhibit 31, # 31 Exhibit 33, # 32 Exhibit 34, # 33 Exhibit 35, # 34 Exhibit 36, # 35 Exhibit 37, # 36 Exhibit 38, # 37 Exhibit 39, # 38 Exhibit 40, # 39 Exhibit 41, # 40 Exhibit 42, # 41 Exhibit 43, # 42 Exhibit 44, # 43 Exhibit 45, # 44 Exhibit 46, # 45 Exhibit 47, # 46 Exhibit 48, # 47 Exhibit 49, # 48 Exhibit 50, # 49 Exhibit 51, # 50 Exhibit 52, # 51 Exhibit 53, # 52 Exhibit 54, # 53 Exhibit 55, # 54 Exhibit 56, # 55 Exhibit 57, # 56 Exhibit 58, # 57 Exhibit 59, # 58 Exhibit 60, # 59 Exhibit 61, # 60 Exhibit 62, # 61 Exhibit 63)(Berman, Steve) (Entered: 02/24/2014) |

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| 02/27/2014 | 560 | LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated February 27, 2014 re: redactions. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 02/27/2014) |
| 02/28/2014 | 561 | ENDORSED LETTER addressed to Judge Denise L. Cote from Steve Berman dated 2/24/2014 re: Class Plaintiffs respectfully resubmit the Declaration of Steve W. Berman and accompanying exhibits in Support of Class Plaintiffs' Motion for Summary Judgment and Statement of Undisputed Facts for filing under seal. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 2/26/2014) (gr) (Entered: 02/28/2014) |
| 02/28/2014 | 562 | DECLARATION of Steve W. Berman in Support re: 525 MOTION for Summary Judgment.. Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13, # 14 Exhibit 14, # 15 Exhibit 15, # 16 Exhibit 16, # 17 Exhibit 17, # 18 Exhibit 18, # 19 Exhibit 19, # 20 Exhibit 20, # 21 Exhibit 21, # 22 Exhibit 22, # 23 Exhibit 23, # 24 Exhibit 24, # 25 Exhibit 25, # 26 Exhibit 26, # 27 Exhibit 27, # 28 Exhibit 28, # 29 Exhibit 29, # 30 Exhibit 30, # 31 Exhibit 31, # 32 Exhibit 32, # 33 Exhibit 33, # 34 Exhibit 34, # 35 Exhibit 35, # 36 Exhibit 36, # 37 Exhibit 37, # 38 Exhibit 38, # 39 Exhibit 39)(Berman, Steve) (Entered: 02/28/2014) |
| 02/28/2014 | 563 | ENDORSED LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated 2/27/2014 re: After conferring with affected third party, Amazon.com, Inc., Apple Inc. would like to remove two proposed redactions from its 2/21/14 filings. ENDORSEMENT: Approved. (Signed by Judge Denise L. Cote on 2/28/2014) (gr) (Entered: 02/28/2014) |
| 03/03/2014 | 564 | SEALED DOCUMENT placed in vault.(nm) (Entered: 03/03/2014) |
| 03/05/2014 | 565 | MEMORANDUM OF LAW in Opposition re: 525 MOTION for Summary Judgment.. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 03/05/2014) |
| 03/05/2014 | 566 | RESPONSE re: 526 Rule 56.1 Statement / <i>DEFENDANT APPLE INC.'S RESPONSE TO CLASS PLAINTIFFS' STATEMENT OF UNDISPUTED FACTS</i> . Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 03/05/2014) |
| 03/05/2014 | 567 | DECLARATION of CYNTHIA E. RICHMAN in Opposition re: 525 MOTION for Summary Judgment.. Document filed by Apple Inc.. (Attachments: # 1 Exhibit A through J)(Boutrous, Theodore) (Entered: 03/05/2014) |
| 03/07/2014 | 568 | BRIEF re: (505 in 1:11-md-02293-DLC, 399 in 1:12-cv-03394-DLC-MHD) <i>Brief Reply Brief on Civil Penalties</i> . Document filed by The State of Texas. (Attachments: # 1 Exhibit 1)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Lipman, Eric) (Entered: 03/07/2014) |
| 03/07/2014 | 569 | RESPONSE in Opposition to Motion re: (449 in 1:12-cv-03394-DLC-MHD) MOTION to Remand / <i>APPLE INC.'S MOTION FOR SUGGESTION OF REMAND TO THE JUDICIAL PANEL FOR MULTIDISTRICT</i> |

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| | | <i>LITIGATION</i> .. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 03/07/2014) |
| 03/07/2014 | 570 | DECLARATION of Steve W. Berman in Opposition re: (449 in 1:12-cv-03394-DLC-MHD) MOTION to Remand / <i>APPLE INC.'S MOTION FOR SUGGESTION OF REMAND TO THE JUDICIAL PANEL FOR MULTIDISTRICT LITIGATION</i> .. Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12, # 13 Exhibit 13)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 03/07/2014) |
| 03/07/2014 | 571 | REPLY MEMORANDUM OF LAW in Support re: 525 MOTION for Summary Judgment.. Document filed by Class Plaintiffs. (Berman, Steve) (Entered: 03/07/2014) |
| 03/07/2014 | 572 | DECLARATION of Steve W. Berman in Support re: 525 MOTION for Summary Judgment.. Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit 40, # 2 Exhibit 41, # 3 Exhibit 42, # 4 Exhibit 43, # 5 Exhibit 44) (Berman, Steve) (Entered: 03/07/2014) |
| 03/07/2014 | 573 | REPLY re: 526 Rule 56.1 Statement <i>Class Plaintiffs Reply in Support of Their Statement of Undisputed Facts</i> . Document filed by Class Plaintiffs. (Berman, Steve) (Entered: 03/07/2014) |
| 03/11/2014 | 574 | SEALED DOCUMENT placed in vault.(nm) (Entered: 03/11/2014) |
| 03/11/2014 | 575 | ENDORSED LETTER addressed to Judge Denise L. Cote from Steve Berman dated 2/25/2014 re: Identification by Class Plaintiffs of documents for filing under seal. ENDORSEMENT: The redactions are approved. (Signed by Judge Denise L. Cote on 2/26/2014) (gr) (Entered: 03/11/2014) |
| 03/11/2014 | 576 | REPLY MEMORANDUM OF LAW in Support re: (378 in 1:12-cv-03394-DLC-MHD) MOTION to Exclude Expert Opinions Contained in the Declaration of Jonathan Orszag. [<i>Redacted</i>]. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 03/11/2014) |
| 03/11/2014 | 577 | REPLY MEMORANDUM OF LAW in Support re: (379 in 1:12-cv-03394-DLC-MHD, 490 in 1:11-md-02293-DLC) MOTION to Exclude Expert Opinions Contained in the Declaration of Joseph P. Kalt.. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 03/11/2014) |
| 03/11/2014 | 578 | DECLARATION of Jeffrey B. Dubner in Support re: (379 in 1:12-cv-03394-DLC-MHD, 490 in 1:11-md-02293-DLC) MOTION to Exclude Expert Opinions Contained in the Declaration of Joseph P. Kalt., (489 in 1:11-md-02293-DLC, 378 in 1:12-cv-03394-DLC-MHD) MOTION to Exclude Expert Opinions Contained in the Declaration of Jonathan Orszag.. Document filed by Class Plaintiffs. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 |

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| | | Exhibit I, # 10 Exhibit J, # 11 Exhibit K, # 12 Exhibit L, # 13 Exhibit M, # 14 Exhibit N, # 15 Exhibit O, # 16 Exhibit P, # 17 Exhibit Q, # 18 Exhibit R, # 19 Exhibit S) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 03/11/2014) |
| 03/14/2014 | 579 | SEALED DOCUMENT placed in vault.(nm) (Entered: 03/14/2014) |
| 03/14/2014 | 580 | SEALED DOCUMENT placed in vault.(nm) (Entered: 03/14/2014) |
| 03/14/2014 | 581 | REPLY MEMORANDUM OF LAW in Support re: (549 in 1:11-md-02293-DLC, 449 in 1:12-cv-03394-DLC-MHD) MOTION to Remand / <i>APPLE INC.'S MOTION FOR SUGGESTION OF REMAND TO THE JUDICIAL PANEL FOR MULTIDISTRICT LITIGATION.</i> . Document filed by Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Boutrous, Theodore) (Entered: 03/14/2014) |