

APPEAL,CASREF,COMPLEX-CSMGMT,ECF,MDL,RELATED

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:12-cv-03394-DLC-MHD

The State of Texas et al v. Penguin Group (USA) Inc. et al Date Filed: 04/30/2012
Assigned to: Judge Denise L. Cote Jury Demand: Both
Referred to: Magistrate Judge Michael H. Dolinger Nature of Suit: 410 Anti-Trust
Lead case: [1:11-md-02293-DLC](#) Jurisdiction: Federal Question
Member case: [\(View Member Case\)](#)
Related Case: [1:11-md-02293-DLC](#)
Case in other court: Texas Western, 1:12-cv-00324
Cause: 15:1 Antitrust Litigation

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Date Filed	#	Docket Text
04/11/2012	<u>1</u>	COMPLAINT for Injunctive Relief, Civil Penalties and as Parens Patriae on behalf of Consumers (Filing fee \$ 350 receipt number 100013497), filed by The State of Vermont, The State of Tennessee, The State of Missouri, The Commonwealth of Pennsylvania, The State of Iowa, The State of Texas, The State of Colorado, The Commonwealth of Puerto Rico, The State of Illinois, The State of Alaska, The State of Connecticut, The State of Ohio, The State of West Virginia, The State of Arizona, The State of Maryland, The State of South Dakota. (Attachments: # <u>1</u> /List of Attorneys/Receipt)(klw,) (Additional attachment(s) added on 4/12/2012: # <u>2</u> SEALED Unredacted

		Version of Complaint) (klw,). [Transferred from Texas Western on 4/30/2012.] (Entered: 04/11/2012)
04/11/2012	3	MOTION to Appear Pro Hac Vice by Gabriel R. Gervy by on behalf of The State of Texas. Fee Waived. (Attachments: # 1 Proposed Order)(klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/11/2012)
04/12/2012	4	ORDER GRANTING 3 Motion for Gabriel Ross Gervy to Appear Pro Hac Vice on behalf of The State of Texas. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/12/2012)
04/13/2012	6	Letters to all plaintiff counsel (except for Texas) re: non-admitted status. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/13/2012)
04/18/2012	7	AMENDED COMPLAINT against Apple Inc., Penguin Group (USA) Inc., Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., Holtzbrinck Publishers, LLC amending 1 Complaint, filed by The State of Vermont, The State of Tennessee, The State of Missouri, The Commonwealth of Pennsylvania, The State of Iowa, The State of Texas, The State of Colorado, The Commonwealth of Puerto Rico, The State of Illinois, The State of Alaska, The State of Connecticut, The State of Ohio, The State of West Virginia, The State of Arizona, The State of Maryland, The State of South Dakota.(klw,) (Additional attachment(s) added on 4/23/2012: # 2 SEALED Unredacted Complaint) (klw,). [Transferred from Texas Western on 4/30/2012.] (Entered: 04/19/2012)
04/23/2012	10	MOTION to Appear Pro Hac Vice by Nancy M. Bonnell by on behalf of The State of Arizona. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	11	MOTION to Appear Pro Hac Vice by Clyde E. Sniffen, Jr by on behalf of The State of Alaska. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	12	MOTION to Appear Pro Hac Vice by Susan V. Myers by on behalf of The State of Arizona. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	13	MOTION to Appear Pro Hac Vice by Devin M. Laiho by on behalf of The State of Colorado. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	14	MOTION to Appear Pro Hac Vice by Layne M. Lindebak by on behalf of The State of Iowa. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	15	MOTION to Appear Pro Hac Vice by Chadwick O. Brooker by on behalf of The State of Illinois. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	16	

		MOTION to Appear Pro Hac Vice by Ellen S. Cooper by on behalf of The State of Maryland. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	17	MOTION to Appear Pro Hac Vice by Brianna Lennon by on behalf of The State of Missouri. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	18	MOTION to Appear Pro Hac Vice by Jessica I. Oldham by on behalf of The State of Ohio. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	19	MOTION to Appear Pro Hac Vice by Doreen C. Johnson by on behalf of The State of Ohio. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
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04/23/2012	21	MOTION to Appear Pro Hac Vice by Edward J. Olszewski by on behalf of The State of Ohio. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	22	MOTION to Appear Pro Hac Vice by Jennifer J. Kirk by on behalf of The Commonwealth of Pennsylvania. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	23	MOTION to Appear Pro Hac Vice by James A. Donahue by on behalf of The Commonwealth of Pennsylvania. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	24	MOTION to Appear Pro Hac Vice by Jose G. Diaz-Tejera by on behalf of The Commonwealth of Puerto Rico. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	25	MOTION to Appear Pro Hac Vice by Jose M. Tous Cardona by on behalf of The Commonwealth of Puerto Rico. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	26	MOTION to Appear Pro Hac Vice by Jeffrey P. Hallem by on behalf of The State of South Dakota. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	27	MOTION to Appear Pro Hac Vice by Victor J. Domen, Jr by on behalf of The State of Tennessee. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	28	MOTION to Appear Pro Hac Vice by Ryan Kriger by on behalf of The State of Vermont. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	29	MOTION to Appear Pro Hac Vice by Gary M. Becker by on behalf of The State of Connecticut. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)

04/23/2012	30	MOTION to Appear Pro Hac Vice by Michael E. Cole by on behalf of The State of Connecticut. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	31	MOTION to Appear Pro Hac Vice by Schonette Walker by on behalf of The State of Maryland. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	32	MOTION to Appear Pro Hac Vice by John R. Tennis by on behalf of The State of Maryland. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	33	MOTION to Appear Pro Hac Vice by Anne E. Schneider by on behalf of The State of Missouri. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/23/2012	34	MOTION to Appear Pro Hac Vice by Douglas L. Davis by on behalf of The State of West Virginia. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/24/2012	35	MOTION to Appear Pro Hac Vice by Robert W. Pratt by on behalf of The State of Illinois. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/24/2012	36	MOTION to Appear Pro Hac Vice by W. Joseph Nielsen by on behalf of The State of Connecticut. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/24/2012)
04/26/2012	37	ORDER GRANTING 21 Motion for Edward J. Olszweskito Appear Pro Hac Vice on behalf of the State of Ohio. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	38	ORDER GRANTING 19 Motion for Doreen C. Johnson to Appear Pro Hac Vice on behalf of the State of Ohio. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	39	ORDER GRANTING 18 Motion for Jessica I. Oldham to Appear Pro Hac Vice on behalf of The State of Ohio. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	40	ORDER GRANTING 17 Motion for Brianna L. Lennon to Appear Pro Hac Vice on behalf of The State of Missouri. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our

		court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	41	ORDER GRANTING 16 Motion for Ellen S. Cooper to Appear Pro Hac Vice on behalf of the State of Maryland. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	42	ORDER GRANTING 15 Motion for Chadwick O. Booker to Appear Pro Hac Vice on behalf of the State of Illinois. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	43	ORDER GRANTING 14 Motion for Layne M. Lindebak to Appear Pro Hac Vice on behalf of the State of Iowa. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	44	ORDER GRANTING 13 Motion for Devin Laiboto Appear Pro Hac Vice on behalf of the State of Colorado. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	45	ORDER GRANTING 11 Motion for Clyde E. Sniffen, Jr. to Appear Pro Hac Vice on behalf of The State of Alaska. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	46	ORDER GRANTING 34 Motion for Douglas L. Davis to Appear Pro Hac Vice on behalf of the State of West Virginia. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	47	ORDER GRANTING 12 Motion for Susan V. Myers to Appear Pro Hac Vice on behalf of The State of Arizona. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)

04/26/2012	48	ORDER GRANTING 10 Motion for Nancy M. Bonnell to Appear Pro Hac Vice on behalf of The State of Arizona. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	49	ORDER GRANTING 35 Motion for Robert W. Pratt to Appear Pro Hac Vice on behalf of The State of Illinois. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	50	ORDER GRANTING 36 Motion for W. Joseph Nielsen to Appear Pro Hac Vice on behalf of the State of Connecticut. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	51	ORDER GRANTING 22 Motion for Jennifer J. Kirk to Appear Pro Hac Vice on behalf of the Commonwealth of Pennsylvania. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	52	ORDER GRANTING 23 Motion for James A. Donahue, III to Appear Pro Hac Vice on behalf of the Commonwealth of Pennsylvania. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	53	ORDER GRANTING 24 Motion for Jose G. Diaz-Tejera to Appear Pro Hac Vice on behalf of the Commonwealth of Puerto Rico. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	54	ORDER GRANTING 25 Motion for Jose M. Tous Cardona to Appear Pro Hac Vice on behalf of the Commonwealth of Puerto Rico. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	55	ORDER GRANTING 26 Motion for Jeffrey P. Hallem to Appear Pro Hac Vice on behalf of the State of South Dakota. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to

		practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	56	ORDER GRANTING 27 Motion for Victor J. Domen, Jr. to Appear Pro Hac Vice on behalf of The State of Tennessee. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	57	ORDER GRANTING 28 Motion for Ryan G. Kriger to Appear Pro Hac Vice on behalf of the State of Vermont. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	58	ORDER GRANTING 29 Motion Gary M. Becker to Appear Pro Hac Vice on behalf of the State of Connecticut. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	59	ORDER GRANTING 30 Motion for Michael E. Cole to Appear Pro Hac Vice on behalf of the State of Connecticut. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	60	ORDER GRANTING 31 Motion for Schonette Walker to Appear Pro Hac Vice on behalf of the State of Maryland. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	61	ORDER GRANTING 32 Motion for John R. Tennis to Appear Pro Hac Vice on behalf of the State of Maryland. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	62	ORDER GRANTING 33 Motion for Anne E. Schneider to Appear Pro Hac Vice on behalf of the State of Missouri. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)

04/26/2012	63	ORDER GRANTING 20 Motion for Michelle L. Gentile to Appear Pro Hac Vice on behalf of the State of Ohio. Pursuant to our Administrative Policies and Procedures for Electronic Filing, the attorney hereby granted to practice pro hac vice in this case must register for electronic filing with our court within 10 days of this order. Signed by Judge Lee Yeakel. (klw,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/26/2012)
04/26/2012	64	CONDITIONAL TRANSFER ORDER (CTO-3) - transferring case to the Southern District of New York, MDL No. 2293. Signed by Clerk of the Panel. (kkc,) [Transferred from Texas Western on 4/30/2012.] (Entered: 04/30/2012)
04/30/2012	65	MDL TRANSFERRED IN from the United States District Court - District of Texas Western; Case Number: 1:12-cv-00324. Original file certified copy of transfer order and docket entries received. (sjo) (Entered: 04/30/2012)
04/30/2012		CASE ACCEPTED AS RELATED. Create association to 1:11-md-02293-DLC. (sjo) (Entered: 04/30/2012)
04/30/2012		CONSOLIDATED MDL CASE: Create association to 1:11-md-02293-DLC. (sjo) (Entered: 04/30/2012)
04/30/2012		Magistrate Judge Michael H. Dolinger is so designated. (sjo) (Entered: 04/30/2012)
04/30/2012		Case Designated ECF. (sjo) (Entered: 04/30/2012)
04/30/2012		NOTE TO OUT OF STATE ATTORNEYS: Please visit the Court's website at http://www.nysd.uscourts.gov for information regarding admission to the S.D.N.Y. Bar and the CM/ECF Rules & Filing Instructions. (sjo) (Entered: 04/30/2012)
04/30/2012	66	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; 1:12-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	67	NOTICE OF APPEARANCE by James W. Quinn on behalf of Simon & Schuster, Inc. (Quinn, James) (Entered: 04/30/2012)
04/30/2012	68	NOTICE OF APPEARANCE by Yehudah Lev Buchweitz on behalf of Simon & Schuster, Inc. (Buchweitz, Yehudah) (Entered: 04/30/2012)

05/01/2012	69	Letter addressed to Judge Denise L Cote from Shepard Goldfein dated 4/30/2012 re: The settling defendants request that the Court enter the enclosed 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)
05/07/2012	70	NOTICE OF APPEARANCE by Eric Lipman on behalf of The State of Texas (Lipman, Eric) (Entered: 05/07/2012)
05/09/2012	71	ORDER:it is hereby ORDERED that a conference in this action will be held on} ,June 22, 2012 at 2:30 p.m. at the United States Courthouse, 500Pearl Street, New York , New York, in Courtroom 15B. IT IS FURTHER ORDERED that prior to the June 22, 2012 conference, the parties in this action shall submit to the Court a proposal for coordinated discovery and a proposed confidentiality agreement. (Status Conference set for 6/22/2012 at 02:30 PM in Courtroom 15B, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote.) (Signed by Judge Denise L. Cote on 5/9/2012) (js) (Entered: 05/09/2012)
05/09/2012	72	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)
05/10/2012	73	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	74	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	75	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	76	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	77	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

		<p>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.</p> <p>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)</p>
05/11/2012	78	<p>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)</p>
05/11/2012	79	<p>NOTICE OF APPEARANCE by Daniel F. McInnis on behalf of Penguin Group (USA) Inc. (McInnis, Daniel) (Entered: 05/11/2012)</p>
05/11/2012	80	<p>NOTICE OF APPEARANCE by Allison Sheedy on behalf of Penguin Group (USA) Inc. (Sheedy, Allison) (Entered: 05/11/2012)</p>
05/11/2012	81	<p>NOTICE OF APPEARANCE by Chadwick O. Brooker on behalf of The State of Illinois (Brooker, Chadwick) (Entered: 05/11/2012)</p>
05/14/2012	82	<p>JOINT MOTION to Dismiss <i>Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc.</i>. Document filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc.. (Attachments: # 1 Memorandum in Support of Joint Motion to Dismiss, # 2 Text of Proposed Order [Proposed] Order granting Joint Motion to Dismiss) (Scullion, Jennifer) (Entered: 05/14/2012)</p>
05/14/2012	83	<p>NOTICE OF APPEARANCE by Jennifer R. Scullion on behalf of Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc. (Scullion, Jennifer) (Entered: 05/14/2012)</p>
05/14/2012	84	<p>MEMORANDUM OF LAW in Support re: 82 JOINT MOTION to Dismiss <i>Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc.</i>. <i>Memorandum in Support of Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc.</i>. Document filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc.. (Scullion, Jennifer) (Entered: 05/14/2012)</p>

05/14/2012	85	NOTICE OF APPEARANCE by Helene Debra Jaffe on behalf of Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc. (Jaffe, Helene) (Entered: 05/14/2012)
05/15/2012	86	JOINT MOTION to Dismiss <i>Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc.</i> . Document filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc.. (Scullion, Jennifer) (Entered: 05/15/2012)
05/15/2012	87	MEMORANDUM OF LAW in Support re: 86 JOINT MOTION to Dismiss <i>Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc.</i> . <i>Memorandum in Support of Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc.</i> . Document filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc.. (Scullion, Jennifer) (Entered: 05/15/2012)
05/15/2012	88	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)
05/15/2012	89	NOTICE OF APPEARANCE by Alan R. Kusnitz on behalf of Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc. (Kusnitz, Alan) (Entered: 05/15/2012)
05/16/2012	90	NOTICE OF APPEARANCE by Joel M. Mitnick on behalf of Holtzbrinck Publishers, LLC (Mitnick, Joel) (Entered: 05/16/2012)
05/16/2012	91	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Georg von Holtzbrinck GmbH & Co. KG for Holtzbrinck Publishers, LLC. Document filed by Holtzbrinck Publishers, LLC.(Mitnick, Joel) (Entered: 05/16/2012)
05/16/2012	92	NOTICE OF APPEARANCE by Alexandra Shear on behalf of Holtzbrinck Publishers, LLC (Shear, Alexandra) (Entered: 05/16/2012)
05/16/2012	93	NOTICE OF APPEARANCE by David Joseph Carey on behalf of Holtzbrinck Publishers, LLC (Carey, David) (Entered: 05/16/2012)
05/16/2012	94	NOTICE OF APPEARANCE by John Joseph Lavelle on behalf of Holtzbrinck Publishers, LLC (Lavelle, John) (Entered: 05/16/2012)
05/17/2012	95	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. Related document: 7 Amended Complaint,, filed by The State of Ohio, The State of Iowa, The State of Texas, The State of Maryland, The Commonwealth of Puerto Rico, the State of Tennessee, The State of Vermont, The State of Missouri, The State of Illinois, The State of Arizona, The State of Alaska, The State of Connecticut, The State of South Dakota, The State of Colorado, The State of West Virginia, The Commonwealth of Pennsylvania.***Original document filed in case number 11-md-2293, document #161.(mro) (Entered: 05/21/2012)
05/23/2012	96	NOTICE OF APPEARANCE by Jason Robert Evans on behalf of The State of Michigan (Evans, Jason) (Entered: 05/23/2012)
06/05/2012	97	NOTICE OF APPEARANCE by Michael Paul Franck on behalf of The Commonwealth of Massachusetts (Franck, Michael) (Entered: 06/05/2012)
06/20/2012	98	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	99	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	100	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	101	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	102	Letter addressed to Judge Denise L Cote from Gabriel R Gervev 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)
06/22/2012	103	ANSWER to 95 Amended Complaint,,,,,. Document filed by Holtzbrinck Publishers, LLC.(Mitnick, Joel) (Entered: 06/22/2012)

06/22/2012	104	NOTICE OF APPEARANCE by Daniel S. Floyd on behalf of Apple Inc. (Floyd, Daniel) (Entered: 06/22/2012)
06/22/2012	105	ANSWER to 95 Amended Complaint,,,,, with JURY DEMAND. Document filed by Apple Inc.. (Attachments: # 1 Certificate of Service)(Floyd, Daniel) (Entered: 06/22/2012)
06/22/2012	106	ANSWER to 95 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)
06/22/2012		Minute Entry for proceedings held before Judge Denise L. Cote: Status Conference held on 6/22/2012. (Court Reporter Pam Utter) (gr) (Entered: 07/12/2012)
06/25/2012	107	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 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	108	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)
06/27/2012	109	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)

07/06/2012	110	MOTION for DAVID J. CAREY to Withdraw as Attorney <i>and [Proposed] Order</i> . Document filed by Holtzbrinck Publishers, LLC.(Mitnick, Joel) (Entered: 07/06/2012)
07/06/2012	111	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	112	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)
07/26/2012	113	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	114	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)
09/06/2012	115	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)
09/10/2012	116	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)
09/10/2012		Minute Entry for proceedings held before Judge Denise L. Cote: Telephone Conference held on 9/10/2012. (Court Reporter Rebecca Forman) (gr) (Entered: 09/11/2012)
09/13/2012	117	Letter addressed to Judge Denise L. Cote from Steve W. Berman dated 9/12/2012 re: On December 21, 2011, this Court appointed interim Class Counsel to represent eBook consumers in litigation against the Settling Defendants. In that capacity, Class Counsel has a fiduciary duty to protect eBook consumers' litigation interests, to identify issues affecting those

		interests, and to advise the Court on such issues. After reviewing the settlement, Class Plaintiffs do not oppose granting of the motion for preliminary approval given the low burden the States have. However, Class Plaintiffs ask the Court to consider three points-none of which disrupt preliminary approval. (rjm) (Entered: 09/14/2012)
09/14/2012	118	MEMO ENDORSEMENT granting 110 Motion to Withdraw as Attorney. Attorney David Joseph Carey terminated. (Signed by Judge Denise L. Cote on 9/14/2012) (lmb) (Entered: 09/17/2012)
09/20/2012	119	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	120	Letter addressed to Judge Denise L. Cote from Gabriel R. Gervy dated 9/20/2012 re: The Plaintiff States1 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	121	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 Co mi. 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)
09/21/2012	122	NOTICE OF APPEARANCE by Sarah R. Tacker on behalf of The State of Arkansas (Tacker, Sarah) (Entered: 09/21/2012)
09/21/2012	123	NOTICE OF APPEARANCE by Kevin Wells on behalf of The State of Arkansas (Wells, Kevin) (Entered: 09/21/2012)
10/05/2012	124	NOTICE OF APPEARANCE by Gregory John Walklin on behalf of The State of Nebraska (Attachments: # 1 Supplement)(Walklin, Gregory) (Entered: 10/05/2012)
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)
10/12/2012	125	

		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	126	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	127	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)
10/17/2012	128	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)
10/24/2012	129	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)
10/26/2012	130	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	131	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	132	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	133	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	134	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)
11/14/2012	135	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 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)
11/19/2012	136	JOINT STIPULATION AND ORDER REGARDING REVISED SCHEDULE FOR EXPERT DISCOVERY. The parties to this Joint Stipulation and Proposed Order, by and through their undersigned counsel, hereby stipulate: 1. The date for disclosure of expert identities and general subject matters shall be changed from November 16, 2012 to November 30, 2012; 2. The date for service of opening expert reports shall be changed from January 25, 2013 to February 8, 2013; 3. The date for service of rebuttal expert reports shall be changed from February 15, 2013 to March 1, 2013; and 4. The date for the close of expert discovery shall be changed from March 22, 2013 to March 29, 2013. (Expert Discovery due by 3/29/2013.) (Signed by Judge Denise L. Cote on 11/19/2012) (rjm) (Entered: 11/20/2012)
11/30/2012	137	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) Filed In Associated Cases: 1:11-md-02293-DLC et al. (rjm) (Entered: 11/30/2012)

12/19/2012	138	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	139	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-02293-DLC et al.(lmb) (Entered: 01/08/2013)
01/17/2013	140	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)
02/15/2013	141	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	142	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	143	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	144	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)
02/22/2013	145	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, 720-508-6000. 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	146	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	147	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	148	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	149	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)
03/15/2013	150	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	151	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	152	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	153	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 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)
03/27/2013	154	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)
03/27/2013		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 154 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.. The document has been reviewed and there are no deficiencies. (bwa) (Entered: 03/27/2013)
03/28/2013	155	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	156	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	157	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	158	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)
04/05/2013	159	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	160	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	161	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)
04/15/2013	162	ENDORSED LETTER addressed to Judge Denise L. Cote from Carrie A. Syme dated 4/4/2013 re: We write on behalf of the United States and Plaintiff States in the above-referenced matters to seek the Court's guidance regarding certain scheduling and logistical matters relating to the pre-trial filings due April 26, 2013. ENDORSEMENT: Any third party seeking redaction of either

		documents or deposition excerpts which the parties are offering as evidence in their direct cases at trial must make its application by 5/8/13. The expansion of page limits on memoranda is approved. The parties shall submit one paper and one electronic copy of exhibits., (Motions due by 5/8/2013.) (Signed by Judge Denise L. Cote on 4/15/2013) (lmb) Modified on 4/17/2013 (lmb). Modified on 4/17/2013 (lmb). (Entered: 04/15/2013)
04/15/2013		Minute Entry for proceedings held before Judge Denise L. Cote: Telephone Conference held on 4/15/2013. (Court Reporter Linda Fisher) (gr) (Entered: 04/16/2013)
04/17/2013	163	Letter addressed to Judge Cote from Orin Snyder dated 4/12/2013 re: the parties' April 26 trial submissions. Document filed by Apple, Inc.(gr) (Entered: 04/17/2013)
04/17/2013	164	Letter addressed to Judge Cote from Orin Snyder dated 4/13/2013 re: respectfully submit this letter to clarify a sentence in our letter to the Court dated 4/12/2013. Document filed by Apple, Inc.(gr) (Entered: 04/17/2013)
04/17/2013	165	Letter addressed to Judge Cote from Daniel F. McInnis dated 4/13/2013 re: we write in support of, and joining, Apple's letter to the Court, dated 4/12/13, regarding the potentially inappropriate use of inadmissible non-party materials by the plaintiffs. Document filed by Penguin Group (USA), Inc.(gr) (Entered: 04/17/2013)
04/17/2013	166	Letter addressed to Judge Cote from Lawrence E. Buterman dated 4/15/2013 re: We write in response to Penguin's April 13 letter. Document filed by United States of America.(gr) (Entered: 04/17/2013)
04/17/2013	167	Letter addressed to Judge Cote from Daniel F. McInnis dated 4/13/2013 re: I write on behalf of Penguin to seek an order compelling Plaintiff States to answer a simple contention interrogatory that goes to the very heart of Penguin's defense in this matter and for which fundamental fairness requires that Plaintiff States take a definitive position. Document filed by Penguin Group (USA) Inc.(gr) (Entered: 04/17/2013)
04/17/2013	168	Letter addressed to Judge Cote from Eric Lipman, Assistant Attorney General dated 4/15/2013 re: We write in response to Penguin's letter of April 13, in which it asserts, once again, that its participation in the June 3 trial will cause procedural problems and complicate the proceedings. Document filed by The State of Texas.(gr) (Entered: 04/17/2013)
04/17/2013	169	Letter addressed to Judge Cote from Gabriel R. Gervev, Assistant Attorney General dated 4/15/2013 re: The Plaintiff States write in response to Penguin's 4/13/13 letter regarding our response to Penguin's Contention Interrogatory No. 8. Document filed by The State of Texas.(gr) (Entered: 04/17/2013)
04/18/2013	170	NOTICE OF APPEARANCE by John Barret Scott on behalf of The State of Texas (Scott, John) (Entered: 04/18/2013)
04/19/2013	171	NOTICE OF APPEARANCE by Kim M. Van Winkle on behalf of The State of Texas (Van Winkle, Kim) (Entered: 04/19/2013)
04/24/2013	172	

		OPINION AND ORDER re: #103149 (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) Modified on 4/29/2013 (jab). (Entered: 04/24/2013)
04/26/2013	173	JOINT STIPULATION ADJOURNING PRE-TRIAL DEADLINES CONCERNING DEFENDANTS HOLTZBRINCK PUBLISHERS, LLC D/B/A MACMILLAN AND VERLAGSGRUPPE GEORG VON HOLTZBRINCK GMBH: The parties to this Joint Stipulation, by and through the undersigned counsel, hereby stipulate and agree as follows: Macmillan and VGvH will not participate as defendants in the Trial. The Pre-Trial Deadlines and all other existing and future deadlines and requirements pertaining to the Trial shall not apply to Macmillan or to VGvH, and shall not apply to Plaintiffs insofar as they concern Macmillan or VGvH, unless otherwise ordered by the Court. In the event that this Court does not approve any of the settlements between the U.S. Department of Justice, the plaintiff States, Macmillan, and VGvH, the parties to any such disapproved settlement shall meet and confer within ten (10) days of the Order disapproving the settlement to devise a plan for trial or other resolution of their claims to present to this Court for its approval. This Joint Stipulation is without prejudice to any claims by Plaintiffs against Macmillan and VGvH, and any defenses thereto, in the event that the Court does not approve one or more of the settlements between those parties, in whole or in part. (Signed by Judge Denise L. Cote on 4/26/2013) (lmb) (Entered: 04/26/2013)
04/26/2013	174	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 175 Order. The document was incorrectly filed in this case. (lmb) (Entered: 05/01/2013)
04/26/2013	177	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)
04/29/2013	176	ORDER: It is hereby ORDERED that, if the States wish to proceed on their Count IV state law claims, the States shall file by May 6, 2013 a supplemental brief providing, at minimum: (i) copies of any relevant state statutes in effect

		at the time of the alleged misconduct, (ii) citations to opinions, preferably from a state's highest court, describing the elements of the state law cause of action, and (iii) authority describing the extent to which any finding under Section 1 of the Sherman Act might affect those state law claims. IT IS FURTHER ORDERED that any responsive defendants' brief shall be filed by May 17, 2013., (Brief due by 5/6/2013., Responses due by 5/17/2013.) (Signed by Judge Denise L. Cote on 4/29/2013) (lmb) (Entered: 04/29/2013)
05/06/2013	178	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	179	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-02826-DLC, 1:12-cv-03394-DLC(Rubin, Lisa) (Entered: 05/06/2013)
05/06/2013	180	FILING ERROR - DEFICIENT DOCKET ENTRY - 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) Modified on 5/7/2013 (bwa). (Entered: 05/06/2013)
05/07/2013		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice regarding Document No. 180 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 filing is deficient for the following reason(s): Filing fee not paid. Wrong casenumber associated in pdf. Filing fee must be paid for each case number and enter correct case number in the pdf. (bwa) (Entered: 05/07/2013)
05/07/2013	181	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.

		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)
05/07/2013	182	ORDER: On April 15, 2013, the Court ordered that third parties seeking redaction of either documents or deposition excerpts which the parties are offering as evidence in their direct cases at trial must make any application by May 8. By letters dated May 3 and May 6, respectively, non-parties Google Inc. and Amazon.com, Inc. request an extension of the May 8 deadline and clarification of the non-parties' obligations pursuant to the April 15 order. It is hereby ORDERED that a teleconference to discuss these issues will be held on May 8, 2013 at 3:30 p.m. IT IS FURTHER ORDERED that the May 8 deadline for redaction requests is extended sine die. IT IS FURTHER ORDERED that coordinating counsel for the parties shall notify any non-parties affected by this Order of the May 8 teleconference. Counsel representing parties in any related litigation may also participate in this teleconference., (Telephone Conference set for 5/8/2013 at 03:30 PM before Judge Denise L. Cote.) (Signed by Judge Denise L. Cote on 5/7/2013) (lmb) (Entered: 05/07/2013)
05/09/2013	183	NOTICE OF APPEARANCE by Nicholas Mark Sydow on behalf of The State of New Mexico (Sydow, Nicholas) (Entered: 05/09/2013)
05/10/2013	184	ENDORSED LETTER addressed to Judge Denise Cote from Orin Snyder dated 5/10/2013 re: We represent Apple. Earlier this week, in response to our request, Your Honor kindly agreed to move the final pre-trial conference in the above-captioned matters to Thursday, May 23, at 2:30p.m. if all parties consented. All parties have graciously consented to the new date and time. ENDORSEMENT: So Ordered. (Signed by Judge Denise L. Cote on 5/10/2013) (mt) (Entered: 05/10/2013)
05/10/2013		Set/Reset Hearings: Final Pretrial Conference set for 5/23/2013 at 02:30 PM before Judge Denise L. Cote. (mt) (Entered: 05/10/2013)
05/13/2013	185	Letter addressed to Judge Denise L. Cote from Orin Snyder dated 5/13/2013 re: Accordingly, Apple respectfully requests that the Court issue an order (1) directing all third parties that wish to redact portions of trial exhibits affecting the pre-trial submissions to submit to the Court such exhibits, in both clean copy and with proposed redactions highlighted in yellow, by a date specified by the Court, and (2) directing the litigating parties to submit redacted copies of their pre-trial submissions to the Court for public filing within twenty-four (24) hours of the Court's issuing an order redacting any third-party exhibit to the extent necessary to conform to the Court's order. Document filed by Apple, Inc..(rdz) Modified on 5/16/2013 (rdz). (Entered: 05/14/2013)
05/13/2013	186	

		<p>ENDORSED LETTER addressed to Judge Denise L. Cote from Lawrence E. Buterman dated 5/13/2013 re: Because Apple's proposed Order would result in an unnecessary delay in making the pretrial papers public, the United States respectfully requests that Apple's proposed Order be denied. Instead, the United States requests permission to identify to the Court within the next 24 hours any excerpts from its pretrial papers on which third parties are requesting redactions, or alternatively to inform the Court that no redactions are necessary and that the pretrial papers are ready to be filed publicly. ENDORSEMENT: Approved. All parties to the June 3 trial shall follow this procedure. (Signed by Judge Denise L. Cote on 5/13/2013) (rdz) Modified on 5/16/2013 (rdz). (Entered: 05/14/2013)</p>
05/13/2013	187	<p>Letter addressed to Judge Denise L. Cote from Orin Snyder dated 5/13/2013 re: Instead, as my letter of earlier today states, Apple asks Your Honor only to order that where a third party's proposed redactions affect the public filing of the pre-trial submissions themselves, that party submit the relevant exhibits containing the purportedly confidential information to the Court. Document filed by Apple, Inc..(man) (Entered: 05/14/2013)</p>
05/14/2013	188	<p>ENDORSED LETTER addressed to Judge Cote from Lawrence E. Buterman dated 5/14/2013 re: Consistent with our May 13 letter to the Court, after conferring with Defendants and all third parties whose documents or data are referenced in Plaintiffs' pretrial papers, Plaintiffs have been informed that there are no confidentiality issues with respect to the following documents. Accordingly, Plaintiffs are prepared to immediately file the aforementioned documents on ECF, and respectfully request permission from the Court to do so. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 5/14/2013) (gr) (Entered: 05/14/2013)</p>
05/14/2013	189	<p>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)</p>
05/14/2013	190	<p>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)</p>
05/14/2013	191	<p>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)</p>
05/14/2013	192	<p>ENDORSED LETTER addressed to Judge Cote from Howard E. Heiss dated 5/14/2013 re: We write on behalf of Apple. We request permission to file the nine documents listed, which are unaffected by Amazon's redactions, and await the Court's direction with respect to the filing of Apple's Proposed Findings of Fact and Pre-trial Memorandum. ENDORSEMENT: Apple may file the pre-trial papers as to which there have been no redaction requests. It may file the 2 documents as to which there are redaction requests in redacted form. The Court shall promptly review the requests. (Signed by Judge Denise L. Cote on 5/14/2013) (gr) (Entered: 05/14/2013)</p>

05/14/2013	193	ENDORSED LETTER addressed to Judge Cote from Gabriel R. Gervy, Assistant Attorney General, Texas Attorney General's Office dated 5/14/2013 re: Accordingly, the Plaintiff States' are prepared to immediately file electronically on ECF the aforementioned documents, and respectfully request permission from the Court to do so. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 5/14/2013) (gr) (Entered: 05/14/2013)
05/14/2013	194	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	195	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	196	ENDORSED LETTER addressed to Judge Cote from Daniel F. McInnis dated 5/14/2013 re: Penquin has conferred with all third parties whose documents or data are referenced in Penquin's pre-trial submissions. Penquin 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	197	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	198	PRETRIAL MEMORANDUM. Document filed by Apple Inc..(Snyder, Orin) (Entered: 05/14/2013)
05/14/2013	199	PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW. Document filed by Apple Inc..(Snyder, Orin) (Entered: 05/14/2013)
05/14/2013	200	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	201	

		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 (Idi). (Entered: 05/14/2013)
05/14/2013	202	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION to Compel Arbitration. Document filed by Penguin Group (USA) Inc.. (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	203	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	204	PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW. Document filed by Apple Inc..(Snyder, Orin) (Entered: 05/14/2013)
05/14/2013	205	MOTION in Limine / <i>APPLE INC.'S MOTION IN LIMINE TO EXCLUDE THE EXPERT TESTIMONY OF PROFESSORS BAKER AND ASHENFELTER</i> . Document filed by Apple Inc..(Snyder, Orin) (Entered: 05/14/2013)
05/14/2013	206	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	207	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	208	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	209	REPLY MEMORANDUM OF LAW in Support re: 205 MOTION in Limine / <i>APPLE INC.'S MOTION IN LIMINE TO EXCLUDE THE EXPERT</i>

		<i>TESTIMONY OF PROFESSORS BAKER AND ASHENFELTER..</i> Document filed by Apple Inc.. (Snyder, Orin) (Entered: 05/14/2013)
05/14/2013	210	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)
05/14/2013		***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)
05/14/2013		***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)
05/15/2013	211	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	212	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)
05/15/2013	213	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	214	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)
05/15/2013	215	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, # 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	216	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	217	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	218	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	219	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)
05/15/2013	220	ORDER. By letters dated May 15, 2013, non-party Amazon seeks to redact portions of parties' pretrial filings. It is hereby ORDERED that a

		teleconference will be held on May 16, 2013 at 11 a.m. (Telephone Conference set for 5/16/2013 at 11:00 AM before Judge Denise L. Cote.) (Signed by Judge Denise L. Cote on 5/15/2013) (gr) (Entered: 05/15/2013)
05/16/2013	221	PRETRIAL MEMORANDUM. Document filed by Apple Inc..(Snyder, Orin) (Entered: 05/16/2013)
05/16/2013	222	PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW. Document filed by Apple Inc..(Snyder, Orin) (Entered: 05/16/2013)
05/16/2013		Minute Entry for proceedings held before Judge Denise L. Cote: Telephone Conference held on 5/16/2013. (Court Reporter Michael McDaniel) (gr) (Entered: 05/21/2013)
05/17/2013	223	Letter addressed to Judge Cote from Howard E. Heiss dated 5/15/2013 re: Amazon seeks to shield from public disclosure evidence that undermines Plaintiffs' case and Amazon's three supporting declarations. But Amazon does not come close to meeting the legal standards for sealing at trial. Apple respectfully submits that the Court should grant public access to this information by denying Amazon's extensive and disruptive redaction requests. Document filed by Apple, Inc., Apple Inc.(gr) (Entered: 05/17/2013)
05/22/2013	224	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. Penquin 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	225	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)
05/28/2013	226	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	227	MEMO ENDORSEMENT granting 226 Motion to Dismiss. ENDORSEMENT: Granted. (Signed by Judge Denise L. Cote on 5/29/2013) (lmb) (Entered: 05/29/2013)
05/29/2013	228	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)
06/12/2013	229	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	230	LETTER addressed to Judge Cote from Daniel G. Swanson dated 6/9/2013 re: We write to address the States' requested relief in this case. The Court has ruled that the current bench trial "would address issues of liability and injunctive relief" only, and "clarified on two occasions that there would be a separate trial to determine any damages amount." Document filed by Apple, Inc..(gr) (Entered: 06/19/2013)
06/19/2013	231	LETTER addressed to Judge Cote from Amanda C. Croushore dated 6/4/2013 re: We represent non-party Random House, Inc. in connection with the referenced action. With your Honor's permission, as directed in court this morning, we respectfully submit this letter to explain Random House's position regarding the confidentiality of one Random House document (RH-USOD-00017229) that the Government has informed us it intends to use as an exhibit at trial. (gr) (Entered: 06/19/2013)
06/19/2013	232	LETTER addressed to Judge Cote from Jonathan M. Jacobson dated 6/3/2013 re: We represent Google Inc., a non-party in these cases. Pursuant to the Court's direction this morning, the parties have advised Google of the trial exhibits containing highly confidential Google material that they plan actually to offer at trial. (gr) (Entered: 06/19/2013)
06/19/2013	233	LETTER addressed to Judge Cote from Daniel G. Swanson dated 6/17/2013 re: During proceedings on June 10, 2013, the Court instructed the parties to confer as to whether the following underscored sentence of Dr. Burtis's revised testimony constitutes a new opinion, not previously disclosed. Document filed by Apple, Inc.(gr) (Entered: 06/19/2013)
06/21/2013	234	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	235	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)
07/01/2013	236	

		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. 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)
07/09/2013		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	237	OPINION & ORDER: #103369 Based on the trial record, and for the reasons stated herein, this Court finds by a preponderance of the evidence that Apple conspired to restrain trade in violation of Section 1 of the Sherman Act and relevant state statutes to the extent those laws are congruent with Section 1. A scheduling order will follow regarding the Plaintiffs request for injunctive relief and damages. (Signed by Judge Denise L. Cote on 7/10/2013) (gr) Modified on 7/19/2013 (jab). (Entered: 07/10/2013)
07/10/2013	238	ORDER: the Plaintiffs shall serve a proposed injunction on Apple by July 19, 2013. The parties shall submit to the Court by August 2, 2013 any joint or separate submissions with respect to the proposed injunction. IT IS FURTHER ORDERED that a conference shall be held in these actions on August 9, 2013 at 3:30 p.m. In preparation for that conference, the parties shall submit to the Court by August 2, 2013 joint or separate proposals as to completion of discovery and a schedule for any trial on damages. IT IS FURTHER ORDERED that the parties are instructed to contact the chambers of Judge Wood promptly in order to pursue settlement discussions under her supervision. Pretrial Conference set for 8/9/2013 at 03:30 PM in Courtroom 15B, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote. (Signed by Judge Denise L. Cote on 7/10/2013) (gr) (Entered: 07/10/2013)
07/10/2013	239	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	240	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	241	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	243	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. 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	242	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)
08/02/2013	244	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)
08/02/2013	245	RESPONSE re: 244 Brief, <i>APPLE INC.S MEMORANDUM OF LAW IN RESPONSE TO PLAINTIFF UNITED STATES PROPOSED FINAL JUDGMENT AND PLAINTIFF STATES PROPOSED ORDER ENTERING PERMANENT INJUNCTION</i> . Document filed by Apple Inc.. (Snyder, Orin) (Entered: 08/02/2013)
08/05/2013	246	ORDER. IT IS HEREBY ORDERED that Apply shall submit a letter to the Court by August 8 at 10:00 a.m. identifying the evidence it believes was

		"improperly admitted, excluded, or disregarded." (Signed by Judge Denise L. Cote on 8/5/2013) (gr) (Entered: 08/05/2013)
08/05/2013		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)
08/06/2013	247	<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 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</p>

		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)
08/08/2013	248	ORDER: The 3:30 p.m. conference scheduled for August 9, 2013 is moved to 3 p.m. in Courtroom 15B. Pretrial Conference set for 8/9/2013 at 03:00 PM in Courtroom 15B, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote. (Signed by Judge Denise L. Cote on 8/8/2013) (gr) (Entered: 08/08/2013)
08/08/2013	249	LETTER addressed to Judge Cote from Gabriel R. Gervery, Assistant Attorney General, Texas Attorney General's Office dated 8/2/2013 re: In consultation with Class Counsel, the Plaintiff States ("The States") respectfully propose that their action against Apple for consumer damages and civil penalties proceed concurrently with the Class case on the proposed scheduled attached.... (gr) (Entered: 08/08/2013)
08/08/2013	250	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	251	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	252	LETTER addressed to Judge Cote from Lawrence E. Buterman dated 8/5/2013 re: Plaintiff in the law enforcement action write to state their opposition to Apple's requesting a stay of injunctive relief in the United States' and Plaintiffs' recently tried action ("law enforcement action"). (gr) (Entered: 08/08/2013)
08/08/2013	253	LETTER addressed to Judge Cote from Gabriel R. Gervery, Assistant Attorney General, Texas Attorney General's Office dated 8/6/2013 re: The Plaintiff States oppose Apple's request for a stay of their parens patriae action for consumer damages and civil penalties pending Apple's appeal of the Court's anticipated Final Judgment in United States v. Apple, Case No. 12 Civ. 2826, and any injunction entered in the States' case. (gr) (Entered: 08/08/2013)
08/08/2013	254	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)
08/08/2013	255	LETTER addressed to Judge Cote from Apple Inc. (Orin Snyder) dated 8/8/2013. Document filed by Apple, Inc. Apple respectfully submits its

		response to this Court's August 5, 2013 Order, and sets forth a list of examples, without prejudice to arguments it may raise on appeal, of evidence that was 'improperly admitted, excluded, or disregarded' before or at trial. (cr) (Entered: 08/08/2013)
08/08/2013	256	LETTER addressed to Judge Cote from United States of America (Lawrence Buterman) dated 8/8/2013 re: We write in response to the August 7, 2013 joint submission by the Publisher Defendants opposing Sections III.C and IV.A of Plaintiffs' Proposed Final Judgment. Document filed by United States of America. (cr) (Entered: 08/08/2013)
08/08/2013	257	Amicus Curiae APPEARANCE entered by Gregory J. Wallance on behalf of Kobo Inc.. (Attachments: # 1 Certificate of Service)(Wallance, Gregory) (Entered: 08/08/2013)
08/08/2013	258	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Rakuten, Inc. for Kobo Inc.. Document filed by Kobo Inc.. (Wallance, Gregory) (Entered: 08/08/2013)
08/08/2013	259	MOTION for Leave to File An Amicus Curiae Brief In Support Of Proposed Final Judgment. Document filed by Kobo Inc.. (Attachments: # 1 Certificate of Service)(Wallance, Gregory) (Entered: 08/08/2013)
08/08/2013	260	MEMORANDUM OF LAW in Support re: 259 MOTION for Leave to File An Amicus Curiae Brief In Support Of Proposed Final Judgment.. Document filed by Kobo Inc.. (Attachments: # 1 Certificate of Service)(Wallance, Gregory) (Entered: 08/08/2013)
08/08/2013	261	MOTION for ROBERT BROOKS BELL to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8768943. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Kobo Inc.. (Attachments: # 1 Certificate of Good Standing - New York, # 2 Certificate of Good Standing - District of Columbia, # 3 Text of Proposed Order for Admission Pro Hac Vice, # 4 Certificate of Service)(Wallance, Gregory) (Entered: 08/08/2013)
08/09/2013		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 261 MOTION for ROBERT BROOKS BELL to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8768943. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bwa) (Entered: 08/09/2013)
08/09/2013	262	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)
08/09/2013		Minute Entry for proceedings held before Judge Denise L. Cote: Conference held on 8/9/2013. (Court Reporter Denise Richards) (gr) (Entered: 08/12/2013)
08/12/2013	263	

		ORDER granting 261 Motion for Robert Brooks Bell to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Denise L. Cote)(Text Only Order) (Cote, Denise) (Entered: 08/12/2013)
08/13/2013	264	ENDORSED LETTER addressed to Judge Cote from Orin Snyder dated 8/12/2013 re: On behalf of all parties to the above-captioned cases, we respectfully submit this letter to request that the Court hold its next conference with respect to the injunction to be entered on August 27, 2013 at 2 p.m....The parties further propose that they submit letters concerning their respective positions on the scope of the injunction by August 23, 2013 at 10:00 a.m. ENDORSEMENT: Approved. (Pretrial Conference set for 8/27/2013 at 02:00 PM in Courtroom 15B, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote.) (Signed by Judge Denise L. Cote on 8/13/2013) (gr) (Entered: 08/13/2013)
08/13/2013	265	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	266	MOTION for Theodore J. Boutrous, Jr. to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8809535. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Apple Inc.. (Attachments: # 1 Declaration of Orin Snyder, # 2 Exhibit 1, # 3 Text of Proposed Order)(Snyder, Orin) (Entered: 08/22/2013)
08/23/2013		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 266 MOTION for Theodore J. Boutrous, Jr. to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8809535. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (wb) (Entered: 08/23/2013)
08/23/2013	267	FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU - BRIEF <i>in Support of Plaintiffs' Revised Proposed Injunction</i> . 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	268	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		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - EVENT TYPE ERROR. Note to Attorney Eric Lipman to RE-FILE Document 267 Brief. Use the event type Memorandum of Law in Support(non-motion) found under the event list Other Answers.***NOTE:Attachment#1 Declaration of Lawrence E. Buterman must be filed individually. Separate docket entry. (ka) (Entered: 08/23/2013)
08/23/2013		***NOTE TO ATTORNEY THAT THE ATTEMPTED FILING OF Document No. 268 HAS BEEN REJECTED. Note to Attorney Orin Snyder : 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. (ka) (Entered: 08/23/2013)
08/23/2013	269	ORDER. To assist the Court's consideration of the proposals submitted by the parties, it is hereby ORDERED that Apply shall submit the following two documents by August 26, 2013 at 10:00 a.m.: 1) a red-lined version of the Plaintiffs' Revised Injunction striking any language to which Apple objects; and 2)in the event the Court adopts each of the plaintiffs' substantive requests, a second red-lined version of the Plaintiffs' Revised Injunction providing alternative language that Apple wishes the Court to consider when granting those requests. (Signed by Judge Denise L. Cote on 8/23/2013) (gr) (Entered: 08/23/2013)
08/23/2013	270	MEMORANDUM OF LAW in Support of <i>Plaintiffs' Revised Proposed 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	271	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	272	ORDER granting 266 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	273	ENDORSED LETTER addressed to Judge Cote from Orin Snyder dated 8/23/2013 re: Apple writes to request that this Court order plaintiffs to withdraw the 12-page brief they filed this morning and instead "submit [a] letter concerning [their] positions on the scope of the injunction," as this Court ordered on August 13. ENDORSEMENT: Denied. (Signed by Judge Denise L. Cote on 8/26/2013) (gr) (Entered: 08/26/2013)
08/26/2013	274	LETTER addressed to Judge Cote from Lawrence E. Buterman dated 8/24/2013 re: We write in response to Apple's letter of August 23 regarding Plaintiffs' Memorandum of Law in Support of Plaintiffs' Revised Proposed

		Injunction. Document filed by United States of America.(gr) (Entered: 08/26/2013)
08/26/2013	275	LETTER addressed to Judge Cote from Orin Snyder dated 8/23/2013 re: Pursuant to this Court's August 12 order, Apple submits its position on the scope of the injunction. Document filed by Apple, Inc. (Attachments: # 1 Exhibit A. Proposed Form of Final Judgment and Proposed Form of Order Entering Permanent Injunction, # 2 Exhibit B. August 19, 2013 Letter from Orin Snyder to Lawrence Buterman)(gr) (Entered: 08/26/2013)
08/26/2013	276	LETTER addressed to Judge Cote from Orin Snyder dated 8/26/2013 re: Pursuant to this Court's August 23 order, Apple submits the following two documents to assist the Court in evaluating the parties' proposals concerning an injunction. Document filed by Apple, Inc.. (Attachments: # 1 Exhibit A. Injunction markup, # 2 Exhibit B. Injunction markup)(gr) (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	277	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	278	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	279	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)
09/03/2013	280	TRANSCRIPT of Proceedings re: ARGUMENT held on 8/9/2013 before Judge Denise L. Cote. Court Reporter/Transcriber: Denise Richards, (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 9/27/2013. Redacted Transcript Deadline set for 10/7/2013. Release of Transcript Restriction set for 12/5/2013.(Rodriguez, Somari) (Entered: 09/03/2013)
09/03/2013	281	NOTICE OF FILING OF OFFICIAL TRANSCRIPT Notice is hereby given that an official transcript of a ARGUMENT proceeding held on 8/9/13 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: 09/03/2013)

09/04/2013	282	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	283	LETTER addressed to Judge Denise L. Cote from Gabriel Gervey dated September 3, 2013 re: Scope of Discovery. Document filed by The State of Texas.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC (Lipman, Eric) (Entered: 09/04/2013)
09/04/2013	284	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	285	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)
09/05/2013	286	PLAINTIFF UNITED STATES FINAL JUDGMENT AND PLAINTIFF STATES ORDER ENTERING PERMANENT INJUNCTION: This Final Judgment applies to Apple and each of its affiliates, subsidiaries, officers, directors, agents, employees, successors, and assigns, to any successor to any substantial part of the business, and to all other Persons acting in concert with Apple and having actual notice of this Final Judgment. On or before the Effective Date of this Final Judgment, Apple shall either modify any Agency Agreement with a Publisher Defendant to comply with Section III.C of this Final Judgment or terminate any Agency Agreement with a Publisher Defendant that does not comply with Section III. C of this Final Judgment.To ensure its compliance with this Final Judgment and the antitrust laws, Apple shall perform the activities enumerated below in Sections V.A through V.J of this Final Judgment. Within thirty days after the Effective Date of this Final Judgment, Apple's Audit Committee, or another committee comprised entirely of outside directors (i.e., directors not also employed by Apple), shall designate a person not employed by Apple as of the Effective Date of the Final Judgment to serve as Antitrust Compliance Officer, who shall report to the Audit Committee or equivalent committee of Apple's Board of Directors and shall be responsible, on a full-time basis until the expiration of this Final Judgment, for supervising Apple's antitrust compliance efforts and performance of the following. This Final Judgment shall take effect 30 days after the date on which it is entered.If the Final Judgment is stayed, all time periods in the Final Judgment will be tolled during the stay. All other provisions as further set forth in this order (Signed by Judge Denise L. Cote on 9/5/2013) (js) Modified on 9/6/2013 (js). (Entered: 09/06/2013)

09/06/2013	287	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	288	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	289	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	290	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)
09/10/2013	291	NOTICE OF APPEARANCE by Robert L. Hubbard on behalf of The State of New York. (Hubbard, Robert) (Entered: 09/10/2013)
09/11/2013	292	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)
09/12/2013	293	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	294	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	295	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)
09/20/2013	296	ORDER. Defendant Apple presented three e-reader devices to the Court as exhibits in connection with the parties' pre-trial filings of April 26, 2013. The Court having entered final judgment as to Apple on September 5, it is hereby ORDERED that Apple shall retrieve the e-reader exhibits from the Court by September 27, 2013. (Signed by Judge Denise L. Cote on 9/19/2013) (gr) (Entered: 09/20/2013)
09/20/2013	297	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)
09/20/2013	298	LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous Jr. dated 09/20/2013 re: Response to the States' Letter of September 6, 2013. Document filed by Apple Inc..(Boutrous, Theodore) (Entered: 09/20/2013)
09/25/2013	299	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 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	300	ORDER. On September 26, 2013, the Department of Justice (DOJ) contacted the Court via telephone to seek guidance, on behalf of itself and Plaintiff States, as to the form of its submission recommending one or more persons to serve as External Compliance Monitor (Monitor), pursuant to Section VI of the September 5 Order Entering Permanent Injunction. It is hereby ordered:To the extent that DOJ and Plaintiff States are jointly recommending more than one person to serve as Monitor, the submission shall be made in camera. Any objection to said persons by Apple shall be made in camera. Notwithstanding the in camera nature of the submissions, the parties shall make timely service of all filings on each other. (Signed by Judge Denise L. Cote on 9/27/2013) (gr) (Entered: 09/27/2013)
09/27/2013	301	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	302	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	303	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	304	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	305	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	306	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)
10/03/2013	307	NOTICE OF APPEAL from 237 Memorandum & Opinion, 286 Order,,,,,,. Document filed by Apple Inc.. Filing fee \$ 455.00, receipt number 0208-8937093. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Snyder, Orin) (Entered: 10/03/2013)
10/04/2013		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 307 Notice of Appeal. (tp) (Entered: 10/04/2013)
10/04/2013		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 232 Letter, 296 Order, 262 Notice of Appearance filed by Apple Inc., Apple, Inc., 186 Endorsed Letter, 76 Certificate of Service Other, filed by The State of Texas, 229 Letter, filed by The State of Texas, 62 Order on Motion for Limited Admission, 144 Order, Set Hearings, 95 Amended Complaint, filed by The State of Ohio, The Commonwealth of Massachusetts, The State of Iowa, The State of Idaho, The State of North Dakota, The State of Texas, The State of Delaware, The State of Maryland, The District of Columbia, The State of Nebraska, The Commonwealth of Puerto Rico, the State of Tennessee, The Commonwealth of Virginia, The State of Vermont, The State of Missouri, The State of Illinois, The State of Michigan, The State of New York, The State of Arizona, The State of Alaska, The State of Wisconsin, The State of Connecticut, The State of South Dakota,

The State of West Virginia, The State of Colorado, The State of Arkansas, The State of Alabama, The Commonwealth of Pennsylvania, The State of Kansas, The State of New Mexico, The State of Utah, The State of Louisiana, [61](#) Order on Motion for Limited Admission, [183](#) Notice of Appearance filed by The State of New Mexico, [289](#) Order, [86](#) JOINT MOTION to Dismiss *Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc.* filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [111](#) Status Report filed by Unites States of America, [75](#) Memorandum of Law in Support of Motion, filed by The State of Texas, [132](#) Letter filed by Apple, Inc., [297](#) Letter, filed by The State of Texas, [121](#) Letter, [117](#) Letter, [182](#) Order, Set Hearings, [48](#) Order on Motion for Limited Admission, [276](#) Letter, filed by Apple, Inc., [35](#) filed by The State of Illinois, [184](#) Endorsed Letter, [210](#) 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 filed by Penguin Group (USA) Inc., [32](#) filed by The State of Maryland, [244](#) Brief, filed by The State of Texas, [77](#) Endorsed Letter, [233](#) Letter, filed by Apple, Inc., [187](#) Letter, filed by Apple, Inc., [166](#) Letter filed by Unites States of America, [59](#) Order on Motion for Limited Admission, [299](#) Order, [241](#) USCA Mandate, [236](#) Scheduling Order, [145](#) Notice of Change of Address, filed by The State of Colorado, [212](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [123](#) Notice of Appearance filed by The State of Arkansas, [293](#) Letter filed by Class Plaintiffs, [79](#) Notice of Appearance filed by Penguin Group (USA) Inc., [82](#) JOINT MOTION to Dismiss *Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc.* filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [300](#) Order, [218](#) Joinder, filed by Penguin Group (USA) Inc., [52](#) Order on Motion for Limited Admission, [27](#) filed by the State of Tennessee, [284](#) Letter filed by Apple Inc., [306](#) Endorsed Letter, [146](#) Order, [197](#) Pretrial Memorandum filed by Penguin Group (USA) Inc., [196](#) Endorsed Letter, [16](#) filed by The State of Maryland, [188](#) Endorsed Letter, [199](#) Proposed Findings of Fact filed by Apple Inc., [116](#) Order, [68](#) Notice of Appearance filed by Simon & Schuster, Inc., [169](#) Letter, filed by The State of Texas, [246](#) Order, [74](#) MOTION for Leave to File Second Amended Complaint (*Unopposed*) filed by The State of Texas, [55](#) Order on Motion for Limited Admission, [152](#) 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 filed by Penguin Group (USA) Inc., [250](#) Letter, [89](#) Notice of Appearance filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [7](#) Amended Complaint, filed by The State of Ohio, The State of Iowa, The State of Texas, The State of Maryland, The Commonwealth of Puerto Rico, the State of Tennessee, The State of Vermont, The State of Illinois, The State of Missouri, The State of Arizona, The State of Alaska, The State of Connecticut, The State of South Dakota, The State of West Virginia, The State

of Colorado, The Commonwealth of Pennsylvania, [255](#) Letter, filed by Apple Inc., Apple, Inc., [140](#) Endorsed Letter, Set Deadlines/Hearings, [125](#) Transcript, [191](#) Opposition Brief, filed by The State of Texas, [85](#) Notice of Appearance filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [239](#) Order, [133](#) Letter, [6](#) Letter, [216](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [270](#) Memorandum of Law in Support filed by The State of Texas, [92](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [21](#) filed by The State of Ohio, [257](#) Amicus Curiae Appearance filed by Kobo Inc., [228](#) Order, [135](#) Notice of Filing Transcript, [295](#) Endorsed Letter, [163](#) Letter filed by Apple, Inc., [288](#) Letter filed by Apple Inc., [195](#) Pretrial Memorandum, filed by The State of Texas, [220](#) Order, Set Hearings, [67](#) Notice of Appearance filed by Simon & Schuster, Inc., [138](#) Stipulation and Order, [15](#) filed by The State of Illinois, [252](#) Letter, [273](#) Endorsed Letter, [44](#) Order on Motion for Limited Admission, [160](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [50](#) Order on Motion for Limited Admission, [265](#) Scheduling Order, [49](#) Order on Motion for Limited Admission, [153](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [201](#) MOTION in *Limine To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications* filed by Penguin Group (USA) Inc., [305](#) Letter filed by Apple Inc., [24](#) filed by The Commonwealth of Puerto Rico, [287](#) Letter, filed by Apple Inc., [227](#) Order on Motion to Dismiss, [291](#) Notice of Appearance filed by The State of New York, [11](#) filed by The State of Alaska, [47](#) Order on Motion for Limited Admission, [294](#) Letter filed by The State of Texas, [292](#) Letter filed by Apple Inc., [237](#) Memorandum & Opinion, [230](#) Letter, filed by Apple, Inc., [164](#) Letter filed by Apple, Inc., [119](#) Endorsed Letter, [118](#) Order on Motion to Withdraw as Attorney, [282](#) Scheduling Order, [14](#) filed by The State of Iowa, [143](#) Order on Motion to Withdraw as Attorney, [256](#) Letter, filed by Unites States of America, [3](#) filed by The State of Texas, [280](#) Transcript, [158](#) Declaration in Support, filed by The State of Texas, [141](#) Notice of Appearance filed by Robert Cheatham, [107](#) Scheduling Order, [102](#) Letter, [20](#) filed by The State of Ohio, [290](#) Order, [69](#) Letter, filed by HarperCollins Publishers L.L.C., [198](#) Pretrial Memorandum filed by Apple Inc., [251](#) Letter, [98](#) Status Report, filed by United States Of America, [139](#) Order, Set Hearings, [304](#) Letter filed by Class Plaintiffs, [225](#) Endorsed Letter, [275](#) Letter, filed by Apple, Inc., [83](#) Notice of Appearance filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [179](#) Notice of Appearance filed by Apple Inc., Apple, Inc., [170](#) Notice of Appearance filed by The State of Texas, [286](#) Order, [247](#) Order on Motion for Settlement, [73](#) Notice of Appearance filed by The State of Texas, [10](#) filed by The State of Arizona, [36](#) filed by The State of Connecticut, [78](#) Order on Motion for Leave to File Document, [120](#) Letter, [40](#) Order on Motion for Limited Admission, [235](#) Memorandum of Law in Support of Motion, filed by The State of Texas, [39](#) Order on Motion for Limited Admission, [99](#) Letter, filed by Apple, Inc., [4](#) Order on Motion for Limited Admission, [303](#) Letter filed by Class Plaintiffs, [234](#) MOTION for Settlement *for Preliminary Approval of Settlements* filed by The State of Texas, [63](#) Order on Motion for Limited Admission, [29](#) filed by The State of Connecticut, [278](#) Notice of Appearance filed by Apple Inc., Apple, Inc., [223](#) Letter, filed by Apple Inc., Apple, Inc., [242](#) Letter, [267](#) Brief,

filed by The State of Texas, [72](#) Protective Order, [114](#) Order, [150](#) MOTION FOR A JURY TRIAL ON THE PLAINTIFF STATES' CLAIMS filed by Penguin Group (USA) Inc., [147](#) Letter filed by Penguin Group (USA) Inc., [268](#) Brief, filed by Apple Inc., [109](#) Letter, filed by The State of Texas, [190](#) Opposition Brief filed by The State of Texas, [211](#) MOTION in Limine *To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications* filed by Penguin Group (USA) Inc., [189](#) Pretrial Memorandum filed by The State of Texas, [26](#) filed by The State of South Dakota, [43](#) Order on Motion for Limited Admission, [30](#) filed by The State of Connecticut, [94](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [283](#) Letter filed by The State of Texas, [261](#) MOTION for ROBERT BROOKS BELL to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8768943. **Motion and supporting papers to be reviewed by Clerk's Office staff** filed by Kobo Inc., [88](#) Order on Motion to Dismiss, [221](#) Pretrial Memorandum filed by Apple Inc., [178](#) Notice of Appearance filed by Apple Inc., Apple, Inc., [281](#) Notice of Filing Transcript, [18](#) filed by The State of Ohio, [33](#) filed by The State of Missouri, [161](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [56](#) Order on Motion for Limited Admission, [136](#) Stipulation and Order, Set Deadlines, [159](#) Notice of Appearance filed by The State of Kansas, [28](#) filed by The State of Vermont, [157](#) Memorandum of Law in Opposition to Motion filed by The State of Texas, [249](#) Letter, [100](#) Letter, [41](#) Order on Motion for Limited Admission, [214](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [113](#) Order on Motion to Appear Pro Hac Vice, [204](#) Proposed Findings of Fact filed by Apple Inc., [126](#) Notice of Filing Transcript, [148](#) Letter filed by The State of Texas, [206](#) Opposition Brief, filed by Penguin Group (USA) Inc., [180](#) 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** filed by Apple Inc., Apple, Inc., [224](#) Endorsed Letter, [165](#) Letter, filed by Penguin Group (USA), Inc., [53](#) Order on Motion for Limited Admission, [51](#) Order on Motion for Limited Admission, [171](#) Notice of Appearance filed by The State of Texas, [103](#) Answer to Amended Complaint filed by Holtzbrinck Publishers, LLC, [285](#) Endorsed Letter, [37](#) Order on Motion for Limited Admission, [307](#) Notice of Appeal, filed by Apple Inc., [259](#) MOTION for Leave to File An Amicus Curiae Brief In Support Of Proposed Final Judgment filed by Kobo Inc., [208](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [254](#) Letter, filed by Apple, Inc., [209](#) Reply Memorandum of Law in Support of Motion filed by Apple Inc., [81](#) Notice of Appearance filed by The State of Illinois, [12](#) filed by The State of Arizona, [167](#) Letter, filed by Penguin Group (USA) Inc., [258](#) Rule 7.1 Corporate Disclosure Statement filed by Kobo Inc., [168](#) Letter, filed by The State of Texas, [231](#) Letter, [260](#) Memorandum of Law in Support of Motion filed by Kobo Inc., [302](#) Letter filed by The State of Texas, [64](#) Order, [31](#) filed by The State of Maryland, [91](#) Rule 7.1 Corporate Disclosure Statement filed by Holtzbrinck Publishers, LLC, [129](#) Transcript, [137](#) Protective Order, [22](#) filed by The Commonwealth of Pennsylvania, [264](#) Endorsed Letter, Set Hearings, [87](#) Memorandum of Law in Support of Motion, filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [192](#) Endorsed Letter, [222](#) Proposed Findings of Fact filed by

Apple Inc., [177](#) Order, Set Deadlines, [42](#) Order on Motion for Limited Admission, [194](#) Opposition Brief filed by The State of Texas, [205](#) MOTION in Limine / *APPLE INC.'S MOTION IN LIMINE TO EXCLUDE THE EXPERT TESTIMONY OF PROFESSORS BAKER AND ASHENFELTER* filed by Apple Inc., [57](#) Order on Motion for Limited Admission, [142](#) Notice of Change of Address filed by Robert Cheatham, [134](#) Redacted Transcript, [238](#) Scheduling Order, [202](#) MOTION to Compel Arbitration filed by Penguin Group (USA) Inc., [173](#) Stipulation and Order, [19](#) filed by The State of Ohio, [115](#) Order, Set Hearings, [45](#) Order on Motion for Limited Admission, [25](#) filed by The Commonwealth of Puerto Rico, [96](#) Notice of Appearance filed by The State of Michigan, [203](#) 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 filed by Penguin Group (USA) Inc., [38](#) Order on Motion for Limited Admission, [154](#) 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** filed by The Penguin Group, Penguin Group (USA) Inc., Penguin Group USA, Inc., [34](#) filed by The State of West Virginia, [131](#) Letter, [271](#) Declaration in Support filed by The State of Texas, [253](#) Letter, [127](#) Letter, [277](#) Order, [155](#) Memorandum of Law in Opposition to Motion, filed by The State of Texas, [106](#) Answer to Amended Complaint filed by Penguin Group (USA) Inc., [162](#) Endorsed Letter, Set Deadlines, [245](#) Response filed by Apple Inc., [200](#) Proposed Findings of Fact filed by Penguin Group (USA) Inc., [213](#) MOTION to Compel Arbitration filed by Penguin Group (USA) Inc., [13](#) filed by The State of Colorado, [101](#) Letter, filed by Verlagsgruppe Georg Von Holtzbrinck GMBH, Holtzbrinck Publishers, LLC, [298](#) Letter filed by Apple Inc., [279](#) Notice (Other) filed by The State of Missouri, [243](#) Endorsed Letter, [217](#) Reply Memorandum of Law in Support of Motion filed by Penguin Group (USA) Inc., [108](#) Order, [269](#) Order, [66](#) Standing Order re Complex Civil Cases, [149](#) Order, Set Deadlines, [122](#) Notice of Appearance filed by The State of Arkansas, [93](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [97](#) Notice of Appearance filed by The Commonwealth of Massachusetts, [128](#) Letter, [219](#) Joinder, filed by Penguin Group (USA) Inc., [80](#) Notice of Appearance filed by Penguin Group (USA) Inc., [151](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [70](#) Notice of Appearance filed by The State of Texas, [112](#) Order, [90](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [124](#) Notice of Appearance filed by The State of Nebraska, [172](#) Memorandum & Opinion, [240](#) Memorandum of Law in Support of Motion, filed by The State of Texas, [301](#) Letter filed by Apple Inc., [65](#) Case Transferred In - District Transfer, [84](#) Memorandum of Law in Support of Motion, filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [23](#) filed by The Commonwealth of Pennsylvania, [274](#) Letter, filed by Unites States of America, [226](#) MOTION to Dismiss *Plaintiff States' Motion to Voluntarily Dismiss Certain State Law Claims* filed by The State of Texas, [193](#) Endorsed Letter, [266](#) MOTION for Theodore J. Boutrous, Jr. to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8809535. **Motion and supporting papers to be reviewed by Clerk's Office staff.** filed by Apple

		Inc., 174 Letter, filed by The State of Texas, 207 Reply to Response to Motion, filed by Penguin Group (USA) Inc., 105 Answer to Amended Complaint filed by Apple Inc., 17 filed by The State of Missouri, 104 Notice of Appearance filed by Apple Inc., 185 Letter, filed by Apple, Inc., 60 Order on Motion for Limited Admission, 248 Scheduling Order, 215 Declaration in Support of Motion, filed by Penguin Group (USA) Inc., 1 Complaint, filed by The State of Ohio, The State of Iowa, The State of Texas, The State of Maryland, The Commonwealth of Puerto Rico, the State of Tennessee, The State of Vermont, The State of Illinois, The State of Missouri, The State of Arizona, The State of Alaska, The State of Connecticut, The State of South Dakota, The State of West Virginia, The State of Colorado, The Commonwealth of Pennsylvania, 46 Order on Motion for Limited Admission, 71 Order, Set Hearings, 54 Order on Motion for Limited Admission, 176 Order, Set Deadlines, 58 Order on Motion for Limited Admission, 110 MOTION for DAVID J. CAREY to Withdraw as Attorney <i>and [Proposed]</i> Order filed by Holtzbrinck Publishers, LLC were transmitted to the U.S. Court of Appeals. (tp) (Entered: 10/04/2013)
10/04/2013	308	NOTICE OF APPEAL from 286 Order,,,,,,. Document filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc.. Filing fee \$ 455.00, receipt number 0208-8939457. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Quinn, James) (Entered: 10/04/2013)
10/04/2013		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 308 Notice of Appeal. (tp) (Entered: 10/04/2013)
10/04/2013		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 232 Letter, 296 Order, 262 Notice of Appearance filed by Apple Inc., Apple, Inc., 186 Endorsed Letter, 76 Certificate of Service Other, filed by The State of Texas, 229 Letter, filed by The State of Texas, 62 Order on Motion for Limited Admission, 144 Order, Set Hearings, 95 Amended Complaint, filed by The State of Ohio, The Commonwealth of Massachusetts, The State of Iowa, The State of Idaho, The State of North Dakota, The State of Texas, The State of Delaware, The State of Maryland, The District of Columbia, The State of Nebraska, The Commonwealth of Puerto Rico, the State of Tennessee, The Commonwealth of Virginia, The State of Vermont, The State of Missouri, The State of Illinois, The State of Michigan, The State of New York, The State of Arizona, The State of Alaska, The State of Wisconsin, The State of Connecticut, The State of South Dakota, The State of West Virginia, The State of Colorado, The State of Arkansas, The State of Alabama, The Commonwealth of Pennsylvania, The State of Kansas, The State of New Mexico, The State of Utah, The State of Louisiana, 61 Order on Motion for Limited Admission, 183 Notice of Appearance filed by The State of New Mexico, 289 Order, 86 JOINT MOTION to Dismiss Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc. filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., 111 Status Report filed by Unites States of America, 75 Memorandum of Law in Support of Motion, filed by The State of Texas, 132 Letter filed by Apple, Inc., 297 Letter, filed by The State of Texas, 121 Letter, 117 Letter, 182 Order, Set Hearings, 48 Order on Motion for Limited

Admission, [276](#) Letter, filed by Apple, Inc., [35](#) filed by The State of Illinois, [184](#) Endorsed Letter, [210](#) 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 filed by Penguin Group (USA) Inc., [32](#) filed by The State of Maryland, [244](#) Brief, filed by The State of Texas, [77](#) Endorsed Letter, [233](#) Letter, filed by Apple, Inc., [187](#) Letter, filed by Apple, Inc., [166](#) Letter filed by Unites States of America, [59](#) Order on Motion for Limited Admission, [299](#) Order, [241](#) USCA Mandate, [236](#) Scheduling Order, [145](#) Notice of Change of Address, filed by The State of Colorado, [212](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [123](#) Notice of Appearance filed by The State of Arkansas, [293](#) Letter filed by Class Plaintiffs, [79](#) Notice of Appearance filed by Penguin Group (USA) Inc., [82](#) JOINT MOTION to Dismiss Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc. filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [300](#) Order, [218](#) Joinder, filed by Penguin Group (USA) Inc., [52](#) Order on Motion for Limited Admission, [27](#) filed by the State of Tennessee, [284](#) Letter filed by Apple Inc., [306](#) Endorsed Letter, [146](#) Order, [197](#) Pretrial Memorandum filed by Penguin Group (USA) Inc., [196](#) Endorsed Letter, [16](#) filed by The State of Maryland, [188](#) Endorsed Letter, [199](#) Proposed Findings of Fact filed by Apple Inc., [116](#) Order, [68](#) Notice of Appearance filed by Simon & Schuster, Inc., [169](#) Letter, filed by The State of Texas, [246](#) Order, [74](#) MOTION for Leave to File Second Amended Complaint (Unopposed) filed by The State of Texas, [55](#) Order on Motion for Limited Admission, [152](#) 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 filed by Penguin Group (USA) Inc., [250](#) Letter, [89](#) Notice of Appearance filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [7](#) Amended Complaint, filed by The State of Ohio, The State of Iowa, The State of Texas, The State of Maryland, The Commonwealth of Puerto Rico, the State of Tennessee, The State of Vermont, The State of Illinois, The State of Missouri, The State of Arizona, The State of Alaska, The State of Connecticut, The State of South Dakota, The State of West Virginia, The State of Colorado, The Commonwealth of Pennsylvania, [255](#) Letter, filed by Apple Inc., Apple, Inc., [140](#) Endorsed Letter, Set Deadlines/Hearings, [125](#) Transcript, [191](#) Opposition Brief, filed by The State of Texas, [85](#) Notice of Appearance filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [239](#) Order, [133](#) Letter, [6](#) Letter, [216](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [270](#) Memorandum of Law in Support filed by The State of Texas, [92](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [21](#) filed by The State of Ohio, [257](#) Amicus Curiae Appearance filed by Kobo Inc., [228](#) Order, [135](#) Notice of Filing Transcript, [295](#) Endorsed Letter, [163](#) Letter filed by Apple, Inc., [288](#) Letter filed by Apple Inc., [195](#) Pretrial Memorandum, filed by The State of Texas,

[220](#) Order, Set Hearings, [67](#) Notice of Appearance filed by Simon & Schuster, Inc., [138](#) Stipulation and Order, [15](#) filed by The State of Illinois, [252](#) Letter, [273](#) Endorsed Letter, [44](#) Order on Motion for Limited Admission, [160](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [50](#) Order on Motion for Limited Admission, [265](#) Scheduling Order, [49](#) Order on Motion for Limited Admission, [153](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [201](#) MOTION in Limine To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications filed by Penguin Group (USA) Inc., [305](#) Letter filed by Apple Inc., [24](#) filed by The Commonwealth of Puerto Rico, [287](#) Letter, filed by Apple Inc., [227](#) Order on Motion to Dismiss, [291](#) Notice of Appearance filed by The State of New York, [11](#) filed by The State of Alaska, [47](#) Order on Motion for Limited Admission, [294](#) Letter filed by The State of Texas, [292](#) Letter filed by Apple Inc., [237](#) Memorandum & Opinion, [230](#) Letter, filed by Apple, Inc., [164](#) Letter filed by Apple, Inc., [119](#) Endorsed Letter, [118](#) Order on Motion to Withdraw as Attorney, [282](#) Scheduling Order, [14](#) filed by The State of Iowa, [143](#) Order on Motion to Withdraw as Attorney, [256](#) Letter, filed by Unites States of America, [3](#) filed by The State of Texas, [280](#) Transcript, [158](#) Declaration in Support, filed by The State of Texas, [141](#) Notice of Appearance filed by Robert Cheatham, [107](#) Scheduling Order, [102](#) Letter, [20](#) filed by The State of Ohio, [290](#) Order, [69](#) Letter, filed by HarperCollins Publishers L.L.C., [198](#) Pretrial Memorandum filed by Apple Inc., [251](#) Letter, [98](#) Status Report, filed by United States Of America, [139](#) Order, Set Hearings, [304](#) Letter filed by Class Plaintiffs, [225](#) Endorsed Letter, [275](#) Letter, filed by Apple, Inc., [83](#) Notice of Appearance filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [179](#) Notice of Appearance filed by Apple Inc., Apple, Inc., [170](#) Notice of Appearance filed by The State of Texas, [286](#) Order, [247](#) Order on Motion for Settlement, [73](#) Notice of Appearance filed by The State of Texas, [10](#) filed by The State of Arizona, [36](#) filed by The State of Connecticut, [78](#) Order on Motion for Leave to File Document, [120](#) Letter, [40](#) Order on Motion for Limited Admission, [235](#) Memorandum of Law in Support of Motion, filed by The State of Texas, [39](#) Order on Motion for Limited Admission, [99](#) Letter, filed by Apple, Inc., [4](#) Order on Motion for Limited Admission, [303](#) Letter filed by Class Plaintiffs, [234](#) MOTION for Settlement for Preliminary Approval of Settlements filed by The State of Texas, [63](#) Order on Motion for Limited Admission, [29](#) filed by The State of Connecticut, [278](#) Notice of Appearance filed by Apple Inc., Apple, Inc., [223](#) Letter, filed by Apple Inc., Apple, Inc., [242](#) Letter, [267](#) Brief, filed by The State of Texas, [72](#) Protective Order, [114](#) Order, [150](#) MOTION FOR A JURY TRIAL ON THE PLAINTIFF STATES' CLAIMS filed by Penguin Group (USA) Inc., [147](#) Letter filed by Penguin Group (USA) Inc., [268](#) Brief, filed by Apple Inc., [109](#) Letter, filed by The State of Texas, [190](#) Opposition Brief filed by The State of Texas, [211](#) MOTION in Limine To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications filed by Penguin Group (USA) Inc., [189](#) Pretrial Memorandum filed by The State of Texas, [26](#) filed by The State of South Dakota, [43](#) Order on Motion for Limited Admission, [30](#) filed by The State of Connecticut, [94](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [283](#) Letter filed by The State of Texas, [261](#) MOTION for ROBERT BROOKS

BELL to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8768943. Motion and supporting papers to be reviewed by Clerk's Office staff filed by Kobo Inc., [88](#) Order on Motion to Dismiss, [221](#) Pretrial Memorandum filed by Apple Inc., [178](#) Notice of Appearance filed by Apple Inc., Apple, Inc., [281](#) Notice of Filing Transcript, [18](#) filed by The State of Ohio, [33](#) filed by The State of Missouri, [161](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [56](#) Order on Motion for Limited Admission, [136](#) Stipulation and Order, Set Deadlines, [159](#) Notice of Appearance filed by The State of Kansas, [28](#) filed by The State of Vermont, [157](#) Memorandum of Law in Opposition to Motion filed by The State of Texas, [249](#) Letter, [100](#) Letter, [41](#) Order on Motion for Limited Admission, [214](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [113](#) Order on Motion to Appear Pro Hac Vice, [204](#) Proposed Findings of Fact filed by Apple Inc., [126](#) Notice of Filing Transcript, [148](#) Letter filed by The State of Texas, [206](#) Opposition Brief, filed by Penguin Group (USA) Inc., [180](#) 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 filed by Apple Inc., Apple, Inc., [224](#) Endorsed Letter, [165](#) Letter, filed by Penguin Group (USA), Inc., [53](#) Order on Motion for Limited Admission, [51](#) Order on Motion for Limited Admission, [171](#) Notice of Appearance filed by The State of Texas, [103](#) Answer to Amended Complaint filed by Holtzbrinck Publishers, LLC, [285](#) Endorsed Letter, [37](#) Order on Motion for Limited Admission, [307](#) Notice of Appeal, filed by Apple Inc., [259](#) MOTION for Leave to File An Amicus Curiae Brief In Support Of Proposed Final Judgment filed by Kobo Inc., [208](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [254](#) Letter, filed by Apple, Inc., [209](#) Reply Memorandum of Law in Support of Motion filed by Apple Inc., [81](#) Notice of Appearance filed by The State of Illinois, [12](#) filed by The State of Arizona, [167](#) Letter, filed by Penguin Group (USA) Inc., [258](#) Rule 7.1 Corporate Disclosure Statement filed by Kobo Inc., [168](#) Letter, filed by The State of Texas, [231](#) Letter, [260](#) Memorandum of Law in Support of Motion filed by Kobo Inc., [302](#) Letter filed by The State of Texas, [64](#) Order, [31](#) filed by The State of Maryland, [91](#) Rule 7.1 Corporate Disclosure Statement filed by Holtzbrinck Publishers, LLC, [129](#) Transcript, [137](#) Protective Order, [22](#) filed by The Commonwealth of Pennsylvania, [264](#) Endorsed Letter, Set Hearings, [87](#) Memorandum of Law in Support of Motion, filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [192](#) Endorsed Letter, [222](#) Proposed Findings of Fact filed by Apple Inc., [177](#) Order, Set Deadlines, [42](#) Order on Motion for Limited Admission, [194](#) Opposition Brief filed by The State of Texas, [205](#) MOTION in Limine / APPLE INC.'S MOTION IN LIMINE TO EXCLUDE THE EXPERT TESTIMONY OF PROFESSORS BAKER AND ASHENFELTER filed by Apple Inc., [57](#) Order on Motion for Limited Admission, [142](#) Notice of Change of Address filed by Robert Cheatham, [134](#) Redacted Transcript, [238](#) Scheduling Order, [202](#) MOTION to Compel Arbitration filed by Penguin Group (USA) Inc., [173](#) Stipulation and Order, [19](#) filed by The State of Ohio, [115](#) Order, Set Hearings, [45](#) Order on Motion for Limited Admission, [25](#) filed by The Commonwealth of Puerto Rico, [96](#) Notice of Appearance filed by The State of Michigan, [203](#) 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 filed by Penguin Group (USA) Inc., [38](#) Order on Motion for Limited Admission, [154](#) 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 filed by The Penguin Group, Penguin Group (USA) Inc., Penguin Group USA, Inc., [34](#) filed by The State of West Virginia, [131](#) Letter, [271](#) Declaration in Support filed by The State of Texas, [253](#) Letter, [127](#) Letter, [277](#) Order, [155](#) Memorandum of Law in Opposition to Motion, filed by The State of Texas, [106](#) Answer to Amended Complaint filed by Penguin Group (USA) Inc., [162](#) Endorsed Letter, Set Deadlines, [245](#) Response filed by Apple Inc., [200](#) Proposed Findings of Fact filed by Penguin Group (USA) Inc., [213](#) MOTION to Compel Arbitration filed by Penguin Group (USA) Inc., [13](#) filed by The State of Colorado, [101](#) Letter, filed by Verlagsgruppe Georg Von Holtzbrinck GMBH, Holtzbrinck Publishers, LLC, [298](#) Letter filed by Apple Inc., [279](#) Notice (Other) filed by The State of Missouri, [243](#) Endorsed Letter, [217](#) Reply Memorandum of Law in Support of Motion filed by Penguin Group (USA) Inc., [108](#) Order, [269](#) Order, [66](#) Standing Order re Complex Civil Cases, [149](#) Order, Set Deadlines, [122](#) Notice of Appearance filed by The State of Arkansas, [93](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [97](#) Notice of Appearance filed by The Commonwealth of Massachusetts, [128](#) Letter, [219](#) Joinder, filed by Penguin Group (USA) Inc., [80](#) Notice of Appearance filed by Penguin Group (USA) Inc., [151](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [70](#) Notice of Appearance filed by The State of Texas, [112](#) Order, [90](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [124](#) Notice of Appearance filed by The State of Nebraska, [172](#) Memorandum & Opinion, [240](#) Memorandum of Law in Support of Motion, filed by The State of Texas, [301](#) Letter filed by Apple Inc., [65](#) Case Transferred In - District Transfer, [84](#) Memorandum of Law in Support of Motion, filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [23](#) filed by The Commonwealth of Pennsylvania, [274](#) Letter, filed by Unites States of America, [226](#) MOTION to Dismiss Plaintiff States' Motion to Voluntarily Dismiss Certain State Law Claims filed by The State of Texas, [193](#) Endorsed Letter, [266](#) MOTION for Theodore J. Boutrous, Jr. to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8809535. Motion and supporting papers to be reviewed by Clerk's Office staff. filed by Apple Inc., [174](#) Letter, filed by The State of Texas, [207](#) Reply to Response to Motion, filed by Penguin Group (USA) Inc., [105](#) Answer to Amended Complaint filed by Apple Inc., [17](#) filed by The State of Missouri, [104](#) Notice of Appearance filed by Apple Inc., [185](#) Letter, filed by Apple, Inc., [60](#) Order on Motion for Limited Admission, [248](#) Scheduling Order, [215](#) Declaration in Support of Motion, filed by Penguin Group (USA) Inc., [1](#) Complaint, filed by The State of Ohio, The State of Iowa, The State of Texas, The State of Maryland, The Commonwealth of Puerto Rico, the State of Tennessee, The State of Vermont, The State of Illinois, The State of Missouri, The State of Arizona, The State of Alaska, The State of Connecticut, The State of South Dakota, The State of West Virginia, The State of Colorado, The Commonwealth of Pennsylvania,

		46 Order on Motion for Limited Admission, 71 Order, Set Hearings, 54 Order on Motion for Limited Admission, 176 Order, Set Deadlines, 58 Order on Motion for Limited Admission, 110 MOTION for DAVID J. CAREY to Withdraw as Attorney and [Proposed] Order filed by Holtzbrinck Publishers, LLC, 308 Notice of Appeal, filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., were transmitted to the U.S. Court of Appeals. (tp) (Entered: 10/04/2013)
10/04/2013	309	NOTICE OF APPEAL from 286 Order,,,,,,,. Document filed by Holtzbrinck Publishers, LLC. Filing fee \$ 455.00, receipt number 0208-8943200. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Attachments: # 1 Exhibit A)(Mitnick, Joel) (Entered: 10/04/2013)
10/04/2013		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 309 Notice of Appeal. (tp) (Entered: 10/04/2013)
10/04/2013		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files for 232 Letter, 296 Order, 262 Notice of Appearance filed by Apple Inc., Apple, Inc., 186 Endorsed Letter, 76 Certificate of Service Other, filed by The State of Texas, 229 Letter, filed by The State of Texas, 62 Order on Motion for Limited Admission, 144 Order, Set Hearings, 95 Amended Complaint, filed by The State of Ohio, The Commonwealth of Massachusetts, The State of Iowa, The State of Idaho, The State of North Dakota, The State of Texas, The State of Delaware, The State of Maryland, The District of Columbia, The State of Nebraska, The Commonwealth of Puerto Rico, the State of Tennessee, The Commonwealth of Virginia, The State of Vermont, The State of Missouri, The State of Illinois, The State of Michigan, The State of New York, The State of Arizona, The State of Alaska, The State of Wisconsin, The State of Connecticut, The State of South Dakota, The State of West Virginia, The State of Colorado, The State of Arkansas, The State of Alabama, The Commonwealth of Pennsylvania, The State of Kansas, The State of New Mexico, The State of Utah, The State of Louisiana, 61 Order on Motion for Limited Admission, 183 Notice of Appearance filed by The State of New Mexico, 289 Order, 86 JOINT MOTION to Dismiss Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc. filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., 111 Status Report filed by Unites States of America, 75 Memorandum of Law in Support of Motion, filed by The State of Texas, 132 Letter filed by Apple, Inc., 297 Letter, filed by The State of Texas, 121 Letter, 117 Letter, 182 Order, Set Hearings, 48 Order on Motion for Limited Admission, 276 Letter, filed by Apple, Inc., 35 filed by The State of Illinois, 184 Endorsed Letter, 210 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 filed by Penguin Group (USA) Inc., 32 filed by The State of Maryland, 244 Brief, filed by The State of Texas, 77 Endorsed Letter, 233 Letter, filed by Apple, Inc., 187 Letter, filed by Apple, Inc., 166 Letter filed by Unites States of America, 59 Order on Motion for

Limited Admission, [299](#) Order, [241](#) USCA Mandate, [236](#) Scheduling Order, [145](#) Notice of Change of Address, filed by The State of Colorado, [212](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [123](#) Notice of Appearance filed by The State of Arkansas, [293](#) Letter filed by Class Plaintiffs, [79](#) Notice of Appearance filed by Penguin Group (USA) Inc., [82](#) JOINT MOTION to Dismiss Joint Motion to Dismiss Without Prejudice Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc. filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [300](#) Order, [218](#) Joinder, filed by Penguin Group (USA) Inc., [52](#) Order on Motion for Limited Admission, [27](#) filed by the State of Tennessee, [284](#) Letter filed by Apple Inc., [306](#) Endorsed Letter, [146](#) Order, [197](#) Pretrial Memorandum filed by Penguin Group (USA) Inc., [196](#) Endorsed Letter, [16](#) filed by The State of Maryland, [188](#) Endorsed Letter, [199](#) Proposed Findings of Fact filed by Apple Inc., [116](#) Order, [68](#) Notice of Appearance filed by Simon & Schuster, Inc., [169](#) Letter, filed by The State of Texas, [246](#) Order, [74](#) MOTION for Leave to File Second Amended Complaint (Unopposed) filed by The State of Texas, [55](#) Order on Motion for Limited Admission, [152](#) 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 filed by Penguin Group (USA) Inc., [250](#) Letter, [89](#) Notice of Appearance filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [7](#) Amended Complaint, filed by The State of Ohio, The State of Iowa, The State of Texas, The State of Maryland, The Commonwealth of Puerto Rico, the State of Tennessee, The State of Vermont, The State of Illinois, The State of Missouri, The State of Arizona, The State of Alaska, The State of Connecticut, The State of South Dakota, The State of West Virginia, The State of Colorado, The Commonwealth of Pennsylvania, [255](#) Letter, filed by Apple Inc., Apple, Inc., [140](#) Endorsed Letter, Set Deadlines/Hearings, [125](#) Transcript, [191](#) Opposition Brief, filed by The State of Texas, [85](#) Notice of Appearance filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [239](#) Order, [133](#) Letter, [6](#) Letter, [216](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [270](#) Memorandum of Law in Support filed by The State of Texas, [92](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [21](#) filed by The State of Ohio, [257](#) Amicus Curiae Appearance filed by Kobo Inc., [228](#) Order, [135](#) Notice of Filing Transcript, [295](#) Endorsed Letter, [163](#) Letter filed by Apple, Inc., [288](#) Letter filed by Apple Inc., [195](#) Pretrial Memorandum, filed by The State of Texas, [220](#) Order, Set Hearings, [67](#) Notice of Appearance filed by Simon & Schuster, Inc., [138](#) Stipulation and Order, [15](#) filed by The State of Illinois, [252](#) Letter, [273](#) Endorsed Letter, [44](#) Order on Motion for Limited Admission, [160](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [50](#) Order on Motion for Limited Admission, [265](#) Scheduling Order, [49](#) Order on Motion for Limited Admission, [153](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [201](#) MOTION in Limine To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications filed by Penguin Group (USA) Inc., [305](#) Letter filed by Apple Inc., [24](#) filed by The Commonwealth of Puerto Rico,

[287](#) Letter, filed by Apple Inc., [227](#) Order on Motion to Dismiss, [291](#) Notice of Appearance filed by The State of New York, [11](#) filed by The State of Alaska, [47](#) Order on Motion for Limited Admission, [294](#) Letter filed by The State of Texas, [292](#) Letter filed by Apple Inc., [237](#) Memorandum & Opinion, [230](#) Letter, filed by Apple, Inc., [164](#) Letter filed by Apple, Inc., [119](#) Endorsed Letter, [118](#) Order on Motion to Withdraw as Attorney, [282](#) Scheduling Order, [14](#) filed by The State of Iowa, [143](#) Order on Motion to Withdraw as Attorney, [256](#) Letter, filed by Unites States of America, [3](#) filed by The State of Texas, [280](#) Transcript, [158](#) Declaration in Support, filed by The State of Texas, [141](#) Notice of Appearance filed by Robert Cheatham, [107](#) Scheduling Order, [102](#) Letter, [20](#) filed by The State of Ohio, [290](#) Order, [69](#) Letter, filed by HarperCollins Publishers L.L.C., [198](#) Pretrial Memorandum filed by Apple Inc., [251](#) Letter, [98](#) Status Report, filed by United States Of America, [139](#) Order, Set Hearings, [304](#) Letter filed by Class Plaintiffs, [225](#) Endorsed Letter, [275](#) Letter, filed by Apple, Inc., [83](#) Notice of Appearance filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [179](#) Notice of Appearance filed by Apple Inc., Apple, Inc., [170](#) Notice of Appearance filed by The State of Texas, [286](#) Order, [247](#) Order on Motion for Settlement, [73](#) Notice of Appearance filed by The State of Texas, [10](#) filed by The State of Arizona, [36](#) filed by The State of Connecticut, [78](#) Order on Motion for Leave to File Document, [120](#) Letter, [40](#) Order on Motion for Limited Admission, [235](#) Memorandum of Law in Support of Motion, filed by The State of Texas, [39](#) Order on Motion for Limited Admission, [99](#) Letter, filed by Apple, Inc., [4](#) Order on Motion for Limited Admission, [303](#) Letter filed by Class Plaintiffs, [234](#) MOTION for Settlement for Preliminary Approval of Settlements filed by The State of Texas, [63](#) Order on Motion for Limited Admission, [29](#) filed by The State of Connecticut, [278](#) Notice of Appearance filed by Apple Inc., Apple, Inc., [223](#) Letter, filed by Apple Inc., Apple, Inc., [242](#) Letter, [267](#) Brief, filed by The State of Texas, [72](#) Protective Order, [114](#) Order, [150](#) MOTION FOR A JURY TRIAL ON THE PLAINTIFF STATES' CLAIMS filed by Penguin Group (USA) Inc., [147](#) Letter filed by Penguin Group (USA) Inc., [268](#) Brief, filed by Apple Inc., [109](#) Letter, filed by The State of Texas, [190](#) Opposition Brief filed by The State of Texas, [211](#) MOTION in Limine To Exclude Certain Anticipated Testimony Regarding the "Appropriateness" of Communications filed by Penguin Group (USA) Inc., [189](#) Pretrial Memorandum filed by The State of Texas, [26](#) filed by The State of South Dakota, [43](#) Order on Motion for Limited Admission, [30](#) filed by The State of Connecticut, [94](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [283](#) Letter filed by The State of Texas, [261](#) MOTION for ROBERT BROOKS BELL to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8768943. Motion and supporting papers to be reviewed by Clerk's Office staff filed by Kobo Inc., [88](#) Order on Motion to Dismiss, [221](#) Pretrial Memorandum filed by Apple Inc., [178](#) Notice of Appearance filed by Apple Inc., Apple, Inc., [281](#) Notice of Filing Transcript, [18](#) filed by The State of Ohio, [33](#) filed by The State of Missouri, [161](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [56](#) Order on Motion for Limited Admission, [136](#) Stipulation and Order, Set Deadlines, [159](#) Notice of Appearance filed by The State of Kansas, [28](#) filed by The State of Vermont, [157](#) Memorandum of Law in Opposition to Motion filed by The State of Texas, [249](#) Letter, [100](#)

Letter, [41](#) Order on Motion for Limited Admission, [214](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [113](#) Order on Motion to Appear Pro Hac Vice, [204](#) Proposed Findings of Fact filed by Apple Inc., [126](#) Notice of Filing Transcript, [148](#) Letter filed by The State of Texas, [206](#) Opposition Brief, filed by Penguin Group (USA) Inc., [180](#) 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 filed by Apple Inc., Apple, Inc., [224](#) Endorsed Letter, [165](#) Letter, filed by Penguin Group (USA), Inc., [53](#) Order on Motion for Limited Admission, [51](#) Order on Motion for Limited Admission, [171](#) Notice of Appearance filed by The State of Texas, [103](#) Answer to Amended Complaint filed by Holtzbrinck Publishers, LLC, [285](#) Endorsed Letter, [37](#) Order on Motion for Limited Admission, [307](#) Notice of Appeal, filed by Apple Inc., [259](#) MOTION for Leave to File An Amicus Curiae Brief In Support Of Proposed Final Judgment filed by Kobo Inc., [208](#) Reply Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [254](#) Letter, filed by Apple, Inc., [209](#) Reply Memorandum of Law in Support of Motion filed by Apple Inc., [81](#) Notice of Appearance filed by The State of Illinois, [12](#) filed by The State of Arizona, [167](#) Letter, filed by Penguin Group (USA) Inc., [258](#) Rule 7.1 Corporate Disclosure Statement filed by Kobo Inc., [168](#) Letter, filed by The State of Texas, [231](#) Letter, [260](#) Memorandum of Law in Support of Motion filed by Kobo Inc., [302](#) Letter filed by The State of Texas, [64](#) Order, [31](#) filed by The State of Maryland, [91](#) Rule 7.1 Corporate Disclosure Statement filed by Holtzbrinck Publishers, LLC, [129](#) Transcript, [137](#) Protective Order, [22](#) filed by The Commonwealth of Pennsylvania, [264](#) Endorsed Letter, Set Hearings, [87](#) Memorandum of Law in Support of Motion, filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [192](#) Endorsed Letter, [222](#) Proposed Findings of Fact filed by Apple Inc., [177](#) Order, Set Deadlines, [42](#) Order on Motion for Limited Admission, [194](#) Opposition Brief filed by The State of Texas, [205](#) MOTION in Limine / APPLE INC.'S MOTION IN LIMINE TO EXCLUDE THE EXPERT TESTIMONY OF PROFESSORS BAKER AND ASHENFELTER filed by Apple Inc., [57](#) Order on Motion for Limited Admission, [142](#) Notice of Change of Address filed by Robert Cheatham, [134](#) Redacted Transcript, [238](#) Scheduling Order, [202](#) MOTION to Compel Arbitration filed by Penguin Group (USA) Inc., [173](#) Stipulation and Order, [19](#) filed by The State of Ohio, [115](#) Order, Set Hearings, [45](#) Order on Motion for Limited Admission, [25](#) filed by The Commonwealth of Puerto Rico, [96](#) Notice of Appearance filed by The State of Michigan, [203](#) 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 filed by Penguin Group (USA) Inc., [38](#) Order on Motion for Limited Admission, [154](#) 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 filed by The Penguin Group, Penguin Group (USA) Inc., Penguin Group USA, Inc., [34](#) filed by The State of West Virginia, [131](#) Letter, [271](#) Declaration in Support filed by The State of Texas, [253](#) Letter, [127](#) Letter, [277](#) Order, [155](#)

Memorandum of Law in Opposition to Motion, filed by The State of Texas, [106](#) Answer to Amended Complaint filed by Penguin Group (USA) Inc., [162](#) Endorsed Letter, Set Deadlines, [245](#) Response filed by Apple Inc., [200](#) Proposed Findings of Fact filed by Penguin Group (USA) Inc., [213](#) MOTION to Compel Arbitration filed by Penguin Group (USA) Inc., [13](#) filed by The State of Colorado, [101](#) Letter, filed by Verlagsgruppe Georg Von Holtzbrinck GMBH, Holtzbrinck Publishers, LLC, [298](#) Letter filed by Apple Inc., [279](#) Notice (Other) filed by The State of Missouri, [243](#) Endorsed Letter, [217](#) Reply Memorandum of Law in Support of Motion filed by Penguin Group (USA) Inc., [108](#) Order, [269](#) Order, [66](#) Standing Order re Complex Civil Cases, [149](#) Order, Set Deadlines, [122](#) Notice of Appearance filed by The State of Arkansas, [93](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [97](#) Notice of Appearance filed by The Commonwealth of Massachusetts, [128](#) Letter, [219](#) Joinder, filed by Penguin Group (USA) Inc., [80](#) Notice of Appearance filed by Penguin Group (USA) Inc., [151](#) Memorandum of Law in Support of Motion, filed by Penguin Group (USA) Inc., [70](#) Notice of Appearance filed by The State of Texas, [112](#) Order, [90](#) Notice of Appearance filed by Holtzbrinck Publishers, LLC, [124](#) Notice of Appearance filed by The State of Nebraska, [172](#) Memorandum & Opinion, [240](#) Memorandum of Law in Support of Motion, filed by The State of Texas, [301](#) Letter filed by Apple Inc., [65](#) Case Transferred In - District Transfer, [84](#) Memorandum of Law in Support of Motion, filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [23](#) filed by The Commonwealth of Pennsylvania, [274](#) Letter, filed by Unites States of America, [226](#) MOTION to Dismiss Plaintiff States' Motion to Voluntarily Dismiss Certain State Law Claims filed by The State of Texas, [193](#) Endorsed Letter, [266](#) MOTION for Theodore J. Boutrous, Jr. to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8809535. Motion and supporting papers to be reviewed by Clerk's Office staff. filed by Apple Inc., [174](#) Letter, filed by The State of Texas, [207](#) Reply to Response to Motion, filed by Penguin Group (USA) Inc., [105](#) Answer to Amended Complaint filed by Apple Inc., [17](#) filed by The State of Missouri, [104](#) Notice of Appearance filed by Apple Inc., [185](#) Letter, filed by Apple, Inc., [60](#) Order on Motion for Limited Admission, [248](#) Scheduling Order, [215](#) Declaration in Support of Motion, filed by Penguin Group (USA) Inc., [1](#) Complaint, filed by The State of Ohio, The State of Iowa, The State of Texas, The State of Maryland, The Commonwealth of Puerto Rico, the State of Tennessee, The State of Vermont, The State of Illinois, The State of Missouri, The State of Arizona, The State of Alaska, The State of Connecticut, The State of South Dakota, The State of West Virginia, The State of Colorado, The Commonwealth of Pennsylvania, [46](#) Order on Motion for Limited Admission, [71](#) Order, Set Hearings, [54](#) Order on Motion for Limited Admission, [176](#) Order, Set Deadlines, [58](#) Order on Motion for Limited Admission, [110](#) MOTION for DAVID J. CAREY to Withdraw as Attorney and [Proposed] Order filed by Holtzbrinck Publishers, LLC, [308](#) Notice of Appeal, filed by Simon & Schuster Digital Sales, Inc., Simon & Schuster, Inc., [309](#) Notice of Appeal, filed by Holtzbrinck Publishers, LLC were transmitted to the U.S. Court of Appeals. (tp) (Entered: 10/04/2013)

10/07/2013

[311](#)

FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION for Attorney Fees , *Reimbursement of Expenses, and Participation Awards for*

		<i>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	312	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, # 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	313	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	314	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	315	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	316	DECLARATION of Steve W. Berman 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, # 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	317	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	319	STATEMENT OF DAMAGES. Document filed by The State of New York. (Hubbard, Robert) (Entered: 10/11/2013)
10/16/2013	320	ORDER. On September 30, 2013, the Department of Justice and the Plaintiff States submitted for consideration the names of two well-qualified candidates to serve as the External Monitor (Monitor) provided for in Section VI of the September 5 Order Entering Permanent Injunction in this case. Having interviewed both candidates, it is clear that either one is capable of doing an exceptional job as Monitor. The Court is grateful to both candidates for their commitment to public service and for taking time to travel and interview with DOJ and the Court. It is hereby ORDERED that Michael Bromwich is appointed as Monitor. IT IS FURTHER ORDERED that Bernard A. Nigro will assist Mr. Bromwich in discharging his responsibilities. (Signed by Judge Denise L. Cote on 10/16/2013) (gr) (Entered: 10/16/2013)
10/17/2013	321	NOTICE OF APPEARANCE by Gwendolyn Jean Cooley on behalf of The State of Wisconsin. (Attachments: # 1 Order granting waiver of admission requirements for pro hac vice)(Cooley, Gwendolyn) (Entered: 10/17/2013)
10/17/2013	322	NOTICE OF APPEARANCE by Eric Jonathan Stock on behalf of The State of New York. (Stock, Eric) (Entered: 10/17/2013)
10/17/2013	323	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)
10/21/2013	324	MODIFICATION TO SETTLEMENT AGREEMENT (So Ordered by Judge Judge Denise L. Cote on 10/21/2013) (gr) (Entered: 10/21/2013)
10/22/2013	325	NOTICE OF APPEARANCE by Thomas Marks on behalf of The State of Michigan. (Marks, Thomas) (Entered: 10/22/2013)
10/22/2013	326	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) (Entered: 10/22/2013)
10/23/2013	327	LETTER addressed to Judge Denise L. Cote from Robert Hubbard dated 10/23/13 re: Deposition of Roger Noll. Document filed by The State of New York. (Attachments: # 1 Exhibit)(Hubbard, Robert) (Entered: 10/23/2013)
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)
10/25/2013	328	LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous Jr. dated October 25, 2013 re: Proposed Corrections to June Trial Transcript. Document filed by Apple Inc.. (Attachments: # 1 Proposed Corrections to June Trial Transcript)(Boutrous, Theodore) (Entered: 10/25/2013)
10/29/2013	329	STIPULATION AND ORDER MAKING CERTAIN CORRESPONDENCE PART OF THE RECORD FILE. (Signed by Judge Denise L. Cote on 10/29/2013) (gr) (Entered: 10/29/2013)
10/29/2013	330	ENDORSED LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated 10/25/2013 re: The trial transcript in the above-entitled matters contain several formatting errors. We are requesting that the court reporters implement the edits listed in the attached document at their earliest convenience. All parties consent to these changes. ENDORSEMENT: So Ordered. (Signed by Judge Denise L. Cote on 10/29/2013) (gr) (Entered: 10/29/2013)
10/30/2013		First Supplemental ROA Sent to USCA (Electronic File). Certified Supplemental Indexed record on Appeal Electronic Files for 323 Letter, filed by The State of Texas, 324 Settlement Agreement, 316 Declaration in Support of Motion, filed by Class Plaintiffs, 320 Order, 310 Order, 313 Declaration in Support of Motion, filed by Class Plaintiffs, 322 Notice of Appearance filed by The State of New York, 329 Stipulation and Order, 319 Statement of Damages filed by The State of New York, 330 Endorsed Letter, 326 Letter, filed by Apple Inc., 328 Letter, filed by Apple Inc., 318 Order, 312 Declaration in Support of Motion, filed by Class Plaintiffs, 325 Notice of Appearance filed by The State of Michigan, 317 Declaration in Support of Motion, filed by Class Plaintiffs, 315 Memorandum of Law in Support of Motion, filed by Class Plaintiffs, 311 MOTION for Attorney Fees , <i>Reimbursement of Expenses, and Participation Awards for Named Plaintiffs</i>

		filed by Class Plaintiffs, 314 MOTION for Attorney Fees , <i>Reimbursement of Expenses, and Participation Awards for Named Plaintiffs</i> filed by Class Plaintiffs, 321 Notice of Appearance filed by The State of Wisconsin, 327 Letter filed by The State of New York USCA Case Number 13-3864, were transmitted to the U.S. Court of Appeals. (tp) (Entered: 10/30/2013)
11/08/2013	331	LETTER addressed to Judge Denise L. Cote from Gary Becker dated 11-08-2013 re: Response to Robert Kohn. Document filed by The State of Connecticut.(Becker, Gary) (Entered: 11/08/2013)
11/12/2013	332	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	333	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	334	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	335	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	336	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	337	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	338	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	339	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 Apple Inc..(Boutrous, Theodore) (Entered: 11/15/2013)
11/15/2013	340	MEMORANDUM OF LAW in Support re: 339 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 Apple Inc.. (Boutrous, Theodore) (Entered: 11/15/2013)
11/15/2013	341	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	342	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 teh 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) (Entered: 11/18/2013)
11/19/2013	343	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	344	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)
11/21/2013	345	ORDER. Notice is hereby given of the following proposed amendment to the October 16, 2013 Order appointing Michael Bromwich as the External Monitor (Monitor) provided for in Section VI of the September 5, 2013 Order Entering Permanent Injunction in this case. Pursuant to Federal Rule of Civil Procedure 53(b)(4), the amendment is proposed as follows (See Order). It is hereby ORDERED that any objection to the terms of the above proposed amendment to the October 16, 2013 Order appointing Michael Bromwich as

		Monitor is due by November 27, 2013. (Signed by Judge Denise L. Cote on 11/20/2013) (gr) (Entered: 11/21/2013)
11/21/2013	346	MOTION for Settlement <i>Motion for Final Approval of Macmillan and Penguin Settlements</i> . 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: 11/21/2013)
11/21/2013	347	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	348	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	349	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)
11/27/2013	350	Objection re: 345 Order,, <i>DEFENDANT APPLE INC.'S OBJECTIONS TO THE COURT'S ORDER FILED ON NOVEMBER 21, 2013</i> . Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 11/27/2013)
11/27/2013	351	DECLARATION of THEODORE J. BOUTROUS, JR. in Support re: 350 Objection (non-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)(Boutrous, Theodore) (Entered: 11/27/2013)
12/02/2013	352	ORDER. On September 5, 2013, a permanent injunction was entered in these two actions (Injunction). Among other things, the Injunction created the position of an External Compliance Monitor (Monitor) with the duties described in Section VI of the Injunction. The Injunction permitted Apple to object to any candidate for the Monitorship proposed by the Department of Justice and the Plaintiff States and required Apple to reimburse the candidates for reasonable expenses incurred by the candidates in connection with travel undertaken for interviews of the candidates by the United States and the Court. Through an Order of October 16, the Court advised the parties that it had

		<p>interviewed the two candidates whose names had been submitted by the Department of Justice and the Plaintiff States, and had appointed Michael Bromwich as the Monitor, to be assisted by Bernard Nigro. Since the issuance of the Order of October 16, neither Apple, the Monitor, nor the Department of Justice and Plaintiff States have informed the Court about the work of the Monitor or of any problems associated with that work. There has been no ex parte communication between the Court and the Monitor or between the Court and any of the parties about these issues. In an Order of November 20, the parties were asked to submit any objection by November 27 to amendments to the Injunction described in the November 20 Order. In a submission of November 27 Apple objects to that provision in the November 20 Order that would allow the Monitor to provide the Court with ex parte oral briefings about the monitorship. Apple having objected, the Court will not receive ex parte briefings or reports from the Monitor about his work. Through its November 27 submission, Apple offers other objections as well. It objects to the Monitors performance of his duties to date and to his fee structure for this undertaking. These are matters of which neither the parties nor the Monitor had previously advised the Court. In Section VI.H., the Injunction describes the process through which Apple shall make any objections to the actions by the Monitor. Objections are to be conveyed in writing to the United States and the Plaintiff States within ten calendar days after the action giving rise to the objection. Section VI.I. of the Injunction provides that the Monitor shall serve on such terms and conditions as the United States, after consultation with the Plaintiff States, approves. Any compensation shall be on reasonable and customary terms. Accordingly, it is hereby ORDERED that there shall be no ex parte communication by the Monitor with the Court regarding the performance of his duties as Monitor. IT IS FURTHER ORDERED that Apple shall follow the procedure created by Section VI.H. if it has any objections regarding the Monitor which it is unable to resolve through discussions with the Monitor. To the extent it has any objections about the Monitors fee structure, Apple shall use the procedure created by Section VI.H. to address that issue as well. IT IS FURTHER ORDERED that, in the event timely objection is made by Apple to the Department of Justice and the Plaintiff States, and the parties are unable to resolve the issue, any party may seek a conference with the Court through a letter no longer than two pages. The Court will promptly schedule a conference to give all parties, and if appropriate the Monitor, an opportunity to be heard on the matter. (Signed by Judge Denise L. Cote on 12/2/2013) (gr) (Entered: 12/02/2013)</p>
12/03/2013	353	<p>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)</p>
12/04/2013	354	<p>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</p>

		serve this Order on the Objectors. (Signed by Judge Denise L. Cote on 12/4/2013) (gr) (Entered: 12/04/2013)
12/04/2013	355	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	356	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	357	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	358	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 Gorklasky) (gr) (Entered: 12/09/2013)
12/06/2013	366	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	359	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	360	

		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)
12/09/2013	361	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	362	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	363	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	364	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	365	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	367	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	368	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)

12/12/2013	369	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)
12/13/2013	370	ORDER....On December 13, Apple filed a motion (December 13 Motion) by order to show cause for a stay of the Injunction pending appeal to the Second Circuit. DOJ submitted a responsive letter that same day. Also on December 13, the Court held a telephone conference on the record with Apple, DOJ, and the Plaintiff States present, in order to schedule briefing on Apples Motion. In that conference, the Court reminded the parties that the Injunction had not been modified, and stated that the term ex parte, as used in the Courts proposal with respect to communications between the Monitor and Apple did not mean un-counseled, but rather carried the ordinary meaning of ex parte, i.e., that DOJ and/or the Plaintiff States need not be present during any communication between the Monitor and Apple, and that Apple need not be present for any communication between Monitor and DOJ and/or the Plaintiff States. Apple was given the opportunity to amend its motion in light of these statements. It declined to do so. Accordingly, it is herebyORDERED that DOJ and the Plaintiff States opposition to Apples December 13 Motion is due by December 30, 2013. Apples reply, if any, is due by January 7, 2014. IT IS FURTHER ORDERED that at the time any pleading is served, the party submitting the pleading 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, New York. (Signed by Judge Denise L. Cote on 12/13/2013) (gr) (Entered: 12/13/2013)
12/13/2013	371	REPLY MEMORANDUM OF LAW in Support re: 339 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 Apple Inc.. (Boutrous, Theodore) (Entered: 12/13/2013)
12/13/2013		Minute Entry for proceedings held before Judge Denise L. Cote: Telephone Conference held on 12/13/2013. (Court Reporter Sam Mauro) (gr) (Entered: 12/16/2013)
12/14/2013	372	MEMORANDUM OF LAW in Support re: 370 Order,,,,,, / <i>DEFENDANT APPLE INC.'S MEMORANDUM OF LAW IN SUPPORT OF ITS MOTION BY ORDER TO SHOW CAUSE FOR A STAY OF THE INJUNCTION PENDING APPEAL.</i> Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 12/14/2013)
12/14/2013	373	DECLARATION of GENE LEVOFF in Support re: 370 Order,,,,,,. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 12/14/2013)
12/14/2013	374	DECLARATION of THEODORE J. BOUTROUS, JR. in Support re: 370 Order,,,,,,. Document filed by Apple Inc.. (Attachments: # 1 Exhibit A through F, # 2 Exhibit G through L, # 3 Exhibit M through S)(Boutrous, Theodore) (Entered: 12/14/2013)
12/17/2013	375	

		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	376	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	377	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	378	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	379	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	380	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	381	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	382	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, 1:12-cv-03394-DLC(Berman, Steve) (Entered: 12/18/2013)
12/18/2013	383	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)
12/20/2013	384	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	385	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)
12/24/2013	386	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	387	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	388	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	389	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	390	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)
01/07/2014	391	LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated January 7, 2014 re: objections to the external compliance monitor. Document filed by Apple Inc..(Boutrous, Theodore) (Entered: 01/07/2014)
01/07/2014	392	DECLARATION of CYNTHIA E. RICHMAN in Support re: 391 Letter. Document filed by Apple Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Boutrous, Theodore) (Entered: 01/07/2014)
01/07/2014	393	REPLY MEMORANDUM OF LAW in Support re: 370 Order,,,,,,. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 01/07/2014)
01/07/2014	394	DECLARATION of KYLE ANDEER in Support re: 370 Order,,,,,,. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 01/07/2014)
01/07/2014	395	DECLARATION of MATTHEW J. REILLY in Support re: 370 Order,,,,,,. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 01/07/2014)
01/07/2014	396	DECLARATION of THEODORE J. BOUTROUS, JR. in Support re: 370 Order,,,,,,. Document filed by Apple Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Boutrous, Theodore) (Entered: 01/07/2014)
01/08/2014	397	ENDORSED LETTER addressed to Judge Denise L. Cote from Lawrence E. Buterman dated 1/8/2014 re: Request that Apple's reply brief should be stricken, and that Apple be ordered to submit a reply that comports with this Court's Individual Practices and all applicable Rules. ENDORSEMENT: The parties are reminded to comply with this Court's Individual Practices or to seek prior approval for a departure. The request to strike is denied. If the plaintiffs seek to file a sur-reply to address new arguments that appear in the reply, they may do so by Saturday, January 11 at noon. (Signed by Judge Denise L. Cote on 1/8/2014) (gr) (Entered: 01/08/2014)
01/08/2014	398	LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated January 8, 2014 re: reply memoranda limits. Document filed by Apple Inc..(Boutrous, Theodore) (Entered: 01/08/2014)
01/08/2014	399	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	400	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	401	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 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)
01/14/2014	402	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION to Comply with <i>Endorsed Letter, Doc. 400</i> . Document filed by The State of New York. (Attachments: # 1 Redacted Memo in Support, # 2 Declaration, # 3 Redacted exhibits, # 4 Certificate of Service)(Hubbard, Robert) Modified on 1/15/2014 (db). (Entered: 01/14/2014)
01/15/2014		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Robert L. Hubbard to RE-FILE Document 402 MOTION to Comply with <i>Endorsed Letter, Doc. 400</i>. ERROR(S): Supporting Documents are filed separately, each receiving their own document #. (db) (Entered: 01/15/2014)
01/15/2014	403	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	404	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)
01/16/2014	405	OPINION AND ORDER. Apple's motion to suspend operation of Section VI of the Injunction because the Monitor must be disqualified, or on any other grounds preserved and argued to this Court is denied. Apple's motion for a stay of this ruling pending its appeal to the Second Circuit is denied with the following exception. Apple is granted a stay of Section VI of the Injunction from the filing of this Opinion until Tuesday, January 21, 2014, at noon, in order to pursue an appeal of this Opinion and Order denying a stay, on the condition that Apple file its motion for a stay by Saturday, January 18, 2014 at noon. (Signed by Judge Denise L. Cote on 1/16/2014) (gr) (Entered: 01/16/2014)

01/16/2014	406	ORDER. This Court's ECF system being out of operation, today's Opinion and Order was emailed to the parties at 9:47 a.m., and filed as soon as possible after the ECF system became operational. It is hereby ORDERED that, should Apple wish to appeal, it file a notice of appeal forthwith. (Signed by Judge Denise L. Cote on 1/16/2014) (gr) (Entered: 01/16/2014)
01/16/2014	407	NOTICE OF INTERLOCUTORY APPEAL from 405 Memorandum & Opinion,,. Document filed by Apple Inc.. Filing fee \$ 505.00, receipt number 0208-9269809. Form C and Form D are due within 14 days to the Court of Appeals, Second Circuit. (Boutrous, Theodore) (Entered: 01/16/2014)
01/17/2014		Transmission of Notice of Appeal and Certified Copy of Docket Sheet to US Court of Appeals re: 407 Notice of Interlocutory Appeal. (tp) (Entered: 01/17/2014)
01/17/2014		Appeal Record Sent to USCA (Electronic File). Certified Indexed record on Appeal Electronic Files (<i>ONLY</i>) for 407 Notice of Interlocutory Appeal, filed by Apple Inc. were transmitted to the U.S. Court of Appeals. (tp) (Entered: 01/17/2014)
01/17/2014	408	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	409	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	410	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	411	ORDER of USCA (Certified Copy) as to 407 Notice of Interlocutory Appeal, filed by Apple Inc. USCA Case Number 14-0061-cv. Appellant moves for (1) a stay of that portion of the district court's injunction entered on September 5, 2013 that imposes an external compliance monitor, pending appeal of the district court's judgment as well as its denial of objections to the external compliance monitor's conduct, and (2) for an administrative stay pending the Courts adjudication of this motion.IT IS HEREBY ORDERED that the motion for a stay pending appeal is REFERRED to a three-judge motions panel and shall be heard as soon as possible. IT IS FURTHER ORDERED that an administrative stay of the district court's order is granted until the motion for stay pending appeal is determined by the motions panel. Any opposition to the motion for a stay pending appeal must be filed by close of business on Friday, January 24, 2014. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Order: 1/21/2014. Certified: 1/21/2014. (nd) Modified on 1/21/2014 (nd). (Entered: 01/21/2014)
01/21/2014	412	

		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)
01/27/2014	413	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)
01/27/2014	414	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)
01/31/2014	415	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	416	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	417	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	418	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	419	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	420	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 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	421	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	422	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	423	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	424	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	425	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	426	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	427	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)
02/06/2014	428	

		ENDORSED LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 2/4/2014 re: Class Plaintiffs' letter regarding certain documents 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	429	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	430	BRIEF / <i>APPLE INC.'S BRIEF REGARDING STATE CIVIL PENALTIES</i> . Document filed by Apple Inc..(Boutrous, Theodore) (Entered: 02/10/2014)
02/10/2014	431	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	432	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)
02/10/2014	433	ORDER of USCA (Certified Copy) as to 407 Notice of Interlocutory Appeal, filed by Apple Inc. USCA Case Number 14-61. Upon due consideration, it is hereby ORDERED that the motion is DENIED because, on the above understanding of the order and judgment, Appellant Apple had not demonstrated that it is entitled to a stay pending appeal. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 02/10/2014. (nd) (Entered: 02/11/2014)
02/11/2014	434	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	435	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 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	436	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	437	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	438	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 Opposition 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	439	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	440	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	441	DECLARATION of Robert L. 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 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	442	

		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	443	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)
02/19/2014	444	LETTER dated February 18, 2014 addressed to Judge Denise L. Cote from Michael R. Bromwich.(gr) (Entered: 02/19/2014)
02/19/2014	445	ORDER:On February 10, 2014, the Court of Appeals for the Second Circuit denied Apples appeal from this Courts rejection of its motion to stay the monitorship. By letter of February 18, the Monitor advises the Court that he wrote to Apple on February 11 on various topics, and that Apples counsel has proposed a meeting during the week of March 3. The Monitor asks that the Court schedule periodic status conferences. It is hereby ORDERED that Apple shall provide to the Monitor on a rolling basis, with final production being made no later than February 26, the documents the Monitor has requested, including those the Monitor requested in October, as well as any additional documents that Apple wishes the Monitor to review. With respect to any documents which the Monitor requested for the first time on February 11, should Apple believe that any of those documents should not be provided to him, it shall promptly discuss the issue with him, and if they are unable to resolve the issue, the Monitor and Apple shall discuss the issue with the DOJ. If those discussions are not successful in resolving the dispute, the parties and/or Monitor should promptly submit the issue to the Court in a letter no longer than two pages. Every effort should be made to provide the Monitor with all documents well in advance of his meeting with Apple, which is scheduled to occur during the week of March 3. IT IS FURTHER ORDERED that the request for periodic status conferences is denied at this time. The Monitor or the parties may renew this request. IT IS FURTHER ORDERED that this matter is referred to Magistrate Judge Dolinger to resolve any disputes that arise in connection with the monitorship, subject to appeal to this Court. IT IS FURTHER ORDERED that the parties and the Monitor shall promptly contact Magistrate Judge Dolinger to schedule a conference before him to take place during the week of either March 3 or March 10. Should the parties resolve all disputes and have no need for his services, they may cancel the conference. IT IS FURTHER ORDERED that, in the event the parties or the Monitor wish to appeal from any ruling by Magistrate Judge Dolinger, any one of them shall promptly submit to this Court a letter no longer than two pages notifying the Court of the dispute. The Court shall promptly arrange a

		conference at which all parties and the Monitor will be given an opportunity to be heard, or if appropriate, shall promptly rule on the dispute through the issuance of an Order. (Signed by Judge Denise L. Cote on 2/19/2014) (gr) (Entered: 02/19/2014)
02/19/2014	446	ORDER REFERRING CASE TO MAGISTRATE JUDGE. Order that case be referred to the Clerk of Court for assignment to a Magistrate Judge for Specific Non-Dispositive Motion/Dispute: Monitorship issues. Referred to Magistrate Judge Michael H. Dolinger. (Signed by Judge Denise L. Cote on 2/19/2014) (lmb) (Entered: 02/19/2014)
02/20/2014	447	LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated February 20, 2014 re: monitorship issues. Document filed by Apple Inc.. (Attachments: # 1 Enclosure)(Boutrous, Theodore) (Entered: 02/20/2014)
02/20/2014	448	ORDER that Apple shall follow the procedures outlined in the February 19 Order in making its document production, including the dispute resolution procedures. (Signed by Judge Denise L. Cote on 2/20/2014) (pg) (Entered: 02/20/2014)
02/21/2014	449	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	450	ORDER: that a conference has been scheduled for 3/3/2014 at 12:00 PM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger. (Signed by Magistrate Judge Michael H. Dolinger on 2/21/2014) ***Filed in 12cv2826 and 12cv3394. Copies Faxed By Chambers. (tn) (Entered: 02/21/2014)
02/24/2014	451	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	452	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	453	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 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	454	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	455	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)
02/28/2014	456	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	457	ORDER. It is hereby ORDERED that the conference previously scheduled for March 3, 2014 has been rescheduled in the above-captioned actions for WEDNESDAY, MARCH 5, 2014, at 3:00 P.M., at which time you are directed to appear in Courtroom 17D, 500 Pearl Street, New York, New York 10007-1312, and as further set forth. (Conference set for 3/5/2014 at 03:00 PM in Courtroom 17D, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger.) (Signed by Magistrate Judge Michael H. Dolinger on 2/28/2014) Copies Faxed By Chambers. (rjm) (Entered: 03/03/2014)
03/07/2014	458	BRIEF re: (505 in 1:11-md-02293-DLC, 399 in 1:12-cv-03394-DLC-MHD) Brief <i>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	459	MEMORANDUM OF LAW in Opposition re: 449 MOTION to Remand / <i>APPLE INC.'S MOTION FOR SUGGESTION OF REMAND TO THE JUDICIAL PANEL FOR MULTIDISTRICT LITIGATION.</i> . Document filed by The State of Connecticut. (Attachments: # 1 Exhibit Exhibits 1-3)(Becker, Gary) (Entered: 03/07/2014)
03/07/2014	460	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 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	461	

		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)
03/11/2014	462	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	463	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	464	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	465	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 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	466	SEALED DOCUMENT placed in vault.(nm) (Entered: 03/14/2014)
03/14/2014	467	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)
03/19/2014	468	LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 03/19/2014 re: Trial Schedule and Pretrial Filings. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 03/19/2014)

03/20/2014		Minute Entry for proceedings held before Judge Denise L. Cote: Telephone Conference held on 3/20/2014. (Court Reporter Khris Sellin) (gr) (Entered: 03/21/2014)
03/28/2014	469	LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 03/28/2014 re: Proposed Trial Dates and Notice Period. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 03/28/2014)
03/28/2014	470	LETTER addressed to Judge Denise L. Cote from Daniel G. Swanson dated March 28, 2014 re: Proposed Trial Date and Notice Period. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Boutrous, Theodore) (Entered: 03/28/2014)
03/28/2014	471	OPINION AND ORDER: Plaintiffs October 11, 2013 motion for class certification is granted; Apples November 15, 2013 motion to exclude Nolls opinions is denied; and plaintiffs January 27, 2014 request to strike portions of Apples sur-reply memorandum of law in opposition to plaintiffs motion for class certification and the sur-reply declarations of Kalt and Orszag is granted in part. (Signed by Judge Denise L. Cote on 3/28/2014) Filed In Associated Cases: 1:11-md-02293-DLC et al.(gr) (Entered: 03/28/2014)
03/28/2014	472	OPINION AND ORDER ("Redacted"): Plaintiffs December 18, 2013 motions to exclude Kalts opinions are granted. The States December 18 motion to exclude certain of Orszags opinions is granted, and the class plaintiffs December 18 motion to exclude Orszags opinions is granted in part. (Signed by Judge Denise L. Cote on 3/28/2014) (gr) (Entered: 03/28/2014)
03/28/2014	473	LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 03/28/2014 re: Proposed Notice Forms. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 03/28/2014)
03/28/2014	474	MOTION to Approve Plan for Notice. Document filed by Class Plaintiffs. (Attachments: # 1 Text of Proposed Order)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 03/28/2014)
03/28/2014	475	MEMORANDUM OF LAW in Support re: (474 in 1:12-cv-03394-DLC-MHD) MOTION to Approve Plan for Notice.. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 03/28/2014)
03/28/2014	476	DECLARATION of Katherine Kinsella in Support re: (474 in 1:12-cv-03394-DLC-MHD) MOTION to Approve Plan for Notice.. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 03/28/2014)
03/28/2014	477	LETTER addressed to Judge Denise L. Cote from Daniel G. Swanson dated March 28, 2014 re: Class Notice. Document filed by Apple Inc.. (Attachments: # 1 Exhibit A)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Boutrous, Theodore) (Entered: 03/28/2014)

03/31/2014	478	SCHEDULING ORDER:...[A]ny motion to stay shall be filed by 4/4/2014. Plaintiffs shall serve their opposition, if any, by 4/11/2014. Apple shall serve its reply by 4/15/2014.... (Signed by Judge Denise L. Cote on 3/31/2014) (gr) (Entered: 03/31/2014)
03/31/2014		Minute Entry for proceedings held before Judge Denise L. Cote: Telephone Conference held on 3/31/2014. (Court Reporter Paula Speer) (gr) (Entered: 03/31/2014)
04/01/2014	479	LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 04/01/2014 re: Submission of Revised Draft Notice Forms. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 04/01/2014)
04/01/2014	480	LETTER addressed to Judge Denise L. Cote from Daniel G. Swanson dated April 1, 2014 re: Class Notice. Document filed by Apple Inc.. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Swanson, Daniel) (Entered: 04/01/2014)
04/01/2014	481	ORDER that the form of notice is approved as set forth in this Order. (Signed by Judge Denise L. Cote on 04/01/2014) (jl) (Entered: 04/01/2014)
04/02/2014	482	ORDER GRANTING PLAINTIFFS' MOTION FOR APPROVAL OF PLAN FOR CLASS NOTICE. (Signed by Judge Denise L. Cote on 4/2/22014) (gr) (Entered: 04/02/2014)
04/04/2014	483	NOTICE OF CHANGE OF ADDRESS by Daniel F. McInnis on behalf of Penguin Group (USA) Inc.. New Address: Thompson Hine LLP, 1919 M Street NW, Washington DC, USA 200036, 202.331.8800. (McInnis, Daniel) (Entered: 04/04/2014)
04/04/2014	484	MOTION to Stay / <i>NOTICE OF MOTION TO STAY PENDING APPEAL</i> . Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Boutrous, Theodore) (Entered: 04/04/2014)
04/04/2014	485	MEMORANDUM OF LAW in Support re: (602 in 1:11-md-02293-DLC, 484 in 1:12-cv-03394-DLC-MHD) MOTION to Stay / <i>NOTICE OF MOTION TO STAY PENDING APPEAL</i> .. Document filed by Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD (Boutrous, Theodore) (Entered: 04/04/2014)
04/11/2014	486	LETTER addressed to Judge Denise L. Cote from Eric Lipman dated April 11, 2014 re: Pretrial Filing Schedule. Document filed by The State of Texas.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD (Lipman, Eric) (Entered: 04/11/2014)
04/11/2014	487	ENDORSED LETTER addressed to Judge Denise L. Cote from Eric Lipman, Assistant Attorney General Antitrust Section dated 4/11/2014 re: Letter on behalf of the Plaintiff states and Class Plaintiffs to propose a schedule for pretrial filings in advance of the upcoming July 14 damages trial.... ENDORSEMENT: Any submission by Apple on these scheduling issues is

		due April 14 by noon E.S.T. (Signed by Judge Denise L. Cote on 4/11/2014) (gr) (Entered: 04/11/2014)
04/11/2014	488	MOTION for Reconsideration re; (471 in 1:12-cv-03394-DLC-MHD, 585 in 1:11-md-02293-DLC) Memorandum & Opinion, (586 in 1:11-md-02293-DLC, 472 in 1:12-cv-03394-DLC-MHD) Memorandum & Opinion,. Document filed by Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Boutrous, Theodore) (Entered: 04/11/2014)
04/11/2014	489	MEMORANDUM OF LAW in Support re: (606 in 1:11-md-02293-DLC, 488 in 1:12-cv-03394-DLC-MHD) MOTION for Reconsideration re; (471 in 1:12-cv-03394-DLC-MHD, 585 in 1:11-md-02293-DLC) Memorandum & Opinion, (586 in 1:11-md-02293-DLC, 472 in 1:12-cv-03394-DLC-MHD) Memorandum & Opinion,. MOTION for Reconsideration re; (471 in 1:12-cv-03394-DLC-MHD, 585 in 1:11-md-02293-DLC) Memorandum & Opinion, (586 in 1:11-md-02293-DLC, 472 in 1:12-cv-03394-DLC-MHD) Memorandum & Opinion,.. Document filed by Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Boutrous, Theodore) (Entered: 04/11/2014)
04/11/2014	490	RESPONSE in Opposition to Motion re: (484 in 1:12-cv-03394-DLC-MHD) MOTION to Stay / <i>NOTICE OF MOTION TO STAY PENDING APPEAL</i> .. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 04/11/2014)
04/11/2014	491	RESPONSE in Opposition to Motion re: (484 in 1:12-cv-03394-DLC-MHD) MOTION to Stay / <i>NOTICE OF MOTION TO STAY PENDING APPEAL</i> .. Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Lipman, Eric) (Entered: 04/11/2014)
04/14/2014	492	LETTER addressed to Judge Denise L. Cote from Michael R. Bromwich dated 4/11/2014 re: Pursuant to Section VI,C of the September 5, 2013 Final Judgment and Order Entering Permanent Injunction in the above-captioned matter, I have prepared a report to be filed with the Court on Monday, April 14, 2014. This letter seeks guidance with respect to the method of filing the report. Please advise if the report should be filed under seal or in some other fashion. The Parties in this matter are copied on this letter. (gr) (Entered: 04/14/2014)
04/14/2014	493	ENDORSED LETTER addressed to Judge Denise L. Cote from Lawrence E. Buterman dated 4/11/2014 re: Pursuant to the Court's instructions, the parties have conferred regarding whether the External Compliance Monitor's report should be made public and present their respective positions.... ENDORSEMENT: The Monitor shall publicly file the report in redacted form and provide the unredacted report to the Court with a copy indicating the material redacted at Apple's request. If the Court determines that addiitonal passages in the report should be made public, the parties will have an opportunity to be heard first. (Signed by Judge Denise L. Cote on 4/14/2014) (gr) (Entered: 04/14/2014)
04/14/2014	494	

		LETTER addressed to Judge Denise L. Cote from Daniel G. Swanson dated April 14, 2014 re: Pre-Trial Scheduling. Document filed by Apple Inc.. (Attachments: # 1 Exhibit A)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Swanson, Daniel) (Entered: 04/14/2014)
04/14/2014	495	ORDER. Plaintiffs shall serve any opposition to defendant's April 11 motion by April 25, 2014. Defendant shall serve any reply by May 2, 2014... (Signed by Judge Denise L. Cote on 4/14/2014) (gr) (Entered: 04/14/2014)
04/14/2014	496	LETTER addressed to Judge Denise L. Cote from Michael R. Bromwich dated 4/14/2014 re: Pursuant to Section VI.C of the September 5, 2013 Final Judgment and Order Entering Permanent Injunction in the above-captioned matter, I am both electronically transmitting and hand-delivering our first report. The Parties in this matter are copied on this letter and receiving the report electronically today. (gr) (Entered: 04/14/2014)
04/14/2014	497	LETTER addressed to Judge Denise L. Cote from Michael R. Bromwich dated 4/14/2014 re: Apple has represented to us this morning that it is seeking no redactions in the report we submitted to chambers earlier this morning. In light of this Court's April 14, 2014 Order, Apple's representation, and the fact that I am not a party to this matter, I respectfully request that the Court place the report filed with chambers this morning on the public docket. The Parties in this matter are copies on this letter. (gr) (Entered: 04/14/2014)
04/14/2014	498	REPORT OF THE EXTERNAL COMPLIANCE MONITOR. Covering Activities for the dates of October 16, 2013 through April 14, 2014. (gr) (Entered: 04/14/2014)
04/14/2014	499	SCHEDULING ORDER: ORDERED that the parties shall exchange witness lists, exhibit lists, deposition designations, and stipulations on June 6, 2014. IT IS FURTHER ORDERED that the Joint Pretrial Order shall be filed by June 20. As described in greater detail in this Courts Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: motions addressing any evidentiary issues or other matters which should be resolved in limine, a pretrial memorandum of law addressing all questions of law expected to arise at trial, requests to charge, and proposed voir dire questions. Any responsive papers are due on June 27. Any replies shall be no longer than five pages and are to be filed by July 1. IT IS FURTHER ORDERED that the final pretrial conference shall be held on July 9, 2014 at 2 p.m. in Courtroom 15B.IT IS HEREBY ORDERED that the trial will begin at 9:30 a.m. on July 14, 2014.(See Order for Judge Cote's jury trial procedures.) (Signed by Judge Denise L. Cote on 4/14/2014) (gr) (Entered: 04/14/2014)
04/15/2014	500	OPINION & ORDER 104216. Apple's November 15, 2013 motion to dismiss the States' Action for lack of standing, or to compel the States to seek class certification, is denied. (Signed by Judge Denise L. Cote on 4/15/2014) (gr) Modified on 4/17/2014 (nt). (Entered: 04/15/2014)
04/15/2014	501	REPLY MEMORANDUM OF LAW in Support re: (602 in 1:11-md-02293-DLC, 484 in 1:12-cv-03394-DLC-MHD) MOTION to Stay / <i>NOTICE OF MOTION TO STAY PENDING APPEAL</i> .. Document filed by Apple Inc..

		(Attachments: # 1 Exhibit A) Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Boutrous, Theodore) (Entered: 04/15/2014)
04/22/2014	502	LETTER addressed to Judge Denise L. Cote from Theodore J. Boutrous, Jr. dated April 22, 2014 re: administrative stay. Document filed by Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Boutrous, Theodore) (Entered: 04/22/2014)
04/22/2014	503	LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 04/22/2014 re: Administrative Stay. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD (Berman, Steve) (Entered: 04/22/2014)
04/23/2014	504	LETTER addressed to Judge Denise L. Cote from Eric Lipman dated April 23, 2014 re: Administrative Stay. Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Lipman, Eric) (Entered: 04/23/2014)
04/23/2014	505	ORDER...For reasons set out in an Opinion to follow, the Court denies Apple's motion for stay pending appeal and denies Apple's request for an administrative stay. (Signed by Judge Denise L. Cote on 4/23/2014) (gr) (Entered: 04/23/2014)
04/23/2014	506	FILING ERROR - DEFICIENT DOCKET ENTRY (refiled as document 507) - NOTICE of DEFENDANT APPLE INC.'S NOTICE OF MOTION TO CERTIFY INTERLOCUTORY APPEAL PURSUANT TO 28 U.S.C. § 1292 (b) re: 500 Memorandum & Opinion,. Document filed by Apple Inc. (Boutrous, Theodore) Modified on 5/14/2014 (db). (Entered: 04/23/2014)
04/23/2014	507	MOTION DEFENDANT APPLE INC.'S NOTICE OF MOTION TO CERTIFY INTERLOCUTORY APPEAL PURSUANT TO 28 U.S.C. § 1292 (b) re: 500 Memorandum & Opinion,. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 04/23/2014)
04/23/2014	508	MEMORANDUM OF LAW in Support re: 507 MOTION DEFENDANT APPLE INC.'S NOTICE OF MOTION TO CERTIFY INTERLOCUTORY APPEAL PURSUANT TO 28 U.S.C. § 1292(b) re: 500 Memorandum & Opinion,.. Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 04/23/2014)
04/24/2014	509	ORDER...Any opposition to Apple's motion to certify an interlocutory appeal of this Court's Order of April 15, 2014 shall be due 5/2/2014. Any reply is due 5/6/2014. (Signed by Judge Denise L. Cote on 4/23/2014) (gr) (Entered: 04/24/2014)
04/24/2014	510	OPINION & ORDER #104255. For the reasons set forth in the Opinion & Order, Apple's February 21, 2014 motion for suggestion of remand to the JPML is denied. (Signed by Judge Denise L. Cote on 4/24/2014) (gr) Modified on 4/29/2014 (ca). (Entered: 04/24/2014)
04/24/2014	511	OPINION & ORDER #104253. For the reasons stated in the Opinion & Order, Apples April 4 motion for stay pending appeal, and its request for an administrative stay pending decision on that motion, were denied by Order of

		April 23. (Signed by Judge Denise L. Cote on 4/24/2014) (gr) Modified on 4/29/2014 (ca). (Entered: 04/24/2014)
04/25/2014	512	JOINT MEMORANDUM OF LAW in Opposition re: (488 in 1:12-cv-03394-DLC-MHD) MOTION for Reconsideration re; (471 in 1:12-cv-03394-DLC-MHD, 585 in 1:11-md-02293-DLC) Memorandum & Opinion, (586 in 1:11-md-02293-DLC, 472 in 1:12-cv-03394-DLC-MHD) Memorandum & Opinion,, MOTION for Reconsideration re; (471 in 1:12-cv-03394-DLC-MHD, 585 in 1:11-md-02293-DLC) Memorandum & Opinion, (586 in 1:11-md-02293-DLC, 472 in 1:12-cv-03394-DLC-MHD) Memorandum & Opinion,.. Document filed by Class Plaintiffs. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 04/25/2014)
04/25/2014	513	ORDER of USCA (Certified Copy) as to (384 in 1:12-cv-03394-DLC-MHD, 498 in 1:11-md-02293-DLC) Notice of Appeal, filed by Bob Kohn USCA Case Number 13-03741(L). Apple Inc. has filed an emergency motion seeking a stay of class notification and a stay of the damages trial that is scheduled to commence in July 2014, pending appeal. Apple also requests an administrative stay of the class notification (scheduled to commence on April 28, 2014) while the Court determines the request for a stay pending appeal. IT IS ORDERED that the request for a stay of class notification and for a stay of the damages trial, pending appeal, is hereby REFERRED to a three-judge panel. IT IS FURTHER ORDERED that the request for an administrative stay of the class notification (scheduled to commence on April 28, 2014) is GRANTED. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Certified: 04/25/2014. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(nd) (Entered: 04/28/2014)
04/28/2014	514	LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 04/28/2014 re: Status. Document filed by Class Plaintiffs.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 04/28/2014)
05/02/2014	515	MEMORANDUM OF LAW in Opposition re: (507 in 1:12-cv-03394-DLC-MHD) MOTION DEFENDANT APPLE INC.'S NOTICE OF MOTION TO CERTIFY INTERLOCUTORY APPEAL PURSUANT TO 28 U.S.C. § 1292 (b) re: (500) Memorandum & Opinion,. . Document filed by The State of Texas. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Stavast-Piper, Kayna) (Entered: 05/02/2014)
05/02/2014	516	REPLY MEMORANDUM OF LAW in Support re: (606 in 1:11-md-02293-DLC, 488 in 1:12-cv-03394-DLC-MHD) MOTION for Reconsideration re; (471 in 1:12-cv-03394-DLC-MHD, 585 in 1:11-md-02293-DLC) Memorandum & Opinion, (586 in 1:11-md-02293-DLC, 472 in 1:12-cv-03394-DLC-MHD) Memorandum & Opinion,. . Document filed by Apple Inc.. Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Boutrous, Theodore) (Entered: 05/02/2014)
05/06/2014	517	ORDER: It is hereby ORDERED that a conference has been scheduled in the above-captioned actions for FRIDAY, MAY 9, 2014, at 2:30 P.M., at which time you are directed to appear in Courtroom 17D, 500 Pearl Street, New

		York, New York 10007-1312. Any requests for adjournment of this scheduled conference must be in writing, with copies to all other parties, and must be preceded by reasonable efforts by the requesting party to obtain the consent of those parties. (Status Conference set for 5/9/2014 at 02:30 PM in Courtroom 17D, 500 Pearl Street, New York, NY 10007 before Magistrate Judge Michael H. Dolinger.) (Signed by Magistrate Judge Michael H. Dolinger on 5/5/2014) Copies Faxed By Chambers. (mro) (Entered: 05/06/2014)
05/06/2014	518	REPLY MEMORANDUM OF LAW in Support re: 507 MOTION DEFENDANT APPLE INC.'S NOTICE OF MOTION TO CERTIFY INTERLOCUTORY APPEAL PURSUANT TO 28 U.S.C. § 1292(b) re: 500 Memorandum & Opinion,. . Document filed by Apple Inc.. (Boutrous, Theodore) (Entered: 05/06/2014)
05/12/2014	519	ORDER of USCA (Certified Copy) as to 407 Notice of Interlocutory Appeal, filed by Apple Inc. USCA Case Number 14-61. Appellant's motion to supplement the record is DENIED. The materials submitted are neither part of the district court record nor properly subject to judicial notice. Nor are the records in question relevant to the issues on appeal. If appellant believes that factual circumstances occurring since the district court order under review present materially changed circumstances warranting relief from the district court's original order, appellant's proper remedy is to move in the district court for a modification of the monitorship order. Accordingly, it is hereby ORDERED that the motion to supplement the record is DENIED. It is further ORDERED that appellant shall file a revised brief, without reference to extra-record material, on or before May 15, 2014, and that appellees' briefs shall be due 91 days after appellant's brief is filed. Catherine O'Hagan Wolfe, Clerk USCA for the Second Circuit. Issued As Order: 5/12/2014. Certified: 5/12/2014. (nd) (Entered: 05/12/2014)
05/29/2014	520	ORDER: On May 29, the Court of Appeals for the Second Circuit denied defendant Apple Inc.s motion to stay proceedings in the above-captioned actions and lifted the temporary stay entered on April 25. Accordingly, it is herebyORDERED that the parties shall meet and confer regarding the schedule going forward and, by June 2, confirm that the current schedule should remain in place or propose any revised schedule to the Court. Any proposed schedule should include each of the deadlines set in the April 14 Scheduling Order. If the parties cannot reach agreement, they shall raise any disputes with the Court by June 2. (Signed by Judge Denise L. Cote on 5/29/2014) (gr) (Entered: 05/29/2014)
06/02/2014	521	LETTER addressed to Judge Denise L. Cote from Eric Lipman dated June 2, 2014 re: Scheduling Proposal. Document filed by The State of Texas.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Lipman, Eric) (Entered: 06/02/2014)
06/02/2014	522	LETTER addressed to Judge Denise L. Cote from Daniel G. Swanson dated June 2, 2014 re: Modifications to Scheduling Order. Document filed by Apple Inc..Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Swanson, Daniel) (Entered: 06/02/2014)
06/03/2014	523	

		<p>SCHEDULING ORDER:...ORDERED that plaintiffs shall disseminate notice of litigation to consumers as expeditiously as possible. IT IS FURTHER ORDERED that the parties shall exchange witness lists, exhibit lists, deposition designations, and stipulations on June 24, 2014. The parties shall consult with each other about whether the parties should exchange two sets of these documents, one that assumes class plaintiffs motion for summary judgment is denied and a second that assumes it is granted except as to the amount of damages. IT IS FURTHER ORDERED that the opt-out period for eligible consumers shall end on July 31. IT IS FURTHER ORDERED that the Joint Pretrial Order shall be filed by August 1. IT IS FURTHER ORDERED that the final pretrial conference shall be held on August 20, 2014 at 10 a.m. in Courtroom 15B. IT IS FURTHER ORDERED that the trial will begin at 9:30 a.m. on August 25, 2014. (See Scheduling Order for Judge Cote's procedures). (Signed by Judge Denise L. Cote on 6/3/2014) (gr) (Entered: 06/03/2014)</p>
06/05/2014	524	<p>OPINION & ORDER 104411....Apple is liable for the state civil penalties identified in the States' twenty-six civil penalties claims. Any civil penalties will be assessed, after the damages trial, in addition to any treble damages imposed under the Clayton Act. (An Appendix follows page 29 of the Opinion & Order). (Signed by Judge Denise L. Cote on 6/5/2014) (gr) Modified on 6/11/2014 (nt). (Entered: 06/05/2014)</p>
06/16/2014	525	<p>SCHEDULING ORDER...the opt-out period for eligible consumers shall end on August 4, 2014. All other dates set out in the June 3 Scheduling Order remain the same. IT IS FURTHER ORDERED that the plaintiffs may delay by four days their dissemination of notice to consumers. (Signed by Judge Denise L. Cote on 6/16/2014) (gr) (Entered: 06/16/2014)</p>
06/16/2014	526	<p>LETTER addressed to Judge Denise L. Cote from Steve W. Berman dated 06/16/2014 re: Memorandum of Understanding. Document filed by Class Plaintiffs. (Attachments: # 1 Text of Proposed Order)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Berman, Steve) (Entered: 06/16/2014)</p>
06/16/2014	527	<p>ORDER...1) The Court's Scheduling Order of June 3, 2014, as amended by the Scheduling Order of June 16, 2014, is VACATED and the parties are to suspend dissemination to eligible consumers of notice of litigation. 2) Plaintiffs shall, on or before July 16, 2014, file a motion for preliminary approval of the settlement, attaching a copy of the settlement agreement. 3) Apple's pending motions for reconsideration and to certify interlocutory appeal, and Class Plaintiffs' pending motion for summary judgment shall be held in abeyance and, upon the Court's approval of the parties' settlement in a final order, be deemed withdrawn. (Signed by Judge Denise L. Cote on 6/16/2014) (gr) (Entered: 06/16/2014)</p>
06/26/2014	528	<p>MOTION for GAIL E. LEES to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-9829041. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Apple Inc.. (Attachments: # 1 Declaration of Lawrence J. Zweifach, # 2 Exhibit 1, # 3 Text of Proposed Order)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Zweifach, Lawrence) (Entered: 06/26/2014)</p>

06/27/2014		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. (639 in 1:11-md-02293-DLC, 528 in 1:12-cv-03394-DLC-MHD) MOTION for GAIL E. LEES to Appear Pro Hac Vice . Filing fee \$ 200.00, receipt number 0208-9829041. 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-03394-DLC-MHD(sdi) (Entered: 06/27/2014)
07/01/2014	529	ORDER granting 528 Motion for GAIL E. LEES to Appear Pro Hac Vice. (HEREBY ORDERED by Judge Denise L. Cote)(Text Only Order) (Cote, Denise) (Entered: 07/01/2014)
07/16/2014	530	MOTION for Settlement <i>Motion for Preliminary Approval of Settlement with Apple Inc.</i> Document filed by The State of Texas.Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Fisher, Rebecca) (Entered: 07/16/2014)
07/16/2014	531	MEMORANDUM OF LAW in Support re: (530 in 1:12-cv-03394-DLC-MHD) MOTION for Settlement <i>Motion for Preliminary Approval of Settlement with Apple Inc.</i> . Document filed by The State of Texas. (Attachments: # 1 Exhibit Settlement Agreement, # 2 Exhibit Declaration for Rust Consulting, # 3 Exhibit Proposed Order)Filed In Associated Cases: 1:11-md-02293-DLC, 1:12-cv-03394-DLC-MHD(Fisher, Rebecca) (Entered: 07/16/2014)