



21st Floor  
1251 Avenue of the Americas  
New York, NY 10020-1104

**Elizabeth A. McNamara**  
(212) 489-8230 tel  
(212) 489-8340 fax

[lizmcnamara@dwt.com](mailto:lizmcnamara@dwt.com)

April 13, 2023

**VIA ECF**

Hon. John G. Koeltl  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

Re: *Hachette Book Group, Inc., et al. v. Internet Archive, et al.*, 20-cv-04160-JGK

Dear Judge Koeltl:

The parties write jointly in connection with their upcoming April 14 deadline to submit a proposal for the appropriate procedure to determine the judgment to be entered in this case.

The parties have continued to engage in constructive conversations directed towards our shared goal of submitting a joint procedure to the Court. We continue to discuss the specific terms of an agreed procedure that could streamline or eliminate further litigation regarding injunctive relief, damages, and attorneys' fees. In light of these continued discussions, we request a second extension of the current deadline.

Accordingly, the parties respectfully request that the Court issue an order extending the deadline to submit a proposal for the appropriate procedure to determine the judgment to be entered in this case by five additional days, to **April 19, 2023**.

We appreciate the Court's time and attention to this matter.

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

/s/ Elizabeth A. McNamara

Elizabeth A. McNamara  
Linda Steinman  
John M. Browning  
Jesse Feitel  
Carl Mazurek  
1251 Avenue of the Americas, 21st Floor  
New York, NY 10020  
Phone: (212) 489-8230  
Email: [lizmcnamara@dwt.com](mailto:lizmcnamara@dwt.com)

MORRISON & FOERSTER LLP

/s/ Joseph C. Gratz

Joseph C. Gratz (*Pro Hac Vice*)  
Jessica E. Lanier (*Pro Hac Vice*)  
Aditya V. Kamdar (*Pro Hac Vice*)  
Annie A. Lee (*Pro Hac Vice*)  
425 Market Street  
San Francisco, CA 94105  
Phone: (415) 268-7000  
Email: [JGratz@mofocom](mailto:JGratz@mofocom)  
[JLanier@mofocom](mailto:JLanier@mofocom)  
[AKamdar@mofocom](mailto:AKamdar@mofocom)

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[lindasteinman@dwt.com](mailto:lindasteinman@dwt.com)  
[jackbrowning@dwt.com](mailto:jackbrowning@dwt.com)  
[jessefeitel@dwt.com](mailto:jessefeitel@dwt.com)  
[carlmazurek@dwt.com](mailto:carlmazurek@dwt.com)

[AnnieLee@mofocom](mailto:AnnieLee@mofocom)

OPPENHEIM + ZEBRAK, LLP

Matthew J. Oppenheim  
Scott A. Zebrak  
Danae Tinelli  
4530 Wisconsin Avenue, NW, 5th Floor  
Washington, DC 20016  
Phone: (202) 480-2999  
Email: [matt@oandzlaw.com](mailto:matt@oandzlaw.com)  
[scott@oandzlaw.com](mailto:scott@oandzlaw.com)  
[danae@oandzlaw.com](mailto:danae@oandzlaw.com)

*Attorneys for Plaintiffs*

ELECTRONIC FRONTIER FOUNDATION

Corynne McSherry (*Pro Hac Vice*)  
Kit Walsh (*Pro Hac Vice*)  
Cara Gagliano (*Pro Hac Vice*)  
815 Eddy Street  
San Francisco, CA 94109  
Phone: (415) 436-9333  
Email: [corynne@eff.org](mailto:corynne@eff.org)  
[kit@eff.org](mailto:kit@eff.org)  
[cara@eff.org](mailto:cara@eff.org)

*Attorneys for Defendant*