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April 18, 2023

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VIA ECF

The Honorable John G. Koeltl
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 14A
New York, NY 10007-1312

Re: *Hachette Book Group, Inc., et al. v. Internet Archive*, Case No. 1:20-CV-04160-JGK

Your Honor:

The parties write jointly in connection with their upcoming April 19 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. Since our last extension request, we have made further progress in our discussions, which are focused on streamlining or eliminating further litigation regarding injunctive relief, damages, and attorneys' fees. In light of those continuing discussions, we request a third 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 to **April 27, 2023**.

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

Respectfully submitted,

MORRISON & FOERSTER LLP

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/s/ Joseph C. Gratz

/s/ Elizabeth A. McNamara

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MORRISON FOERSTER

The Honorable John G. Koeltl
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Page Two

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