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April 26, 2023

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APPLICATION GRANTED  
SO ORDERED

VIA ECF

4/26/23

  
\_\_\_\_\_  
John G. Koeltl, U.S.D.J.

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 27 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 yet further progress in our discussions, which are focused on streamlining or eliminating further litigation regarding injunctive relief, damages, and attorneys' fees. The number of open issues has been further reduced, and the parties are optimistic that they will be able to further narrow those issues with further discussion. In light of those continuing discussions, we request a fourth 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 **May 12, 2023**.

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

Respectfully submitted,

MORRISON & FOERSTER LLP

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/s/ Elizabeth A. McNamara  
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## MORRISON FOERSTER

The Honorable John G. Koeltl  
April 26, 2023  
Page Two

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