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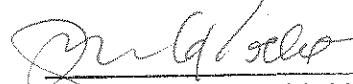
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NEW YORK, PALO ALTO, SAN DIEGO,
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TOKYO, WASHINGTON, D.C.

May 11, 2023

APPLICATION GRANTED
SO ORDERED

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VIA ECF



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

^{5/11/23}
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 May 12 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, the parties have resolved all but a few substantive issues with respect to injunctive relief, and expect that further discussion will resolve all but potentially one. The parties have also had a further exchange of proposals regarding the resolution of claims for damages and attorneys' fees. The parties are cautiously optimistic that this will be the last extension request.

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 26, 2023**.

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

Respectfully submitted,

MORRISON & FOERSTER LLP

DAVIS WRIGHT TREMAINE LLP

/s/ Joseph C. Gratz

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/s/ Elizabeth A. McNamara

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|||HARRISON FOERSTER

The Honorable John G. Koeltl
May 11, 2023
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cc: All Counsel (via ECF)