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May 25, 2023

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 May 26 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. As indicated earlier, 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. In the last two weeks, the parties have had a further productive 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 **June 9, 2023**.

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

Respectfully submitted,

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