

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE ELECTRONIC BOOKS ANTITRUST  
LITIGATION

No. 11-md-02293 (DLC)  
ECF Case

This Document Relates to:

CLASS ACTION

ALL ACTIONS

**CLASS PLAINTIFFS' MOTION FOR FINAL APPROVAL OF  
HARPERCOLLINS, HACHETTE AND SIMON & SCHUSTER SETTLEMENTS  
AND DISTRIBUTION PLAN**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT on December 6, 2013 at 3:00pm, before the Honorable Denise L. Cote, United States District Judge of the Southern District of New York, located in Courtroom 15B, Daniel Patrick Moynihan United States Courthouse, 500 Pearl St. New York, NY 10007-1312, Class Plaintiffs will, and hereby do, move for the final approval of HarperCollins, Hachette and Simon & Schuster settlements and for an order:

- 1) Finding that Plaintiffs' Settlement Agreements with Defendants HarperCollins, Hachette and Simon & Schuster, and Plaintiffs' Distribution Plan, are fair, adequate and reasonable in accordance with Federal Rule of Civil Procedure 23 and due process;
- 2) Finding that notice of the Settlement Agreements was provided by Plaintiffs in compliance with Federal Rule of Civil Procedure 23, due process and all previous Court orders;
- 3) Granting final approval of the Settlement Agreement and Distribution Plan; and directing Class Counsel to distribute consumer funds in accordance with said Distribution Plan;
- 4) Certifying Settlement Class for the purposes of these Settlements; and
- 5) Approving the Final Judgment, submitted herewith.

Settlement Class (by and through lead counsel for Settlement Class) seek these orders pursuant to 15 U.S.C. 25 (authorizing persons to bring a civil antitrust action for damages) and Federal Rule of Civil Procedure 23 (authorizing class actions to be brought and settled upon court approval).

DATED: November 26, 2013

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By   
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**CERTIFICATE OF SERVICE**

I hereby certify that on November 26, 2013, I electronically filed the foregoing document using the CM/ECF system which will send notification of such filing to the e-mail addresses registered in the CM/ECF system, as denoted on the Electronic Mail Notice List, and I hereby certify that I have caused to be mailed a paper copy of the foregoing document via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List generated by the CM/ECF system.



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STEVE W. BERMAN