

U.S. District Court
Southern District of New York (Foley Square)
CIVIL DOCKET FOR CASE #: 1:13-cv-01111-JSR

The Book House Of Stuyvesant Plaza, Inc. et al v. Amazon.Com, Date Filed: 02/15/2013
Inc. et al Jury Demand: Plaintiff
Assigned to: Judge Jed S. Rakoff Nature of Suit: 410 Anti-Trust
Cause: 15:1 Antitrust Litigation Jurisdiction: Federal Question

Plaintiff

**The Book House Of Stuyvesant Plaza,
Inc.**
A New York Corporation

represented by **Maxwell M. Blecher**
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Plaintiff

Fiction Addiction LLC
*A South Carolina liimited liability
company*

represented by **Maxwell M. Blecher**
(See above for address)
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Eric M. Creizman
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Plaintiff

Posman Books At Grans Central Inc.

*A New York Corporation, on behalf of
themselves and all others similarly situated*

represented by **Maxwell M. Blecher**

(See above for address)

*LEAD ATTORNEY**PRO HAC VICE**ATTORNEY TO BE NOTICED***Eric M. Creizman**

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V.

Defendant**Amazon.Com, Inc.**

A Delaware Corporation

represented by **Edwin Mark Baum**

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Defendant

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A New York Corporation

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Defendant

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A Delaware Corporation

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Defendant

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A New York Corporation

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ATTORNEY TO BE NOTICED

Defendant

Hachette Book Group, Inc.

represented by **Walter B. Stuart , IV**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Samuel Joseph Rubin
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

**Holtzbrinck Publishers, LLC d/b/a
 Macmillan**

represented by **Joel M. Mitnick**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Thomas Andrew Paskowitz
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/15/2013	1	COMPLAINT against Amazon.Com, Inc., Hachette Book Group USA, Inc., Harpercollins Publishers LLC, Macmillan Publishers Inc., Penguin Group (USA) Inc., Random House, Inc., Simon & Schuster, Inc. (Filing Fee \$ 350.00, Receipt Number 465401060327)Document filed by Posman Books At Grans Central Inc., Fiction Addiction LLC, The Book House Of Stuyvesant Plaza, Inc.(jd) (Entered: 02/21/2013)
02/15/2013		SUMMONS ISSUED as to Amazon.Com, Inc., Hachette Book Group USA, Inc., Harpercollins Publishers LLC, Macmillan Publishers Inc., Penguin Group (USA) Inc., Random House, Inc., Simon & Schuster, Inc. (jd) (Entered: 02/21/2013)

02/15/2013		Magistrate Judge James L. Cott is so designated. (jd) (Entered: 02/21/2013)
02/15/2013		Case Designated ECF. (jd) (Entered: 02/21/2013)
02/15/2013	2	STANDING ORDER IN RE PILOT PROJECT REGARDING CASE MANAGEMENT TECHNIQUES FOR COMPLEX CIVIL CASES IN THE SOUTHERN DISTRICT OF NEW YORK (See M-10-468 Order filed November 1, 2011). This case is hereby designated for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Civil Cases in the Southern District of New York (the Pilot Project), unless the judge to whom this case is assigned determines otherwise. This case is designated for inclusion in the Pilot Project because it is a class action, an MDL action, or is in one of the following Nature of Suit categories: 160, 245, 315, 355, 365, 385, 410, 830, 840, 850, 893, or 950. The presiding judge in a case that does not otherwise qualify for inclusion in the Pilot Project may nevertheless designate the case for inclusion in the Pilot Project by issuing an order directing that the case be included in the Pilot Project. The description of the Pilot Project, including procedures to be followed, is attached to this Order. (Signed by Judge Loretta A. Preska on 10/31/2011) (jd) (Entered: 02/21/2013)
02/25/2013	3	NOTICE OF COURT CONFERENCE: Initial Conference set for 3/11/2013 at 11:00 AM in Courtroom 14B, 500 Pearl Street, New York, NY 10007 before Judge Jed S. Rakoff, and as further set forth in this document. (Signed by Judge Jed S. Rakoff on 2/25/2013) (cd) (Entered: 02/25/2013)
02/25/2013	4	ORDER: Judge Rakoff has determined that this case is not appropriate for inclusion in the Pilot Project Regarding Case Management Techniques for Complex Cases in the Southern District of New York, and, accordingly, the parties should instead proceed in accordance with Judge Rakoff's individual rules and orders. (Signed by Judge Jed S. Rakoff on 2/25/2013) (cd) (Entered: 02/25/2013)
02/26/2013	5	NOTICE OF APPEARANCE by James W. Quinn on behalf of Simon & Schuster, Inc. (Quinn, James) (Entered: 02/26/2013)
02/26/2013	6	NOTICE OF APPEARANCE by Yehudah Lev Buchweitz on behalf of Simon & Schuster, Inc. (Buchweitz, Yehudah) (Entered: 02/26/2013)
02/26/2013	7	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent CBS Corporation, Corporate Parent French Street Management LLC, Corporate Parent CBS Operations Inc., Other Affiliate GAMCO Investors, Inc. for Simon & Schuster, Inc.. Document filed by Simon & Schuster, Inc..(Buchweitz, Yehudah) (Entered: 02/26/2013)
02/28/2013	8	NOTICE OF APPEARANCE by Saul P Morgenstern on behalf of Random House, Inc. (Morgenstern, Saul) (Entered: 02/28/2013)
02/28/2013	9	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Bertelsmann SE & Co. KGaA for Random House, Inc.. Document filed by Random House, Inc..(Morgenstern, Saul) (Entered: 02/28/2013)
02/28/2013	10	NOTICE OF APPEARANCE by Amanda Christine Croushore on behalf of Random House, Inc. (Croushore, Amanda) (Entered: 02/28/2013)

03/04/2013	11	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION for Alyson C. Decker to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8285872. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Fiction Addiction LLC, Posman Books At Grans Central Inc., The Book House Of Stuyvesant Plaza, Inc.. (Attachments: # 1 Exhibit Certificate of Good Standing, # 2 Text of Proposed Order Proposed Order)(Creizman, Eric) Modified on 3/4/2013 (bcu). (Entered: 03/04/2013)
03/04/2013	12	FILING ERROR - DEFICIENT DOCKET ENTRY - MOTION for Maxwell M. Blecher to Appear Pro Hac Vice. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Fiction Addiction LLC, Posman Books At Grans Central Inc., The Book House Of Stuyvesant Plaza, Inc.. (Attachments: # 1 Exhibit Certificate of Good Standing, # 2 Text of Proposed Order Proposed Order) (Creizman, Eric) Modified on 3/4/2013 (bcu). (Entered: 03/04/2013)
03/04/2013		>>>NOTICE REGARDING DEFICIENT MOTION TO APPEAR PRO HAC VICE. Notice regarding Document No. 11 MOTION for Alyson C. Decker to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8285872. Motion and supporting papers to be reviewed by Clerk's Office staff., 12 MOTION for Maxwell M. Blecher to Appear Pro Hac Vice. Motion and supporting papers to be reviewed by Clerk's Office staff.. The filing is deficient for the following reason(s): Missing Certificate of Good Standing. Certificates of Good Standing must be issued by the "State Court" of California. Re-file the document as a Corrected Motion to Appear Pro Hac Vice and attach a valid Certificate of Good Standing, issued within the past 30 days. (bcu) (Entered: 03/04/2013)
03/06/2013	13	NOTICE OF APPEARANCE by Steven Glen Mintz on behalf of Harpercollins Publishers LLC (Mintz, Steven) (Entered: 03/06/2013)
03/06/2013	14	FILING ERROR - CORPORATE PARENT/OTHER AFFILIATE NOT ADDED - RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Document filed by Harpercollins Publishers LLC.(Mintz, Steven) Modified on 3/7/2013 (lb). (Entered: 03/06/2013)
03/06/2013	15	NOTICE OF APPEARANCE by Paul Ostensen on behalf of Harpercollins Publishers LLC (Ostensen, Paul) (Entered: 03/06/2013)
03/07/2013		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Steven Glen Mintz to RE-FILE Document 14 Rule 7.1 Corporate Disclosure Statement. ERROR(S): Corporate Parents were not added. Please re-file this document and when prompted: Are there any corporate parents or other affiliates?, select the YES radio button and enter the Corporate Parent(s) or Affiliate(s). (lb) (Entered: 03/07/2013)
03/07/2013	16	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent News Corporation for Harpercollins Publishers LLC. Document filed by Harpercollins Publishers LLC.(Mintz, Steven) (Entered: 03/07/2013)
03/07/2013	17	NOTICE OF APPEARANCE by Joel M. Mitnick on behalf of Macmillan Publishers Inc. (Mitnick, Joel) (Entered: 03/07/2013)

03/07/2013	18	NOTICE OF APPEARANCE by Thomas Andrew Paskowitz on behalf of Macmillan Publishers Inc. (Paskowitz, Thomas) (Entered: 03/07/2013)
03/08/2013	19	NOTICE OF APPEARANCE by Edwin Mark Baum on behalf of Amazon.Com, Inc. (Baum, Edwin) (Entered: 03/08/2013)
03/08/2013	20	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Amazon.Com, Inc..(Baum, Edwin) (Entered: 03/08/2013)
03/11/2013	21	NOTICE OF APPEARANCE by Walter B. Stuart, IV on behalf of Hachette Book Group USA, Inc. (Stuart, Walter) (Entered: 03/11/2013)
03/11/2013	22	NOTICE OF APPEARANCE by Samuel Joseph Rubin on behalf of Hachette Book Group USA, Inc. (Rubin, Samuel) (Entered: 03/11/2013)
03/11/2013	23	ORDER FOR ADMISSION PRO HAC VICE: Maxwell M. Blecher is granted admission Pro Hac Vice (Signed by Judge Jed S. Rakoff on 3/11/2013) (js) (Entered: 03/11/2013)
03/11/2013	24	PROPOSED STIPULATION AND ORDER ADJUSTING PLEADING SCHEDULE FOR AND STAYING DISCOVERY BETWEEN PLAINTIFFS AND PUBLISHER DEFENDANTS: ENDORSEMENT: The proposal is completely unacceptable to the Court and is hereby denied. (Signed by Judge Jed S. Rakoff on 3/10/2013) (js) (Entered: 03/11/2013)
03/13/2013	25	NOTICE OF APPEARANCE by Paul Madison Eckles on behalf of Harpercollins Publishers LLC (Eckles, Paul) (Entered: 03/13/2013)
03/13/2013	26	NOTICE OF APPEARANCE by Clifford Hank Aronson on behalf of Harpercollins Publishers LLC (Aronson, Clifford) (Entered: 03/13/2013)
03/14/2013	27	MOTION for Daniel Ferrel McInnis to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8320467. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Penguin Group (USA) Inc.. (Attachments: # 1 Exhibit Certificates of Good Standing, # 2 Text of Proposed Order, # 3 Exhibit Certificate of Service)(McInnis, Daniel) (Entered: 03/14/2013)
03/14/2013	28	MOTION for Mollie McGowan Lemberg to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8320610. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Penguin Group (USA) Inc.. (Attachments: # 1 Appendix Certificates of Good Standing, # 2 Text of Proposed Order, # 3 Appendix Certificate of Service)(Lemberg, Mollie) (Entered: 03/14/2013)
03/14/2013		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 27 MOTION for Daniel Ferrel McInnis to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8320467. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 03/14/2013)
03/14/2013	29	ORDER: As stated at the initial pretrial conference held today, the deadline for plaintiffs to file an amended complaint is March 21, 2013. Moving papers on defendants' motions to dismiss are due April 1, 2013, answering papers April 11, 2013, and reply papers April 18, 2013, with oral argument to be held on April 25, 2013 at 4:00 p.m. All

		discovery is stayed until the April 25 argument, at which time the parties should be prepared to enter into a Case Management Plan requiring the case to be ready for trial by October 2013., (Amended Pleadings due by 3/21/2013., Motions due by 4/1/2013., Responses due by 4/11/2013., Replies due by 4/18/2013.), (Oral Argument set for 4/25/2013 at 04:00 PM before Judge Jed S. Rakoff.) (Signed by Judge Jed S. Rakoff on 3/14/2013) (lmb) (Entered: 03/14/2013)
03/19/2013	30	FILING ERROR - NOT ALL CORPORATE PARENTS/OTHER AFFILIATES WERE ADDED - RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Pearson plc for Penguin Group (USA) Inc.. Document filed by Penguin Group (USA) Inc..(Lemberg, Mollie) Modified on 3/19/2013 (lb). (Entered: 03/19/2013)
03/19/2013		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - DEFICIENT DOCKET ENTRY ERROR. Note to Attorney Mollie McGowan Lemberg to RE-FILE Document 30 Rule 7.1 Corporate Disclosure Statement,. ERROR(S): Not All Corporate Parents were added. Please re-file this document and when prompted: Are there any corporate parents or other affiliates?, select the YES radio button and enter the Corporate Parent(s) or Affiliate(s). (lb) (Entered: 03/19/2013)
03/20/2013	31	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Pearson Luxembourg Holdings Ltd., Corporate Parent Pearson plc, Corporate Parent Pearson, Inc., Corporate Parent Pearson Longman, Inc., Corporate Parent Pearson Capital Company LLC, Corporate Parent Pearson Overseas Holdings, Ltd. for Penguin Group (USA) Inc.. Document filed by Penguin Group (USA) Inc..(Lemberg, Mollie) (Entered: 03/20/2013)
03/22/2013	32	CERTIFICATE OF SERVICE of First Amended Complaint on 3/21/2013. Document filed by Fiction Addiction LLC, Posman Books At Grans Central Inc., The Book House Of Stuyvesant Plaza, Inc.. (Attachments: # 1 Exhibit First Amended Complaint) (Creizman, Eric) (Entered: 03/22/2013)
03/25/2013	33	MOTION for Kent Alan Gardiner to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8354080. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Amazon.Com, Inc.. (Attachments: # 1 Cert. of Good Standing, # 2 Proposed Order)(Gardiner, Kent) (Entered: 03/25/2013)
03/25/2013		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 33 MOTION for Kent Alan Gardiner to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8354080. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 03/25/2013)
03/25/2013	34	MOTION for Kathryn D. Kirmayer to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8354151. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Amazon.Com, Inc.. (Attachments: # 1 Cert. of Good Standing, # 2 Proposed Order)(Kirmayer, Kathryn) (Entered: 03/25/2013)
03/25/2013		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 34 MOTION for Kathryn D. Kirmayer to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8354151. Motion and supporting papers to be

		reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 03/25/2013)
03/25/2013	35	MOTION for Ryan C. Tisch to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8354191. Motion and supporting papers to be reviewed by Clerk's Office staff. Document filed by Amazon.Com, Inc.. (Attachments: # 1 Cert. of Good Standing, # 2 Proposed Order)(Tisch, Ryan) (Entered: 03/25/2013)
03/25/2013		>>>NOTICE REGARDING PRO HAC VICE MOTION. Regarding Document No. 35 MOTION for Ryan C. Tisch to Appear Pro Hac Vice. Filing fee \$ 200.00, receipt number 0208-8354191. Motion and supporting papers to be reviewed by Clerk's Office staff.. The document has been reviewed and there are no deficiencies. (bcu) (Entered: 03/25/2013)
03/25/2013	36	NOTICE OF APPEARANCE by Walter B. Stuart, IV on behalf of Hachette Book Group, Inc. (Stuart, Walter) (Entered: 03/25/2013)
03/25/2013	37	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Hachette Livre USA, Inc., Corporate Parent Lagardere SCA, Corporate Parent Lagardere North America Inc., Corporate Parent Hachette SAS for Hachette Book Group, Inc.. Document filed by Hachette Book Group, Inc..(Stuart, Walter) (Entered: 03/25/2013)
03/25/2013	38	NOTICE OF APPEARANCE by Samuel Joseph Rubin on behalf of Hachette Book Group, Inc. (Rubin, Samuel) (Entered: 03/25/2013)
03/25/2013	39	NOTICE OF APPEARANCE by Joel M. Mitnick on behalf of Holtzbrinck Publishers, LLC d/b/a Macmillan (Mitnick, Joel) (Entered: 03/25/2013)
03/25/2013	40	NOTICE OF APPEARANCE by Thomas Andrew Paskowitz on behalf of Holtzbrinck Publishers, LLC d/b/a Macmillan (Paskowitz, Thomas) (Entered: 03/25/2013)