

ECF, MDL, RELATED

**U.S. District Court**  
**Southern District of New York (Foley Square)**  
**CIVIL DOCKET FOR CASE #: 1:11-cv-05621-DLC**

Burststein v. Hachette Book Group, Inc. et al

Assigned to: Judge Denise L. Cote

Lead case: [1:11-md-02293-DLC](#)Member case: ([View Member Case](#))Related Cases: [1:11-cv-05576-DLC](#)[1:11-md-02293-DLC](#)

Cause: 15:1 Antitrust Litigation

Date Filed: 08/12/2011

Jury Demand: Plaintiff

Nature of Suit: 410 Anti-Trust

Jurisdiction: Federal Question

**Plaintiff****Rhonda Burststein**represented by **Jay W. Eisenhofer**

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V.

**Defendant**

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**Defendant**

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**Defendant**

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**Defendant**

**Penguin Group (USA) Inc.**

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**Defendant****Simon & Schuster, Inc.**

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**Defendant****Random House, Inc.**

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**Defendant****Apple Inc.**

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**Defendant**

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**Defendant**

**Barnes & Noble, Inc.**

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**Defendant**

**Hachette Digital, Inc.**

represented by **Walter B. Stuart, IV**  
 (See above for address)  
**LEAD ATTORNEY**  
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**Intervenor Plaintiff**

**Anthony Petru**

represented by **Jason Allen Zweig**  
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**ATTORNEY TO BE NOTICED**

<b>Date Filed</b>	<b>#</b>	<b>Docket Text</b>
08/12/2011	<a href="#"><u>1</u></a>	COMPLAINT against Amazon.Com, Inc., Apple Inc., Barnes & Noble, Inc., Hachette Book Group, Inc., Harper Collins Publishers, Inc., MacMillan Publishers, Inc., Penguin Group (USA) Inc., Random House, Inc., Simon & Schuster, Inc.. (Filing Fee \$ 350.00, Receipt Number 465401013963)Document filed by Rhonda Burstein.(rdz) (Entered: 08/15/2011)
08/12/2011		SUMMONS ISSUED as to All Defendants. (rdz) (Entered: 08/15/2011)
08/12/2011		CASE REFERRED TO Judge George B. Daniels as possibly related to 11-cv-5576. (rdz) (Entered: 08/15/2011)
08/12/2011		Case Designated ECF. (rdz) (Entered: 08/15/2011)

08/19/2011		CASE ACCEPTED AS RELATED. Create association to 1:11-cv-05576-GBD. Notice of Assignment to follow. (sjo) (Entered: 08/22/2011)
08/19/2011	<a href="#">2</a>	NOTICE OF CASE ASSIGNMENT to Judge George B. Daniels. Judge Unassigned is no longer assigned to the case. (sjo) (Entered: 08/22/2011)
08/19/2011		Magistrate Judge Michael H. Dolinger is so designated. (sjo) (Entered: 08/22/2011)
08/24/2011	<a href="#">3</a>	MOTION to Intervene., MOTION to Transfer Case <i>PROPOSED INTERVENOR ANTHONY PETRU'S MOTION TO INTERVENE AND MOTION TO TRANSFER OR, IN THE ALTERNATIVE, STAY ACTION</i> . Document filed by Anthony Petru.(Zweig, Jason) (Entered: 08/24/2011)
08/24/2011	<a href="#">4</a>	MEMORANDUM OF LAW in Support re: <a href="#">3</a> MOTION to Intervene. MOTION to Transfer Case <i>PROPOSED INTERVENOR ANTHONY PETRU'S MOTION TO INTERVENE AND MOTION TO TRANSFER OR, IN THE ALTERNATIVE, STAY ACTION</i> .. Document filed by Anthony Petru. (Zweig, Jason) (Entered: 08/24/2011)
08/24/2011	<a href="#">5</a>	DECLARATION of Jason A. Zweig in Support re: <a href="#">3</a> MOTION to Intervene. MOTION to Transfer Case <i>PROPOSED INTERVENOR ANTHONY PETRU'S MOTION TO INTERVENE AND MOTION TO TRANSFER OR, IN THE ALTERNATIVE, STAY ACTION</i> .. Document filed by Anthony Petru. (Attachments: # <a href="#">1</a> Exhibit 1, # <a href="#">2</a> Exhibit 2, # <a href="#">3</a> Exhibit 3, # <a href="#">4</a> Exhibit 4, # <a href="#">5</a> Exhibit 5, # <a href="#">6</a> Exhibit 6, # <a href="#">7</a> Exhibit 7, # <a href="#">8</a> Exhibit 8, # <a href="#">9</a> Exhibit 9, # <a href="#">10</a> Exhibit 10, # <a href="#">11</a> Exhibit 11)(Zweig, Jason) (Entered: 08/24/2011)
08/25/2011	<a href="#">6</a>	INITIAL PRETRIAL CONFERENCE: Initial Conference set for 11/22/2011 at 09:30 AM in Courtroom 21D at the United States District Courthouse, 500 Pearl Street, New York, NY 10007 before Judge George B. Daniels. (Signed by Judge George B. Daniels on 8/23/2011) (mro) (Entered: 08/25/2011)
09/06/2011	<a href="#">7</a>	ORDER: All parties are directed to attend a conference on 9/22/2011, at 9:30 a.m. (Status Conference set for 9/22/2011 at 09:30 AM before Judge George B. Daniels.) (Signed by Judge George B. Daniels on 9/6/2011) (tro) (Entered: 09/06/2011)
09/07/2011	<a href="#">8</a>	AFFIDAVIT OF SERVICE of Summons and Complaint,. All Defendants. Service was accepted by Lynn Radliff, Senior Litigation Paralegal; Coleen Brown on behalf of Senior Director IP Law and Litigation, Chief Litigation Counsel; Jessica Fadem, Executive Assistant; Matthew Hooban, Legal Dept.; Trina Hunn, Assistant General Counsel; Amy Wolosoff, Associate General Counsel; Alexander Gigante, Senior VP, Legal Dept.; Grace Williams, Legal Secretary; Lorna Lee, Legal Assistant. Document filed by Rhonda Burstein. (Radice, John) (Entered: 09/07/2011)
09/07/2011	<a href="#">9</a>	NOTICE OF APPEARANCE by Shepard Goldfein on behalf of Harper Collins Publishers, Inc. (Goldfein, Shepard) (Entered: 09/07/2011)
09/07/2011	<a href="#">10</a>	NOTICE OF APPEARANCE by Paul Madison Eckles on behalf of Harper Collins Publishers, Inc. (Eckles, Paul) (Entered: 09/07/2011)
09/07/2011	<a href="#">11</a>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent News Corporation for Harper Collins Publishers, Inc.. Document filed by Harper Collins Publishers, Inc..(Eckles, Paul) (Entered: 09/07/2011)

09/07/2011	<a href="#">12</a>	NOTICE OF APPEARANCE by Timothy P. Harkness on behalf of Hachette Book Group, Inc. (Harkness, Timothy) (Entered: 09/07/2011)
09/07/2011	<a href="#">13</a>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Hachette Livre USA, Inc., Corporate Parent Lagardere SCA, Corporate Parent Hachette SA, Corporate Parent Lagardere North America Inc. for Hachette Book Group, Inc.. Document filed by Hachette Book Group, Inc..(Harkness, Timothy) (Entered: 09/07/2011)
09/07/2011	<a href="#">14</a>	NOTICE OF APPEARANCE by Walter B. Stuart, IV on behalf of Hachette Book Group, Inc. (Stuart, Walter) (Entered: 09/07/2011)
09/07/2011	<a href="#">15</a>	NOTICE OF APPEARANCE by Samuel Joseph Rubin on behalf of Hachette Book Group, Inc. (Rubin, Samuel) (Entered: 09/07/2011)
09/08/2011	<a href="#">16</a>	NOTICE OF APPEARANCE by David A. Donohoe on behalf of Penguin Group (USA) Inc. (Donohoe, David) (Entered: 09/08/2011)
09/08/2011	<a href="#">17</a>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Pearson plc for Penguin Group (USA) Inc.. Document filed by Penguin Group (USA) Inc..(Donohoe, David) (Entered: 09/08/2011)
09/08/2011	<a href="#">18</a>	NOTICE OF APPEARANCE by Clifford Hank Aronson on behalf of Harper Collins Publishers, Inc. (Aronson, Clifford) (Entered: 09/08/2011)
09/08/2011	<a href="#">19</a>	NOTICE OF APPEARANCE by David Boies, II on behalf of Barnes & Noble, Inc. (Boies, David) (Entered: 09/08/2011)
09/08/2011	<a href="#">20</a>	FILING ERROR - ELECTRONIC FILING FOR NON-ECF DOCUMENT - FIRST MOTION for Extension of Time to File Answer re: <a href="#">1</a> Complaint. Document filed by Barnes & Noble, Inc.(Boies, David) Modified on 9/9/2011 (Idi). (Entered: 09/08/2011)
09/08/2011	<a href="#">21</a>	RESPONSE in Opposition re: <a href="#">3</a> MOTION to Intervene. MOTION to Transfer Case <i>PROPOSED INTERVENOR ANTHONY PETRU'S MOTION TO INTERVENE AND MOTION TO TRANSFER OR, IN THE ALTERNATIVE, STAY ACTION</i> .. Document filed by Hachette Book Group, Inc., Harper Collins Publishers, Inc., MacMillan Publishers, Inc., Penguin Group (USA) Inc., Simon & Schuster, Inc.. (Donohoe, David) (Entered: 09/08/2011)
09/08/2011	<a href="#">22</a>	AFFIDAVIT of Allison Sheedy in Opposition re: <a href="#">3</a> MOTION to Intervene. MOTION to Transfer Case <i>PROPOSED INTERVENOR ANTHONY PETRU'S MOTION TO INTERVENE AND MOTION TO TRANSFER OR, IN THE ALTERNATIVE, STAY ACTION</i> .. Document filed by Hachette Book Group, Inc., Harper Collins Publishers, Inc., MacMillan Publishers, Inc., Penguin Group (USA) Inc., Simon & Schuster, Inc.. (Attachments: # <a href="#">1</a> Exhibit 1 (Rossman), # <a href="#">2</a> Exhibit 2 (T Meyer), # <a href="#">3</a> Exhibit 3 (P Meyer), # <a href="#">4</a> Exhibit 4 (Lingofelt), # <a href="#">5</a> Exhibit 5 (Greene), # <a href="#">6</a> Exhibit 6 (Yastrab), # <a href="#">7</a> Exhibit 7 (JPML Docket), # <a href="#">8</a> Exhibit 8 (Stipulation), # <a href="#">9</a> Exhibit 9 (Order), # <a href="#">10</a> Exhibit 10 (Apple JPML Resp), # <a href="#">11</a> Exhibit 11 (Petru JPML Opp))(Donohoe, David) (Entered: 09/08/2011)
09/08/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - NON-ECF DOCUMENT ERROR. Note to Attorney David Boies to E-MAIL Document No. <a href="#">20</a> Stipulation to



		judgments@nysd.uscourts.gov. This document is not filed via ECF. (ldi) (Entered: 09/09/2011)
09/09/2011	<a href="#">23</a>	NOTICE OF APPEARANCE by Helene Debra Jaffe on behalf of Simon & Schuster, Inc. (Jaffe, Helene) (Entered: 09/09/2011)
09/09/2011	<a href="#">24</a>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent CBS Corporation, Corporate Parent French Street Management LLC, Corporate Parent CBS Operations Inc. for Simon & Schuster, Inc.. Document filed by Simon & Schuster, Inc..(Jaffe, Helene) (Entered: 09/09/2011)
09/09/2011	<a href="#">25</a>	NOTICE OF APPEARANCE by Yehudah Lev Buchweitz on behalf of Simon & Schuster, Inc. (Buchweitz, Yehudah) (Entered: 09/09/2011)
09/09/2011	<a href="#">26</a>	STIPULATION AND ORDER CONCERNING RESPONSES TO THE COMPLAINT: Defendants' time to answer, move or otherwise respond to the complaint is hereby extended to the 60th day after the Actions have been consolidated in a single forum and a consolidated amended complaint has been filed (or lead plaintiffs' counsel has announced by filed notice that it will not be filing a consolidated amended complaint). (Signed by Judge George B. Daniels on 9/9/2011) (jfe) (Entered: 09/09/2011)
09/09/2011	<a href="#">27</a>	NOTICE OF APPEARANCE by Saul P Morgenstern on behalf of Random House, Inc. (Morgenstern, Saul) (Entered: 09/09/2011)
09/09/2011	<a href="#">28</a>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Corporate Parent Bertelsmann AG for Random House, Inc.. Document filed by Random House, Inc..(Morgenstern, Saul) (Entered: 09/09/2011)
09/09/2011	<a href="#">29</a>	FILING ERROR - WRONG EVENT TYPE SELECTED FROM MENU - RESPONSE to Motion re: <a href="#">3</a> MOTION to Intervene. MOTION to Transfer Case <i>PROPOSED INTERVENOR ANTHONY PETRU'S MOTION TO INTERVENE AND MOTION TO TRANSFER OR, IN THE ALTERNATIVE, STAY ACTION. (JOINDER OF DEFENDANT RANDOM HOUSE, INC. IN PUBLISHER DEFENDANTS' OPPOSITION TO PROPOSED INTERVENOR ANTHONY PETRU'S MOTION TO INTERVENE AND MOTION TO TRANSFER OR, IN THE ALTERNATIVE, STAY ACTION)</i> . Document filed by Random House, Inc. (Morgenstern, Saul) Modified on 9/12/2011 (ldi). (Entered: 09/09/2011)
09/09/2011	<a href="#">30</a>	STIPULATION AND ORDER CONCERNING RESPONSES TO THE COMPLAINTS: Amazon's time to answer, move or otherwise respond to the complaint is hereby extended to the 60th day after the Actions have been consolidated in a single forum and a consolidated amended complaint has been filed (or lead plaintiffs' counsel has announced by filed notice that it will not be filing a consolidated amended complaint). Amazon hereby agrees to accept service of the summons and complaint in each of these actions and Amazon's counsel may file notices of appearance in these actions without prejudice to its jurisdictional or venue defenses. (Signed by Judge George B. Daniels on 9/9/2011) (ft) (Entered: 09/09/2011)
09/09/2011		***NOTE TO ATTORNEY TO RE-FILE DOCUMENT - EVENT TYPE ERROR. Note to Attorney Saul P Morgenstern to RE-FILE Document <a href="#">29</a> Response to Motion. Use the event type Joinder found under the event list Other Documents. (ldi) (Entered: 09/09/2011)

		09/12/2011)
09/12/2011	<a href="#">31</a>	STIPULATION AND REQUEST FOR EXTENSION OF TIME FOR DEFENDANT BARNES & NOBLE, INC.'S RESPOND TO THE COMPLAINT: It is hereby stipulated that Defendant shall file its response to Plaintiff's Complaint on or before October 10, 2011. Barnes & Noble, Inc. answer due 10/10/2011. (Signed by Judge Naomi Reice Buchwald on 9/12/2011) (rdz) (Entered: 09/12/2011)
09/12/2011	<a href="#">32</a>	NOTICE OF APPEARANCE by Robert David Kaplan on behalf of Amazon.Com, Inc. (Kaplan, Robert) (Entered: 09/12/2011)
09/12/2011	<a href="#">33</a>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Amazon.Com, Inc..(Kaplan, Robert) (Entered: 09/12/2011)
09/12/2011	<a href="#">34</a>	NOTICE OF APPEARANCE by Jeffrey Ross Wang on behalf of Amazon.Com, Inc. (Wang, Jeffrey) (Entered: 09/12/2011)
09/12/2011	<a href="#">35</a>	JOINDER to join re: <a href="#">21</a> Response in Opposition to Motion,. Document filed by Random House, Inc..(Morgenstern, Saul) (Entered: 09/12/2011)
09/13/2011	<a href="#">36</a>	MOTION for William A. Isaacson to Appear Pro Hac Vice. Document filed by Barnes & Noble, Inc.(pgu) (Entered: 09/14/2011)
09/14/2011	<a href="#">37</a>	NOTICE OF APPEARANCE by Julia Carolyn Hamilton on behalf of Barnes & Noble, Inc. (Hamilton, Julia) (Entered: 09/14/2011)
09/14/2011	<a href="#">38</a>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by Barnes & Noble, Inc..(Hamilton, Julia) (Entered: 09/14/2011)
09/15/2011	<a href="#">39</a>	JOINDER to join re: <a href="#">21</a> Response in Opposition to Motion,. Document filed by Barnes & Noble, Inc..(Hamilton, Julia) (Entered: 09/15/2011)
09/16/2011	<a href="#">40</a>	ORDER FOR ADMISSION PRO HAC VICE granting <a href="#">36</a> Motion for William A. Isaacson to Appear Pro Hac Vice on behalf of Defendant Barnes & Noble, Inc. (Signed by Judge George B. Daniels on 9/16/2011) (djc) (Entered: 09/16/2011)
09/19/2011	<a href="#">41</a>	REPLY MEMORANDUM OF LAW in Support re: <a href="#">3</a> MOTION to Intervene. MOTION to Transfer Case <i>PROPOSED INTERVENOR ANTHONY PETRU'S MOTION TO INTERVENE AND MOTION TO TRANSFER OR, IN THE ALTERNATIVE, STAY ACTION</i> .. Document filed by Anthony Petru. (Zweig, Jason) (Entered: 09/19/2011)
09/20/2011	<a href="#">45</a>	MOTION for Michael E. Kipling to Appear Pro Hac Vice. Document filed by Amazon.Com, Inc.(pgu) (Entered: 09/22/2011)
09/21/2011	<a href="#">42</a>	NOTICE OF CHANGE OF ADDRESS by Jason Allen Zweig on behalf of Anthony Petru. New Address: Hagens Berman Sobol Shapiro LLP, One Penn Plaza, 36th Floor, New York, New York, USA 10119, 212-752-5455. (Zweig, Jason) (Entered: 09/21/2011)
09/21/2011	<a href="#">43</a>	NOTICE OF APPEARANCE by Joel M. Mitnick on behalf of MacMillan Publishers, Inc. (Mitnick, Joel) (Entered: 09/21/2011)
09/21/2011	<a href="#">44</a>	RULE 7.1 CORPORATE DISCLOSURE STATEMENT. No Corporate Parent. Document filed by MacMillan Publishers, Inc..(Mitnick, Joel) (Entered: 09/21/2011)

09/22/2011		Minute Entry for proceedings held before Judge George B. Daniels: Status Conference held on 9/22/2011. Next conference scheduled for 1/4/2012. (ft) (Entered: 09/23/2011)
09/26/2011	<a href="#">46</a>	ORDER FOR ADMISSION PRO HAC VICE granting <a href="#">45</a> Motion for Michael E. Kipling to Appear Pro Hac Vice. (Signed by Judge George B. Daniels on 9/26/2011) (lmb) (Entered: 09/26/2011)
09/29/2011		CASHIERS OFFICE REMARK on <a href="#">36</a> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 09/13/2011, Receipt Number 1016349. (jd) (Entered: 09/29/2011)
10/03/2011		CASHIERS OFFICE REMARK on <a href="#">45</a> Motion to Appear Pro Hac Vice in the amount of \$200.00, paid on 09/20/2011, Receipt Number 1017029. (jd) (Entered: 10/03/2011)
10/06/2011	<a href="#">47</a>	STIPULATION AND ORDER CONCERNING DEFENDANT BARNES & NOBLE. INC'S RESPONSE TO THE COMPLAINT: Defendant Barnes & Noble, Inc.'s time to answer, move or otherwise respond to the complaint is hereby extended to the 60th day after the Actions have been consolidated in a single forum and a consolidated amended complaint has been filed (or lead plaintiffs' counsel has announced by filed notice that it will not be filing a consolidated amended complaint). (Signed by Judge George B. Daniels on 10/6/2011) (ab) (Entered: 10/06/2011)
10/10/2011	<a href="#">48</a>	SUPPLEMENTAL RULE 7.1 CORPORATE DISCLOSURE STATEMENT. Identifying Other Affiliate Liberty Media Corp. for Barnes & Noble, Inc.. Document filed by Barnes & Noble, Inc..(Hamilton, Julia) (Entered: 10/10/2011)
12/06/2011	<a href="#">49</a>	NOTICE OF CASE REASSIGNMENT to Judge Denise L. Cote. Judge George B. Daniels is no longer assigned to the case. (pgu) (Entered: 12/06/2011)
12/07/2011	<a href="#">50</a>	NOTICE OF INITIAL PRETRIAL CONFERENCE: Counsel for all parties are directed to appear for an Initial Pretrial Conference with the Court, at the time and place listed below. December 20, 2011 at 2:30 p.m. at the United States Court House, 500 Pearl Street, New York, In Courtroom 15B. (Signed by Judge Denise L. Cote on 12/07/2011) (ama) (Entered: 12/07/2011)
12/07/2011		Set/Reset Hearings: Initial Conference set for 12/20/2011 at 02:30 PM in Courtroom 15B, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote. (ama) (Entered: 12/07/2011)
12/09/2011		CASE ACCEPTED AS RELATED. Create association to 1:11-md-02293-DLC. (sjo) (Entered: 12/09/2011)
12/09/2011		CONSOLIDATED MDL CASE: Create association to 1:11-md-02293-DLC. (sjo) (Entered: 12/09/2011)
12/09/2011	<a href="#">51</a>	CERTIFIED TRUE COPY OF CONDITIONAL MDL TRANSFER IN ORDER FROM THE MDL PANEL... that pursuant to 28 U.S.C. 1407, the action(s) listed... and pending... be, and the same hereby are, transferred to the Southern District of New York and, with consent of that court, assigned to the Honorable Denise L. Cote, for coordinated or consolidated pretrial proceedings with the actions pending in that district. (Signed by MDL Panel on 12/9/2011) (sjo) (Entered: 12/09/2011)

12/09/2011	<a href="#">52</a>	NOTICE OF APPEARANCE by Daniel S. Floyd on behalf of Apple Inc. (Floyd, Daniel) (Entered: 12/09/2011)
12/09/2011	<a href="#">53</a>	NOTICE OF APPEARANCE by Daniel G. Swanson on behalf of Apple Inc. (Swanson, Daniel) (Entered: 12/09/2011)
12/14/2011	<a href="#">54</a>	NOTICE OF PRETRIAL CONFERENCE: A conference has been scheduled for December 20, 2011 at 2:30 PM at the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 15B in all but one of these actions. A conference has not yet been scheduled in 11cv8329, which was accepted as related on 12/12/2011. A conference in these actions, and for any actions transferred by December 19, 2011, shall be held on December 20, 2011 at 2:30 PM at the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 15B. Any plaintiff and plaintiffs' counsel seeking appointment to represent a consolidated putative class shall file an application to do so by December 19 at 10:00 AM. (Signed by Judge Denise L. Cote on 12/14/2011) (jar) (Entered: 12/14/2011)
12/16/2011	<a href="#">55</a>	CERTIFICATE OF SERVICE of Notice of Pretrial Conference served on SDNY Plaintiffs' Counsel of Record on 12/16/2011. Document filed by Rhonda Burstein. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Nussbaum, Linda) (Entered: 12/16/2011)
12/19/2011	<a href="#">56</a>	BRIEF re: (24 in 1:11-cv-07507-DLC, 24 in 1:11-cv-07507-DLC, 28 in 1:11-cv-05896-DLC, 28 in 1:11-cv-05896-DLC, 37 in 1:11-cv-05609-DLC, 37 in 1:11-cv-05609-DLC, 27 in 1:11-cv-05898-DLC, 27 in 1:11-cv-05898-DLC, 54 in 1:11-cv-05621-DLC, 54 in 1:11-cv-05621-DLC, 7 in 1:11-cv-08329-DLC, 7 in 1:11-cv-08329-DLC, 15 in 1:11-cv-07534-DLC, 15 in 1:11-cv-07534-DLC, 38 in 1:11-cv-05750-DLC, 38 in 1:11-cv-05750-DLC, 32 in 1:11-cv-06019-DLC, 32 in 1:11-cv-06019-DLC, 3 in 1:11-md-02293-DLC, 3 in 1:11-md-02293-DLC, 16 in 1:11-cv-07323-DLC, 16 in 1:11-cv-07323-DLC, 25 in 1:11-cv-06079-DLC, 25 in 1:11-cv-06079-DLC, 56 in 1:11-cv-05576-DLC, 56 in 1:11-cv-05576-DLC, 55 in 1:11-cv-05707-DLC, 55 in 1:11-cv-05707-DLC, 8 in 1:11-cv-08608-DLC, 8 in 1:11-cv-08608-DLC, 27 in 1:11-cv-05976-DLC, 27 in 1:11-cv-05976-DLC) Order, Set Deadlines/Hearings,,,,, <i>Application of Cohen Milstein Sellers &amp; Toll PLLC Seeking Appointment to Represent Consolidated Putative Class</i> . Document filed by Marcia Greene, Aubrie Ann Jones, Cyrus Joubin, Kevin Rader-Rhodenbaugh, Harrison Goldman. (Attachments: # <a href="#">1</a> Certificate of Service)Filed In Associated Cases: 1:11-md-02293-DLC et al.(Pierson, Kit) (Entered: 12/19/2011)
12/19/2011	<a href="#">57</a>	BRIEF re: (10 in 1:11-cv-08608-DLC, 25 in 1:11-cv-09014-DLC, 29 in 1:11-cv-05976-DLC, 30 in 1:11-cv-05896-DLC, 17 in 1:11-cv-07534-DLC, 57 in 1:11-cv-05707-DLC, 40 in 1:11-cv-05750-DLC, 58 in 1:11-cv-05576-DLC, 66 in 1:11-cv-09016-DLC, 26 in 1:11-cv-07507-DLC, 39 in 1:11-cv-05609-DLC, 11 in 1:11-md-02293-DLC, 9 in 1:11-cv-08329-DLC, 34 in 1:11-cv-06019-DLC, 29 in 1:11-cv-05898-DLC, 27 in 1:11-cv-06079-DLC, 56 in 1:11-cv-05621-DLC, 18 in 1:11-cv-07323-DLC) Brief,,,, <i>Declaration of Kit A. Pierson in Support of Application of Cohen Milstein Sellers &amp; Toll PLLC Seeking Appointment to Represent Consolidated Putative Class</i> . Document filed by Marcia Greene, Aubrie Ann Jones, Cyrus Joubin, Kevin Rader-Rhodenbaugh, Harrison Goldman. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, #

		<a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Exhibit H, # <a href="#">9</a> Exhibit I, # <a href="#">10</a> Exhibit J, # <a href="#">11</a> Exhibit K, # <a href="#">12</a> Exhibit L, # <a href="#">13</a> Exhibit M, # <a href="#">14</a> Exhibit N, # <a href="#">15</a> Certificate of Service)Filed In Associated Cases: 1:11-md-02293-DLC et al.(Pierson, Kit) (Entered: 12/19/2011)
12/19/2011	<a href="#">58</a>	BRIEF <i>Plaintiff Rhonda Burstein's Application for the Appointment of Grant &amp; Eisenhofer P.A. as Interim Lead Counsel</i> . Document filed by Rhonda Burstein. (Attachments: # <a href="#">1</a> Certificate of Service)Filed In Associated Cases: 1:11-md-02293-DLC et al.(Nussbaum, Linda) (Entered: 12/19/2011)
12/19/2011	<a href="#">59</a>	MOTION to Appoint Counsel <i>Notice of Hagens Berman's Application to be Appointed Interim Lead Counsel</i> . Document filed by Anthony Petru.Filed In Associated Cases: 1:11-md-02293-DLC et al.(Berman, Steve) (Entered: 12/19/2011)
12/19/2011	<a href="#">60</a>	MOTION to Appoint Counsel <i>Application to Appoint Hagens Berman Interim Lead Counsel</i> . Document filed by Anthony Petru.Filed In Associated Cases: 1:11-md-02293-DLC et al.(Berman, Steve) (Entered: 12/19/2011)
12/19/2011	<a href="#">61</a>	DECLARATION of Steve W. Berman in Support re: (62 in 1:11-cv-05576-DLC, 70 in 1:11-cv-09016-DLC, 14 in 1:11-cv-08608-DLC, 44 in 1:11-cv-05750-DLC, 34 in 1:11-cv-05896-DLC, 33 in 1:11-cv-05976-DLC, 31 in 1:11-cv-09014-DLC, 43 in 1:11-cv-05609-DLC, 30 in 1:11-cv-07507-DLC, 13 in 1:11-cv-08329-DLC, 33 in 1:11-cv-05898-DLC, 22 in 1:11-cv-07323-DLC, 61 in 1:11-cv-05707-DLC, 31 in 1:11-cv-06079-DLC, 19 in 1:11-md-02293-DLC, 21 in 1:11-cv-07534-DLC, 38 in 1:11-cv-06019-DLC, 60 in 1:11-cv-05621-DLC) MOTION to Appoint Counsel <i>Application to Appoint Hagens Berman Interim Lead Counsel..</i> Document filed by Anthony Petru. (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F)Filed In Associated Cases: 1:11-md-02293-DLC et al.(Berman, Steve) (Entered: 12/19/2011)
12/20/2011	<a href="#">62</a>	ORDER: That the Court waives any interest it might have in this putative class action lawsuit. IT IS FURTHER ORDERED that any motion for class certification made in this action shall define the class so as to exclude individuals described in 28 U.S.C. § 455 (b) (4) -(5). (Signed by Judge Denise L. Cote on 12/20/2011) Filed In Associated Cases: 1:11-md-02293-DLC et al.(rdz) (Entered: 12/21/2011)
12/20/2011		Minute Entry for proceedings held before Judge Denise L. Cote: Initial Pretrial Conference held on 12/20/2011. Associated Cases: 1:11-md-02293-DLC et al.(js) (Entered: 12/21/2011)
12/21/2011	<a href="#">63</a>	CASE MANAGEMENT ORDER: Hagens Berman LLP and Cohen Milstein Sellers & Toll PLLC shall serve as Co-Lead Counsel for all plaintiffs in this action and the class. Every pleading filed in this action, and in any separate action subsequently included therein, shall bear the following caption: IN RE: ELECTRONIC BOOKS ANTITRUST LITIGATION. Amended Pleadings due by 3/16/2012. Motions due by 4/13/2012. Responses due by 5/11/2012. Replies due by 5/25/2012. (Signed by Judge Denise L. Cote on 12/21/2011) Filed In Associated Cases: 1:11-md-02293-DLC et al.(ft) (Entered: 12/21/2011)

12/23/2011	<a href="#">64</a>	REVISED CASE MANAGEMENT ORDER: Paragraph III(1)(e) of the December 21 Case Management Order is stricken. The following paragraph is inserted as numbered paragraph III(4): Upon the first appearance of any new defendant(s), Lead Counsel for plaintiffs shall mail to the attorneys for such defendant(s) in such newly filed or transferred case a copy of the December 21 Case Management Order. (Signed by Judge Denise L. Cote on 12/23/2011) Filed In Associated Cases: 1:11-md-02293-DLC et al. (ab) (Entered: 12/23/2011)
01/17/2012	<a href="#">65</a>	ORDER FOR ADMISSION PRO HAC VICE in case 1:11-cv-05576-DLC; granting (39) Motion for Richard S. Frankowski to Appear Pro Hac Vice in case 1:11-md-02293-DLC for all purposes as counsel for Plaintiff Katrina Key in the above entitled action. Additional relief as set forth in this Order..(Signed by Judge Denise L. Cote on 1/17/12) Filed In Associated Cases: 1:11-md-02293-DLC et al.(pl) (Entered: 01/17/2012)
01/20/2012	<a href="#">66</a>	NOTICE OF CHANGE OF ADDRESS by Helene Debra Jaffe on behalf of Simon & Schuster, Inc., Simon & Shuster, Simon & Schuster, Inc., Simon & Schuster, Inc., Simon & Schuster. New Address: Proskauer Rose LLP, Eleven Times Square, New York, New York, USA 10036-8299, 212-969-3900. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Jaffe, Helene) (Entered: 01/20/2012)
01/20/2012	<a href="#">67</a>	CERTIFICATE OF SERVICE. Document filed by Marcus Mathis, Anthony Petru. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Friedman, Jeff) (Entered: 01/20/2012)
01/26/2012	<a href="#">68</a>	MEMO ENDORSED in case 1:11-cv-05576-DLC; granting (46) Motion for Daniel J Mogin to Appear Pro Hac Vice for plaintiff Karina Key in case 1:11-md-02293-DLC. (Signed by Judge Denise L. Cote on 1/26/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(cd) (Entered: 01/27/2012)
02/28/2012	<a href="#">69</a>	NOTICE OF APPEARANCE by Alexandra Shear on behalf of MacMillan Publishers, Inc., Mcmillan Publishers, Inc., MacMillan Publishers, Inc, Macmillan, Holtzbrinck Publishers, LLC, MacMillian, Inc, Macmillan Publishers, Inc.. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Shear, Alexandra) (Entered: 02/28/2012)
03/02/2012	<a href="#">70</a>	NOTICE OF APPEARANCE by Walter B. Stuart, IV on behalf of Hachette Digital, Inc. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Stuart, Walter) (Entered: 03/02/2012)
03/02/2012	<a href="#">71</a>	<b>FILING ERROR - CORPORATE PARENT/OTHER AFFILIATE NOT ADDED TO SPREAD CASES - RULE 7.1 CORPORATE DISCLOSURE STATEMENT.</b> Identifying Corporate Parent Hachette Livre USA, Inc., Corporate Parent Lagardere SCA, Corporate Parent Lagardere North America Inc., Corporate Parent Hachette Book Group, Inc, Corporate Parent Hachette SAS for Hachette Digital, Inc.. Document filed by Hachette Digital, Inc..Filed In Associated Cases: 1:11-md-02293-DLC et al.(Stuart, Walter) Modified on 3/5/2012 (lb). (Entered: 03/02/2012)
03/02/2012	<a href="#">72</a>	NOTICE OF APPEARANCE by Timothy P. Harkness on behalf of Hachette Digital, Inc. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Harkness, Timothy) (Entered: 03/02/2012)



04/13/2012	<a href="#">80</a>	REPLY MEMORANDUM OF LAW in Support re: (88 in 1:11-md-02293-DLC) MOTION to Dismiss <i>The Consolidated Amended Class Action Complaint</i> .. Document filed by MacMillan Publishers, Inc., Mcmillan Publishers, Inc., Penguin Group (USA) Inc., Simon & Schuster, Inc., Simon & Schuster, Inc., Penguin Group (USA), Inc., Simon & Schuster, Inc., MacMillan Publishers, Inc, Penquin Group (USA) Inc, Macmillan, Simon & Schuster, Simon & Schuster, Inc., Simon & Shuster, Simon and Schuster, Inc., Holtzbrinck Publishers, LLC(Doing business as Macmillan), Holtzbrinck Publishers, LLC, MacMillian, Inc, Macmillan Publishers, Inc., Penguin Group USA, Inc., Simon & Schuster Digital Sales, Inc., The Penguin Group. Filed In Associated Cases: 1:11-md-02293-DLC et al.(Mitnick, Joel) (Entered: 04/13/2012)
04/18/2012		Minute Entry for proceedings held before Judge Denise L. Cote: Status Conference held on 4/18/2012. Court Reporter: Denise Richards present Associated Cases: 1:11-md-02293-DLC et al.(dj) (Entered: 04/20/2012)
04/23/2012	<a href="#">81</a>	CASE MANAGEMENT ORDER: It is hereby ORDERED as follows: 1. Any application by Penguin Group USA, Inc. to withdraw its Motion to Compel Arbitration and Stay Proceedings must be submitted by April 27, 2012. 2. The Government and defendants Hachette Book Group, Inc.; HarperCollins Publishers L.L.C.; and Simon & Schuster, Inc. (collectively, the "Settling Parties") shall submit a proposed order for a stay by April 30, 2012. 3. The Government shall file any motion with respect to a proposed final judgment by July 27. Any submissions in response to this motion by a party in one of the above-captioned actions shall be filed by August 8, 2012, and shall not exceed 5 pages. The limit of 10 pages described at the conference is hereby reduced to 5 pages. The Government shall have until August 15, 2012 to file any reply. IT IS FURTHER ORDERED that a conference in these actions, and any related actions subsequently accepted by this Court, will be held on June 22, 2012 at 2:30 p.m. at the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 15B. IT IS FURTHER ORDERED that prior to the June 22, 2012 conference, the parties in these actions, and any related actions subsequently accepted by this Court, shall submit to the Court a proposal for coordinated discovery and a proposed confidentiality agreement. Motions due by 7/27/2012. Responses due by 8/8/2012. Replies due by 8/15/2012. Status Conference set for 6/22/2012 at 02:30 PM in Courtroom 15B, U.S. Courthouse, 500 Pearl Street, New York, NY 10007 before Judge Denise L. Cote. (Signed by Judge Denise L. Cote on 4/23/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(rjm) (Entered: 04/24/2012)
04/25/2012	<a href="#">82</a>	ORDER: ORDERED that, unless Penguin advises the Court by April 30, 2012 that it wishes its March 2 motion to stay proceedings and compel arbitration to be addressed, the motion will be deemed withdrawn. IT IS FURTHER ORDERED that in the event Penguin files a renewed motion to arbitrate, any party opposing the motion may present any arguments that are appropriate, including that Penguin has waived its right to arbitrate. (Signed by Judge Denise L. Cote on 4/25/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(dj) (Entered: 04/26/2012)
05/09/2012	<a href="#">83</a>	STIPULATED PROTECTIVE ORDER...regarding procedures to be followed that shall govern the handling of confidential material... (Signed by Judge Denise L. Cote on 5/9/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(lmb) (Entered: 05/09/2012)



05/10/2012	<a href="#">84</a>	NOTICE OF APPEARANCE by Eric Lipman on behalf of The State of Texas Filed In Associated Cases: 1:11-md-02293-DLC et al.(Lipman, Eric) (Entered: 05/10/2012)
05/15/2012	<a href="#">85</a>	OPINION & ORDER: The Publisher Defendants' 3/2/2012 Motion to Dismiss is denied. Apple's 3/2/2012 Motion to Dismiss is also denied re: (88 in 1:11-md-02293-DLC) MOTION to Dismiss <i>The Consolidated Amended Class Action Complaint</i> filed by HarperCollins Publishers L.L.C., (73 in 1:11-md-02293-DLC) MOTION to Dismiss <i>the Consolidated Amended Class Action Complaint</i> filed by Apple Inc. (Signed by Judge Denise L. Cote on 5/15/2012) Filed In Associated Cases: 1:11-md-02293-DLC et al.(cd) (Entered: 05/15/2012)

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