

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

**PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF HARPERCOLLINS,
HACHETTE AND SIMON & SCHUSTER SETTLEMENTS
AND PROPOSED NOTICE AND DISTRIBUTION PLANS**

PLEASE TAKE NOTICE that upon the filing of the accompanying Memorandum in Support of Class Plaintiffs' Motion for Preliminary Approval of HarperCollins, Hachette and Simon & Schuster Settlements, and the Proposed Consumer Notice and Distribution Plans, and all papers and pleadings submitted therewith, plaintiffs will move this Court before the Honorable Denise L. Cote, at the United States courthouse located at 500 Pearl Street, New York, New York 10007, for an order:

1) Granting Class Plaintiffs' motion for preliminary approval of plaintiffs' settlement agreement with defendants Hachette Book Group, Inc., Hachette Digital, Inc. and Hachette Livre SA, HarperCollins Publishers L.L.C., Simon & Schuster, Inc. and Simon & Schuster Digital Sales, Inc.

3) Approving the proposed plan to provide notice of the settlements to consumers in accordance with due process and Federal Rule of Civil Procedure 23; and

4) Granting preliminary approval of the Consumer Distribution Plan.

The Class Plaintiffs seek these orders pursuant to the Clayton Act, 15 U.S.C. § 15 (authorizing persons to bring a civil antitrust action for damages) and Rule 23.

DATED: June 21, 2013

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CERTIFICATE OF SERVICE

I hereby certify that on June 21, 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.

/s/ Jeff D. Friedman
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