

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE AUTHORS GUILD et al., :  
 :  
 Plaintiffs, :  
 :  
 - against - :  
 :  
 GOOGLE, INC., :  
 :  
 Defendant. :  
 -----x

USDC SDNY  
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ELECTRONICALLY FILED  
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ORDER  
05 Civ. 8136 (DC)

CHIN, District Judge

This class action has been settled on terms set forth in a settlement agreement that has been submitted to the Court for approval. The deadline for opt-outs and objections is May 5, 2009, and the fairness hearing is scheduled for June 11, 2009.

By letter dated April 24, 2009, a group of authors (and heirs and assigns of authors) represented by DeVore & DeMarco LLP requests a four-month extension of these dates, arguing that additional time is needed to consider the proposed settlement. By letter dated April 27, 2009, a group of academic authors represented by Professor Pamela Samuelson of Berkeley School of Law requests a six-month extension of these dates. By letter dated April 24, 2009, the parties to the settlement agreement acknowledge that additional time is warranted, but suggest that the dates be extended only approximately sixty days.

Upon consideration of the letters, I will grant approximately a four-month extension, as follows:

(1) Paragraph 15 of the Preliminary Approval Order is amended to extend the Opt-Out deadline to September 4, 2009 ("Extended Opt-Out Deadline").

(2) References in Paragraphs 22 and 23 of the Preliminary Approval Order to May 5, 2009 (the original "Opt-Out Deadline") are amended to refer to the Extended Opt-Out Deadline of September 4, 2009. To the extent the Court gave objectors and amici curiae until May 5, 2009 to submit their views to the Court, that date is also extended to September 4, 2009.


(3) No other deadlines or provisions set forth in the Settlement Agreement will be affected by this Order.

(4) Paragraph 10 of the Preliminary Approval Order is amended to provide that the Final Fairness Hearing will be held on October 7, 2009 at 10:00 a.m. before the undersigned in Courtroom 11A, United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York, 10007.

(5) Class Counsel will promptly (a) post notice of the Extended Opt-Out Deadline and Final Fairness Hearing date at the top of the home page of the official Settlement website, (b) issue a press release to announce these dates, and (c) notify IFRRO and the other major rights organizations that have assisted the Notice Provider.

SO ORDERED.

Dated: New York, New York  
April 28, 2009

  
DENNY CHIN  
United States District Judge