

Weil, Gotshal & Manges LLP

BY ECF

767 Fifth Avenue
New York, NY 10153-0119
+1 212 310 8000 tel
+1 212 310 8007 fax

Yehudah L. Buchweitz
+1 (212) 310-8256
Yehudah.Buchweitz@weil.com

October 30, 2015

The Honorable Denise Cote
United States District Court Judge
Southern District of New York
500 Pearl St., Room 1610
New York, NY 10007-1312

Re: *DNAML PTY, Limited v. Apple, Inc., et al.* (“Defendants”), No. 13 Civ. 6516
Diesel eBooks, LLC v. Apple, Inc. et al., 14 Civ. 1768 (DLC)
Abbey House Media, Inc. v. Apple, Inc. et al., 14 Civ. 2000 (DLC)

Dear Judge Cote:

We represent Simon & Schuster, Inc. in the above-captioned actions, and also write on behalf of Hachette Book Group, Inc., HarperCollins Publishers, L.L.C., Verlagsgruppe Georg von Holtzbrinck GmbH and Holtzbrinck Publishers, LLC d/b/a Macmillan, and The Penguin Group, a Division of Pearson PLC (collectively, “Publisher Defendants”) in all three of the above-captioned actions, and on behalf of Apple, Inc. (together with Publisher Defendants, the “Defendants”) in the *DNAML* action. Defendants submit this letter to respectfully request oral argument on Defendants’ joint motions for summary judgment in these actions.

Additionally, pursuant to the Court’s October 19, 2015 order, courtesy copies of Publisher Defendants’ Reply Memoranda of law, and supporting documents are enclosed here with the hand delivery of this letter. Also pursuant to the October 19 Order, Defendants further propose to meet and confer with Plaintiffs and applicable third parties, and submit proposed redactions, if any, to the Court by November 13, 2015.

Sincerely,


Yehudah L. Buchweitz

Cc: all counsel (by ECF)