

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE ELECTRONIC BOOKS ANTITRUST)
LITIGATION)

No. 11-md-02293 (DLC)
ECF Case

This Document Relates to:

THE STATE OF TEXAS, et. al.,)

Plaintiffs,)

Civil Action No. 12-cv-6625

v.)

HACHETTE BOOK GROUP, INC., et. al.,)

Defendants.)
_____)

**FIRST SUPPLEMENTAL MEMORANDUM IN SUPPORT OF PLAINTIFF STATES'
MOTION FOR PRELIMINARY APPROVAL OF SETTLEMENTS
AND PROPOSED CONSUMER NOTICE AND DISTRIBUTION PLAN**

On August 29, 2012, Plaintiff States filed their Notice of Motion for Preliminary Approval of Settlements and Proposed Consumer Notice and Distribution Plan, together with a Memorandum in Support of that Motion ("Memorandum in Support"). Attached to the Memorandum in Support were numerous Appendices. In response to comments and requests made by the Court during a conference call held on September 10, 2012, several of the Appendices have been revised to reflect corrections and updated information and two new forms, referenced in the Notice Plan, have been created. Attached to this First Supplemental Memorandum in Support are the following revised and new Appendices:

- 1) First Supplemental Appendix F (Distribution Plan)
- 2) First Supplemental Appendix H (Notice Plan): Exhibits A, B, C & D
- 3) First Supplemental Appendix J (Proposed Order)
- 4) First Supplemental Appendix K (Claim Form) (New)
- 5) First Supplemental Appendix L (Exclusion Form) (New)

The text of the originally filed Memorandum in Support and all other Appendices attached thereto remain unchanged.

Dated: September 14, 2012.

Respectfully submitted,

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Certificate of Service

The undersigned hereby certifies that a copy of the foregoing Plaintiff States' First Supplemental Memorandum in Support of Motion for Preliminary Approval of Settlements and Proposed Notice and Distribution Plans was served this 14th day of September, 2012, via the Court's Electronic Case Filing system, on the following:

For Defendant HarperCollins Publishers, LLC:

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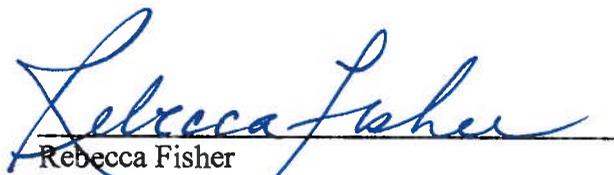
For Defendant Hachette Book Group, Inc.:

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**For Defendants Simon & Schuster, Inc.
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Dated: September 14, 2012



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