

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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CHRONICLE BOOKS LLC; HACHETTE
BOOK GROUP, INC.; HARPERCOLLINS
PUBLISHERS LLC; MACMILLAN
PUBLISHING GROUP, LLC; PENGUIN
RANDOM HOUSE LLC; SCHOLASTIC INC.;
AND SIMON & SCHUSTER, INC.

Plaintiffs,

- against -

AUDIBLE, INC.,

Defendant.

Case No.: 19-CV-7913 (VEC)

STIPULATION AND ORDER

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for Plaintiffs Chronicle Books LLC, Hachette Book Group, Inc., HarperCollins Publishers LLC; Macmillan Publishing Group, LLC, Penguin Random House LLC, Scholastic Inc., and Simon & Schuster, Inc. ("Publishers"), and counsel for Defendant Audible Inc., ("Audible"), that:

1. Audible will not enable its "Captions" feature for all audiobooks for which Publishers own, or are the exclusive licensee of, the text or audiobook rights (including without limitation Publishers' Works as defined in Paragraph 36 of the Complaint filed in this litigation) until the Court rules on Publishers' Motion for a Preliminary Injunction, filed on August 23, 2019, or the motion is otherwise disposed of.