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Via ECF

October 30, 2019

Hon. Valerie E. Caproni
United States District Court
Southern District of New York
40 Foley Square, Room 240
New York, NY 10007

Re: *Chronicle Books et. al. v. Audible, Inc.*, 19 Civ. 7913 (VEC)

Dear Judge Caproni:

We represent Defendant Audible in the above-named matter.

We write to supplement our letter of October 23, 2019 (Dkt. No. 60), which itself was sent in compliance with the Court's directive, dated October 3, 2019 that, should the parties "come to an agreement on next steps, including the need to resolve the pending motions, they must promptly inform the Court." (Dkt. No. 59.)

As noted, Audible made a proposal to plaintiffs concerning a potential final resolution of the lawsuit. Audible believes this proposal moots the lawsuit. Plaintiffs responded yesterday with a counter-proposal, which Audible is now considering.

Accordingly, we respectfully request that the Court continue to suspend its consideration of the pending motions, in order to preserve the status quo pending the parties' discussions. We will advise the Court of the progress of those discussions on or before November 14, 2019.

We thank the Court for its consideration of this matter.

Respectfully,

/s/ Nicole Gueron
Nicole Gueron

cc: All counsel, by ECF