

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 02/26/2020

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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. :
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19-CV-7913 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on February 21, 2020, the parties requested that this Court retain enforcement jurisdiction over their settlement agreement and enter a permanent injunction to which all parties have consented, Dkt. 76; and

WHEREAS the parties have submitted proposed redactions to their settlement agreement, Dkt. 76-1;

WHEREAS the parties have adequately explained why settlement amount(s) need not be made public;

WHEREAS the parties have not explained why the remaining details surrounding the transaction, such as the identity of any recipient(s), the method and timing of payment, and the fact that consideration is being paid should be redacted from paragraph 3 of the agreement; and

WHEREAS the parties have not explained why paragraph 11, which does not appear to contain any sensitive information, should be partially redacted;

IT IS HEREBY ORDERED THAT the proposed redactions are granted in part and denied in part. No later than **March 4, 2020**, the parties may either (1) redact only the settlement amount(s) and file the redacted agreement on the public docket, in which case the Court will approve the parties' proposed injunction order and retain enforcement jurisdiction over the entirety of the settlement agreement, or (2) redact the entirety of paragraph 3 and a portion of paragraph 11 as proposed and file the redacted agreement on the public docket, in which case the Court will enter an injunction and retain enforcement jurisdiction over all terms except paragraph 3 and the redacted portion of paragraph 11 of the agreement.

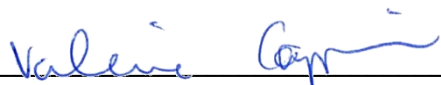
IT IS FURTHER ORDERED THAT the parties must re-file a corrected version of the unredacted settlement agreement. The first page of the settlement agreement, Dkt. 76-1 at 2, when downloaded from ECF, contains a stray text box to the right of the page, which does not appear to be part of the agreement. For the avoidance of doubt, the parties are directed to re-file, under seal (visible to all parties), a corrected version of the settlement agreement, no later than **February 28, 2020**.

IT IS FURTHER ORDERED THAT the parties must redact the letters currently filed under seal with the Court, specifically docket entries 73 and 76, and file the redacted versions in public view, no later than **March 4, 2020**. The redactions to the letters are to be consistent with the redactions to the settlement agreement.

Once all documents have been correctly filed, the Court will enter a final order as to the permanent injunction and retention of jurisdiction.

SO ORDERED.

Date: February 26, 2020
New York, NY



VALERIE CAPRONI
United States District Judge