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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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NORBERT WU, Individually and on Behalf :  
of All Similarly Situated Persons, :  
 :  
Plaintiff, :  
 :  
-v- :  
 :  
PEARSON EDUCATION INC., :  
 :  
Defendant. :  
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09 Civ. 6557 (KBF)  
10 Civ. 6537 (KBF)

KATHERINE B. FORREST, District Judge:

As stated at the status conference on May 29, 2012,

1. The above actions will be coordinated for pre-trial purposes.
2. The parties shall exchange correspondence regarding any material that has been requested but not yet produced in the above actions not later than **June 5, 2012**, and provide to the court a joint spreadsheet listing any outstanding material that has been requested but not yet produced not later than **June 12, 2012**.
3. Plaintiff is directed to submit license agreements at issue in these matters from five (5) different copyright owners not later than **June 1, 2012**. Defendant is directed to inform the Court that it joins plaintiff in its submission or submit to the Court its own set of license

agreements from five (5) different copyright owners not later than **June 5, 2012**.

4. With regard to settlement-related discovery, defendant is directed to provide plaintiff with a spreadsheet that lists (1) the dates of settlements of claims concerning "print overruns" and "late permissions" and (2) the names of the parties to the settlements. Dates and names related to "punitive" fees that defendant has paid need not be included in this spreadsheet; instead, with regard to the payment of these fees as they relate to the claims made in Wu II, defendant is directed to provide the same kinds of material that it has already provided to plaintiff in Wu I.

5. With regard to discovery of copyright registration materials, registration is a prerequisite to bringing a copyright infringement suit. As such, plaintiff shall provide copyright registrations for the works at issue. Should it not be apparent from the face of a registration that a particular work is covered by a particular registration, plaintiff shall search its own files for evidence of such coverage (e.g., copyright registration application materials) and provide that to defendant; if this evidence is not in plaintiff's possession, plaintiff shall provide a declaration sworn under the penalty of

perjury that particular copyright registrations cover particular works. Prior to trial, the parties shall either enter a stipulation that particular works are covered by particular copyright registrations or plaintiff shall provide defendant with the underlying application materials for each copyright registration at issue (which must evidence that the works at issue are covered by the copyright registrations put forth).

6. Defendant's motion for summary judgment shall be submitted not later than **June 12, 2012**; a response shall be submitted not later than **July 10, 2012**; and a reply, if any, shall be submitted not later than **July 17, 2012**.

SO ORDERED:

Dated: New York, New York  
May 30, 2012



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KATHERINE B. FORREST  
United States District Judge