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February 12, 2021

**FILED VIA ECF**

The Honorable Gregory H. Woods  
United States District Court Judge  
Southern District of New York  
Daniel Patrick Moynihan U.S. Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *Fremgen v. Amazon.com, Inc., et al.*, Case No. 1:21-cv-351-GHW-DCF;  
*Sacks v. Amazon.com, Inc.*, Case No. 1:21-cv-421-GHW-DCF;  
*Weinberger v. Amazon.com, Inc.*, Case No. 1:21-cv-615-GHW-DCF;  
*Bonilla v. Amazon.com, Inc.*, Case No. 1:21-cv-01130

Dear Judge Woods:

Plaintiffs in the above referenced related proposed class actions and Defendant Amazon (together the “parties”)<sup>1</sup> jointly submit this letter brief in support of their concurrently filed stipulation. The parties propose, subject to Court approval, to consolidate the cases and establish the following schedule: Plaintiffs will file a consolidated amended complaint within 45 days after entry of an order consolidating the Actions and appointing interim counsel for the putative plaintiff class; Amazon will respond within 45 days after the filing of the consolidated amended complaint; if the response is by motion, Plaintiffs’ opposition will be due 45 days after the motion is filed; and Amazon’s reply will be due 30 days after the opposition is filed.

“If actions before the court involve a common question of law or fact, the court may . . . consolidate the actions.”<sup>2</sup> Consolidation is appropriate here, where all four actions assert the same price-fixing and monopoly claims, based on the same allegations that Amazon and its co-conspirators’ anticompetitive agreements causes consumers to be overcharged for eBooks purchased through retailers that compete with Amazon. The

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<sup>1</sup> Amazon is the only defendant whose counsel have identified themselves to Plaintiffs’ counsel, and intend to presently notice their appearance with this Court. Plaintiffs in the *Fremgen* action amended their complaint to name five additional defendants.

<sup>2</sup> Fed. R. Civ. P. 42(a).

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Court also has inherent authority to grant the parties' stipulated scheduling order, which is reasonably calculated to promote an "efficient and expedient resolution" of the cases.<sup>3</sup>

Dated: February 12, 2021

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Dated: February 12, 2021

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<sup>3</sup> *Dietz v. Bouldin*, \_\_US \_\_, 136 S. Ct. 1885, 1892 (2016).

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Dated: February 12, 2021

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Dated: February 12, 2021

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