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January 13, 2016

VIA ECF and FAX

Honorable Robert W. Sweet  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St.  
New York, New York 10007-1312

Re: *Elsevier, Inc., et al. v. Sci-Hub, et al.*, 15-cv-4282 (RWS)

Dear Judge Sweet,

We are counsel to Elsevier Inc., Elsevier B.V., and Elsevier Ltd. (“Elsevier”) in the above-captioned action. We write in regards to the pretrial conference, currently scheduled for January 20, 2016, at 4:00 p.m.

As the Court is undoubtedly aware, none of the Defendants have either entered an appearance in this matter, either before or since your Preliminary Injunction Order of October 30, 2015 (Dkt. 53). As a result, we do not believe that it is likely that any of the Defendants would be present for the January 20<sup>th</sup> conference. In addition, since the issuance of the Preliminary Injunction, Elsevier has become aware of a number of additional domains being used by the Defendants in this action to continue their infringing activities and, in so doing, violate the terms of the Preliminary Injunction. Elsevier is in the process of investigating these new domains and may, should it be appropriate to do so, submit a motion requesting that the Preliminary Injunction be expanded to include those domains.

Accordingly, so that Plaintiffs may have additional time to complete its investigation into Defendants’ activities and so that we may not waste the Court’s time with a conference at which we fully expect only Elsevier to appear, Plaintiffs respectfully request that the pretrial conference currently scheduled for January 20, 2016, be adjourned for approximately six weeks, and rescheduled to Wednesday, March 2, or another date convenient for the Court.

Respectfully submitted,

Joseph V. DeMarco

Cc: All Defendants by means authorized by Court Order

