

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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J.D. SALINGER, individually and AS  
TRUSTEE of the J.D. SALINGER  
LITERARY TRUST,

Plaintiff,

-against-

FREDRIK COLTING, writing under the name JOHN  
DAVID CALIFORNIA,, WINDUPBIRD PUBLISHING  
LTD., NICOTEXT A.B., and ABP, INC.  
d/b/a SCB DISTRIBUTORS INC.

Defendants.

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DEBORAH A. BATTS, United States District Judge.

The Court is in receipt of Defendants' letter of July 7, 2009 and the responsive letter of Plaintiff of July 7, 2009. Defendants are correct that the Court did not address the need for a bond in its July 1, 2009, Memorandum and Order granting a preliminary injunction. Plaintiff is equally correct that expenditures prior to the issuance of the injunction are not covered by any bond set by the Court. Defendants' request a \$500,000.00 bond. The unique facts and timing of this case do not support this amount. Defendants describe Defendant Fredrik Colting as a first-time author; he is not. It is not credible that future marketing of this book has been harmed by the injunction due to the timing of the proposed September 15, 2009 publication date. Accordingly, the Court finds that there is no need for Plaintiff to post a bond pursuant to Rule 65(c).

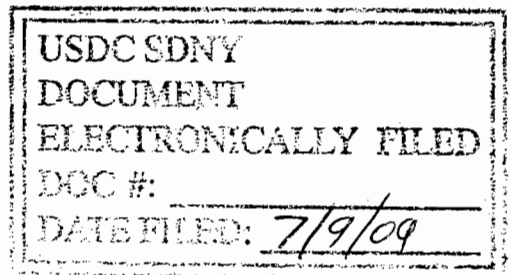
SO ORDERED.

Dated: New York, New York

July 9, 2009



Deborah A. Batts  
United States District Judge



09 Civ. 5095 (DAB)  
ORDER