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This memorandum is uncorrected and subject to revision before  
publication in the New York Reports.  
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No. 174  
Penguin Group (USA) Inc.,  
    Appellant,  
    v.  
American Buddha,  
    Respondent.

Richard Dannay, for appellant.  
Charles Hernan Carreon, for respondent.

\* \* \* \* \*

Certification of a question by the United States Court of Appeals  
for the Second Circuit, pursuant to section 500.27 of this  
Court's Rules of Practice, accepted and the issues presented are  
to be considered after briefing and argument. Chief Judge  
Lippman and Judges Ciparick, Graffeo, Read, Smith, Pigott and  
Jones concur.

Decided June 29, 2010