

DOCKET NOS. 10-1883, 10-1947, 10-2052

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**IN THE  
UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT**

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SONY BMG MUSIC ENTERTAINMENT, ET AL.,  
and UNITED STATES OF AMERICA  
*Plaintiffs-Appellants/Cross-Appellees,*

v.

JOEL TENENBAUM,  
*Defendant-Appellee/Cross-Appellant.*

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ON APPEAL FROM  
THE UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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**DEFENDANT-APPELLEE/CROSS-APPELLANT'S UNOPPOSED MOTION  
FOR EXTENSION OF TIME TO FILE BRIEF**

Defendant-appellee/cross-appellant Joel Tenenbaum hereby respectfully moves this Court for an order extending the due-date for his brief for thirty (30) days from the current due date of November 26, 2010, to and including December 27, 2010. This is Defendant-appellee/cross-appellant's first request for an extension of time. The reasons for the extension are as follows:

1. On October 27, 2010, Plaintiff-appellants/cross-appellees Sony BMG Music Entertainment et al. and, separately, the United States served upon movant their respective principal briefs. Under the provisions of Rule 31 of the Federal Rules of Appellate Procedure and this Court's prior order, movant's brief is due to be filed on November 26, 2010.

2. Charles Nesson is *pro bono* counsel and a full-time professor at Harvard Law School. He is assisted by full-time law students Jason Harrow JD '11, Andrew Breidenbach JD '11, Nathan Lovejoy JD '13, and Phillip Hill JD '13. They have been diligently conducting research to prepare a brief, but the opening briefs raise significant

issues that merit further consideration than the current timeline will allow. Due to the constraints of their academic schedules, they are unable to devote their complete attention to the brief under the current timeline. All are taking a full-course load and have impending exams.

3. Additionally, the fact that the current due date of November 26, 2010 is the Friday after Thanksgiving presents additional difficulties. The Thanksgiving holiday is a time to spend with family and, as students, a time to catch up with schoolwork.

4. A thirty-day extension would allow sufficient time to prepare a brief for this Court while also permitting students to complete their course work for the semester before the filing deadline.

5. This motion is unopposed by both Plaintiff-appellants/cross-appellees Sony BMG Entertainment, et al., and by the United States.

**WHEREFORE**, the undersigned respectfully requests that the Court extend the time to file movant's principal/response brief by thirty (30) days, to December 27, 2010, to permit a thorough consideration of and response to the Plaintiff-appellants/cross-appellees' opening brief.

Respectfully submitted,

/s/Charles R. Nesson

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November 4, 2010