

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESTOA**

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CAPITOL RECORDS INC, <i>et al.</i> ,)	
)	
	Plaintiffs)	
)	
v.)	Civil Action No. 06-cv-1497
)	
JAMMIE THOMAS,)	
)	
	Defendant)	
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**UNITED STATES OF AMERICA’S MOTION TO INTERVENE
AND FILE BRIEF IN DEFENSE OF THE
CONSTITUTIONALITY OF A FEDERAL STATUTE**

The United States of America, through undersigned counsel, respectfully moves: (1) to intervene in this action, pursuant to Fed. R. Civ. P. 5.1(c) and 24(a) and 28 U.S.C. § 2403(a), in order to defend the constitutionality of the statutory damages provision of the Copyright Act, 17 U.S.C. § 504(c), against an as-applied challenge; and (2) to be permitted to file the contemporaneously-submitted United States of America’s Memorandum in Defense of the Constitutionality of the Statutory Damages Provision of the Copyright Act.

Dated: December 3, 2007

Respectfully submitted,

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