

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

CAPITOL RECORDS INC.,
a Delaware corporation, et al.,

Plaintiffs,

v.

ORDER

Civil File No. 06-1497 (MJD/RLE)

JAMMIE THOMAS,

Defendant.

The following are the appropriate procedures for filing an amicus brief in this matter. **IT IS HEREBY ORDERED** that:

1. Interested parties seeking to file an amicus brief on the issue of whether the Court committed a manifest error of law in instructing the jury that “[t]he act of making copyrighted sound recordings available for electronic distribution on a peer-to-peer network, without license from the copyright owners, violates the copyright owners’ exclusive right of distribution, regardless of whether actual distribution has been shown” shall follow the procedures ordered herein.
2. Interested parties must file a motion with the Court requesting permission to file an amicus brief.
3. The motion requesting permission to file an amicus brief shall not

exceed 1,000 words.

4. The motion shall address how the interested party's expertise, special interest, and competent assistance could assist the Court.
5. The motion shall be accompanied by the proposed amicus brief. The amicus brief will be no more than 6,000 words in length.
6. Any motion requesting permission to file an amicus brief must be filed by June 13, 2008, at noon.
7. The parties' opposition to any motion to file an amicus brief must be filed by June 17, 2008, at noon, and shall not exceed 1,000 words.
8. Interested parties cannot file any opposition or reply. If an interested party's motion to file an amicus brief is granted, only that initial amicus brief shall be accepted and considered.
9. In order to file a motion to file an amicus brief in this matter, counsel must be admitted to practice in this Court, in accordance with Local Rule 83.5. The text of this Local Rule can be found at pages 54 and 55 at http://www.mnd.uscourts.gov/local_rules/local_rules.pdf.

Dated: May 20, 2008

s/Michael J. Davis
Judge Michael J. Davis
United States District Court