

**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 NOTICE REGARDING THE
COURT’S ORDER FOR FURTHER BRIEFING**

The United States intervened in this action to defend the constitutionality of the statutory damages provision of the Copyright Act, 17 U.S.C. § 504(c). The Court’s May 15, 2008, Order for further briefing on whether “making copyrighted sound records available” constitutes distribution under the Copyright Act does not implicate the statutory damages issue and, therefore, the United States will not be filing a brief with this notice on the “making available” matter.

Dated: June 30, 2008

Respectfully submitted,

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