



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ARISTA RECORDS LLC; ATLANTIC RECORDING CORPORATION; ARISTA MUSIC, fka BMG MUSIC; CAPITOL RECORDS, LLC, fka CAPITOL RECORDS, INC.; ELEKTRA ENTERTAINMENT GROUP INC.; INTERSCOPE RECORDS; LAFACE RECORDS LLC; MOTOWN RECORD COMPANY, L.P.; PRIORITY RECORDS LLC; SONY MUSIC ENTERTAINMENT, fka SONY BMG MUSIC ENTERTAINMENT; UMG RECORDINGS, INC.; VIRGIN RECORDS AMERICA, INC.; and WARNER BROS. RECORDS INC.,

Plaintiffs,

v.

LIME WIRE LLC; LIME GROUP LLC; MARK GORTON; and M.J.G. LIME WIRE FAMILY LIMITED PARTNERSHIP,

Defendants.

## MEMO ENDORSED

06 Civ. 05936 (KMW)  
ECF CASE

### PLAINTIFFS' NOTICE OF MOTION AND MOTION TO FILE CONFIDENTIAL MATERIAL UNDER SEAL

Glenn D. Pomerantz (*pro hac vice*)  
Kelly M. Klaus (*pro hac vice*)  
Melinda E. LeMoine  
Jonathan H. Blavin (*pro hac vice*)  
Susan T. Boyd (*pro hac vice*)  
Munger, Tolles & Olson LLP  
355 South Grand Avenue  
Los Angeles, CA 90071  
(213) 683-9100  
*Attorneys for Plaintiffs*

Date: January 24, 2011

NOTICE TO THE COURT, DEFENDANTS AND THEIR COUNSEL OF RECORD:

Pursuant to the Amended Protective Order entered in this action on January 6, 2011, Plaintiffs hereby move this Court to place under seal, until further order of this Court, the following documents:

- Declaration of JoAn Cho In Support of Plaintiffs' Motion For Partial Summary Judgment Regarding Ownership (unredacted, confidential version), with exhibits and documents incorporated by reference
- Declaration of Wade Leak in Support of Plaintiffs' Motion For Partial Summary Judgment Regarding Ownership (unredacted, confidential version), with exhibits and documents incorporated by reference
- Declaration of Alasdair McMullan in Support of Plaintiffs' Motion For Partial Summary Judgment Regarding Ownership (unredacted, confidential version), with exhibits and documents incorporated by reference
- Declaration of Silda Palerm in Support of Plaintiffs' Motion For Partial Summary Judgment Regarding Ownership (unredacted, confidential version), with exhibits and documents incorporated by reference
- Declaration of Melinda E. LeMoine in Support of Plaintiffs' Motion For Partial Summary Judgment Regarding Ownership (unredacted, confidential version), with exhibits

On January 6, 2011, the Court entered an Amended Stipulation and Protective Order (the "Amended Protective Order"), concerning information produced in discovery, a copy of which is on file with the Court (Dkt. 400). The above-referenced documents contain material that has

been designated by the parties as either Confidential, Confidential-Attorney's Eyes Only, or Restricted Confidential-Outside Attorney's Eyes Only under the Amended Protective Order. In particular, the documents attached to the declarations contain detailed information about the respective plaintiffs' rights in the sound recordings at issue, which could cause competitive harm if publicly disclosed.

Paragraph 15 of the Amended Protective Order requires a party submitting Confidential, Confidential-Attorney's Eyes Only, or Restricted Confidential-Outside Attorney's Eyes Only material to the Court to file such material under seal to protect it from disclosure. Accordingly, Plaintiffs respectfully request that the foregoing documents be maintained under seal until further order of this Court.

Dated: January 24, 2011

Respectfully submitted

/s/ Melinda E. LeMoine

Melinda E. LeMoine

Attorney for Plaintiffs  
Munger, Tolles & Olson LLP  
355 South Grand Avenue, 35th Floor  
Los Angeles, CA 90071-1560  
(213) 683-9100  
(213) 687-3702 (Fax)

SO ORDERED: 2-8-11

Kimba M. Wood

KIMBA M. WOOD  
U. S. D. J.