

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.

06 Civ. 05936 (KMW)
ECF CASE

PLAINTIFFS' NOTICE OF MOTIONS AND PLAINTIFFS' MOTIONS *IN LIMINE* TO PRECLUDE SPECIFIED CATEGORIES OF EVIDENCE AND ARGUMENT

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

Date: February 25, 2011

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that as soon as counsel may be heard before the Honorable Kimba M. Wood in Courtroom 15B, United States Courthouse, 500 Pearl Street, New York, New York, all Plaintiffs in Case No. 06 Civ. 05936 (“Plaintiffs”) will and hereby do move the Court pursuant to the Federal Rules of Evidence, this Court’s Orders, and the Local Rules of the Southern District of New York, for the following relief:

- Plaintiffs’ Motion *In Limine* to Preclude Evidence or Argument Concerning Prior Settlement Discussions
- Plaintiffs’ Motion *In Limine* To Preclude Evidence Or Argument Inconsistent With Facts Established At Summary Judgment
- Plaintiffs’ Motion *In Limine* to Preclude Defendants’ Argument That Other Illegal Services Would Have Induced Infringement Of Plaintiffs’ Copyrights If Lime Wire Had Not
- Plaintiffs Motion *In Limine* to Preclude Defendants From Asserting Privilege Over Communications With Fred Von Lohmann Or The Electronic Frontier Foundation
- Plaintiffs’ Motion *In Limine* to Preclude any Argument or Evidence Concerning Defendants’ Purported Belief in the Lawfulness of their Conduct

PLEASE TAKE FURTHER NOTICE that these Motions are based on this Notice of Motions, Motions, the accompanying Memoranda of Law, the Declarations of Melinda E.

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LeMoine, Susan Traub Boyd, and Kelly M. Klaus along with all accompanying evidence attached and cited therein, any Reply Memorandum in support, the court records and files, and upon such other evidence and argument that may be offered at the hearing on the Motion.

Dated: February 25, 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)