

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

<p>THE FOOTBALL ASSOCIATION PREMIER LEAGUE LIMITED, BOURNE CO. (together with its affiliate MURBO MUSIC PUBLISHING, INC.), CHERRY LANE MUSIC PUBLISHING COMPANY, INC., CAL IV ENTERTAINMENT LLC, ROBERT TUR d/b/a LOS ANGELES NEWS SERVICE, NATIONAL MUSIC PUBLISHERS' ASSOCIATION, THE RODGERS & HAMMERSTEIN ORGANIZATION, STAGE THREE MUSIC (US), INC., EDWARD B. MARKS MUSIC COMPANY, FREDDY BIENSTOCK MUSIC COMPANY d/b/a BIENSTOCK PUBLISHING COMPANY, ALLEY MUSIC CORPORATION, X-RAY DOG MUSIC, INC., FÉDÉRATION FRANÇAISE DE TENNIS, THE MUSIC FORCE LLC, and SIN-DROME RECORDS, LTD. on behalf of themselves and all others similarly situated,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>YOUTUBE, INC., YOUTUBE, LLC and GOOGLE, INC.,</p> <p style="text-align: center;">Defendants.</p>	<p>Case No. 07 Civ. 3582 (LLS)</p> <p>(related case no. 07 Civ. 2103 (LLS), the "<i>Viacom</i> action")</p> <p style="text-align: center;"><u>ECF CASE</u></p>
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**NOTICE OF MOTION FOR LEAVE TO FILE BRIEF OF *AMICI CURIAE*
AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS,
BROADCAST MUSIC, INC., SESAC, INC. AND THE SPORTS
RIGHTS OWNERS COALITION IN SUPPORT OF PLAINTIFFS**

PLEASE TAKE NOTICE that the American Society of Composers, Authors and Publishers ("ASCAP"), Broadcast Music, Inc. ("BMI"), SESAC, Inc. and The Sports Rights Owners Coalition ("SROC") (collectively, the "Amici"), upon this motion, the accompanying Declaration of Thomas C. Moore (and the exhibits thereto) and the proposed memorandum of law submitted herewith, shall move this Court at a date and time to be determined by the Court,

before the Hon. Louis L. Stanton, United States District Court Judge for the Southern District of New York, United States Courthouse, Courtroom 21C, 500 Pearl Street, New York, New York, 10007, for leave to file an *amicus curiae* brief in support of Plaintiffs.

In support of their motion, Amici state as follows:

1. Amici ASCAP, BMI and SESAC, Inc. are performing rights organizations that represent the rights of hundreds of thousands of composers, songwriters and publishers. Amicus SROC is a coalition of representatives of international and national sports bodies with a particular focus on rights issues.

2. Amici submit that the above-captioned case, filed by plaintiffs individually and on behalf of a prospective class (the “Class Action”), raises important copyright issues that affect national and international content owners.

3. Amici seek permission to place before the Court a memorandum of law in support of the plaintiffs in this Class Action. The proposed memorandum of law has been filed with this Notice of Motion, and incorporates by reference Exhibit A to the Declaration of Thomas C. Moore (“Exhibit A”).

4. Amici ASCAP, BMI and SESAC, Inc., together with others, previously were granted permission by this Court to submit Exhibit A as an *amicus curiae* memorandum of law in the related case of Viacom International, Inc., et al. v. YouTube, Inc., et al., no. 07 Civ. 2103 (LLS) (the “Viacom Action”). *See* Exhibit B to Declaration of Thomas C. Moore. Furthermore, the Court already has approved the filing of Exhibit A in this Class Action by docket entry number 231, dated May 11, 2010. The instant application simply carries out the Court’s apparent intent to include Exhibit A as *amici curiae* memorandum of law in the record of this Class Action.

5. Amici believe the annexed memorandum of law (incorporating Exhibit A by reference) will be helpful to the Court as it considers the motions pending before it in the Class Action, just as in the Viacom Action.

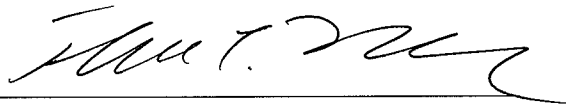
6. Plaintiffs in this action have consented to the filing of this brief. Defendants note that the proposed *amicus curiae* brief would be filed after the filing of the Defendants' opposition brief, and otherwise take no position on this motion.

7. Plaintiff The Football Association Premier League Limited is a member of Amicus SROC but took no part in SROC's decision to seek permission to file this application.

WHEREFORE, Amici respectfully request that the Court grant their motion and permit the filing of the *amicus curiae* brief submitted herewith.

Dated: May 18, 2010
New York, N.Y.

Hoffman & Pollok LLP



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