

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CAPITOL RECORDS, LLC and VIRGIN :  
RECORDS AMERICA, INC., :

Plaintiffs, :

-against- :

ESCAPE MEDIA GROUP, INC., :

Defendant. :  
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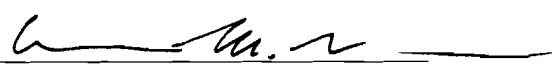
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09 Civ. 4458 (LMM) (GWG)

**ORDER**

Plaintiffs' motion to strike Defendant's Third and Fourth Affirmative Defenses has been denied by the Court as of September 30, 2009 because of the existence of disputed issues of fact appropriately resolved by the trier of fact.

SO ORDERED this 7 day of OCTOBER, 2009.

  
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U.S.D.J.