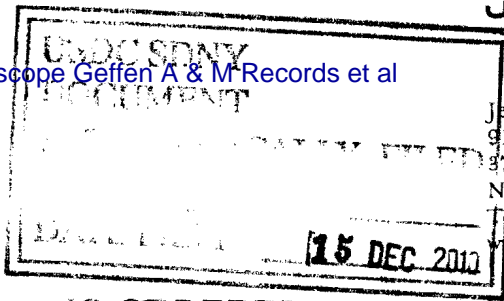


Domino Recording Company, Inc. et al v. Interscope Geffen A & M Records et al

Doc. 40

December 14, 2010

VIA FACSIMILE



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Honorable George B. Daniels
United States District Court
Southern District of New York
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REGISTERED:

George B. Daniels
George B. Daniels, U.S.D.J.

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Dated: 15 DEC 2010

Re: *Domino Recording Company, Inc., et al. v. Interscope Geffen A&M Records, et al., Case No.: 09 CV 8400 (GBD)*

Dear Judge Daniels:

I write on behalf of all parties to respectfully request an adjournment of the status conference, which is scheduled to take place on December 16, 2010 at 9:30 a.m., and an extension of the deadline to complete liability discovery, which is currently December 31, 2010. The parties have been engaged in liability discovery. However, due to the location and other professional commitments of the witnesses involved in this case (foreign nationals and professional musicians currently on tour), the parties will not be able to complete the remaining liability discovery by the current deadline.

The parties have agreed that all of Plaintiffs' outstanding document production, including production of all documents responsive to the September 1, 2010 subpoena issued to Ulrich Schnauss, will be completed by December 31, 2010. The parties have scheduled the Rule 30(b)(6) depositions of the plaintiffs (whose deponents are located in England) to be held in New York on January 20 and 21, 2011, following Plaintiffs' timely completion of document production. The parties have further agreed that the deposition of defendant Christopher Pitman, who is currently on tour, will be scheduled for a date in January or early February 2011 that accommodates his schedule, and, if necessary, the depositions of the other defendants on liability issues will be scheduled following Mr. Pitman's deposition.

Accordingly, the parties agreed that it would be appropriate to request an extension of liability discovery through February 25, 2011 and an adjournment of the December 16 status conference to Tuesday, February 15, 2011 or some other time that is convenient to the Court. We respectfully submit a Revised Scheduling Order to that effect and jointly request that Your Honor *so order* the Revised Scheduling Order.

We thank the Court for its consideration.

Respectfully submitted,

Carletta F. Higginson
Carletta F. Higginson

CFH:ab
Enclosures

cc: Jonathan Ross, Esq. (*via facsimile w/encls.*)

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