

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOC #:
DATE FILED: 5-6-13
12 Civ. 0095 (RJS)

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CAPITOL RECORDS, LLC, :
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 Plaintiff, :
 :
 -against- :
 :
 REDIGI INC., :
 :
 Defendant. :
 :
----- X

**JOINT PROPOSED AMENDED
CASE MANAGEMENT PLAN
AND SCHEDULING ORDER**

RICHARD J. SULLIVAN, District Judge:

Pursuant to Rules 16-26(f) of the Federal Rules of Civil Procedure, and following its March 30, 2013 Order disposing of the parties' motions for summary judgment, the Court hereby adopts the following Amended Case Management Plan and Scheduling Order.

1. All parties do not consent to disposition of this case by a Magistrate Judge, pursuant to 28 U.S.C. § 636(c).
2. This case is not to be tried to a jury.
3. All remaining discovery shall be completed by August 2, 2013.
4. No additional parties may be joined or amended pleadings served except with the opposing party's written consent or leave of the Court, in accordance with Fed. R. Civ. P. 15(a)(2). Because of the dynamic nature of the ReDigi website at issue in this case, the parties contemplate that the list of plaintiff's recordings allegedly infringed will have to be supplemented prior to a final adjudication in the case based on information obtained through discovery.
5. The Court will conduct a post-discovery conference on August 9, 2013. @ 10am
6. If either party contemplates a motion, the post-discovery conference will function as a pre-motion conference. Pre-motion letters are to be submitted by 8/2, 2013. Pursuant to Rule 2.A of the Court's Individual Practices, responses to pre-motion letters are to be submitted within three business days from the date of service of the initial pre-motion letter.
7. If neither party contemplates a dispositive motion, the post-discovery conference will function as a pre-trial conference at which a trial date will be set.
8. This case has been referred to the Southern District's Mediation Program for a conference to be held no later than May 31, 2013.

9. The parties have conferred and their present best estimate of the length of trial for the damages and remedy phase of this case is two days.

SO ORDERED.

DATED: May 6, 2013
New York, New York


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE