

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CAPITOL RECORDS, LLC,

Plaintiff,

v.

REDIGI INC., JOHN OSSENMACHER, and
LARRY RUDOLPH a/k/a LAWRENCE S.
ROGEL,

Defendants.

12-CV-00095 (RJS)

ORAL ARGUMENT REQUESTED

**NOTICE OF INDIVIDUAL DEFENDANTS' MOTION
TO DISMISS THE FIRST AMENDED COMPLAINT**

PLEASE TAKE NOTICE that the undersigned, attorneys for Defendants John Ossenmacher and Larry Rudolph, in the above-referenced matter, will move this Court before the Honorable Richard J. Sullivan, United States District Judge for the Southern District of New York, 500 Pearl Street, New York, New York 10007, at a date and time to be determined by this Court, for an order pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure dismissing, with prejudice, the First Amended Complaint against Mr. Ossenmacher and Prof. Rudolph in the above-captioned action.

The grounds for this motion are set forth in Individual Defendants' Memorandum of Law in Support of Motion to Dismiss the First Amended Complaint..

Dated: September 20, 2013

Respectfully Submitted,

/s/ Seth R. Gassman

Seth R. Gassman (SG-8116)

James J. Pizzirusso (*pro hac vice* pending)

Nathaniel C. Giddings (*pro hac vice* forthcoming)
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