

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

CAPITOL RECORDS, LLC, CAPITOL
CHRISTIAN MUSIC GROUP, INC., and
VIRGIN RECORDS IR HOLDINGS, Inc.,

Plaintiffs,

v.

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

Defendants.

12-CV-00095 (RJS)

**DECLARATION OF JAMES J. PIZZIRUSSO, ESQ. IN SUPPORT OF MOTION OF
HAUSFELD LLP TO WITHDRAW AS COUNSEL TO
DEFENDANTS JOHN OSSENMACHER AND LARRY RUDOLPH**

I, James J. Pizzirusso, declare as follows:

1. I am a partner in the law firm of Hausfeld LLP, the law firm representing Mr. John Ossenmacher and Prof. Larry Rudolph (the “Individual Defendants”) in this action.
2. I submit this declaration in support of the Consent Motion of Hausfeld LLP to Withdraw as Counsel to Defendants John Ossenmacher and Larry Rudolph.
3. I am fully familiar with the facts and procedural history of this case.
4. I am the lead partner responsible for Hausfeld’s relationship with the Individual Defendants.
5. Hausfeld was first contacted by the Individual Defendants in August 2013, when the Court granted Plaintiff, Capitol Records, LLC, leave to amend the complaint to add the Individual Defendants to the action.
6. Hausfeld entered into a retention agreement with the Individual Defendants in

September 2013.

7. Since being retained, Hausfeld has vigorously represented the interests of the Individual Defendants and has undertaken numerous tasks on behalf of the Individual Defendants, including, but not limited to, making multiple appearance in Court, drafting a motion to dismiss and supporting briefs, drafting a motion for reconsideration on the Court's motion to dismiss order, propounding discovery requests, briefing the availability of discovery, and liaising with defense counsel and ReDigi's counsel pursuant to Court orders.

8. Hausfeld has, at all times (and will continue to), acted in a manner consistent with the applicable rules of professional responsibility, including New York Rule of Professional Conduct 1.16(e). To that end, Hausfeld will promptly any papers and property to which the Individual Defendants are entitled to the Individual Defendants and/or their new counsel, should Hausfeld be permitted to withdraw.

9. The Individual Defendants consent to Hausfeld's withdrawal from this action.

10. ReDigi does not object to Hausfeld's withdrawal from this action.

11. The Plaintiffs do not object to Hausfeld's withdrawal from this action.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 5, 2015

/s/ James J. Pizzirusso

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