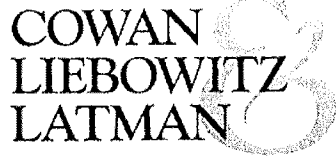


EXHIBIT A



Cowan, Liebowitz & Latman, P.C.
1133 Avenue of the Americas
New York, NY 10036

(212) 790-9200 Tel
(212) 575-0671 Fax
www.cll.com

Richard S. Mandel
(212) 790-9291
rsm@ccl.com

October 9, 2015

By E-mail (sullivannysdchambers@nysd.uscourts.gov)

Hon. Richard J. Sullivan, U.S.D.J.
40 Foley Square
New York, NY 10007

Re: Capitol Records, LLC v. ReDigi Inc., 12 cv. 0095 (RJS)

Dear Judge Sullivan:

We represent plaintiffs Capitol Records, LLC, Capitol Christian Music Group, Inc. and Virgin Records IR Holdings, Inc. (collectively "Plaintiffs") in this action, and write jointly with counsel for defendant ReDigi, Inc. ("ReDigi"), and counsel for the individual defendants John Ossenmacher and Larry Rudolph (the "Individual Defendants") (collectively, "Defendants"). Pursuant to the Court's order of September 9, 2015 (ECF No. 176), we advise the Court as follows regarding the status of settlement discussions and the parties' proposed schedule and procedure for the remaining stages of the litigation should those settlement discussions not result in a resolution.

The parties are continuing to discuss settlement and have exchanged additional proposals since our last communication with the Court. While the parties have made progress, there are still critical disagreements separating them. The parties propose that they continue to negotiate over these issues while simultaneously attending to the remaining steps necessary to prepare this case for trial as set forth below.

As the Court is aware, there are two principal issues remaining to be tried: (1) whether the Individual Defendants are guilty of copyright infringement; and (2) the amount of damages, if any, to be awarded against ReDigi and, if they are found liable, against the Individual Defendants. The parties have in principle agreed to a procedure that will obviate the need for motion practice or trial regarding issue No. 1, namely the underlying question of the Individual Defendants' liability. For purposes of trial expediency and not as any admission of guilt whatsoever by the Defendants, Plaintiffs and the Individual Defendants will stipulate that the Individual Defendants are personally bound by the Court's ruling on summary judgment against ReDigi, as long as the Individual Defendants preserve their rights on appeal to challenge any of the Court's prior interlocutory rulings in the case. The parties are in discussions regarding the appropriate form of such a stipulation, which would then be presented to the Court.

In light of this anticipated stipulation, which, if accepted by the Court, would narrow the issue to be presented to a jury to damages and damage responsibility if any, the parties have further discussed a streamlined procedure for remaining discovery. The only issues on which Defendants would seek further discovery relates to damages. Plaintiffs have previously provided document discovery on this issue, but the parties propose to meet informally to identify any claimed gaps in such production (and any other damages related discovery that may be needed) and provide any additional documentation and/or information that may be necessary to facilitate a full understanding of Plaintiffs' claimed rights. The parties would aim through such process to see if they can identify a stipulated universe of recordings to present to the jury. Because there are a large number of recordings at issue, some decades old, this process will take some time, but the parties will diligently attempt to narrow dispute and perhaps avoid the need for any deposition or trial testimony on these issues. If the parties' meet and confer process on this issue is not itself sufficient, Plaintiffs would agree to produce a 30(b)(6) witness for a deposition limited to issues of chain of title/ownership.

Should the Court accept the above-proposed stipulation regarding the Individual Defendants, the parties collectively believe that 120 days should be sufficient to accomplish the above tasks and to have this case ready for trial. As in the case of the instant letter, we would propose to update the Court by February 15, 2016 of the status of the parties' settlement and discovery efforts and schedule the case for trial. We thank the Court for its attention to the foregoing.

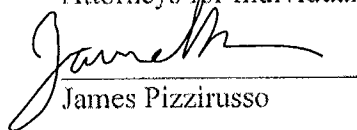
Respectfully,

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Plaintiffs



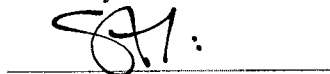
Richard S. Mandel

HAUSFELD LLP
Attorneys for Individual Defendants



James Pizzirusso

ADELMAN MATZ P.C.
Attorneys for Defendant ReDigi, Inc.



Sarah Matz