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August 8, 2016

**VIA ECF and EMAIL**

Hon. Richard J. Sullivan  
United States Courthouse  
40 Foley Square, Room 2104  
New York, NY 10007

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

Dear Judge Sullivan:

We represent Plaintiffs in the above-referenced action. We write in response to the August 4, 2016 letter from Dana Kaplan of Kelley & Fulton P.L. regarding the bankruptcy filings by ReDigi Inc. and John Ossenmacher and the potential effect of the automatic stay provision of the Bankruptcy Code.

We note that defendant Lawrence Rogel a/k/a Larry Rudolph has not filed for bankruptcy. Accordingly, the automatic stay does not apply to Plaintiffs' pending motion to register the Judgment in other districts insofar as it relates to Mr. Rogel. Because the only district identified in the motion with respect to Mr. Rogel was the District of Massachusetts, Plaintiffs respectfully request that their motion be modified so as to only seek registration of the judgment in the United States District Court for the District of Massachusetts (and not the district courts in Florida and California where Mr. Ossenmacher was believed to have assets). In the event that the Court grants Plaintiffs' motion as to Mr. Rogel, Plaintiffs will advise the District of Massachusetts registration court that they are enforcing the Judgment only against Mr. Rogel, and not against ReDigi or Mr. Ossenmacher.

With respect to Plaintiffs' pending motion for attorneys' fees, such motion is similarly stayed only with respect to ReDigi Inc. and Mr. Ossenmacher, but may proceed as to Mr. Rogel. However, given the interrelatedness of the issues concerning all defendants, Plaintiffs intend to file a motion with the Bankruptcy Court to modify the automatic stay to allow this Court to decide the fees motion as to all defendants for the limited purpose of liquidating that claim. Accordingly, for purposes of efficiency and judicial economy, Plaintiffs request that their pending attorneys' fee motion be stayed as to all defendants until such time as the Bankruptcy Court rules on their contemplated motion for relief from the automatic stay.

**Cowan, Liebowitz & Latman, P.C.**

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We thank the Court for its attention to the foregoing and are available to discuss the issue further if the Court so requests.

Respectfully,



Richard S. Mandel

cc: Oren J. Warshavsky, Esq. (via email)  
Dana Kaplan, Esq. (via email)  
Jonathan Z. King, Esq. (via email)