



Cowan, Liebowitz & Latman, P.C.
114 West 47th Street
New York, NY 10036
(212) 790-9200 Tel
(212) 575-0671 Fax
www.cll.com

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

November 15, 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 to advise the Court that the Bankruptcy Court has today issued the attached orders granting Plaintiffs' motion to modify the automatic stay so as to permit Plaintiffs to prosecute to judgment their claim for attorney's fees against Defendants ReDigi Inc. and John Ossenmacher in the action before Your Honor. Accordingly, in accordance with the Court's order of September 1, 2016 denying Plaintiffs' motion for attorneys' fees without prejudice to renewal upon a ruling from the Bankruptcy Court (Docket No. 266), Plaintiffs respectfully request leave to renew their motion and to re-file papers in support of such motion.

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

Respectfully,

A handwritten signature in blue ink that reads "Richard S. Mandel".

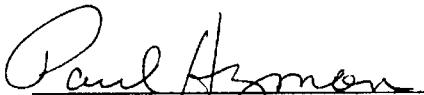
Richard S. Mandel

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

Enclosures



ORDERED in the Southern District of Florida on November 14, 2016.


Paul G. Hyman, Jr., Judge
United States Bankruptcy Court

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
www.flsb.uscourts.gov

In re:

Case No. 16-20809-PGH
Chapter 11

REDIGI INC.,

Debtor. /

**ORDER GRANTING
MOTION OF CAPITOL RECORDS, LLC, CAPITOL CHRISTIAN MUSIC GROUP, INC.
AND VIRGIN RECORDS IR HOLDINGS, INC. TO MODIFY AUTOMATIC STAY TO
LIQUIDATE DAMAGES CLAIM AGAINST DEBTOR IN PREPETITION LITIGATION**

This cause came before the Court on November 8, 2016 upon the *Motion of Capitol Records, LLC, Capitol Christian Music Group, Inc. and Virgin Records IR Holdings, Inc. to Modify Automatic Stay to Liquidate Damages Claim against Debtor in Prepetition Litigation*, dated October 17, 2016 [Docket #40] (the “Motion”); the Court, having reviewed the Motion and heard argument of counsel, and being otherwise duly

advised in the premises: For the reasons stated orally and recorded in open court that shall constitute the decision of the Court, it is hereby

ORDERED and ADJUDGED that:

1. The Motion is granted.
2. The automatic stay is modified pursuant to 11 U.S.C. § 362(d)(1) to permit Capitol Records, LLC, Capitol Christian Music Group, Inc. and Virgin Records IR Holdings, Inc. to prosecute to judgment their claim for attorney's fees under 17 U.S.C. § 505 against the debtor, ReDigi, Inc., and the other defendants in the civil action styled *Capitol Records, LLC v. ReDigi, Inc.*, No. 12 CV 95 (RJS), pending before the United States District Court for the Southern District of New York.
3. The automatic stay shall otherwise remain in effect, and no collection activity shall occur without further order of this Court.
4. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this order.
5. This order is effective immediately upon its entry upon the docket. The 14-day stay imposed by Federal Rule of Bankruptcy Procedure 4001(a)(3) is waived.

###

Submitted by:

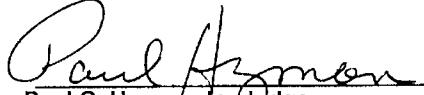
Terence G Banich (admitted pro hac vice)
SHAW FISHMAN GLANTZ & TOWBIN LLC
321 N. Clark St., Ste. 800
Chicago, Illinois 60654
Tel.: (312) 980-3859
Fax: (312) 980-3888
tbanich@shawfishman.com

Copies furnished to:

Terence G. Banich is directed to serve copies of this order on the parties listed and file a certificate of service.



ORDERED in the Southern District of Florida on November 14, 2016.


Paul G. Hyman, Jr., Judge
United States Bankruptcy Court

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION
www.flsb.uscourts.gov

In re:

Case No. 16-20810-PGH
Chapter 11

JOHN MARK OSSENMACHER,

Debtor. /

ORDER GRANTING

**MOTION OF CAPITOL RECORDS, LLC, CAPITOL CHRISTIAN MUSIC GROUP, INC.
AND VIRGIN RECORDS IR HOLDINGS, INC. TO MODIFY AUTOMATIC STAY TO
LIQUIDATE DAMAGES CLAIM AGAINST DEBTOR IN PREPETITION LITIGATION**

This cause came before the Court on November 8, 2016 upon the *Motion of Capitol Records, LLC, Capitol Christian Music Group, Inc. and Virgin Records IR Holdings, Inc. to Modify Automatic Stay to Liquidate Damages Claim against Debtor in Prepetition Litigation*, dated October 17, 2016 [Docket #44] (the “Motion”); the Court, having reviewed the Motion and heard argument of counsel, and being otherwise duly

advised in the premises: For the reasons stated orally and recorded in open court that shall constitute the decision of the Court, it is hereby

ORDERED and ADJUDGED that:

1. The Motion is granted.
2. The automatic stay is modified pursuant to 11 U.S.C. § 362(d)(1) to permit Capitol Records, LLC, Capitol Christian Music Group, Inc. and Virgin Records IR Holdings, Inc. to prosecute to judgment their claim for attorney's fees under 17 U.S.C. § 505 against the debtor, John Mark Ossenmacher, and the other defendants in the civil action styled *Capitol Records, LLC v. ReDigi, Inc.*, No. 12 CV 95 (RJS), pending before the United States District Court for the Southern District of New York.
3. The automatic stay shall otherwise remain in effect, and no collection activity shall occur without further order of this Court.
4. The Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation of this order.
5. This order is effective immediately upon its entry upon the docket. The 14-day stay imposed by Federal Rule of Bankruptcy Procedure 4001(a)(3) is waived.

###

Submitted by:

Terence G Banich (admitted pro hac vice)
SHAW FISHMAN GLANTZ & TOWBIN LLC
321 N. Clark St., Ste. 800
Chicago, Illinois 60654
Tel.: (312) 980-3859
Fax: (312) 980-3888
tbanich@shawfishman.com

Copies furnished to:

Terence G. Banich is directed to serve copies of this order on the parties listed and file a certificate of service.