



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

MEMO ENDORSED

**Richard S. Mandel**  
 (212) 790-9291  
[rsm@cll.com](mailto: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

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>11/16/16</u>

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,

Richard S. Mandel

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

Enclosures

Plaintiffs' request is GRANTED. IT IS HEREBY ORDERED THAT Plaintiffs shall renew their motion for attorneys' fees by November 23, 2016; Defendants shall file their response by December 14, 2016; and Plaintiffs shall file their reply by December 29, 2016.

18166/034/2165108.1

SO ORDERED

Dated:

11/16/16

RICHARD J. SULLIVAN  
 U.S.D.J.