

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA**

SONY BMG MUSIC ENTERTAINMENT,	:	
A Delaware general partnership; ARISTA	:	
RECORDS LLC, a Delaware limited	:	CIVIL ACTION NO.
Liability company; UMG RECORDINGS,	:	
INC., a Delaware corporation; and BMG	:	
MUSIC, a New York General partnership,	:	
<i>Plaintiffs,</i>	:	
	:	
v.	:	Case 2:08-cv-01200 WY
	:	
Denise Cloud,	:	
<i>Defendant.</i>	:	

**DEFENDANT DENISE CLOUD’S MOTION FOR LEAVE
TO FILE A JOINT RESPONSIVE BRIEF**

TO THE HONORABLE CYNTHIA RUFÉ, USDJ:

1. Your movant is Denise Cloud, defendant herein, by and through counsel, undersigned.
2. Movant hereby requests leave to file a joint responsive brief addressed to a) The United States’ memorandum in Defense of the Constitutionality of the

Statutory Damage provision of the Copyright Act, 17 USC 504 (c), as well as
b) Plaintiff's response to Defendant's Rule 12 motion to dismiss. Both of
these briefs are largely addressed to the same issue, i.e. constitutionality of
excessive statutory damage awards under the Copyright Act of 1976.

3. Counsel undersigned hereby represents that all parties have assented to this
request, and propose a due date of May 11, 2009 for the joint responsive
brief.

WHEREFORE, Defendant, Denise Cloud, by and through her counsel, hereby
ask the Court to enter the attached Order granting leave for Defendant to file
her joint response as aforesaid.

Respectfully Submitted,

/s/ Lawrence E. Feldman

Lawrence E. Feldman, Esquire
LAWRENCE E. FELDMAN &
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Counsel for Defendant, Denise Cloud

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<i>Plaintiffs,</i>	:	
	:	
	:	
v.	:	Case 2:08-cv-01200 WY
	:	
	:	
Denise Cloud,	:	
<i>Defendant.</i>	:	

PROPOSED ORDER

AND NOW, this day of , 2009, upon consideration of Defendant Denise Cloud's Motion for Leave to File a Joint Responding Brief to the United States of America's Memorandum in Defense of the Constitutionality of the Statutory Damages Provision of the Copyright Act, 17 USC § 504(c) and Plaintiff, Sony BMG's Response to Defendant, Denise Cloud's Rule 12 Motion to Dismiss, it is hereby ordered that Defendant's

Motion is GRANTED. Defendant shall have until May 11, 2009, to file a Joint Responding Brief.

SO ORDERED BY THE COURT

Cynthia Rufe, USDJ

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MUSIC, a New York General partnership,	:	
<i>Plaintiffs,</i>	:	
	:	
v.	:	Case 2:08-cv-01200 WY
	:	
Denise Cloud,	:	
<i>Defendant.</i>	:	

CERTIFICATE OF SERVICE

The undersigned, counsel for Defendant, Denise Cloud, hereby certifies that a true and correct copy of upon consideration of Defendant Denise Cloud’s Motion for Leave to File a Joint Responding Brief to the United States of America’s Memorandum in Defense of the Constitutionality of the Statutory Damages Provision of the Copyright Act, 17 USC § 504(c) and Plaintiff, Sony BMG’s Response to Defendant, Denise Cloud’s Rule 12 Motion to Dismiss, Proposed Order and Certificate of Service, were delivered, via first-class mail postage prepaid and facsimile, to the offices of the following:

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/s/ Lawrence E. Feldman
Lawrence E. Feldman, Esquire
(Of Counsel)

Date: 4/27/09

