

United States Court of Appeals For the First Circuit

No. 09-1090

IN RE: SONY B,G MUSIC ENTERTAINMENT; WARNER
BROS. RECORDS, INC.; ATLANTIC RECORDING
CORPORATION; ARISTA RECORDS, LLC; UMG RECORDINGS, INC.

CASE OPENING NOTICE

Issued: January 16, 2009

A petition for a writ of mandamus was received and docketed today by the clerk of the court of appeals in compliance with 1st Cir. R. 21.0. If the court requires a response to the petition, it shall do so by order.

An appearance form should be completed and returned immediately by any attorney who wishes to file pleadings in this court. 1st Cir. R. 12.0(a) and 46.0(a)(2). Petitioner must file an appearance form by **February 3, 2009** in order for it to be deemed timely filed. *Pro se* parties are not required to file an appearance form. Any attorney who has not been admitted to practice before the First Circuit Court of Appeals must submit an application and fee for admission with the appearance form. 1st Cir. R. 46.0(a)(2).

Dockets, opinions, rules, forms, attorney admission applications, the court calendar and general notices can be obtained from the court's website at www.ca1.uscourts.gov. Your attention is called specifically to the notices listed below:

- [Notice to Counsel and Pro Se Litigants](#)
- [Notice Regarding Registration for Electronic Noticing](#)
[<http://www.ca1.uscourts.gov/files/notices/ElectronicNoticingRegNotice.pdf>]

If you wish to inquire about your case by telephone, please contact the case manager at the direct extension listed below.

Richard Cushing Donovan , Clerk

UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT
John Joseph Moakley
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1 Courthouse Way, Suite 2500
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Case Manager: Adam Sparrow - (617) 748-9060

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NOTICE OF ELECTRONIC AVAILABILITY OF CASE INFORMATION

The First Circuit has implemented the Case Management portion of the Federal Judiciary's Case Management/Electronic Case Files ("CM/ECF") computer system. As of March 31, 2008, any new court generated document (e.g., notices, orders, opinions, and judgments) will be attached to the docket. The court has not yet put into place that part of CM/ECF which allows attorneys to file documents electronically. However, the court will soon begin attaching public briefs and petitions for rehearing/rehearing en banc to the docket. The court may also attach other filings. Therefore, parties should not include in their public filings information that is too private or sensitive to be posted on the internet. In immigration and social security cases, the Court's docket, orders, and opinions are available via remote electronic access but party filings are not remotely available to the general public.

Specifically, recent amendments to Fed. R. App. P. 25, and new Fed. R. Bank. P. 9037, ed. R. Civ. P. 5.2 and Fed. R. Cr. P. 49.1 require that parties not include, or partially redact where inclusion is necessary, the following personal data identifiers from documents filed with the court unless an exemption applies:

- **Social Security or Taxpayer Identification Numbers.** If an individual's social security or taxpayer identification number must be included, only the last four digits of that number should be used.
- **Names of Minor Children.** If the involvement of a minor child must be mentioned, only the initials of that child should be used.
- **Dates of Birth.** If an individual's date of birth must be included, only the year should be used.
- **Financial Account Numbers.** If financial account numbers are relevant, only the last four digits of these numbers should be used.
- **Home Addresses in Criminal Cases.** If a home address must be included, only the city and state should be listed.

If the caption of the case contains any of the personal data identifiers listed above, the parties should file a motion to amend caption to redact the identifier.

Parties should exercise caution in including other sensitive personal data in their filings, such as personal identifying numbers, medical records, employment history, individual financial information, proprietary or trade secret information, information regarding an individual's cooperation with the government, information regarding the victim of any criminal activity, national security information, and sensitive security information as described in 49 U.S.C. § 114.

Attorneys are urged to share this notice with their clients so that an informed decision can be made about inclusion of sensitive information. The clerk will not review filings for redaction. For further information, including a list of exemptions from the redaction requirement, see <http://www.privacy.uscourts.gov/>.

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