

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CAPITOL RECORDS, INC. et al.,
 Plaintiffs,

v.

NOOR ALAUJAN,
 Defendant.

Civ. Act. No. 03-cv-11661-NG
(LEAD DOCKET NUMBER)

SONY BMG MUSIC ENTERTAINMENT
et al., Plaintiffs,

v.

JOEL TENENBAUM,
 Defendants.

Civ. Act. No 07-cv-11446-NG
(ORIGINAL DOCKET NUMBER)

PLAINTIFFS' MOTION TO STAY THE COURT'S ORDER
PENDING RESOLUTION OF THEIR PETITION FOR A WRIT OF MANDAMUS

Plaintiffs hereby move this Court for a stay of its Order in the above-captioned matter dated January 14, 2009.

The Plaintiffs have filed a Notice of Appeal and are filing a Petition for a Writ of Mandamus or Prohibition in the Court of Appeals simultaneously with this Motion. A stay of the Court's Order to permit consideration of the appeal and Mandamus Petition in the First Circuit will serve the interests of justice.

Wherefore, the Plaintiffs hereby move this Court to stay its Order until the Court of Appeals for the First Circuit resolves their Petition.

Respectfully submitted,

SONY BMG MUSIC ENTERTAINMENT;
WARNER BROS. RECORDS INC.; ATLANTIC
RECORDING CORPORATION; ARISTA
RECORDS LLC; and UMG RECORDINGS, INC.

By their attorneys,

/s/Daniel J. Cloherty

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ATTORNEYS FOR PLAINTIFFS

Dated: January 16, 2009

CERTIFICATION PURSUANT TO L.R. 7.1(a)(2)

The undersigned certifies that counsel for the Plaintiffs has attempted to confer with counsel for the Defendant regarding the relief requested in this Motion. While counsel has not yet conferred with Defendant's counsel, undersigned counsel anticipates that Defendant's counsel will oppose this Motion.

/s/ Daniel J. Cloherty_____

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on January 16, 2009.

/s/ Daniel J. Cloherty_____