

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CAPITOL RECORDS, INC., <i>et al.</i> ,)	
)	
Plaintiffs,)	Civ. Act. No.
)	03-CV-11661-NG
v.)	(LEAD DOCKET NUMBER)
)	
NOOR ALAUJAN,)	
)	
Defendant.)	

SONY BMG MUSIC ENTERTAINMENT, <i>et al.</i> ,)	
)	
Plaintiffs,)	Civ. Act. No.
)	07-CV-11446-NG
v.)	(ORIGINAL DOCKET NUMBER)
)	
JOEL TENENBAUM,)	
)	
Defendant.)	

DEFENDANT JOEL TENENBAUM'S MOTION FOR RECONSIDERATION AND REAFFIRMANCE OF THE COURT'S JANUARY 14, 2009 ORDER

Defendant Joel Tenenbaum moves the Court to reconsider its Order in light of the 1996 Resolution of the Judicial Council of the First Circuit and to reaffirm it, the resolution notwithstanding. The Resolution was not lawfully promulgated and, even if it had been, it neither establishes any rule forbidding cameras in federal court in Massachusetts, nor abrogates or modifies Local Rule 83.3 of the District of

Massachusetts. Additionally, Defendant Tenenbaum asserts a Constitutional right to a public trial consonant with the technology of the Internet Age.

Reconsideration of the matter is appropriate pursuant to the Court's "continuing jurisdiction during an appeal to act in aid of the appeal." See Com. of Puerto Rico v. SS Zoe Colocotroni, 601 F.2d 39, 41 (C.A. Puerto Rico 1979).

Reconsideration will clarify the foundation of this Court's Order for the First Circuit based on all sources of authority, and will do so in a timely manner for review on its present schedule.

Pursuant to Local Rule 7.1(a)(2), Defendant hereby certifies that he has conferred in good faith with Plaintiffs' counsel, who have indicated that they will oppose this Motion.

Wherefore, for the reasons set forth in this Motion and in his Memorandum in support thereof, Defendant moves that the Court reconsider and reaffirm its January 14, 2009 Order.

JOEL TENENBAUM.

By his attorneys,

Dated: March 13, 2009

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on March 13, 2009, I caused a copy of the foregoing **DEFENDANT JOEL TENENBAUM'S MOTION FOR RECONSIDERATION AND REAFFIRMANCE OF THE COURT'S JANUARY 14, 2009 ORDER** to be served upon the Plaintiffs via the Electronic Case Filing (ECF) system; first-class mail, postage pre-paid; and electronic mail, at the following addresses:

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