

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

-----X

CAPITOL RECORDS, INC., et al,

Plaintiffs,

-against-

NOOR ALAUJAN,

Defendant.

-----X

SONY BMG MUSIC ENTERTAINMENT,  
et al,

Plaintiffs,

-against-

JOEL TENENBAUM,

Defendant.

-----X

03-CV-11661-NG

(Lead Docket Number)

07-CV-11446-NG

(Original Docket Number)

**MOTION OF FREE SOFTWARE  
FOUNDATION FOR LEAVE TO  
FILE AMICUS CURIAE BRIEF**

1. The Free Software Foundation hereby moves the Court for permission to file the annexed *amicus curiae* brief in connection with the defendant's motion for dismissal on constitutional grounds.

2. We have consulted with counsel for plaintiffs and counsel for defendant as to whether they object.

3. Counsel for defendant consents.

4. Counsel for plaintiffs oppose the filing.

WHEREFORE it is respectfully requested that the within motion be granted.

Dated: Southwest Harbor, Maine  
March 20, 2009

Local Counsel:

**Theodore G. Fletcher**

By: /s/ Theodore G. Fletcher

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**RAY BECKERMAN, P.C.**

By: /s/Ray Beckerman

Ray Beckerman (Not admitted in this court)

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