

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

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CAPITOL RECORDS, INC., et al,

03-CV-11661-NG

(Lead Docket Number)

Plaintiffs,

-against-

NOOR ALAUJAN,

Defendant.

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SONY BMG MUSIC ENTERTAINMENT,
et al,

07-CV-11446-NG

(Original Docket Number)

Plaintiffs,

-against-

JOEL TENENBAUM,

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

Defendant.

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

2. The annexed brief cites the authorities cited in the initial brief, but expands upon same by discussing other authorities and applicable law.

3. We have consulted with counsel for plaintiffs and counsel for defendant as to whether they object. Neither has yet responded.

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

Dated: Boston, Massachusetts
May 1, 2009

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By: /s/Ray Beckerman
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