

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'S MOTION IN LIMINE
RE: ACCESS TO INTERNET DURING TRIAL**

Now comes the Defendant, Joel Tenenbaum, and moves this Court for an order permitting the parties to access the Internet, through whatever means the Court may have available, such that witnesses may demonstrate the Internet related activities at issue in this case.

Particularly, the Defendant would seek to demonstrate, through witnesses operating a laptop computer in a manner

visible to the jury, how such p2p programs, such as Kazaa and Limewire, actually work; and how alternatives to p2p networks, such as iTunes, work.

This demonstrative evidence will assist the jurors in understanding the operation of computer programs with which they may not be familiar, and enable them to fairly evaluate the Defendant's conduct which gave rise to this case.

Date: July 14, 2009

/s/ Matthew A. Kamholtz
Charles Nesson
1575 Massachusetts Ave.
Cambridge, MA 02138
(617) 495-8351

Matthew H. Feinberg
BBO #161380
Matthew A. Kamholtz
BBO #257290
FEINBERG & KAMHOLTZ
125 Summer St.
Boston, MA 02110

CERTIFICATE OF SERVICE

I, Matthew A. Kamholtz, hereby affirm that the within document was this day filed through the ECF system and will be sent electronically to the registered participants as identified in the Notice of Electronic filing, and that paper copies will be sent to those indicated as non-registered participants.

Date: July 14, 2009

/s/ Matthew A. Kamholtz
Matthew A. Kamholtz