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February 25, 2010

By mail and electronic filing

Hon. David G. Trager
US District Court Judge
U. S. District Court, Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: UMG Recordings, Inc., et al v. Lindor, 05CV1095(DGT)(RML)

Dear Judge Trager:

We are attorneys for defendant. If it was the intention of the Court, in its February 2nd memorandum and order, to preclude defendant from moving, as a prevailing party, for her attorneys fees and costs pursuant to 17 USC 505, we respectfully request a Memo Endorsed order upon the within letter reflecting same.

If that was not the intention of the Court, we respectfully request that the within letter be deemed a request for pre-motion conference in accordance with the Court's rules. Our motion would be for an order (a) determining that the statute of limitations has run on the alleged 2004 copyright infringement; (b) determining that the defendant is a "prevailing party" within the meaning of 17 USC 505, in view of the fact that the legal relationship between the parties has been permanently altered in favor of defendant; and (c) awarding defendant her costs, including reasonable attorneys fees.

Respectfully submitted,

/s/ Ray Beckerman

Ray Beckerman
(RB8783)

cc: Timothy M. Reynolds, Esq.