

United States Court of Appeals For the First Circuit

No. 09-1090

IN RE: SONY BMG MUSIC ENTERTAINMENT, ET AL.,
Petitioners.

ORDER OF COURT

Entered: February 18, 2009

In order to permit the panel to give full consideration to the important issues raised by the parties and the amici in this matter, the court hereby instructs the Clerk to schedule oral argument to take place on April 7, 2009. The motion of amicus curiae Courtroom View Network to participate in oral argument is allowed, but only to the extent that respondents are willing to cede a portion of their oral argument time to that amicus. The respondents and Courtroom View Network are instructed to inform the Clerk's Office not later than one week prior to oral argument if any division of time between them is contemplated (and if so, how the time will be divided).

We stay the district court's order of January 14, 2009 (already temporarily stayed by the district court) permitting narrowcasting, pending disposition of this mandamus petition or further order of this court, whichever first occurs. We recognize that a hearing is currently scheduled in the district court for February 24, 2009 and that trial is scheduled to commence on March 30, 2009. The district court may either stay its proceedings pending our decision on the petition or it may permit the presently scheduled hearing and/or other proceedings in the case to go forward, but without being narrowcast.

So ordered.

By the Court:

/s/ Richard Cushing Donovan, Clerk.

CC:

Hon. Nancy Gertner, Judge, US District Court of Massachusetts
Sarah A. Thornton, Clerk, US District Court of Massachusetts

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