UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CAPITOL RECORDS, INC., et al.,	)	
Plaintiffs,	)	
	)	
v.	)	**Case No. 03CV11661-NG**
	)	**LEAD DOCKET NO.**
NOOR ALAUJAN,	)	
Defendant.	)	
SONY BMG MUSIC ENTERTAINMENT, et al.,	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 07CV11446-NG
	)	ORIGINAL DOCKET NO.
JOEL TENENBAUM,	)	
Defendant.	)	

GERTNER, D.J.:

ORDER
March 4, 2009

The Court has learned that the Judicial Council of the First Circuit issued a Resolution dated July 12, 1996, which was not previously identified or addressed by the parties before the district court. See First Circuit Order of February 20, 2009, Case No. 09-1090. Both sides argued -- and the Court rested its decision -- on the apparently erroneous assumption that the Judicial Council of the First Circuit had not taken a position on the recording of district court proceedings. See District Court Order of January 14, 2009. Since this Resolution is a matter of significance neither raised nor addressed in the district court, it would be appropriate for the parties to seek reconsideration of the Court's January 14, 2009 Order. See Commonwealth of Puerto Rico v. The S.S. Zoe Colocotroni, 601 F. 2d 39 (1st Cir. 1979). Mindful of the deadlines already imposed by the First Circuit, and not wishing to duplicate those proceedings, any such motion to reconsider may be filed in this Court by March 11, 2009, with opposition due March 18, 2009.

SO ORDERED.

Date: March 4, 2009

/s/ Nancy Gertner
NANCY GERTNER, U.S.D.C.