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By mail and electronic filing

Hon. Robert M. Levy
Magistrate 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 Magistrate Levy:

As your honor knows, we are attorneys for defendant. We have been attempting to resolve plaintiffs' confidentiality requests with respect to the provision of wholesale pricing information, as well as to lighten their discovery burden in this regard, but they have been unyielding and uncompromising in their position. Accordingly, we respectfully submit the annexed proposed order which (a) greatly reduces their discovery burden and (b) protects any legitimate confidentiality interest they can possibly assert. Plaintiffs' would like the well known fact that the prevailing price is 70 cents per download to be confidential. There is no legal basis for such a request. The sole reason they are making the request is to serve their strategic objectives for other cases, a reason which is not a proper basis for a confidentiality order.

Respectfully submitted,

/s/Ray Beckerman

Ray Beckerman

cc: Richard J. Guida, Esq.
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