

United States Court of Appeals For the First Circuit

No. 09-1090

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

Petitioners.

Before

Lynch, Chief Judge,
Torruella, Selya, Boudin*,
Lipez and Howard, Circuit Judges.

ORDER OF COURT

Entered: April 30, 2009

Pursuant to First Circuit Internal Operating Procedure X(C), the petition for rehearing en banc has also been treated as a petition for rehearing before the original panel. The petition for rehearing having been denied by the panel of judges who decided the case and the petition for rehearing en banc having been submitted to the active judges of this court and a majority of the judges not having voted that the case be heard en banc, it is ordered that the petition for rehearing and petition for rehearing en banc be denied.

By the Court:

/s/ Richard Cushing Donovan, Clerk

cc:

Eve G. Burton, Esq., Richard L. Gabriel, Esq., Gabriel M. Helmer, Esq., Simon B. Mann, Esq., Thomas J. Perrelli, Esq., Timothy M. Reynolds, Esq., Laurie Rust, Esq., Jeffrey C. Blair, Esq., Daniel Cloherty, Esq., Seth M. Yurdin, Esq., Charles M. Campo, Esq., Michael A. Kehoe, Esq., George P. Field, Esq., Daniel T. Doyle, Esq., Florcie Mathe, William H. Sims, Esq., Charles M. MacLean, Esq., Steven Karon, Esq., Raymond Sayeg, Esq., Daryl J. Lapp, Esq., Kerry L. Timbers, Esq., Daniel J. Gleason, Esq., Rebecca L. Sipowicz, Esq., Charmaine M. Blanchard, Esq., John J. McGlynn, Jr., Esq., Yevgeniya Shnayder, Douglas T. Evans, Esq., Paul A. Schneyer, Esq., Michael Manzi, Esq., Jonathan E. Tobin, Esq., Terence K. Ankner, Esq., John Regan, Esq., Emily J. Schaffer, Esq., Paul G. Boylan, Esq., Charles Nesson, Esq., Ronald N. Whitney, Esq., Mary T. Sullivan, Esq., Mark A. Walsh, Esq., Diane Cabell, Esq., John Palfrey, Esq. and Michelle Bennett, Esq.

*Judge Boudin is recused and did not participate in the consideration of this matter.