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Attorneys for Defendants

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UMG RECORDINGS, INC., et al.,

Plaintiff,

vs.

RCN TELECOM SERVICES, LLC, et
al.,

Defendants.

No. 3:19-cv-17272-RK-TJB

**NOTICE OF MOTION FOR
RECONSIDERATION**

MOTION DAY: OCTOBER 5, 2026

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that, on October 5, 2026, or as soon thereafter as the parties may be heard, Defendants RCN Telecom Services, LLC, et al. (collectively “RCN”) shall move before the Hon. Robert Kirsch, U.S.D.J., for an

Order pursuant to Fed. R. Civ. P. 54(b) to reconsider the Court's August 31, 2020 Memorandum Opinion and Order (Dkt. Nos. 88 & 89) and grant RCN's Motion to Dismiss (Dkt. No. 15).

PLEASE TAKE FURTHER NOTICE that RCN will rely upon its Memorandum of Law in support of its Motion for Reconsideration.

PLEASE TAKE FURTHER NOTICE that a proposed Order granting the relief requested is submitted herewith.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rules 7.1(b)(4) and 78.1(b), RCN respectfully requests that the Court hold oral argument on this Motion.

Dated: August 31, 2026

/s/ Michael C. Witsch
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CERTIFICATE OF SERVICE

I hereby certify that, on August 31, 2026, I caused a true and correct copy of the foregoing to be filed via the ECF system and served on all counsel of record.

/s/ Michael C. Witsch
Michael C. Witsch