

No. \_\_\_\_\_

In The Supreme Court of the United States

ReDigi Inc.,<sup>1</sup> John Ossenmacher, and Larry Rudolph a/k/a Lawrence S. Rogel,  
Petitioners

v.

Capitol Records, LLC, Capitol Christian Music Group, Inc.,  
and Virgin Records IR Holdings, Inc.,  
Respondents.

**APPLICATION FOR EXTENSION OF TIME TO FILE  
PETITION FOR WRIT OF CERTIORARI**

**To the Honorable Ruth Bader Ginsburg, Associate Justice of the United States Supreme Court and Circuit Justice for the Second Circuit:**

Petitioners ReDigi Inc., John Ossenmacher, and Larry Rudolph request a 60-day extension of time to file their Petition for Writ of Certiorari. The United States Court of Appeals for the Second Circuit entered a final judgment on December 12, 2018. Therefore, the Petition is currently due on March 12, 2019. This application is being filed on March 1, 2019, more than 10 days before the Petition is due.

The Petitioners are attaching a copy of the Second Circuit's opinion. This Court has jurisdiction over the Petition under 28 U.S.C. § 1254(1).

The Petition raises novel and important legal questions about copyright law. These questions include whether, under the first sale doctrine, a person who lawfully acquires a digital file through the Internet has the right to resell it.

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<sup>1</sup> Under Rule 29.6, ReDigi Inc. discloses that no publicly held corporation owns 10% or more of its stock.

The extension of time is necessary because the Petitioners recently retained counsel, who has been preparing for a two-week trial in the matter of *Presbyterian SeniorCare v. Aufman*, No. GD-15-015968 (Allegheny County, Pennsylvania, Court of Common Pleas), which is scheduled to occur from March 4, 2019 through March 15, 2019—at the same time when the Petition is currently due. The extension of time will enable the Petitioners’ counsel to finish preparing the Petition, and will also provide an opportunity for amici curiae (who filed briefs with the Second Circuit) to prepare any briefs to this Court.

The Petitioners greatly appreciate the Court’s consideration of this application, and respectfully request a 60-day extension of time until May 13, 2019 to file their Petition.

Respectfully submitted,

ReDigi Inc., John Ossenmacher, and  
Larry Rudolph,

By their attorney,

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Dated: March 1, 2019