

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**EIGHT MILE STYLE, LLC; MARTIN
AFFILIATED, LLC,**

Plaintiffs,

v.

**SPOTIFY USA INC.;
THE HARRY FOX AGENCY LLC,**

Defendants.

CIVIL CASE NO.: 19-CV-00736

JUDGE ALETA A. TRAUGER

JURY DEMAND

SPOTIFY USA INC.,

Third-Party Plaintiff,

v.

**KOBALT MUSIC PUBLISHING
AMERICA, INC.**

Third-Party Defendant.

**THE HARRY FOX AGENCY LLC'S REQUEST
FOR ORAL ARGUMENT**

Pursuant to Rule III(C)(4) of Judge Trauger's Chamber Rules, Defendant The Harry Fox Agency LLC ("HFA") respectfully moves the Court to conduct oral argument, at the Court's convenience, on its Motion to Dismiss Plaintiffs' Amended Complaint (Dkt. No. 127-128). HFA's Motion presents significant legal and factual issues related to the allegations against HFA in the Amended Complaint. HFA has endeavored to brief the issues as fully as possible, but, because of

the complexities of the factual allegations and legal issues presented, HFA submits that the Court would benefit from the opportunity to question counsel in-person or remotely at oral argument regarding the parties' respective positions. HFA submits further that oral argument is appropriate and would greatly aid the Court in understanding the issues and authority presented and would, thus, ultimately serve the interests of judicial efficiency and economy.

This 19th day of December 2020.

Respectfully submitted,

**SHACKELFORD BOWEN
MCKINLEY & NORTON, LLP**

/s Jay S. Bowen
Jay S. Bowen (TN Bar No. 2649)
Lauren Kilgore (TN Bar No. 30219)
1 Music Circle South, Suite 300
Nashville, TN 37203
P: (615) 329-4440
F: (615) 329-4485
jbowen@shackelford.law
lkilgore@shackelford.law

Counsel for The Harry Fox Agency LLC

CERTIFICATE OF SERVICE

This is to certify that on December 19, 2020, a copy of the foregoing *The Harry Fox Agency LLC's Request for Oral Argument* was served via the Court's Electronic Filing System (CM/ECF) to counsel identified below:

Richard S. Busch (TN Bar No. 14594)
KING & BALLOW
315 Union Street, Suite 1100
Nashville, TN 37201
rbusch@kingballow.com
Attorneys for Plaintiffs

Aubrey B. Harwell, III (TN BPR No. 017394)
Marie T. Scott (TN BPR No. 032771)
NEAL & HARWELL, PLC
1201 Demonbreun Street, Suite 1000
Nashville, TN 37203
tharwell@nealharwell.com
msscott@nealharwell.com

Andrew J. Pincus
Archis A. Parasharami
MAYER BROWN LLP
1999 K Street, N.W.
Washington, D.C. 20006
apincus@mayerbrown.com
aparasharami@mayerbrown.com

Allison Levine Stillman
Matthew D. Ingber
Rory K Schneider
MAYER BROWN LLP
1221 Avenue of the Americas
New York, NY 10020
mingber@mayerbrown.com
astillman@mayerbrown.com
rschneider@mayerbrown.com

Kathleen M. Sullivan
Carey R. Ramos
Cory Struble
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
kathleensullivan@quinnemanuel.com
careyramos@quinnemanuel.com
corystruble@quinnemanuel.com

Thomas C. Rubin
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
600 University Street, Suite 2800
Seattle, WA 98101
tomrubin@quinnemanuel.com

Attorneys for Defendant/Third-Party Plaintiff Spotify USA Inc.

Timothy L. Warnock (TN Bar No. 12844)
Keane A Barger (TN Bar No. 33196)
RILEY WARNOCK & JACOBSON, PLC
1906 West End Avenue
Nashville, TN 37203
P: (615) 320-3700
twarnock@rwjplc.com
kbarger@rwjplc.com

Brian D. Caplan
Robert W. Clarida
REITLER KAILAS & ROSENBLATT LLC
885 Third Avenue, 20th Floor
New York, NY 10022
P: (212) 209-3050
bcaplan@reitlerlaw.com
rclarida@reitlerlaw.com

*Attorneys for Third-Party Defendant
Kobalt Music Publishing America, Inc.*

/s Jay S. Bowen

Attorney for The Harry Fox Agency LLC