

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ATLANTIC RECORDING CORPORATION; )  
BMG MUSIC; CAPITOL RECORDS, INC.; )  
ELEKTRA ENTERTAINMENT GROUP INC.; )  
INTERSCOPE RECORDS; MOTOWN )  
RECORD COMPANY, L.P.; SONY BMG )  
MUSIC ENTERTAINMENT; )  
UMG RECORDINGS, INC.; )  
VIRGIN RECORDS AMERICA, INC.; and )  
WARNER BROS. RECORDS INC., )

06 CV 3733 (DAB)

Plaintiffs, )

v. )

XM SATELLITE RADIO, INC. )

Defendant. )

**MEMORANDUM OF LAW  
IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS**

KRONISH, LIEB, WEINER & HELLMAN LLP  
ATTORNEYS AT LAW

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