



["Then Again, It Strikes Me That It's On The Same Level As The Napster Controversy." He Said](#)

1 CIRCUIT SAID THERE ARE SOME CIRCUMSTANCES THAT IT IS RECOGNIZED
2 THAT FOR THE TYPE OF LIABILITY AT ISSUE HERE THAT IS AN
3 ACCEPTABLE ERROR.

4 AND WHAT YOUR HONOR IS ESSENTIALLY SAYING IS WE'VE
5 COME IN TO SAY:

6 "LOOK, WE TEMPORARILY ARE TURNING OFF THE CAR.
7 IT WAS RUNNING BEFORE. WE FIXED THE FEW PROBLEMS
8 THAT WE THINK REALLY WERE SIGNIFICANT TO THE WAY IT
9 OPERATES."

10 AND NOW YOU'VE SAID:

11 "WELL, GIVE ME THE KEYS, BECAUSE YOU'RE NOT
12 TURNING IT ON UNTIL I TELL YOU YOU CAN."

13 FIRST OF ALL, YOUR HONOR, I WOULD SUGGEST THAT THAT
14 IS A DRAMATIC DEPARTURE, A DRAMATIC DEPARTURE FROM THE COURT'S
15 OWN ORDER.

16 THE COURT: IT'S NOT A DRAMATIC DEPARTURE FROM WHAT
17 I TOLD YOU, YOU KNOW, AT THE LAST SESSION. AND THAT'S THE
18 RULING, COUNSEL.

19 DR. NICHOLS KNOWS WHAT IS EXPECTED. I EXPECT YOU TO
20 GET DOWN TO ZERO, ESSENTIALLY DOWN TO ZERO, AS CLOSE THERETO AS
21 POSSIBLE.

22 MR. O'CONNOR: WELL, YOUR HONOR --

23 THE COURT: AS HUMANLY POSSIBLE. HE HAS ALREADY
24 INDICATED SOME THINGS THAT CAN BE DONE, AND APPARENTLY THAT YOU
25 RECOGNIZE CAN BE DONE TO GET CLOSER. AND THAT IS WHAT IS GOING

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"Then again, it strikes me that it's on the same level as the Napster controversy," he said. "If you're downloading a song, what is realistically the Baumgartner said he's currently considering a process in which the ... "Then again, it strikes me that it's on the same level as the Napster controversy," he said. 640313382f

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