

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION
-Electronically Filed-

<p>IN RE: YAMAHA MOTOR CORP. RHINO ATV PRODUCTS LIABILITY LITIGATION</p> <hr/> <p>THIS DOCUMENT RELATES TO: GARNETT V. YAMAHA MOTOR CORPORATION, U.S.A., ET AL.</p> <p>CASE NO. 3:09-CV-00957-JBC</p>	<p>Master File No. 3:09-MD-2016-JBC MDL No. 2016</p> <p>JENNIFER B. COFFMAN, U.S. DISTRICT JUDGE</p>
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**AGREED ORDER OF DISMISSAL
WITH PREJUDICE**

COME NOW Plaintiff Jesse Alicia Garnett and Defendants Yamaha Motor Corporation, U.S.A., Yamaha Motor Manufacturing Corporation of America, and Yamaha Motor Company, Ltd., by and through their respective attorneys, and hereby stipulate and agree pursuant to Rule 41 of the Federal Rules of Civil Procedure:

IT IS HEREBY ORDERED the above-captioned action and all claims in the action are dismissed with prejudice, with each party to bear its own costs and attorney's fees.

Section I.B.2.a. of the Common Benefit Order [Doc # 2021] ("CBO") entered in the proceeding styled, *In Re: Yamaha Motor Corp. Rhino ATV Products Liability Litigation*, Master File No. 3:09-MD-2016-JBC ("MDL 2016"), requires the Yamaha Defendants to withhold five percent (5%) from the total settlement amount payable to Plaintiff. Counsel for Plaintiff and counsel for the Yamaha Defendants certify that a five percent (5%) assessment against the recovery in this action has been applied to credit held by

Lieff Cabraser Heimann & Bernstein with the Common Benefit Fund. See Exhibit A,
Certificate of Compliance.

It is so ORDERED this 30th day of September, 2011.


HONORABLE JENNIFER B. COFFMAN

AGREED TO:

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CERTIFICATE OF SERVICE

On the 28th day of September, 2011, I electronically filed the foregoing document through the ECF system, which will send a notice of electronic filing to all participants appearing on the Panel Attorney Service List.

/s/ Linsey W. West

COUNSEL FOR YAMAHA DEFENDANTS