

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

IN RE: YAMAHA MOTOR CORP. RHINO ATV PRODUCTS LIABILITY LITIGATION <hr/> THIS DOCUMENT RELATES TO: Joseph Dunn Plaintiff, v. YAMAHA MOTOR CO., LTD., YAMAHA MOTOR CORPORATION, U.S.A., and YAMAHA MOTOR MANUFACTURING CORPORATION OF AMERICA, Defendants. CASE NO. 3:09-cv-00750	Master File No. 3:09-MD-2016-JBC MDL No. 2016 JENNIFER B. COFFMAN, U.S. DISTRICT JUDGE
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AGREED DISMISSAL ORDER

By agreement of the Plaintiff, Joseph Dunn ("Plaintiff"), and Defendants, Yamaha Motor Co., Ltd., Yamaha Motor Corporation, U.S.A. and Yamaha Motor Manufacturing Corporation of America ("Yamaha Defendants"), pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, and the Court being sufficiently advised;

IT IS HEREBY ORDERED that this case is dismissed with prejudice, with each party to bear its own costs.

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 handled as set forth on Exhibit A. See Exhibit A, Certificate of Compliance.

It is so ORDERED this 14th day of December, 2011.


HONORABLE JENNIFER B. COFFMAN

AGREED TO:

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EXHIBIT A

CERTIFICATE OF COMPLIANCE

As to Joseph Dunn

MDL 2016 COMMON BENEFIT ORDER

Pursuant to Section I.B.2.a. of Common Benefit Order ("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"), counsel for Yamaha Motor Co., Ltd., Yamaha Motor Corporation, U.S.A., and Yamaha Motor Manufacturing Corporation of America ("Yamaha Defendants") and the undersigned Plaintiff's counsel hereby certify that a 5% assessment against the recovery by Joseph Dunn in this action has been withheld and deposited into the Common Benefit Fund.

A copy of this Certificate of Compliance shall accompany the Agreed Dismissal Order in this action.

Date: _____

Date: _____

By: _____

David B. Thomas
Counsel for Yamaha Defendants

By: _____

Niels P. Murphy
Counsel for Plaintiff