

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

<p><b>IN RE: YAMAHA MOTOR CORP. RHINO ATV PRODUCTS LIABILITY LITIGATION</b></p> <hr/> <p><b>THIS DOCUMENT RELATES TO:</b> Larry Seidl                     Plaintiff,</p> <p>v.</p> <p><b>YAMAHA MOTOR CO., LTD., YAMAHA MOTOR CORPORATION, U.S.A., and YAMAHA MOTOR MANUFACTURING CORPORATION OF AMERICA,</b></p> <p>                    Defendants.</p> <p><b>CASE NO. 3:09-cv-311-JBC</b></p>	<p>Master File No. 3:09-MD-2016-JBC MDL No. 2016</p> <p><b>JENNIFER B. COFFMAN, U.S. DISTRICT JUDGE</b></p>
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**AGREED DISMISSAL ORDER**

By agreement of the Plaintiff, Larry Seidl ("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 withheld and deposited into the Common Benefit Fund established in MDL 2016. See Exhibit A, Certificate of Compliance.

It is so ORDERED this 20<sup>th</sup> day of March, 2012.

  
HONORABLE JENNIFER B. COFFMAN

AGREED TO:

/s/ Linsey W. West  
LINSEY W. WEST  
KARA M. STEWART  
DINSMORE & SHOHL LLP  
250 West Main Street, Suite 1400  
Lexington, KY 40507  
Telephone: (859) 425-1000

THOMAS E. FENNELL  
JONES DAY  
2727 North Harwood Street  
Dallas, TX 75201-1515  
Telephone: (214) 969-5130  
**COUNSEL FOR YAMAHA DEFENDANTS**

KEVIN KRUEGER  
SANDBERG PHOENIX & VON GONTARD, P.C.  
600 Washington Ave., 15<sup>th</sup> Floor  
St. Louis, MO 63101-1313  
Telephone: (313) 231-3332  
**LOCAL COUNSEL FOR YAMAHA DEFENDANTS**

/s/ Elizabeth Cabraser (with permission)  
Elizabeth Cabraser  
LIEFF, CABRASER, HEIMANN &  
BERNSTEIN, LLP  
Embarcadero Center West  
275 Battery Street, Suite 3000  
San Francisco, CA 94111-3339  
Telephone: (415) 956-1000  
**LEAD COUNSEL FOR PLAINTIFF**

/s/ Jennifer A. Moore (with permission)  
JENNIFER A. MOORE  
Grossman & Moore, PLLC  
401 West Main Street  
One Riverfront Plaza  
Suite 1810  
Louisville, KY 40202  
Telephone: (502) 657-7100  
**LIAISON COUNSEL FOR PLAINTIFF**

/s/ Eric Hageman (with permission)  
ERIC HAGEMAN  
PRITZKER OLSEN, P.A.  
45 So. 7<sup>th</sup> Street, #3950  
Minneapolis, MN 55402-1652  
Telephone (888)-377-8900  
**COUNSEL FOR PLAINTIFF**

**CERTIFICATE OF SERVICE**

On the 16th day of March, 2012, 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**

**EXHIBIT A**

**CERTIFICATE OF COMPLIANCE**


**As to Larry Seidl**

**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 Larry Seidl 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: \_\_\_\_\_

By:  \_\_\_\_\_  
Kevin P. Krueger  
Counsel for Yamaha Defendants

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Eric Hageman  
Counsel for Plaintiff

**EXHIBIT A**

**CERTIFICATE OF COMPLIANCE**

**As to Larry Seidl**

**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 Larry Seidl 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: \_\_\_\_\_

By: \_\_\_\_\_

Kevin P. Krueger  
Counsel for Yamaha Defendants

Date: 2-1-11 \_\_\_\_\_

By:  \_\_\_\_\_

Eric Hageman  
Counsel for Plaintiff