

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: CHRISTOPHER L. JONES</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>YAMAHA MOTOR CO., LTD., YAMAHA MOTOR CORPORATION, U.S.A., and YAMAHA MOTOR MANUFACTURING CORPORATION OF AMERICA,</p> <p style="text-align: center;">Defendants.</p> <p>CASE NO. 3:09-cv-00792-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 DISMISSAL ORDER

By agreement of the Plaintiff, Christopher L. Jones ("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 14th day of May, 2012.


HONORABLE JENNIFER B. COFFMAN

AGREED TO:

/s/ C. Carter Clay
C. CARTER CLAY
PITTMAN, DUTTON, KIRBY
& HELLUMS, P.C.
2001 Park Place North
Ste. 1100
Birmingham, AL 35203
Telephone: (205) 322-8880
Facsimile: (205) 328-2711
COUNSEL FOR PLAINTIFF

ROBERT A. MILLER
BUTLER, SNOW, O'MARA, STEVENS
& CANNADA, PLLC
1020 Highland Colony Parkway
Ste. 1400
P.O. Box 6010
Ridgeland, MS 39158-6010
Telephone: (601) 985-4575
Facsimile: (601) 985-4500

/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

/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

CERTIFICATE OF SERVICE

On the 8th day of May, 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

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EXHIBIT A

CERTIFICATE OF COMPLIANCE

MDL COMMON BENEFIT ORDER

Pursuant to Section I.B.8. of the MDL Common Benefit Order ("CBO"), entered in MDL 2016, on October 6, 2010, counsel for Yamaha Motor Corporation, U.S.A., Yamaha Motor Manufacturing Corporation of America, and Yamaha Motor Company, Ltd. (the "Yamaha Defendants") and the undersigned plaintiff's counsel hereby certify that a 5% assessment against the recovery in this action by Christopher L. Jones will be withheld and deposited into the Common Benefit Fund within 5 business days of payment to Plaintiffs or Plaintiffs' counsel in connection with this settlement.

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

Date: 5/3/12 Date: 3/7/12
By: Robert Miller By: Carter Clay
Robert Miller Carter Clay
Counsel for the Yamaha Defendants Counsel for Plaintiff