

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

IN RE: YAMAHA MOTOR CORP.  
RHINO ATV PRODUCTS LIABILITY  
LITIGATION

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THIS DOCUMENT RELATES TO:  
Merri Hubbell, Individually and on  
behalf of Jason Michael Hubbell, a  
minor

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-00714-JBC

Master File No. 3:09-MD-2016-JBC  
MDL No. 2016

JENNIFER B. COFFMAN,  
U.S. DISTRICT JUDGE

**AGREED DISMISSAL ORDER**

By agreement of the Plaintiffs, Merri Hubbell and Jason Michael Hubbell<sup>1</sup> ("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;

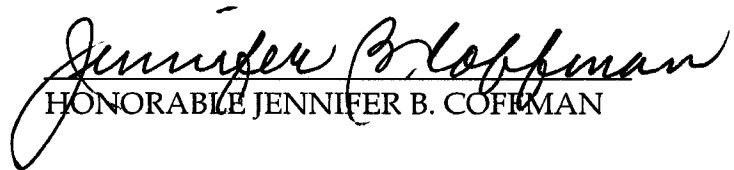
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<sup>1</sup> Based on the representation of Plaintiffs, the Court finds that Jason Michael Hubbell has reached the age of majority and is competent to represent himself in the settlement of this litigation.

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 30<sup>th</sup> day of September, 2011.

  
HONORABLE JENNIFER B. COFFMAN

AGREED TO:

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**CERTIFICATE OF SERVICE**

On the 29th day of June, 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**