

FILED

UNITED STATES COURT OF APPEALS

JUN 10 2010

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ARC MUSIC, INC., a California
corporation, AKA Third Story Music, Inc.,

Plaintiff-counter-defendant -
Appellee,

INTERSCOPE RECORDS, a division of
UMG Recordings, Inc.; et al.,

Counter-defendants -
Appellees,

v.

WAYNE HENDERSON, Sr., an
individual,

Defendant-counter-claimant -
Appellant,

RELAXED MUSIC,

Counter-claimant,

and

ALBERT JOHNSON, individually and
professionally known as PRODIGY; et al.,

Counter-defendants.

No. 10-55644

D.C. No. 2:09-cv-07967-DSF-CW
Central District of California,
Los Angeles

ORDER

Appellant's motion to dismiss this appeal is granted. Fed. R. App. P. 42(b).

The parties shall bear their own costs and attorneys' fees on appeal.

The assessment conference previously scheduled for July 15, 2010, is canceled.

This order served on the district court shall act as and for the mandate of this court.

FOR THE COURT:

By: Peter W. Sherwood
Circuit Mediator