

**Consolidated Appeals Nos. 10- 57019, 10-57020, 10-57022**

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UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

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GIBSON GUITAR CORP, a Delaware corporation,  
*Plaintiff-Appellee,*

vs.

EBAY INC., a Delaware corporation;  
WOWWEE USA, INC., a Delaware corporation;  
WAL-MART STORES, INC., a Delaware corporation; et al.,  
*Defendants-Appellants.*

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On Appeal from the United States District Court  
for the Central District of California  
Case No. CV 10-8884 RGK (RZx)  
(Hon. R. Gary Klausner)

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**JOINT MOTION TO VOLUNTARILY DISMISS  
CONSOLIDATED APPEALS**

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The undersigned counsel hereby jointly moves pursuant to Fed. R. App. P. 42(b) to dismiss these consolidated appeals as moot without costs or attorneys fees inasmuch as the underlying action in the District Court has been dismissed with prejudice.

Dated: December 29, 2010

Respectfully submitted

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