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JS-6

6 Attorneys for Plaintiffs
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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 CAPITOL RECORDS, LLC, a Delaware
limited liability company; CAROLINE
12 RECORDS, INC., a New York
Corporation; EMI CHRISTIAN MUSIC
13 GROUP INC., a California Corporation;
PRIORITY RECORDS, LLC, a
14 Delaware limited liability company;
VIRGIN RECORDS AMERICA, INC.,
15 a California Corporation; and NARADA
PRODUCTIONS, INC., a Wisconsin
16 corporation,

17 Plaintiffs,

18 v.

19 BLUEBEAT, INC., a Delaware
corporation, doing business as
20 www.bluebeat.com; MEDIA RIGHTS
TECHNOLOGIES, INC., a California
21 corporation; BASEBEAT, INC., a
Delaware corporation, doing business as
22 www.basebeat.com; and HANK RISAN,
an individual; and DOES 1 through 20,
23

24 Defendants.
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CASE NO. CV09-8030 JST (JCx)

The Honorable Josephine Staton Tucker

CONSENT JUDGMENT

STIPULATION FOR ENTRY OF
JUDGMENT LODGED
CONCURRENTLY HEREWITH

1 Plaintiffs Capitol Records, LLC, Caroline Records, Inc., EMI Christian
2 Music Group Inc., Priority Records, LLC, Virgin Records America, Inc., and
3 Narada Productions Inc. (collectively, “Plaintiffs”) and Defendants BlueBeat, Inc.,
4 Media Rights Technologies, Inc., Basebeat, Inc., and Hank Risan (collectively
5 “Defendants”) having entered into a Stipulation for Entry of Judgment,
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7 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:
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9 1. Judgment shall be entered against Defendants, jointly and severally,
10 on Plaintiffs’ First, Second, Third and Fourth Claims for Relief in the amount of
11 nine hundred fifty thousand dollars (\$950,000).

12 2. The foregoing judgment shall be exclusive of, and neither Plaintiffs
13 nor Defendants shall waive their rights with respect to recovery of, Plaintiffs’
14 attorneys’ fees and full costs pursuant to applicable law, and Defendants may
15 oppose any such motion.

16 3. Defendants and their respective agents, servants, directors, officers,
17 principals, employees, representatives, subsidiaries and affiliated companies,
18 successors, assigns, and those acting in concert with them or at their direction
19 (collectively “Defendants”), shall immediately and permanently cease and desist
20 from:

21 (a) Directly or indirectly infringing in any manner any right in any
22 and all copyrighted works (or portions thereof), whether now in
23 existence or later created, in which any Plaintiff (including its parents,
24 subsidiaries, affiliates, or distributed labels) owns or controls an
25 exclusive right under Section 106 of the United States Copyright Act
26 (17 U.S.C. § 106) (the “Copyrighted Sound Recordings”), including
27 without limitation by directly or indirectly copying, reproducing,
28 downloading, distributing, communicating to the public, uploading,

1 linking to, transmitting, publicly performing, or otherwise exploiting
2 in any manner any of Plaintiffs' Copyrighted Sound Recordings
3 (including but not limited to those set forth in Schedule A to the
4 Amended Complaint), whether through the websites
5 www.bluebeat.com, www.basebeat.com, or otherwise; and
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7 (b) Directly or indirectly infringing in any manner any right in an
8 and all sound recordings originally fixed in a tangible medium of
9 expression prior to February 15, 1972, in which any Plaintiff
10 (including its parents, subsidiaries, affiliates, or distributed labels)
11 owns or controls an exclusive right or under state or common law (the
12 "Pre-1972 Sound Recordings"), including without limitation by
13 directly or indirectly copying, reproducing, downloading, distributing,
14 communicating to the public, uploading, linking to, transmitting,
15 publicly performing, or otherwise exploiting in any manner any of
16 Plaintiffs' Pre-1972 Sound Recordings (including but not limited to
17 those set forth in Schedule B to the Amended Complaint), whether
18 through the websites www.bluebeat.com, www.basebeat.com, or
19 otherwise.

20 4. Defendants irrevocably and fully waive any and all rights to appeal
21 the Consent Judgment, to have it vacated or set aside, to seek or obtain a new trial
22 thereon, or otherwise to attack in any way, directly or collaterally, its validity or
23 enforceability.

24 5. Defendants hereby consent to the issuance of an order or judgment by
25 any other court in any other country, territory, state, province or jurisdiction,
26 recognizing and enforcing the Consent Judgment issued by this Court in the same
27 manner as a judgment or order of any court with competent jurisdiction to enforce
28 the Consent Judgment.

1 6. Nothing contained in the Consent Judgment shall limit the right of
2 Plaintiffs to seek relief, including without limitation, damages and/or contempt
3 sanctions, for any and all infringements by Defendants of any of their rights
4 occurring after the date Judgment is entered.

5 7. The Court finds there is no just reason for delay in entering this
6 Consent Judgment and, pursuant to Federal Rule of Civil Procedure 54(a), the
7 Court directs immediate entry of this Consent Judgment against Defendants, jointly
8 and severally.

9 8. The Court shall retain jurisdiction of this action to entertain such
10 further proceedings and to enter such further orders as may be necessary or
11 appropriate to implement and enforce the provisions of this Consent Judgment.

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13 DATED: March 25, 2011



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15 By: _____
16 The Honorable Josephine Staton Tucker
17 United States District Judge
18 Central District of California
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