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IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALEXANDER VORBIEV, et al.,

Plaintiffs,

No. C 08-05539 JSW

v.

McDONNELL DOUGLAS HELICOPTERS,
INC.,**AMENDED JUDGMENT**Defendant.

For the reasons set forth in the Court's Order entered on June 18, 2009, this matter is DISMISSED on the grounds of *forum non conveniens*, and judgment is entered accordingly. However, the Court inadvertently omitted conditions of the judgment. These conditions were set out by Defendant MDHI and therefore, no further hearing is necessary.

Accordingly, the Court issues this amended judgment dismissing the matter for *forum non conveniens* subject to the following conditions. Defendant MDHI shall:

- a. Consent to the jurisdiction and venue of the Russian courts for purposes of defending the claims by Vladimir Schiller, Nikolay Nisin and Alexandr Vorobiev ("Plaintiffs") stemming from the August 9, 2006 crash of RN 049 at or near Uvat, Russian Federation;
- b. Waive any defenses based upon the statutes of limitations applicable in the courts of the Russian Federation with respect to all causes of action brought by Plaintiffs in this action for 120 days after dismissal of the current action for *forum non conveniens* (from the date of this amended judgment);

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- c. Make available to the Russian courts any documents, witnesses or other tangible things in MDHI's possession, custody, or control that the Russian courts may deem relevant to litigating and resolving Plaintiff's claims concerning the August 9, 2006 RN 049 accident at or near Uvat, Russian Federation.
- d. Pay any post-appeal judgment awarded against MDHI by the Russian court issuing a final and non-appealable order of judgment.

IT IS SO ORDERED.

Dated; July 1, 2009



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE