

COBLENTZ, PATCH, DUFFY & BASS LLP  
ONE FERRY BUILDING, SUITE 200, SAN FRANCISCO, CALIFORNIA 94111-4213  
415.391.4800 · FAX 415.989.1663

1 KAREN S. FRANK (State Bar No. 130887)  
JULIA D. GREER (State Bar No. 200479)  
2 JEREMIAH J. BURKE (State Bar No. 253957)  
COBLENTZ, PATCH, DUFFY & BASS LLP  
3 One Ferry Building, Suite 200  
San Francisco, California 94111-4213  
4 Telephone: 415.391.4800  
Facsimile: 415.989.1663  
5 Email: ef-ksf@cpdb.com,  
ef-jdg@cpdb.com,  
6 ef-jjb@cpdb.com  
7 Attorneys for Plaintiffs  
BROADCAST MUSIC, INC., *et al.*

8  
9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**  
11 **SAN FRANCISCO DIVISION**  
12

13 BROADCAST MUSIC, INC.; DON  
KIRSCHNER ENTERTAINMENT  
14 COMPANY AND CRUVEN, INC., A JOINT  
VENTURE d/b/a KIRSCHNER CBS MUSIC  
15 PUBLISHING; ABKCO MUSIC, INC.; PAUL  
SIMON MUSIC; RONDOR MUSIC  
16 INTERNATIONAL, INC. d/b/a IRVING  
MUSIC; STONE DIAMOND MUSIC CORP.;  
17 WACISSA RIVER MUSIC, INC.;  
UNIVERSAL-SONGS OF POLYGRAM  
18 INTERNATIONAL, INC.; TOKECO TUNES,

Case No. CV 12-04911-MEJ

**NOTICE OF DISMISSAL**

Trial Date: None Set

19 Plaintiffs,

20 v.

21 PATRICIA R. MALONE, individually and  
d/b/a MALONE’S GRANDE GRILLE,

22 Defendants.  
23

24  
25 Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, and the Settlement  
26 Agreement between the parties, Plaintiffs Broadcast Music, Inc. *et al.* hereby voluntarily dismiss  
27 this action, with prejudice, including all claims. The parties have executed a Settlement  
28 Agreement and a Stipulated Final Judgment Upon Consent. Plaintiffs request that the Court retain

1 limited jurisdiction through January 31, 2014 for the purpose of entering the Stipulated Final  
2 Judgment Upon Consent in the event of Defendants' default under the terms of the Settlement  
3 Agreement.

4  
5 DATED: December 11, 2012

COBLENTZ, PATCH, DUFFY & BASS LLP

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7 By:                   /s/ Karen S. Frank                  

8 Karen S. Frank  
9 Attorneys for Plaintiffs  
10 BROADCAST MUSIC, INC., *et al.*



Dated: 12/13/2012

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**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO**

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of San Francisco, State of California. My business address is One Ferry Building, Suite 200, San Francisco, CA 94111-4213.

On December 11, 2012, I served true copies of the following document(s) described as

**NOTICE OF DISMISSAL**

on the interested parties in this action as follows:

**Phil Passafuime  
Dawson, Passafuime, Bowden & Martinez  
4665 Scotts Valley Drive  
Scotts Valley, CA 95066**

**BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Coblentz, Patch, Duffy & Bass LLP's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on December 11, 2012, at San Francisco, California.

  
\_\_\_\_\_  
Mark W. Allen