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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN JOSE DIVISION**

Winston & Strawn LLP
 333 South Grand Avenue
 Los Angeles, CA 90071-1543

13 GRATEFUL DEAD PRODUCTIONS, a)
 14 California corporation, CADESTANSA LLC, a)
 limited liability company on behalf of CARLOS)
 15 SANTANA, an individual, JIMMY PAGE, an)
 individual, ROBERT PLANT, an individual,)
 16 JOHN PAUL JONES, an individual,)
 RAYMOND MANZAREK, an individual,)
 17 ROBBY KRIEGER, an individual, JOHN)
 DENSMORE, an individual, PEARL)
 18 COURSON, an individual, and GEORGE)
 MORRISON, an individual, FANTALITY)
 19 CORP., a Colorado corporation, SONY BMG)
 MUSIC ENTERTAINMENT, a Delaware)
 20 general partnership, BMG MUSIC, a New York)
 partnership, and ARISTA RECORDS, a)
 Delaware LLC,

21 Plaintiffs,

22 vs.

23 WILLIAM E. SAGAN, an individual,
 NORTON LLC, a limited liability company,
 and BILL GRAHAM ARCHIVES LLC, d/b/a
 24 WOLFGANG'S VAULT, a limited liability
 company,

25 Defendants,

26 NORTON LLC, a limited liability company,
 27 BILL GRAHAM ARCHIVES LLC, d/b/a
 WOLFGANG'S VAULT, a limited liability
 28 company, and WILLIAM E. SAGAN, an
 individual,

Case No. 06-07727 (JW PVT)

**STIPULATION OF DISMISSAL OF
 COUNTERCLAIM DEFENDANTS
 GRATEFUL DEAD PRODUCTIONS, INC.
 AND RHINO ENTERTAINMENT
 COMPANY, AS TO CERTAIN
 COUNTERCLAIMS**

Date: None
 Time: None
 Ctrm: 8
 Judge: Honorable James Ware

First Amended Complaint Filed:
 February 5, 2007

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Defendants,
GRATEFUL DEAD PRODUCTIONS, a California corporation, CADESTANSA LLC, a limited liability company on behalf of CARLOS SANTANA, an individual, JIMMY PAGE, an individual, ROBERT PLANT, an individual, JOHN PAUL JONES, an individual, RAYMOND MANZAREK, an individual, ROBBY KRIEGER, an individual, JOHN DENSMORE, an individual, PEARL COURSON, an individual, GEORGE MORRISON, an individual, FANTALITY CORP., a Colorado corporation, SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership, BMG MUSIC, a New York partnership, and ARISTA RECORDS, a Delaware LLC, ROBERT WEIR, an individual, WARNER MUSIC GROUP CORP., a Delaware corporation, RHINO ENTERTAINMENT, its subsidiary, and BRAVADO INTERNATIONAL GROUP, INC., a California corporation,
Counterclaim Defendants.

WHEREAS, plaintiffs and counterclaim defendants Grateful Dead Productions, Inc. ("GDP"), and counterclaim defendants Rhino Entertainment Company ("Rhino") (individually and/or collectively, "Counterclaim Defendants") on the one hand, and defendants and counterclaimants Norton LLC, Bill Graham Archives, LLC d/b/a Wolfgang's Vault, and William E. Sagan (collectively "Defendants" or "Counterclaimants") on the other hand, have entered into a confidential settlement agreement to resolve: (1) Counterclaimants' Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, and Eleventh Counterclaims as against GDP, and Counterclaimants' First Counterclaim as against GDP solely to the extent that the First Counterclaim relates to subjects other than the parties' rights and obligations regarding sound recordings asserted in Defendants' Answer to Second Amended Complaint and First Amended Counterclaims; and (2) Counterclaimants' Fifth Counterclaim in Defendants' Answer to Second Amended Complaint and First Amended Counterclaims as against Rhino, on the terms and conditions set forth in their agreement:

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1 NOW THEREFORE, IT IS HEREBY STIPULATED, pursuant to Rule 41(a)(1) of the
2 Federal Rules of Civil Procedure, by and among the parties hereto, through their respective counsel,
3 that: (1) Counterclaimants' Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, and
4 Eleventh Counterclaims shall be dismissed in their entirety as against GDP with prejudice, and
5 Counterclaimants' First Counterclaim shall be dismissed with prejudice as against GDP solely to the
6 extent that the First Counterclaim relates to subjects other than the parties' rights and obligations
7 regarding sound recordings asserted in Defendants' Answer to Second Amended Complaint and
8 First Amended Counterclaims; and (2) Counterclaimants' Fifth Counterclaim in Defendants' Answer
9 to Second Amended Complaint and First Amended Counterclaims shall be dismissed with prejudice
10 as against Rhino. Each party to bear its own costs and expenses, including attorneys' fees, as to the
11 dismissed Counterclaims.

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13 Dated: October 20, 2008

WINSTON & STRAWN LLP

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16 By: Michael S. Elkin
17 Michael S. Elkin
18 Thomas P. Lane
19 Rebecca Lawlor Calkins
20 Erin Ranahan
21 Attorneys for Defendants/Counterclaimants

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23 Dated: October 21, 2008

GIBSON DUNN & CRUTCHER LLP

24
25 By: S. Ashlie Beringer
26 Jeffrey Beeves
27 Cynthia Arato
28 S. Ashlie Beringer
Attorneys for Plaintiffs/Counterclaim Defendants