

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WAYNE CRUISINBERRY, on behalf of himself
and all others similarly situated,

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| USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>9/15/09</u> |
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Plaintiff
- against -

09 CV 3461 (RPP)

ORDER

SONY CORPORATION OF AMERICA, INC.,
SONY ELECTRONICS, INC., and SONY
CORP.

Defendants.
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ROBERT P. PATTERSON, JR., U.S.D.J.

On April 9, 2009, the Court stayed proceedings in this case, pending the Court's decision in Meserole, et al. v. Sony Corporation of America, Inc., et al. (08 CV 8987). In the interest of the efficient disposition of these related cases, the Court now terminates the stay issued in April 2009.

With the consent of Defendants, the Court directs Plaintiff to treat the Defendants' Motion to Dismiss the Second Amended Complaint in Meserole, et al. v. Sony Corporation of America, Inc., et al. (08 CV 8987, filed July 2, 2009) as a Motion to Dismiss the Complaint, filed by Plaintiff on April 6, 2009 with the Court. Plaintiff in this case may adopt the Plaintiffs' response in Meserole to Defendants' Motion to Dismiss as their response in this case or may file their own response. Plaintiffs' response should be filed within ten court days of this Order. Defendants' response is due five court days thereafter. The parties should advise the Court if they wish oral argument or wish to rely on the argument made on the Motion to Dismiss in Meserole on September, 14, 2009.

IT IS SO ORDERED.

Dated: New York, New York
September 14, 2009

A handwritten signature in black ink, appearing to read "Robert P. Patterson, Jr.", written over a horizontal line.

Robert P. Patterson, Jr.

U.S.D.J.

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