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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
CAPITOL RECORDS, LLC and VIRGIN
RECORDS AMERICA, INC.,

Plaintiffs,

-against-

ESCAPE MEDIA GROUP, INC.,

Defendant
----- x

09 Civ 4458 (LMM) (GWG)

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, by the undersigned, the attorneys for plaintiffs Capitol Records, LLC and Virgin Records America, Inc. (collectively, "EMI Music"), on the one hand, and defendant Escape Media Group, Inc. ("Escape Media"), on the other hand, that the claims of EMI Music in Case No. 09 Civ. 4458 be and hereby are dismissed with prejudice pursuant to Fed. R. Civ. P. 41(a)(1), without costs to EMI Music and/or Escape Media and with neither EMI Music nor Escape Media as the prevailing party.

Dated: October 1, 2009
New York, New York

COWAN, LIEBOWITZ & LATMAN, P C.

By: [Signature]
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Attorneys for Plaintiffs Capitol Records, LLC,
Priority Records, LLC and Virgin Records
America, Inc.

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By: [Signature]
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Attorneys for Defendant Escape Media Group,
Inc.

SO ORDERED this 6 day of October, 2009.

[Signature] 10/6/09
U.S.D.J.