

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DOMINO RECORDING COMPANY, INC., and :
INDEPENDIENTE LTD., :

Plaintiffs, : Case No. 09 Civ 08400 (GBD)

v. :

INTERSCOPE GEFFEN A&M RECORDS, a
division of UMG RECORDINGS, INC., WILLIAM:
B. ROSE, professionally known as AXL ROSE,
BRIAN P. CARROLL, RON THAL, PAUL HUGE, :
ROBIN FINCK, BRYAN MANTIA, THOMAS
E. STINSON and DARREN A. REED, :
professionally known as GUNS N’ ROSES, and
CHRISTOPHER PITMAN, :

Defendants. :
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**JOINDER BY THE BAND MEMBER DEFENDANTS
TO THE MOTION TO DISMISS THE COMPLAINT BY
DEFENDANT INTERSCOPE GEFFEN A&M RECORDS, INC.**

Defendants William B. Rose p/k/a Axl Rose, Brian P. Carroll, Ron Thal, Paul Huge,
Robin Finck, Bryan Mantia, Thomas E. Stinson, Darren A. Reed and Christopher Pitman p/k/a
Guns N’ Roses (collectively, the “Band Member Defendants”), by and through the undersigned
counsel, hereby join in and incorporate by reference the Motion to Dismiss of Defendant
Interscope Geffen A&M Records, a division of UMG Recordings, Inc., pursuant to Rules 8(a)(2)
and 12(b)(6) of the Federal Rules of Civil Procedure (the “Motion to Dismiss”).

WAIVER OF MEMORANDUM OF LAW

The Motion to Dismiss sets forth the statutory predicates and legal authorities in support
of the Band Member Defendants’ motion to dismiss the complaint of plaintiffs Domino
Recording Company, Inc. and Independiente, Ltd. (collectively, “Plaintiffs”). Accordingly, the

Band Member Defendants request that the Court waive any requirement for the filing of a Memorandum of Law herewith pursuant to the Local Rules for the Southern District of New York. Notwithstanding the foregoing, the Band Member Defendants reserve the right to file a separate memorandum of law in support hereof or in response to any objection hereto.

WHEREFORE, the Band Member Defendants respectfully request that this Court grant the Motion to Dismiss and dismiss the complaint of Plaintiffs as against the Band Member Defendants and grant such other and further relief as is just and proper.

Dated: New York, New York
May 3, 2010

JENNER & BLOCK LLP

By: Andrew H. Bart

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Records, a division of UMG Recordings, Inc.,
William B. Rose p/k/a Axl Rose, Brian P. Carroll,
Ron Thal, Paul Huger, Robin Finck, Bryan Mantia,
Thomas E. Stinson, Darren A. Reed and
Christopher Pitman*

CERTIFICATE OF SERVICE

Carletta F. Higginson, an attorney, hereby certifies and/or states on oath that on this 3rd day of May, 2010 the preceding Joinder By the Band Member Defendants to the Motion to Dismiss the Complaint By Defendant Interscope Geffen A&M Records, Inc. was served on behalf of Defendants William B. Rose p/k/a Axl Rose, Brian P. Carroll, Ron Thal, Paul Huger, Robin Finck, Bryan Mantia, Thomas E. Stinson, Darren A. Reed and Christopher Pitman via this Court's Electronic Case Filing system on the following counsel of record:

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s/ Carletta F. Higginson
Carletta F. Higginson