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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

IN RE: National Association of Music Merchants, Musical Instruments and Equipment Antitrust Litigation

**ORDER DENYING REQUEST FOR EXTENSION OF TIME TO FILE BILL OF COSTS; AND**

**ORDER OF DISMISSAL**

MDL No. 2121

(USDC Case Nos. 09cv2002, 09cv2146, 09cv2151, 09cv2211, 09cv2267, 09cv2285, 09cv2332, 09cv2418, 09cv2423)

The parties jointly moved for an extension of time by which Defendants must file their bill of costs. (Docket no. 232.) After that, the parties filed notices stating that they had settled, that they had agreed each to bear their own costs and fees, and that Defendants would not submit a bill of costs. (Docket nos. 233, 234.) The joint motion (Docket no. 232) is therefore **DENIED AS MOOT**.

Some of the member cases included only claims the Court dismissed with prejudice, while others included supplemental state law claims, which had not been dismissed. Ordinarily, given the individualized nature of those claims, those cases would be transferred back to the transferor courts for further adjudication. The parties, however, requested more time to settle all claims. (Docket no. 233.) Shortly after that, they filed a joint statement confirming that they had settled all claims, and that “all cases and claims in this multidistrict

1 litigation have been resolved.” (Docket no. 234, 1:16–18.) Plaintiffs then filed a voluntary  
2 notice of dismissal with prejudice, confirming this. (Docket no. 235.)

3 Pursuant to Fed. R. Civ. P. 41(a), the following cases, which constitute all member  
4 cases in this multidistrict litigation, are therefore **DISMISSED WITH PREJUDICE:**

5 09-cv-02002-LAB-DHB *Giambusso v. National Association of Music*  
6 *Merchants, Inc.* et al.

7 09-cv-02146-LAB-DHB *Giles v. Guitar Center, Inc.* et al.

8 09-cv-02151-LAB-DHB *Collins v. Guitar Center, Inc.* et al.

9 09-cv-02156-LAB-DHB *Keel v. Guitar Center, Inc.* et al.

10 09-cv-02178-LAB-DHB *Witherspoon v. National Association of Music*  
11 *Merchants, Inc.* et al.

12 09-cv-02211-LAB-DHB *Ramsey et al.v. National Association of Music*  
13 *Merchants, Inc.* et al.

14 09-cv-02267-LAB-DHB *Sepulveda v. Guitar Center, Inc.*

15 09-cv-02285-LAB-DHB *Paradise v. National Association of Music Merchants,*  
16 *Inc.* et al.

17 09-cv-02332-LAB-DHB *Bohl v. National Association of Music Merchants, Inc.*  
18 et al.

19 09-cv-02418-LAB-DHB *Lesko et al.v. Guitar Center, Inc.* et al.

20 09-cv-02423-LAB-DHB *Seiler, et al. v. Guitar Center, Inc.* et al.

21 09-cv-02488-LAB-DHB *Gagnepain v. Guitar Center, Inc.* et al.

22 09-cv-02816-LAB-DHB *Teller v. Guitar Center, Inc.*

23 09-cv-02822-LAB-DHB *O'Leary v. Guitar Center Inc.* et al

24 09-cv-02823-LAB-DHB *Hale v. Guitar Center Inc.* et al

25 10-cv-00001-LAB-DHB *Pearson et al.vs Guitar Center, Inc.* et al.

26 10-cv-00002-LAB-DHB *Bigg v. Guitar Center, Inc.* et al.

27 10-cv-00003-LAB-DHB *Jost v. Guitar Center, Inc.* et al.

28 10-cv-00019-LAB-DHB *Parikh v. Guitar Center, Inc.* et al.

- 1 10-cv-00020-LAB-DHB *MacWilliamson v. Guitar Center, Inc.* et al.  
2 10-cv-00022-LAB-DHB *Smith v. Guitar Center Inc.* et al.  
3 10-cv-00023-LAB-DHB *Jennings v. Guitar Center Inc.* et al.  
4 10-cv-00024-LAB-DHB *Kennedy v. National Association of Music Merchants,*  
5 *Inc.* et al.  
6 10-cv-00026-LAB-DHB *Cervantes v. Guitar Center, Inc.* et al.  
7 10-cv-00027-LAB-DHB *Poff, Jr. v. Guitar Center, Inc.* et al.  
8 10-cv-00028-LAB-DHB *Cook v. Guitar Center, Inc.* et al.  
9 10-cv-00029-LAB-DHB *Logsdon v. Guitar Center, Inc.* et al.  
10 10-cv-00033-LAB-DHB *Armstong v. National Association of Music Merchants*  
11 *Inc.* et al.  
12 10-cv-00063-LAB-DHB *Roach v. National Association of Music Merchants,*  
13 *Inc.* et al.  
14 10-cv-00075-LAB-DHB *Feltheimer v. National Association of Music*  
15 *Merchants, Inc.* et al.  
16 10-cv-00103-LAB-DHB *Kaufman v. National Association of Music Merchants,*  
17 *Inc.* et al.  
18 10-cv-00136-LAB-DHB *Manyin v. Guitar Center* et al.  
19 10-cv-00138-LAB-DHB *Melton v. Guitar Center Inc.* et al.  
20 10-cv-00139-LAB-DHB *Tabas v. Guitar Center Inc.* et al.  
21 10-cv-00179-LAB-DHB *Bandish v. Guitar Center Inc.* et al.  
22 10-cv-00753-LAB-DHB *Wiggins v. Guitar Center, Inc.* et al.

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24 The member cases having all been dismissed, this case as a whole is also  
25 **DISMISSED WITH PREJUDICE**. All pending dates are **VACATED** and all pending requests  
26 **DENIED AS MOOT**. The parties shall each bear their own costs and attorney's fees. The

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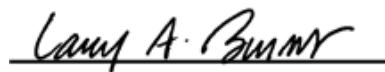
1 Court does not retain jurisdiction to interpret or enforce the terms of the settlement  
2 agreement.

3 **IT IS SO ORDERED.**

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5 DATED: February 8, 2016

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**HONORABLE LARRY ALAN Burns**  
United States District Judge

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