

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
(WHITE PLAINS)**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	Civ. Action No. 41-1395
)	(relates to former Civ. Action
)	No. 42-245) (WCC)
v.)	
)	
THE AMERICAN SOCIETY OF COMPOSERS,)	
AUTHORS AND PUBLISHERS,)	
)	
Defendant.)	

STIPULATION AND ORDER

The undersigned counsel for the parties in this action hereby stipulate that the following order may be entered by the Court.

1. The Defendant will publish a notice in the form attached hereto as Exhibit 1 in: (a) two consecutive issues of the national edition of the *Wall Street Journal*; (b) two consecutive issues of *Broadcasting & Cable*; and (c) two consecutive issues of *Billboard*. The Defendant will file proof of such publication with the Court.

2. The United States will publish a notice in the Federal Register.

3. A proposed Order vacating the Final Judgment and dismissing this action in the form attached hereto may be filed and entered by the Court, upon the request of any party or by the Court *sua sponte*, at any time more than ninety (90) days after the last publication of the notices required by paragraphs 1 and 2 of this Stipulation and Order and without further notice to any party or other proceedings; provided, however, that the Plaintiff has not withdrawn its

consent — which it may do at any time before entry of the Order — by filing notice of the withdrawal of its consent with the Court and serving notice upon the Defendant.

4. In the event the Plaintiff withdraws its consent, or if the proposed Order is not entered pursuant to this Stipulation and Order, this Stipulation and Order shall have no effect, the making of it shall be without prejudice to any party in this or any other proceeding, and it shall not thereafter be used in this or any other action, or for any other purposes.

5. Stipulation dated: September 1, 2000.

FOR THE UNITED STATES

FOR AMERICAN SOCIETY FOR
COMPOSERS, AUTHORS AND
PUBLISHERS

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IT IS SO ORDERED

Dated: _____, 2000

Honorable William C. Conner
United States District Judge