

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

| | | |
|--------------------------------|---|-------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| |) | |
| Plaintiff, |) | Civ. Action No. 41-1395 |
| |) | (WCC) |
| v. |) | |
| |) | |
| AMERICAN SOCIETY OF COMPOSERS, |) | |
| AUTHORS AND PUBLISHERS, et al. |) | |
| |) | |
| Defendants. |) | |

NOTICE OF JOINT MOTION TO ENTER SECOND AMENDED FINAL JUDGMENT

PLEASE TAKE NOTICE that the parties will move that the Court at the United States Courthouse, 300 Quarropas Street, White Plains, New York on September 5, 2000, as set forth in the accompanying motion and supporting papers, enter the Second Amended Final Judgment which will take effect three months from the date of entry thereof. By its terms, the Second Amended Final Judgment will vacate the Amended Final Judgment in this action, as amended and modified, upon its effective date.

In a separate, simultaneously filed motion, the parties will move that the Court dismiss *United States v. The American Society of Composers, Authors and Publishers*, Civ. Action No. 41-1395 (formerly Civ. Action No. 42-245) without prejudice and vacate the Final Judgment in that action, as

modified and amended (the “Foreign Decree”), because the proposed Second Amended Final Judgment incorporates the substantive provisions of the Foreign Decree as amended.

Respectfully submitted,

Mary Beth McGee (MBM 8841)
Robert P. Faulkner
Attorneys for the United States
Department of Justice
Antitrust Division
325 7th Street, N.W., Room 300
Washington, DC 20530
(202) 514-0385

I. Fred Koenigsberg (IFK 3259)
White & Case LLP
1155 Avenue of the Americas
New York, NY 10036
(212) 819-8806

Richard H. Reimer, Esq. (RHR 7878)
ASCAP Building
One Lincoln Plaza
New York, NY 10023
(212) 621-6261

John H. Shenefield
Jonathan M. Rich (JMR 7796)
Phillip C. Zane
Morgan, Lewis & Bockius LLP
1800 M Street, N.W.
Washington, DC 20036
(202) 467-7433

Attorneys for American Society of
Composers, Authors and Publishers

Dated: September 1, 2000
Washington, DC