

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

IN RE COMPACT DISC MINIMUM |
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MDL DOCKET No. 1361

(This Document Applies To All Actions Except
Trowbridge, et al. v. Sony Music Entertainment Inc.,
et al., Docket No. 2:01-CV-125-P-H)

FURTHER ORDER ON FINAL REPORT AND RECOMMENDATION

Some Attorneys General have notified the case manager that they find my Order of May 25, 2006, ambiguous on who must receive notice.

My Order says on page 3 that notice must be given “only to those jurisdictions’ Attorneys General who fail to approve in writing their respective Supplemental Cy Pres Distribution Plans.” Order on Final Report and Recommendation at 3-4 (Docket Item 391). On page 11, the last paragraph of the Order, it says that notice must be given to the Attorneys General who do “not approve in writing the Supplemental Cy Pres Distribution Plan. No other notice is necessary.” *Id.* at 11. The apparently confusing provision is Section III, where it talks about notice “to all Attorneys General.” *Id.* at 8. But that section then provides that the written agreement of an Attorney General to the proposed payments and distribution demonstrates notice. At least that was my intent.

In sum, separate notice of the hearing must be provided only to those Attorneys General who do *not* agree in writing to the payments and distribution.

That way, those who do not consent know that they have the right to be heard. If instead they agree to the proposed payments and distribution, they do not require notice of a right to be heard, but the “plaintiffs shall [still] file the written agreement of those Attorneys General” with the Court, see id.

I apologize for the confusion and hope that this supplemental statement clarifies the scope of the required notice.

So ORDERED.

DATED THIS 22ND DAY OF JUNE, 2006

/s/D. BROCK HORNBY
D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**U.S. DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CIVIL DOCKET FOR CASE #: 2:00-MD-1361-DBH**

LIAISON COUNSEL FOR THE PLAINTIFF STATES:

Francis E. Ackerman, Maine Assistant Attorney General
6 State House Station
Augusta, ME 04333-0006 (207) 626-8800

LEAD COUNSEL FOR THE PLAINTIFF STATES:

Linda Gargiulo, Assistant Attorney General
120 Broadway, Suite 2601
New York, NY 10271 (212) 416-8274

Lizabeth Leeds, Assistant Attorney General
PL-01 The Capitol
Tallahassee, FL 32399-1050 (850) 414-3851

LIAISON COUNSEL FOR THE PRIVATE PLAINTIFFS:

Alfred C. Frawley, III, Esq.
Gregory P. Hansel, Esq.
Preti, Flaherty, Beliveau & Haley, LLC
P.O. Box 9546
Portland, ME 04112-9546 (207) 791-3230

LEAD COUNSEL FOR THE PRIVATE PLAINTIFFS:

Joseph C. Kohn, Esq.
Michael J. Boni, Esq.
Kohn, Swift & Graf, PC
One South Broad Street, Suite 2100
Philadelphia, PA 19106 (215) 238-1700

COUNSEL FOR THE TROWBRIDGE PLAINTIFFS:

Michael Jaffe, Esq.
Wolf Haldenstein Adler Freeman & Herz, LLP
270 Madison Avenue
New York, NY 10016 (212) 545-4600

LIAISON COUNSEL FOR THE DISTRIBUTOR DEFENDANTS:

William J. Kayatta, Jr., Esq.
Clifford H. Ruprecht, Esq.
Pierce Atwood
One Monument Square
Portland, ME 04101 (207) 791-1100

LIAISON COUNSEL FOR THE RETAILER DEFENDANTS:

Joseph H. Groff, III, Esq.
Jensen, Baird, Gardner & Henry
P.O. Box 4510
Portland, ME 04112-4510 (207) 775-7271