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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

COLLEEN M. SALINGER AND MATTHEW R. SALINGER, AS TRUSTEES OF THE J.D. SALINGER LITERARY TRUST,

09 Civ. 05095 (DAB)

Plaintiff,

-against-

JUDGMENT ON CONSENT

FREDRIK COLTING, writing under the name JOHN DAVID CALIFORNIA; WINDUPBIRD PUBLISHING LTD.; NICOTEXT A.B.; and ABP, INC. d/b/a SCB DISTRIBUTORS, INC.,

Defendants.

PERMANENT INJUNCTION AND FINAL ORDER ON CONSENT

WHEREAS, on or about December ______, 2010, all parties entered into a confidential settlement agreement (the "Agreement") which provides, *inter alia*, that defendants agree to the entry of this Permanent Injunction;

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

l. <u>Permanent Injunction</u>: That, with respect to plaintiff's claims against defendants, judgment be entered permanently enjoining and restraining defendants, their officers, agents, representatives, successors and assigns, and all persons or entities in active concert or participation with them or any of them, from manufacturing, publishing, distributing, shipping, advertising, promoting, selling, or otherwise disseminating any copy of the book 60 Years Later, by Fredrik Colting writing under the name of J.D. California, or any portion thereof, in or to the United States.

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- 2. <u>Dismissal of Counterclaims</u>: That, with respect to defendants/counterclaim-plaintiffs' counterclaims against plaintiffs/counterclaim-defendants, all counterclaims be and hereby are dismissed, with prejudice.
- 3. <u>Costs and Attorneys' Fees</u>: That each party hereto shall bear its or his or her own costs and attorneys' fees on all claims and counterclaims.
- 3. <u>No Appeals and Continuing Jurisdiction</u>: Jurisdiction of this cause is hereby expressly reserved and retained by this Court to enforce compliance with the Agreement and with this Permanent Injunction. No appeals may be taken from this Permanent Injunction and Judgment.

ACCORDINGLY, the Clerk of the Court is ordered to close out this case.

Dated: New York, New York December 13, 2010

DAVIS WRIGHT TREMAINE LLP

By: Marcia B. Paul (MBP 8427) Kevan D. Choset (KC 7319)

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Attorneys for Plaintiffs/ Counterclaim Defendants FRANKFURT KURNIT KLEIN & SELZ PC

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Attorneys for Defendants/ Counterclaim Plaintiffs

SO ORDERED this 4 day of December, 2010

Hon. Deborah A. Batts

U.S.D.J.

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