

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

CAPITOL RECORDS, INC., a Delaware corporation; UMG RECORDINGS, INC., a Delaware corporation; MAVERICK RECORDING COMPANY, a California joint venture; BMG MUSIC, a New York general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; and WARNER BROS. RECORDS INC., a Delaware corporation,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
DEBBIE FOSTER and AMANDA FOSTER,	)	
	)	
Defendants.	)	
	)	

Case No. CIV-04-1569-W

**PLAINTIFFS' RESPONSE TO  
DEFENDANT'S MOTION FOR ENTRY OF JUDGMENT**

Plaintiffs respectfully submit this response to Defendant Debbie Foster's motion for entry of judgment and state as follows:

1. Defendant Debbie Foster filed a motion for entry of judgment (Doc. No. 246) on August 13, 2007, asking the Court to enter judgment in this matter under Fed. R. Civ. P. 58(d).

2. With full reservation of rights, Plaintiffs respectfully advise the Court that they have no objection to entry of judgment under Rule 58(d). Once judgment has been entered under Rule 58(d), a ten-day automatic stay of execution would be in effect in accordance with Fed. R. Civ. P. 62(a), and Plaintiffs would have thirty days to appeal the judgment in accordance with F.R.A.P. 4(a)(1). *See Deboard v. Sunshine Mining & Ref. Co.*, 208 F.3d 1228, 1237 (10th Cir. 2000).

WHEREFORE, Plaintiffs respectfully advise the Court that they have no objection to entry of judgment under Fed. R. Civ. P. 58(d).

Respectfully submitted,

Dated: August 14, 2007

By: s/ Richard L. Gabriel

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**CERTIFICATE OF SERVICE**

I hereby certify that, on August 14, 2007, I electronically transmitted the foregoing **PLAINTIFFS' RESPONSE TO DEFENDANT'S MOTION FOR ENTRY OF JUDGMENT** to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic filing to the following ECF registrants:

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s/ Richard L. Gabriel \_\_\_\_\_  
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