

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
PENGUIN GROUP (USA), INC.,

Plaintiff,

-against-

AMERICAN BUDDHA,

Defendant.
-----X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/8/13

09 CIVIL 528 (RA)

JUDGMENT

Whereas after extensive litigation, including beffore the Court of Appeals for the Second Circuit and New York Court of Appeals, defendant American Buddha having moved for a third time to dismiss this action pursuant to Fed. R. Civ. P. 12(b)(6) after extensive litigation, including before the Court of Appeals for the Second Circuit and New York Court of Appeals, and the matter having come before the Honorable Ronnie Abrams, United States District Judge, and the Court, on March 7, 2013, having rendered its Opinion and Order granting American Buddha's motion to dismiss and dismissing this case, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Opinion and Order dated March 7, 2013, American Buddha's motion to dismiss is granted and the case is dismissed; accordingly, the case is closed.

Dated: New York, New York
March 8, 2013

RUBY J. KRAJICK

Clerk of Court

BY:

Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**