

DEC 9 2008

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

JAMES N. HATTEN, Clerk  
By: *[Signature]*  
Deputy Clerk

MAID OF THE MIST CORPORATION )  
and MAID OF THE MIST )  
STEAMBOAT COMPANY, LTD., )

Plaintiffs, )

v. )

ALCATRAZ MEDIA, LLC, )  
ALCATRAZ MEDIA, INC., and )  
WILLIAM M. WINDSOR, )

Defendants. )

Civil Action No.

1:06-CV-0714-ODE

CONSENT FINAL ORDER AND JUDGMENT

This action having come before the Court, Honorable Orinda D. Evans, United States District Judge, for consideration and it appearing to the Court that Plaintiffs Maid of the Mist Corporation and Maid of the Mist Steamboat Company, Ltd. (collectively, "Plaintiffs") and Defendants Alcatraz Media, LLC, Alcatraz Media, Inc. and William M. Windsor (collectively, "Defendants") have agreed to the entry of this Consent Final Order and Judgment,

**IT IS ORDERED AND ADJUDGED** that the Order of the Court, dated August 9, 2007 (Docket No. 251), and the Judgment of the Court,

dated October 16, 2007 (Docket No. 281), shall remain in full force and effect.

**IT IS FURTHER ORDERED AND ADJUDGED**, that Plaintiffs recover from the Defendants the negotiated sum of \$395,000.00 as attorney's fees and expenses from the principal sum of \$ \$446,671.26<sup>1</sup> that Defendants paid into the Registry of Court as a supersedeas bond for their second appeal to the United States Court of Appeals for the Eleventh Circuit (Docket No. 334 and Receipt No. 572768). The sum of \$395,000.00 shall be disbursed to satisfy this judgment in full by the delivery of a check in the amount of \$395,000.00, payable to Plaintiff Maid of the Mist Corporation and made available for pickup by Attorney Carl H. Anderson, Jr., or his assistant Therese Tran at the Clerk's Office, United States District Court – Northern District of Georgia, Atlanta Division. The Tax Identification Number for Plaintiff Maid of the Mist Corporation is being supplied separately to the Clerk by counsel in accordance with LR 67.1D(2), NDGa.

**IT IS FURTHER ORDERED AND ADJUDGED** that the balance of money that Defendants paid into the Registry for the supersedeas bond after the disbursement to the Plaintiffs including accrued interest shall be disbursed to the Defendants by check made payable to William M. Windsor,

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<sup>1</sup> This figure consists of an award of attorney's fees and expenses in the amount of \$421,773.84 (Docket Nos. 325, 327), and award of costs under a bill of costs in the amount of \$14,297.28 (Docket No. 313), and estimated appeal damages in the amount of \$10,600.14.

and made available for pickup by Mr. William M. Windsor at the Clerk's office, United States District Court – Northern District of Georgia, Atlanta Division. The Tax Identification Number for Defendant William M. Windsor is being supplied separately to the Clerk by counsel in accordance with LR 67.1D(2), NDGa.

**IT IS FURTHER ORDERED AND ADJUDGED** that Plaintiffs' Motion For Disbursement of Funds in the Registry of the Court to Plaintiffs' Attorneys and Indwelling Memorandum of Law (Docket No. 278), which the Court granted (Docket No. 325), but which the Clerk refused to process during the second appeal, is reaffirmed. The Clerk is authorized and directed to draw a check on the funds on deposit in the registry of this Court in the principal amount of \$5,000.00 plus all accrued interest, minus any statutory user fees, payable to the Plaintiff Maid of the Mist Corporation and make the check available for pickup by Attorney Carl H. Anderson, Jr., or his assistant Therese Tran at the Clerk's Office, United States District Court – Northern District of Georgia, Atlanta Division. The Tax Identification Number for Plaintiff Maid of the Mist Corporation is being supplied separately to the Clerk by counsel in accordance with LR 67.1D(2), NDGa.

Defendants shall pay any statutory fees on all disbursements.

The Clerk is directed to mark the bill of costs and any judgment entered thereon satisfied.

All pending motions in this case are deemed withdrawn and decided. This is a final order and judgment resolving all claims in the case, including claims for attorney fees, expenses, and costs, and is entered by the consent of all of the parties. The case is hereby closed all issues having been decided.

Notwithstanding anything herein to the contrary, this Court expressly retains jurisdiction over this matter to enforce any violation by either party of the terms of its judgments and orders including the permanent injunction against Defendants and their affiliates. No appeals shall be taken from this Judgment, and the parties waive all rights to appeal.

Dated at Atlanta, Georgia this 9 day of December, 2008.



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Hon. Orinda D. Evans, Chief Judge  
United States District Court  
Atlanta Division

Order jointly submitted by

Attorney for Plaintiffs Maid of the Mist Corporation and Maid of the Mist  
Steamboat Company, Ltd.

s/Carl H. Anderson, Jr.

Mr. Carl H. Anderson, Jr.  
Georgia Bar No. 061230

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Attorney for Defendant William M. Windsor

James W. Penland  
Georgia Bar No. 571250

Order jointly submitted by


Attorney for Plaintiffs Maid of the Mist Corporation and Maid of the Mist  
Steamboat Company, Ltd.

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Attorney for Defendants Alcatraz Media, Inc., and Alcatraz Media, LLC.



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Attorney for Defendant William M. Windsor

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James W. Penland  
Georgia Bar No. 571250

Order jointly submitted by

Attorney for Plaintiffs Maid of the Mist Corporation and Maid of the Mist  
Steamboat Company, Ltd.

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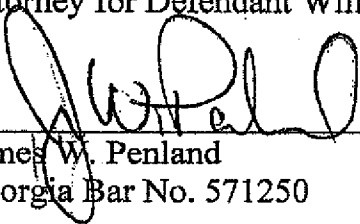
Attorney for Defendants Alcatraz Media, Inc., and Alcatraz Media, LLC.

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\* \* \* \* \*

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IN WITNESS TO THE CONSENT OF THE PARTIES  
HERETO, the parties hereto have entered into this agreement to the entry of  
this CONSENT FINAL ORDER AND JUDGMENT by subscribing their  
hands and seals, the agreement being made and assented and binding to as of  
the date and time upon which the last party executes this Agreement.

**PLAINTIFFS:**

**MAID OF THE MIST CORPORATION**

By: Christopher M Glynn  
(Print Name) Christopher M Glynn  
Authorized Officer

(Corporate Seal)



Attest: Jonathan M. Schvitz  
(Print Name) JONATHAN M. SCHVITZ  
Secretary

DATE AND TIME OF EXECUTION 12/1/08 1:30 Pm

**MAID OF THE MIST STAMBOAT COMPANY, LTD**

By: Christopher M Glynn  
(Print Name) Christopher M Glynn  
Authorized Officer

(Corporate Seal)



Attest: Jonathan M. Schvitz  
(Print Name) JONATHAN M. SCHVITZ  
Secretary

DATE AND TIME OF EXECUTION 12/1/08 1:30 Pm

**DEFENDANTS:**

**ALCATRAZ MEDIA, LLC,**

By: [Signature]  
(Print Name) RYAN M. WINDSOR

Authorized Officer (Corporate Seal)

Attest: [Signature]  
(Print Name) ROD SMITH  
Secretary

DATE AND TIME OF EXECUTION 11-17-2008

**ALCATRAZ MEDIA, INC.,**

By: [Signature]  
(Print Name) RYAN M. WINDSOR

Authorized Officer (Corporate Seal)

Attest: [Signature]  
(Print Name) ROD SMITH  
Secretary

DATE AND TIME OF EXECUTION 11-18-2008

**WILLIAM M. WINDSOR**

[Signature] (Seal)

WILLIAM M. WINDSOR

Sworn and subscribed before  
me this 20 day of NOVEMBER, 2008.

Michelle Thornton  
NOTARY PUBLIC  
Michelle Thornton  
Commission expires: 10-19-2012