

ORIGINAL

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8 *Attorneys for Petitioner*
9 R. KELLY TOURING, INC.

FILED
LOS ANGELES SUPERIOR COURT

APR 06 2009

JOHN J. ... CLERK
[Signature]
BY GLORIETTA ROBINSON, DEPUTY

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

12 R. KELLY TOURING, INC.,

13 Petitioner,

14 vs.

15 LEONARD ROWE, an individual, and
16 ROWE ENTERTAINMENT, INC., a
17 Georgia Corporation,

18 Respondents.

Case No. BS117307

NOTICE OF ENTRY OF JUDGMENT



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TO DEFENDANTS LEONARD ROWE AND ROWE ENTERTAINMENT, INC.:

NOTICE IS HEREBY GIVEN that on April 1, 2009, judgment was entered in the above-entitled action in favor of Plaintiff R. Kelly Touring, Inc. and against Defendants Leonard Rowe and Rowe Entertainment, Inc. A true and correct copy of the judgment as entered is attached hereto as Exhibit A.

Dated: April 3, 2009

MANATT, PHELPS & PHILLIPS, LLP
BARRY E. MALLEN
RAAQIM KNIGHT

By: 
Barry E. Mallen
Attorneys for Plaintiff
R. KELLY TOURING, INC.



COPY

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CONFORMED COPY
OF ORIGINAL FILED
Los Angeles Superior Court

APR 01 2009

John A. Clarke, Executive Officer/Clerk
By S. Temblador, Deputy
S. TEMBLADOR

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 FOR THE COUNTY OF LOS ANGELES

12 R. KELLY TOURING, INC.,

13 Petitioner,

14 vs.

15 LEONARD ROWE, an individual, and
16 ROWE ENTERTAINMENT, INC., a
17 Georgia Corporation,

18 Respondents.

Case No. BS117307

JUDGMENT CONFIRMING
ARBITRATION AWARD

19 The Petition to Confirm Arbitration Award (the "Petition") filed by Petitioner, R. Kelly
20 Touring, Inc. ("Petitioner") came on regularly for hearing before the undersigned on January 30,
21 2009, upon notice duly and regularly given. Petitioner appeared by Barry Mallen, its counsel, and
22 Respondents Leonard Rowe and Rowe Entertainment, Inc. (collectively, "Respondents") made no
23 appearance. Pursuant to the Petition and good cause appearing therefor,

24 **IT IS ORDERED** that the award of the arbitrator dated September 30, 2008, be and the
25 same is confirmed, and judgment is hereby entered as follows:

26 1. Petitioner is entitled to judgment against Respondents, and each of them, jointly
27 and severally, in the cumulative amount of Three Million Four Hundred Sixteen Thousand Six
28 Hundred Ninety-Two Dollars and Eighty-Eight Cents (\$3,416,692.88), plus post-judgment
interest at the statutory rate, and each of them, shall pay said sum to Petitioner.

Ex A

1 2. Respondents, and each of them, are obligated and shall provide Claimant and
2 Robert Kelly, the individual for whom Respondent furnishes the live performance services, with a
3 defense, and indemnify them from any claim, demand, action, loss, cost, damage, or expense
4 (including, without limitation, reasonable attorneys' fees) made in any lawsuit in which Petitioner
5 and/or Mr. Kelly's liability is claimed to arise out of or in connection with the concert tour that
6 was the subject of the Creative Artists Agency concert promotion agreement made and entered
7 into between Petitioner and Rowe Entertainment, Inc. on October 2, 2007, including, but not
8 limited to, the following lawsuits:

9 (a) *Marjani Clothing and Shoes Inc. v. Kelly, etc., et al.*, Northern District of
10 Georgia – Case No. 1:08-CV-0308;

11 (b) *Kinnard v. Kelly, et al.*, Northern District of Georgia – Case No. 1:08-CV-
12 1824; and

13 (c) *Peacock v. Kelly, et al.*, Superior Court of Fulton County, Georgia – Case
14 No. 2008CV149212

15 3. Petitioner is entitled to costs of suit herein.

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17
18 Dated: APR 01 2009, 2009

Judge Ernest M. Hiroshige
Judge of the Superior Court

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21 Submitted by:

22 MANATT, PHELPS & PHILLIPS, LLP

23
24 By: 
25 Barry E. Mallen
26 Attorneys for Respondent
R. KELLY TOURING, INC.

PROOF OF SERVICE

I, Erica K. Embray, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 11355 West Olympic Boulevard, Los Angeles, California 90064. On February 11, 2009, I served a copy of the within document(s):

JUDGMENT CONFIRMING ARBITRATION AWARD

by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit

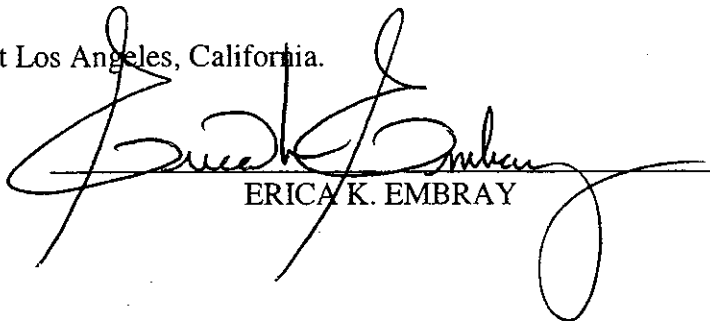
by placing the document(s) listed above in a sealed _____ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a _____ agent for delivery.

by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

Leonard Rowe 1006 Bay Tree Drive Duluth, Georgia 30097	
CERTIFIED MAIL	

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on February 11, 2009 at Los Angeles, California.


ERICA K. EMBRAY

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PROOF OF SERVICE

I, Erica K. Embray, declare:

I am a citizen of the United States and employed in Los Angeles County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 11355 West Olympic Boulevard, Los Angeles, California 90064-1614. On April 3, 2009, I served a copy of the within document(s):

NOTICE OF ENTRY OF JUDGMENT CONFIRMING ARBITRATION AWARD

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit

Leonard Rowe 1006 Bay Tree Drive Duluth, GA 30097-5960 Respondent VIA CERTIFIED MAIL	<i>Courtesy Copy</i> Tony L. Axam AXAMLAW P.O. Box 115238 Atlanta, GA 30310 Phone: 404-524-2233 Fax: 404-897-1376 Email: tony.axam@axamlaw.com
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I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on April 3, 2009, at Los Angeles, California.


Erica K. Embray

41381269.1