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JUDGMENT

This action was scheduled for hearing on November 16, 2009, before the Honorable Florence-Marie Cooper, District Judge presiding, on the Motion for Summary Judgment, or in the Alternative, Motion for Summary Adjudication ("Motion") of defendants Penthouse Media Group Inc. n/k/a FriendFinder Networks Inc., Penthouse Digital Media Productions Inc., and Pulse Distribution, LLC (collectively, "Defendants"). Pursuant to Rule 78 of the Federal Rules of Civil Procedure and Central District Local Rule 7-15, the Court deemed the matter appropriate for decision without oral argument and issued an Order and opinion on November 9, 2009 (the "Order").

After full consideration of the Motion, opposition and reply thereto, all admissible evidence, the authorities, and other papers submitted by counsel, for the reasons set forth in the Order, the Court finds that Defendants are entitled to summary judgment as a matter of law on each and every claim in the Complaint of plaintiff, Roxbury Entertainment ("Plaintiff"). There are no genuine disputes of material fact that Defendants' use of "Route 66" in or as the title of their film is protected by the First Amendment to the United States Constitution.

THEREFORE, IT IS ORDERED AND ADJUDGED that Judgment is hereby entered in favor of Defendants on each and all of Plaintiff's claims, that Plaintiff shall recover nothing and take nothing by this action, that the entire Complaint is dismissed with prejudice on the merits, that Defendants' Counterclaims remain pending before the Court, and that Defendants are the prevailing parties on all claims in Plaintiff's Complaint and shall recover their costs from Plaintiff pursuant to Fed. R. Civ. P. 54(a)(1).

United States District Judge