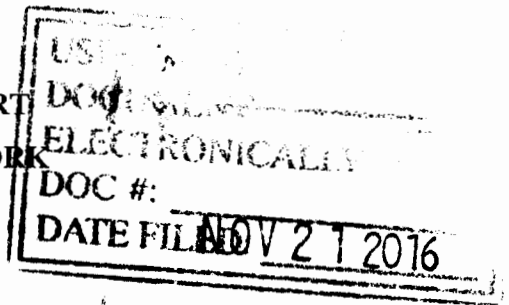


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



WILD BUNCH, S.A.,

Petitioner,

vs.

WORLDVIEW ENTERTAINMENT  
HOLDINGS, INC. and WORLDVIEW  
ENTERTAINMENT PARTNERS VIII LLC,

Respondents.

Case No. 1:16-cv-07116-GBD

**ORDER AND FINAL JUDGMENT RECOGNIZING AND CONFIRMING  
ARBITRATION AWARD**

This matter comes before the Court pursuant to Petitioner Wild Bunch S.A.'s Petition to Confirm Arbitration Award and for Entry of Final Judgment, dated September 13, 2016, ECF No. 6. In its Petition, Petitioner requests that the Court confirm an award entered on April 25, 2016 pursuant to the stipulation of Petitioner and Respondents Worldview Entertainment Holdings, Inc. and Worldview Entertainment Partners VIII LLC in a proceeding before the American Arbitration Association ("AAA").

Petitioner served Respondents with a summons and the Petition in this matter on September 23, 2016. *See* ECF No. 9, ECF No. 10. Counsel for Petitioner additionally provided a copy of the summons and Petition to counsel for Respondents in the AAA proceeding. Pursuant to Fed. R. Civ. P. 12(a), Respondents' deadline to respond to the Petition was October 14, 2016. Respondents failed to timely respond to the Petition, and Respondents have failed to appear in this action.

Respondents' failure to respond to the Petition requires that the Court treat the Petition "as an unopposed motion for summary judgment." *D.H. Blair & Co. v. Gottdiener*, 462 F.3d 95, 110 (2d Cir. 2006). The Court, having considered all matters submitted to it, the complete record, and all files in this matter, has determined that no genuine dispute as to any material fact exists and Petitioner is entitled to judgment as a matter of law.

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

1. The Court has subject-matter jurisdiction over this matter under 28 U.S.C. § 1332(a)(2), because diversity of citizenship is complete between Petitioner (a foreign corporation) and Respondents, and the amount in controversy exceeds \$75,000, exclusive of interest and costs. The Court further has subject-matter jurisdiction under the New York Convention, 9 U.S.C. § 201 *et seq.*, which grants

original federal jurisdiction over an action or proceeding to confirm an arbitration award entered in a proceeding in the United States in which at least one party was not a United States citizen. *See* 9 U.S.C. §§ 201, 207.

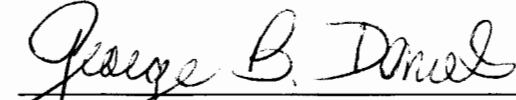
2. This Final Judgment fully incorporates herein and confirms as a judgment of this Court the entire Arbitration Award entered by the AAA in the matter of *Wild Bunch, S.A. v. Worldview Entertainment Holdings, Inc., Worldview Entertainment Capital LLC, Worldview Entertainment Capital II LLC, and Worldview Entertainment Partners VIII LLC*, AAA Arbitration Case No. 01-15-0002-8332 on April 25, 2016 (the “Award”).
3. For avoidance of doubt, the Court confirms the Award in full and enters as judgment of this Court in favor of Petitioner Wild Bunch, S.A.:
  - a. An award of \$760,029.00 against Respondents Worldview Entertainment Holdings, Inc. and Worldview Entertainment Partners VIII, which represents compensatory damages of \$750,000.00 and reimbursement of fees and costs of \$10,029.00;
  - b. An award of prejudgment interest pursuant to N.Y.C.P.L.R. § 5004 at the New York statutory rate of 9% per annum, accruing from the date of the award, April 25, 2016, through the date of this judgment, <sup>November 21,</sup> 2016, in the amount of <sup>\$</sup> 38,835.62;
  - c. An award of post-judgment interest pursuant to 28 U.S.C. § 1961, accruing from the date of this judgment until such date as judgment in this matter has been satisfied in full.

4. This Order and Final Judgment Recognizing and Confirming Arbitration Award shall become effective upon entry by the Court.

IT IS SO ORDERED.

Dated: \_\_\_\_\_

NOV 21 2016

  
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GEORGE B. DANIELS  
UNITED STATES DISTRICT JUDGE