

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

THE ANDY WARHOL FOUNDATION FOR THE  
VISUAL ARTS, INC.,

Plaintiff,

-against-

LYNN GOLDSMITH AND LYNN GOLDSMITH  
CO.,

Defendants.

No. 17-cv-02532-JGK

**JOINT MOTION FOR ENTRY  
OF FINAL JUDGMENT**

Plaintiff and Counterclaim-Defendant Andy Warhol Foundation For The Visual Arts, Inc. (“AWF”) and Defendants and Counterclaim-Plaintiffs Lynn Goldsmith and Lynn Goldsmith Co. (collectively, “Goldsmith”) jointly propose that this case conclude as follows:

1. As to Goldsmith’s copyright infringement counterclaim against AWF for its 2016 Condé Nast license, AWF and Goldsmith agree that Goldsmith is entitled to \$10,250 based on the 2016 Condé Nast license and the Supreme Court’s decision.

2. As to AWF’s request for declaratory relief regarding the original creation of the Prince Series, the parties’ positions are as follows:

Goldsmith’s position is that there is no live controversy between the parties warranting declaratory relief because Goldsmith during the course of the litigation made clear she is not advancing claims for relief for the original creation of the Prince Series because the statute of limitations had already expired on any claims for that original creation.

AWF’s position is that the original creation of the Prince Series was fair use, and that nothing in the Supreme Court’s opinion undermines that view. *See Andy Warhol Found. for Visual Arts, Inc. v. Goldsmith*, 598 U.S. 508, 534 & n.9 (2023). In light of Goldsmith’s confirmation above that she is not advancing claims for relief for the original creation of the Prince Series, AWF

agrees to withdraw its claim for declaratory relief.

3. The parties agree that Goldsmith is entitled to \$11,272.94 in taxable costs pursuant to Federal Rule of Civil Procedure 54 and Local Civil Rule 54.1. The parties further agree that they each will otherwise be responsible for their own costs, including attorneys' fees.

4. The parties therefore jointly request that the Court enter the accompanying proposed final judgment awarding Goldsmith \$10,250 against AWF for its 2016 Condé Nast license and \$11,272.94 in taxable costs.

Dated: March 15, 2024

Respectfully Submitted,



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