FILED
CLERK, U.S. DISTRICT COURT
SEP 14 2011
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

PENSKE MEDIA CORPORATION, dba PMC, a Delaware corporation,

Plaintiff,

vs.

PROMETHEUS GLOBAL MEDIA, LLC, a Delaware limited liability company d/b/a hollywoodreporter.com; and DOES 1 through 10, inclusive,

Defendants.

CASE NO. LACV11-7560 VBF(MRWx)

COMPLAINT FOR COPYRIGHT INFRINGEMENT

DEMAND FOR JURY TRIAL

Plaintiff Penske Media Corporation, doing business as PMC ("PMC") (formerly known as Mail.com Media Corporation), the parent company and owner of various leading digital media properties including: BGR.com (Boy Genius Report), Deadline.com (Deadline Hollywood), Entertainment News Television ("ENTV"), HollywoodLife.com, Movieline.com, OnCars.com, TVLine.com ("TVLine"), and PMC events including: Young Hollywood Awards, Style Awards and Breakthrough of the Year Awards, alleges as follows:

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INTRODUCTION

1. As most businesses or individuals who operate within the industry of online publishing and digital media understand, copying, mimicking, and/or altering of others' content and design unfortunately occurs intermittently within that industry. However, The Hollywood Reporter ("THR") has differentiated itself from other companies within the media industry by not only carrying out this unethical practice with alarming regularity, indeed on an almost daily basis, but also by resorting to the outright theft of intellectual property, including but not limited to whole articles, content, software, source code and designs.

2. In an industry where a company's brand is largely defined and dictated by the value of its originally created intellectual property, it is absolutely essential that intellectual property rights and assets be mightily protected from thievery, such as that exhibited by THR. This is evident through the billions of dollars that are spent on an annual basis by movie studios, TV networks, record labels, and media companies, as well as the U.S. government and other countries around the world, for the purpose of protecting and defending ownership of copyrighted original material and content from piracy.

3. This is the same publishing and media industry in which PMC operates. Over many years, PMC has distinguished itself as a leader in entertainment and technology-related digital media by investing in its personnel, by researching and investigating, and by obtaining exclusive original content and time-sensitive breaking news stories about all facets of the entertainment and technology industries. Which is why THR's theft and piracy of PMC's content and intellectual property, as documented in this Complaint, is so significantly damaging to PMC, its brands, and its value and position in the marketplace.

4. Among other reasons, PMC is filing this lawsuit to protect its content creation and development, and to finally put an end to THR and other

websites' misappropriation of PMC's hard-earned product and intellectual property. Enough is enough.

5. PMC is taking a stand against desperate and copycat news organizations and media outlets such as THR that constantly monitor PMC's websites for the sole purpose of copying and imitating PMC websites' news stories and original content within minutes after online publication. These copycat media outlets such as THR, rather than conducting their own independent reporting and investigation, developing their own sources and insiders, and generating their own leads and stories, simply steal PMC's content and pawn it off as their own.

6. In truth, THR, faced with the harsh reality that it had become a second-rate entertainment industry news source unable to attract insiders' attention anymore, changed ownership and re-launched its website. At first it hoped to create a competitive online presence by going after a broader consumer-focused audience with celebrity news and gossip. When consumer, retail and other related advertising failed to appear, THR began trying attracting Hollywood trade advertising again. It has become abundantly clear that part of THR's turnaround strategy was to engage in an unprecedented campaign of theft and misappropriation of PMC's intellectual property and content to accomplish that.

7. First, THR attempted to poach PMC's key employees, by urging each employee to breach their existing and exclusive contractual obligations to PMC. When that strategy failed, THR's owners and managers pretended to negotiate with PMC for PMC's www.deadline.com ("Deadline") to provide trade news for the relaunched THR website. When that strategy also failed, THR then began its incessant campaign of misappropriating wholesale content from Deadline's website. As if that were not bad enough, THR then egregiously and flagrantly stole integral source code and intellectual property from PMC's www.tvline.com ("TVLine") website in a blatant act of copyright infringement.

8. In fact, THR was so incompetent and careless in its theft, that it actually copied the original source code *labels* exactly as they existed on TVLine, and did not even attempt to rename them. Many of TVLine's source code labels, which are created for organizational purposes, contain the initials MMC, the acronym for PMC's former name Mail.com Media Corporation (MMC). THR, in copying and pasting PMC's TVLine source code, are still utilizing the "MMC" initials within their labels. These initials act as a clear set of digital fingerprints that further demonstrate the glaringness of THR's theft. THR did not even make an effort to correct typographical errors contained in PMC's source code. As of the date of this Complaint's filing, any individual can go to THR's website and, with the simple click of a mouse, discover THR's blatant infringement.

9. Accordingly, PMC seeks to recover for the substantial damages it has suffered because of THR's actions and to enjoin THR from continuing to steal PMC's property. Additionally, this action shall serve as notice to all those with similarly unethical and nefarious intentions that PMC shall not stand by idly and allow such injurious conduct. To the contrary, PMC will vigorously protect its rights and prosecute all those who aim to steal its original ideas, designs, and content.

JURISDICTION AND VENUE

10. At all times mentioned herein, PMC, was and is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in Los Angeles, California.

11. PMC is informed and believes and on that basis alleges that, at all times mentioned herein, defendant Prometheus Global Media, LLC ("Prometheus") was and is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York. Prometheus owns and operates THR. THR operates out of

offices located in Los Angeles, California.

12. The true names and capacities of defendants named herein as Does 1 though 10, inclusive are unknown to PMC, and therefore, PMC sues these defendants by such fictitious names. PMC will seek leave of Court to amend this Complaint to show their true names and capacities when the same has been ascertained. PMC is informed and believes and on that basis alleges that Does 1 through 10, inclusive, were responsible for the acts and transactions alleged herein and are liable to PMC therefor. Prometheus and Does 1-10 are referred to herein as "Defendants."

13. PMC is informed and believes and on that basis alleges that at all times mentioned herein each of the Defendants was the agent, employee, or co-conspirator of the other Defendants, and was at all times mentioned herein, acting within the scope of such agency, employment, or conspiracy.

14. This action asserts claims for copyright infringement under the Copyright Act of 1976, 17 U.S.C. § 101 *et seq.* (the "Copyright Act"). This Court has original jurisdiction over this action under the Copyright Act.

15. The matter in controversy exceeds the minimum for diversity jurisdiction, exclusive of interest and costs.

16. This Court has personal jurisdiction over Defendants in that Defendants conducted, and continue to conduct, business in this District, Defendants intentionally direct activities to this District, and the infringing acts alleged in this Complaint occurred in this District.

17. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(b) in that a substantial part of the events or omissions giving rise to the claims alleged herein occurred in this District.

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DEFENDANTS' INTENT TO CAPITALIZE ON PMC'S WEBSITES

18. PMC is a leading digital media company that owns a unique portfolio of entertainment, business, technology, and lifestyle brands including Deadline and TVLine.

19. Deadline (aka Deadline Hollywood, Deadline New York, Deadline London) is the "must read" source for breaking news and original content relating to the business of the entertainment and media industries. Deadline's articles provide an inside look at the biggest players and deals and events in Hollywood, New York, London where the entertainment and big media industries are located. The articles also provide breaking news and original content and commentary and analysis.

20. Deadline is tracked daily among the highest ranks of executives. It reaches into the boardrooms, production offices, and agencies inside Hollywood and New York, as well as into Wall Street, Madison Avenue, and Main Street – across North And South Americas, Europe, Asia, and Australia. Deadline receives millions of online visits per week and was recording traffic that was twice than that of its closest competitors, Variety and THR, combined.

21. PMC is informed and believes and on that basis alleges that Defendants own, operate, and control the Hollywood Reporter's websites, www.thr.com or www.hollywoodreporter.com (the "THR Websites").

22. Formerly a daily trade magazine, THR's aged brand had lost so many readers to Deadline to the point that its very existence was threatened, forcing THR's sale. Defendants attempted to relaunch THR as a competitor in the fast-paced Internet entertainment news business. It specifically sought to compete with Deadline, the unquestioned leader in this marketplace, for entertainment business news.

23. Defendants relaunched the THR Websites as hybrid publications

serving the entertainment industry and a broader consumer-focused audience. In connection with its relaunch, the THR's Websites were completely redesigned and included content focused on the celebrity lifestyle and the business side of the entertainment industry in an effort to widen its web presence.

24. Given PMC's dominance over online entertainment news, Defendants, in "reinventing" themselves, have engaged in a strategic and systematic campaign to emulate PMC's brands through unlawful means.

25. PMC is informed and believes and on that basis alleges that since the sale and relaunch of the THR Websites, Defendants have directly attempted to lure away PMC's, and specifically Deadline's, key employees in THR's effort to compete with Deadline. When those attempts failed, Defendants sought the pretense of negotiatiations with PMC for PMC's Deadline.com to provide trade news for the relaunched THR. When that strategy failed, THR decided to take Deadline's time-sensitive news stories and original content, gathered at a substantial cost and through considerable work and time and sources by Deadline staff, and used the information to create THR's own identical stories, free-riding on Deadline's efforts by developing THR product instantly and at virtually no cost. THR then passed off this content as its own.

26. As if that were not enough, Defendants then stole integral source code and intellectual property from the TVLine. By doing so, Defendants have admittedly generated internet traffic, earned advertising revenue, improved homepage functionality and design, and capitalized as they otherwise would not have but for their theft.

THR ATTEMPTS TO LURE AWAY KEY DEADLINE EMPLOYEES

27. PMC is informed and believes and on that basis alleges that on numerous occasions THR attempted to hire Deadline's Founder, General

Manager/President and Editor in Chief, Nikki Finke (during multiple phone calls and emails and attempts to meet her in Los Angeles and New York), and attempted to convince her to breach her multi-year exclusive employment agreement, breach her noncompete, breach her asset purchase covenants, leave her position, and abandon her obligations to PMC and Deadline to join THR. On multiple occasions, Ms. Finke was contacted by Todd Boehly, Managing Partner of Guggenheim, the investment and private equity firm that led the purchase of THR from Nielsen Business Media in December 2009. Ms. Finke, however, never met with Boehly.

28. Then, on the evening of January 13, 2010, Mr. Boehly by phone made his first formal job offer to Ms. Finke to become THR's editor-in-chief. Ms. Finke was offered $450,000 base salary, plus a $1 million Malibu home ("which you can keep whether you stay 5 minutes or 5 years"), plus a percentage of the cable TV revenue THR was expecting (which Mr. Boehly specifically estimated at $650,000 annually), plus Mr. Boehly agreed to pay back PMC what they paid Ms. Finke. Mr. Boehly later tried to arrange for a breakfast meeting with Ms. Finke at Park Grill in Los Angeles on January 20, 2010. Ms. Finke again didn't meet him.

29. During this time, Richard Beckman (Prometheus' Chief Executive Officer) and Jimmy Finkelstein (Prometheus' Chairman) made repeated efforts to schedule meetings with Jay Penske, the Founder, Chairman and Chief Executive Officer of PMC, under the pretense of proposing terms whereby Deadline (and other PMC properties) would provide THR with trade and other entertainment related content.

30. PMC is informed and believes and on that basis alleges that on or about January 12, 2011, THR contacted Deadline's Television Editor, Nellie Andreeva, by email, attempting to convince her to breach her multi-year exclusive employment contract with PMC, leave her position, abandon her obligations to Deadline and PMC, and join THR.

31. PMC is informed and believes and on that basis alleges that on or about March 11, 2011, THR attempted to hire PMC's Senior Director of Entertainment Sales, Nic Paul, even though he was under a multi-year exclusive employment contract to PMC. In fact, Lori Burgess of THR contacted Mr. Paul directly asking if he wanted to have lunch and discuss leaving PMC to review opportunities over at THR. Ms. Burgess stated that everyone had told her she needed to talk to Mr. Paul. Mr. Paul responded that he was not interested, and she said, "You won't even have lunch with me?" to which he replied, "No."

32. PMC is informed and believes and on that basis alleges that in or around early 2011, THR approached PMC's Publisher Lynne Segall attempting to convince her to breach her consulting contract with PMC, leave her position, abandon her obligations to PMC and join THR. In fact, on or about June 14, 2011, THR successfully lured away Ms. Segall who became THR's senior vice president and publisher. In doing so, PMC is informed and believes and on that basis alleges that as a direct result of THR's actions, Ms. Segall breached her contractual obligations to PMC, through her failure to provide PMC with the requisite notice required under her consulting agreement with PMC.

33. Defendants' attempts to poach Deadline's and PMC's employees were just the first of its systematic campaigns to emulate PMC's websites.

THR STEALS DEADLINE'S ORIGINAL NEWS STORIES

34. PMC is informed and believes and on that basis alleges that Defendants have engaged and continue to engage in a practice of closely monitoring Deadline's website minute-by-minute for the specific purpose of spotting key news stories and original content and reproducing them for Defendants. Defendants regularly take Deadline's time-sensitive news stories and original content (gathered at a substantial cost and through considerable

work, time and sources by Deadline staff) and use the information to create their own identical stories. Defendants free-ride on Deadline's efforts by developing Defendants' product instantly and at virtually no cost. THR then passes off this Deadline-owned content as its content. The following is just a small sampling of recently stolen content, where Deadline's stories were posted on THR's website, sometime within minutes:

34.1

The Deadline Website Posted:

Fox Buys Family Dramedy From 'Ugly Betty' Creator Silvio Horta And Jennifer Lopez

By NELLIE ANDREEVA | Tuesday September 13, 2011 @ 9:31am PDT

Within 47 Minutes, THR Posted:

Jennifer Lopez, Silvio Horta Sell Family Dramedy to Fox

By Lacey Rose 9/13/2011 @ 10:18 AM PDT

34.2

The Deadline Website Posted:

Universal Media Studios Gets New Heads Of Drama, Comedy & Casting And New Name

By NELLIE ANDREEVA | Monday September 12, 2011 @ 1:15pm PDT

Within 73 Minutes, THR Posted:

NBC Entertainment's In-House Studio Gets New Name and Key Exec Promotions

By Marisa Guthrie 9/12/2011 @ 2:27 PM PDT

34.3

The Deadline Website Posted:

Ellen DeGeneres-Portia De Rossi Comedy Lands At NBC With Put Pilot Commitment

By NELLIE ANDREEVA | Friday September 9, 2011 @ 9:23pm PDT

Within 41 Minutes, THR Posted:

Ellen DeGeneres, Portia de Rossi Team for NBC Comedy

The Warner Bros. TV multicamera project revolves around dueling sisters and would star the former "Arrested Development" actress.

By Lesley Goldberg 9/9/2011 @ 10:04 PM PDT

34.4

The Deadline Website Posted:

Toronto: Fox Searchlight Acquires 'Shame'

By MIKE FLEMING | Friday September 9, 2011 @ 3:54pm PDT

Within 15 Minutes, THR Posted:

Toronto 2011: Michael Fassbender's 'Shame' Sells to Fox Searchlight

By Borys Kit 9/9/2011 @ 4:09 PM PDT

34.5

The Deadline Website Posted:

First Toronto Sale: Samuel Goldwyn Nabs Doc 'Diana Vreeland: The Eye Has To Travel'

By MIKE FLEMING | Friday September 9, 2011 @ 11:45am

Within 31 Minutes, THR Posted:

Samuel Goldwyn Grabs North American Rights to Diana Vreeland Doc

By Borys Kit 9/9/2011 @ 12:16 PM PDT

34.6

The Deadline Website Posted:

Universal Gets Russell Crowe And Hugh Jackman For 'Les Miserables,' Sets December 7, 2012 Release

By MIKE FLEMING | Thursday September 8, 2011 @ 3:52pm

Within 42 Minutes, THR Posted:

Russell Crowe in Negotiations to Star in 'Les Miserables'

By Borys Kit 9/8/2011 @ 4:34 PM PDT

34.7

The Deadline Website Posted:

Lifetime Cancels Drama 'The Protector'

By NELLIE ANDREEVA | Thursday September 8, 2011 @ 2:54pm

Within 57 Minutes, THR Posted:

Lifetime Cancels 'The Protector'

The cable network will air its remaining episodes of the Ally Walker police procedural.

By Lesley Goldberg 9/8/2011 @ 3:51 PM PDT

34.8

The Deadline Website Posted:

Lifetime Developing Las Vegas Casino Drama From Stephen Kronish And Kathryn Morris

By NELLIE ANDREEVA | Thursday September 8, 2011 @ 9:44am

Within 33 Minutes, THR Posted:

Lifetime, '24' Writer, 'Cold Case' Star Developing Casino Drama

The project from Stephen Kronish and Kathryn Morris is based on the true story of a Las Vegas casino hostess.

By Lesley Goldberg 9/8/2011 @ 10:17 AM PDT

34.9

The Deadline Website Posted:

DreamWorks, Fox To Co-Finance Steven Spielberg's 'Robopocalypse'

By MIKE FLEMING | Wednesday September 7, 2011 @ 10:29am

Within 16 Minutes, THR Posted:

Fox, DreamWorks Team on Steven Spielberg's 'Robopocalypse'

By Pamela McClintock 9/7/2011 @ 10:45 PM PDT

34.10

The Deadline Website Posted:

TNT Picks Up Carol Mendelsohn's Drama 'Scent Of The Missing' To Pilot

By NELLIE ANDREEVA | Wednesday September 7, 2011 @ 3:30pm PDT

Within 34 Minutes, THR Posted:

TNT Orders Drama Pilot from 'CSI's' Carol Mendelsohn

By Lacey Rose 9/7/2011 @ 4:04 PM PDT

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34.11

The Deadline Website Posted:

Bruce Helford In Negotiations To Write Charlie Sheen's 'Anger Management' Sitcom

By NELLIE ANDREEVA | Tuesday September 6, 2011 @ 4:53pm PDT

Within 22 Minutes, THR Posted:

Bruce Helford in Talks to Showrun Charlie Sheen's 'Anger Management'

By Lacey Rose 9/6/11 @ 5:31 PM PDT

34.12

The Deadline Website Posted:

CW Teams With Tom Fontana And Barry Levinson For Rookie Cop Drama

By NELLIE ANDREEVA | Friday September 2, 2011 @ 1:32pm PDT

Within 36 Minutes, THR Posted:
CW Buys Cop Drama From 'Homicide' Team "Musketeers 3.0," from Tom Fontana and Barry Levinson, revolves around three intelligent, out-of-control New York detectives who meet their match.
By Philiana Ng, Lacey Rose 9/2/2011 @ 2:08 PM PDT

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34.13

The Deadline Website Posted:
Claudia Lonow Comedy From Imagine TV Lands At ABC With Put Pilot Commitment

By NELLIE ANDREEVA | Thursday September 1, 2011 @ 4:46pm PDT

Within 3 Minutes, THR Posted:
ABC Buys Comedy Project from 'Accidentally On Purpose' Creator Claudia Lonow
By Lacey Rose 9/1/2011 @ 4:49 PM PDT

34.14

The Deadline Website Posted:

Former Paramount Production President Brad Weston In Talks For New Regency CEO

By MIKE FLEMING | Thursday September 1, 2011 @ 8:06am PDT

Within 29 Minutes, THR Posted:

Brad Weston Headed to New Regency

By Pamela McClintock 9/1/2011 @ 8:35 AM PDT

34.15

The Deadline Website Posted:
CBS Nabs Bill Lawrence And Greg Malins Comedy With Pilot Production Commitment

By NELLIE ANDREEVA | Wednesday August 31, 2011 @ 6:03pm PDT

Within 54 Minutes, THR Posted:

'Cougar Town' Creator Bill Lawrence Sells Workplace Comedy to CBS

By: Lacey Rose 8/31/2011 @ 6:57 PM PDT

34.16

The Deadline Website Posted:

'Romancing The Stone' TV Adaptation Lands At NBC With Penalty, Shawn Levy May Direct

By NELLIE ANDREEVA | Wednesday August 31, 2011 @ 1:00pm PDT

Within 33 Minutes, THR Posted:

NBC Signs on to Adapt 'Romancing the Stone'

"The Forgotten's" Mark Friedman will write the adaptation of the 1984 feature with Shawn Levy attached to direct.

By Lesley Goldbert 8/31/2011 @ 2:18 PM PDT

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34.17

The Deadline Website Posted:
Tom Berenger, Mare Winningham, Powers Boothe Join History's 'Hatfields & McCoys'
By NELLIE ANDREEVA | Tuesday August 30, 2011 @ 9:26am PDT

Within 33 Minutes, THR Posted:
'Hatfields and McCoys' Adds Tom Berenger, Powers Boothe, Mare Winningham

The trio joins the History miniseries starring Kevin Costner and Bill Paxton; Kevin Reynolds also signs on to direct the project.
By Lesley Goldberg 8/30/2011 @ 9:59 AM PDT

34.18

The Deadline Website Posted:
HBO Pick Ups Boxing Drama 'Da Brick' To Pilot; Doug Ellin, Spike Lee, Mike Tyson And John Ridley Executive Produce
By NELLIE ANDREEVA | Tuesday August 30, 2011 @ 6:52pm PDT

Within 17 Minutes, THR Posted:
HBO Gives Pilot Order to Spike Lee, Mike Tyson Boxing Drama
"Entourage" creator Doug Ellin is also on board for the project, which would be loosely based on the former heavyweight champion's early life in the ring.
By Lacey Rose, Lesley Goldberg, 8/30/2011 @ 7:09 PM PDT

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34.19

The Deadline Website Posted:

Showtime Developing Drama Series Based On Comic Book 'The Damned'

By NELLIE ANDREEVA | Wednesday August 24, 2011 @ 11:10am PDT

Within 64 Minutes, THR Posted:
'The Damned' in Development at Showtime

The project would be a modern take on the comic series by Cullen Bunn and Brian Hurtt and revolve around mobster demons.

By Lesley Goldberg 8/24/2011 @ 12:14 PM PDT

34.20

The Deadline Website Posted:

ABC Buys 'Jekyll & Hyde'-Inspired Drama Project From Sheldon Turner

By NELLIE ANDREEVA | Monday August 22, 2011 @ 12:10pm PDT

Within 37 Minutes, THR Posted:
'Up in the Air' Scribe Sells 'Jekyll & Hyde' Drama Project to ABC

Sheldon Turner will pen the contemporary project and executive produce alongside Jennifer Klein.

1:31 PM PDT 8/22/2011 by Lesley Goldberg

34.21

The Deadline Website Posted:

Phillip Noyce Signs Deal With ABC

By NELLIE ANDREEVA | Thursday August 4, 2011 @ 3:58pm PDT

Within 16 Minutes, THR Posted:

Phillip Noyce Inks First Look Deal at ABC

The "Salt" director is also locked in to direct an ABC pilot for next season.

By Lacey Rose 8/4/2011 @ 5:06 PM PDT

34.22

The Deadline Website Posted:

Netflix Makes Pay Deal With Lionsgate UK As Streaming Company Prepares For UK Launch

By MIKE FLEMING | Thursday August 4, 2011 @ 10:00am PDT

Within 37 Minutes, THR Posted:

Lionsgate UK Inks Content Supply Deal With Netflix

By Etan Vlessing 8/4/2011 @ 10:37 AM PDT

34.23

The Deadline Website Posted:

Paramount Moves Tom Cruise's 'Mission: Impossible' To December 21 And Sets 'One Shot' For Early 2013

By MIKE FLEMING | Wednesday July 27, 2011 @ 5:10pm EDT

Within 39 Minutes, THR Posted:
'Mission: Impossible -- Ghost Protocol' Bowing Abroad Prior to U.S. Release
By Pamela McClintock 7/27/2011 @ 5:49 PM PDT

34.24

The Deadline Website Posted:

Glen Mazzara To Succeed Frank Darabont As 'Walking Dead' Showrunner

By NELLIE ANDREEVA | Wednesday July 27, 2011 @ 12:49pm PDT

Within 20 Minutes, THR Posted:
'The Walking Dead': Glen Mazzara in for Frank Darabont as Showrunner
The former second-in-command will now take control of AMC's zombie drama.
By Lesley Goldberg 7/27/2011 @ 1:09 PM PDT

34.25

The Deadline Website Posted:

Starz Declines Option To Renew 'Camelot'

By THE DEADLINE TEAM | Thursday June 30, 2011 @ 1:39pm PDT

Within 5 Minutes, THR Posted:
'Camelot': Starz Not Moving Forward With Second Season
By Lacey Rose 6/30/2011 @ 1:44 PM PDT

34.26

The Deadline Website Posted:

Jennifer Finnigan Lands Female Lead In USA Network Pilot 'Wild Card'

By THE DEADLINE TEAM | Wednesday June 29, 2011 @ 11:27am PDT

Within 1 hr. 23 Minutes, THR Posted:
Jennifer Finnigan to Star in USA Pilot 'Wild Card'

She has landed the female lead opposite Ben Lawson in the Las Vegas-set project.
By Philiana Ng 6/29/2011 @ 12:50 PM PDT

34.27

The Deadline Website Posted:

Mark Gill New President Of Millennium Films

By THE DEADLINE TEAM | Tuesday June 28, 2011 @ 11:02am PDT

Within 48 Minutes, THR Posted:

Mark Gill Named President of Millennium Films

By Gregg Kilday 6/28/2011 @ 11:50 PM PDT

34.28

The Deadline Website Posted:

Comedy Central OKs Two New Sketch Series

By THE DEADLINE TEAM | Tuesday June 28, 2011 @ 3:15pm PDT

Within 65 Minutes, THR Posted:

Comedy Central Adds Pair of Sketch Series

Nick Kroll, Keegan-Michael Key and Jordan Peele pick up for Norm Macdonald's "Sports Show" and "Onion SportsDome"

By Lesley Goldberg 6/28/2011 @ 4:20 PM PDT

35. As the sheer breadth of the foregoing demonstrates, rather than engage in true journalism, Defendants have instead monitored, copied and regurgitated PMC's hard-earned and created content.

37. In truth, THR shamelessly steals PMC's content no matter the story's size, and no matter how unique the posting. In one recent instance,

Deadline TV Editor Nellie Andreeva happened to have two completely unrelated small TV script sales stories which she had already reported and was waiting to write. Ms. Andreeva chose to randomly combine the unrelated stories into a single post. The two sales had nothing in common to warrant their merger; it was just her intellectual decision to do so. Then, minutes later, THR posted the story in the same manner, combining the same two stories in the same way with the same information.

38. As yet another recent example, ABC provided a story to both Deadline and THR, asking them to post the story concurrently. Initially, Deadline and THR agreed to post at 8:45 p.m. on September 13, 2011, however because THR could not obtain a logline, THR requested (and Deadline agreed) to post the story at 9:30 p.m instead. Both parties posted the story at approximately 9:30 p.m. THR's story was bare-bones, did not contain a logline and did not discuss the project's details. Approximately 15 minutes later (after THR had the opportunity to review Deadline's post), THR modified its story taking Deadline's logline as its own, and adding the details existing in Deadline's posting.

THR Stole the Source Codes and Web Design of PMC's TVLine.com

39. PMC owns and operates the business of TVLine. Since its launch, TVLine has quickly become a household name in trusted television content. TVLine is a website that has become a "must visit" site for television enthusiasts looking to find news and updates from exclusive breaking television news to spoilers and deep-dives, about their favorite television shows.

40. As part of creating and developing a website, the owner creates a unique and original featured module comprised of source code that produces the website's distinctive homepage that enables users to navigate to the most important content articles and sections of the site, effectively the web's version of a

'newspaper's Front Page'. . Just as writers place letters and words in a unique and original order so as to create paragraphs which are the framework for writing in books and publications, so too do web designers place letters, words and symbols in a unique and original order so as to create a module with source code that provides the framework of every homepage's design and originality.

41. The featured module at issue on TVLine's website was created to highlight the most current, engaging and interesting content for users on entry to the website. TVLine's featured module was deliberately placed at the top of the homepage, right below the navigation tabs to ensure that the content and any advertising featured and displayed within the module was immediately presented to the user before they interact with the other parts and content of the website.

42. After expending numerous months and substantial resources in researching and developing the most optimized, intuitive, and user-friendly featured module, PMC developed and launched TVLine.com's interactive and easy-to-use interface.

43. The featured module was created using unique and original source code divided into four parts: Module Markup, Module CSS, Module JavaScript, and Initializing Code Module. The four parts provide the module's original framework.

44. Among other things, the Module Markup provides the structure to the article data such that the data is organized correctly on the page, and such that it can be cleanly interacted with by the CSS and JavaScript modules. Essentially, Module Markup is the website's blueprint.

45. Module CSS produces the look and feel of the website. Among other things, the CSS interacts with the Markup to control and set its arrangement on screen, as well as its color, font, dimensions, background, and other such visual elements in a particular and unique way.

46. The Module JavaScript provides the "human computer interaction"

facet of the module. It interacts with, and manipulates the Markup and the CSS to provide:

a. Animations - such as when the active story selector cycles between the small images on the right hand side of the primary image.

b. Slideshow Effects - such as when the page initially loads and the active story automatically cycles between the four featured stories.

c. Interactivity - such as when a primary story is selected by left clicking using a mouse on one of the small images on the right hand side, or a circle on the translucent bar along the bottom is clicked.

47. The final module, Initializing Code Module, exists to jumpstart the featured module's JavaScript code and provide it with the appropriate settings to use for animations (such as moving animations quickly or slowly, or how long to pause on each featured story when automatically cycling between stories on initial page load). It also describes functionality behavior for the featured story module.

48. The four modules described above contain the source code that produces www.tvline.com's creative, unique and interactive featured module.

49. Upon information and belief, in or around August 2011, THR copied and stole PMC's source code for its featured module, and as a result THR's homepage featured module is nearly identical to that of TVLine. Since THR's redesign and re-launch of HollywoodReporter.com in or around October 2010, the website HollywoodReporter.com did not utilize a featured module on its homepage, which remained accurate up until the theft of TVLine's featured module source code in or around August 2011.

50. Specifically, to describe just a few of the copied aspects of TVLine's design and functionality, the following functionality was built into TVLine's

featured module:

a. A primary image area associated with the story, with a translucent bar along the bottom that displays the headline of the story along with a short caption.

b. Four small images on the right hand side of the primary image area, organized in a vertical line. One image for each story being featured.

c. The featured module automatically and continuously cycles through the four featured stories without any user interaction.

d. The featured module stops the automatic and continuous cycling through of the four featured stories after the first user interaction with the featured module (such as clicking on one of the small image representing one of the four stories).

e. The user can select or activate one of the four featured stories by either clicking on one of the four small images on the right hand side of the primary image area, or by clicking the small hollow circles placed on the translucent bar along the bottom of the primary image.

f. The user can manually cycle through each story by clicking the small arrows on either side of the 4 circles on the translucent bar along the bottom of the primary image.

51. Even if the stark similarities between the two websites was not evidence enough, the source code comprising the featured module on THR's website is alarming evidence of THR's egregious infringement.

52. Once a website is published, any individual who visits the site has access to that website's source code with a click of the mouse. That is the method by which THR had access to, copied and stole TVLine's source code. Embedded in TVLine's source code and featured module are certain labels. The source code is

identified with labels that have original names, and are used for organizational, identification, and coding standard purposes. Those names and labels are input by the individual who creates the initial source code.

53. The names and labels of THR's source code is identical to TVLine's. For example, TVLine's Markup Module contain the following original labels: "MMCFeaturedCarosel," "MMC FCList," "MMC FCSelector," "MMC FCSStage," "MMC FCSecNav," and "MMC FCInfo."

54. To put the labels into context, PMC was formerly known as Mail.com Media Corporation, commonly referred to under the acronym MMC. For that reason, the initials "MMC" appear in each of the labels.

55. Egregiously, THR's source code and module **still contains the initials "MMC" in its labels**. THR's source code also flagrantly contains the same inadvertent misspelling of the word "Carosel."

56. Attached as Exhibits "1" – "7" are various screenshots that portray the stark similarities between TVLine and THR's source code and module.

COUNT I

COPYRIGHT INFRINGEMENT

(17 U.S.C. § 501 *et seq.*)

(Against All Defendants)

57. PMC realleges and incorporates herein by reference paragraphs 1 through 47 as though fully set forth herein.

58. The PMC Source Code contains original content, created by PMC.

59. PMC is the sole and exclusive owner of all right, title, and interest in and to the copyrights for the PMC Source Code. Prior to filing this complaint, PMC submitted eight applications to the United States Copyright Office to obtain copyrights in the PMC Source Code (the "Copyrights").

60. In most instances, Defendants copied the copyrighted PMC's Source

Code almost verbatim.

61. Defendants have utilized the copyrighted PMC Source Code as the framework for a virtually identical homepage module on THR's website.

62. Defendants' actions were willful, intentional, and purposeful in disregard of PMC's Copyrights.

63. As a direct and proximate cause of Defendants' infringement of PMC's Copyrights and exclusive rights under the Copyright Act, PMC is entitled to damages and disgorgement of Defendants' profits pursuant to 17 U.S.C. § 504(b) of the Copyright Act for each infringement.

64. Alternatively, PMC is entitled to the maximum statutory damages pursuant to 17 U.S.C. § 504(c) of the Copyright Act in the amount of $150,000 with respect to each work infringed, or such other amounts as may be proper under 17 U.S.C. § 504(b).

65. PMC is also entitled to its attorneys' fees and costs pursuant to 17 U.S.C. § 505 of the Copyright Act.

66. Defendants' conduct is causing and, unless enjoined and restrained by this Court, will continue to cause PMC great and irreparable injury that cannot be fully compensated or measured in money. PMC has no adequate remedy at law. Pursuant to 17 U.S.C. § 502 of the Copyright Act, PMC is entitled to a preliminary and permanent injunction prohibiting further infringement of PMC's Copyrights.

WHEREFORE, PMC prays for judgment in its favor and against Defendants, and each of them, as follows:

1. For actual damages for copyright infringement pursuant to 17 U.S.C. § 504(a)(1) & (b) in an amount in excess of five million dollars ($5,000,000.00);

2. For statutory damages for each and every copyright infringement, including willful infringement, in accordance with 17 U.S.C. § 504(a)(2) & (c);

3. For the entry of an injunction providing that Defendants, their

officers, agents, servants, employees, representatives, and attorneys, and all person in active concert or participation with them, be permanently enjoined from designing, copying, reproducing, displaying, promoting, advertising, distributing, misappropriating or selling, or any other form of dealing or transaction in, any and all advertising and promotional materials, print, media, signs, Internet web sites, or any other media, either now known or hereafter devised, bearing any design or mark which infringe, contributorily infringe, or vicariously infringe upon Plaintiff's rights in the Copyrighted materials or any other copyrighted work of Plaintiff, whether now in existence or later created;

4. For an accounting of all profits, income, receipts or other benefit derived by Defendants from the misappropriation, reproduction, copying, display, promotion, distribution or sale of products and services, or other media, either now known or hereafter devised, that improperly or unlawfully infringe upon Plaintiff's copyrights pursuant to 17 U.S.C. § 504(a)(1) & (b);

5. For disgorgement by Defendants to Plaintiff of all profits derived by Defendants from their acts of copyright infringement and misappropriation and to reimburse Plaintiff for all damages suffered by Plaintiff by reason of Defendants acts, pursuant to 17 U.S.C. § 504(a)(1) & (b);

6. For costs and interest pursuant to 17 U.S.C. § 505 and pursuant to state statute for the common law claims;

7. For reasonable attorney's fees incurred herein pursuant to 17 U.S.C. § 505;

///

///

///

8. For any such other and further relief as the Court may deem just and appropriate.

PMC hereby demands a jury trial.

DATED: September 14, 2011

FREEDMAN & TAITLEMAN, LLP

By: _____

BRYAN J. FREEDMAN
Attorneys for Plaintiff Penske Media Corporation dba PMC

Exhibit "1"

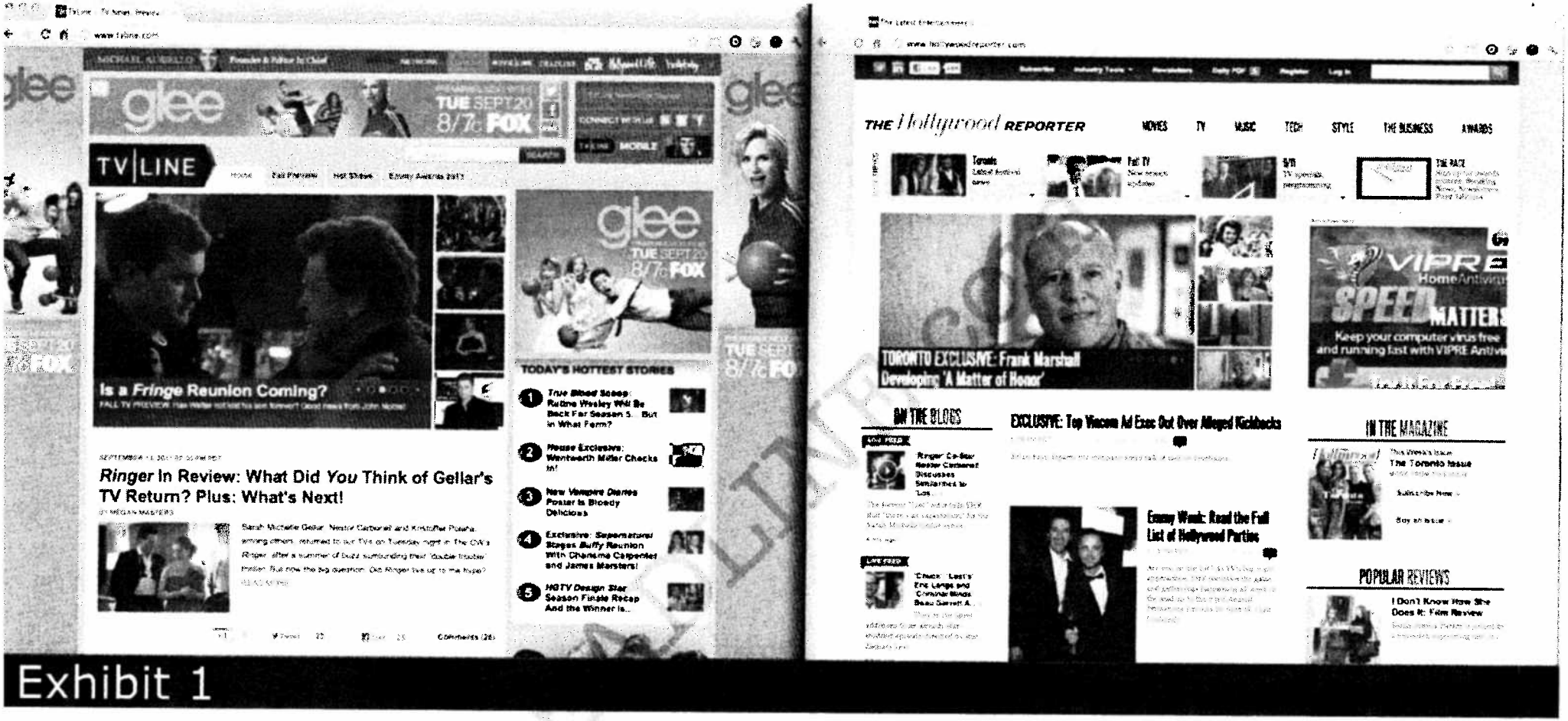


Exhibit 1

Displayed are homepage screenshots of TVLine.com and HollywoodReporter.com showing a virtually identical copy of the **"Featured Stories Module"** side by side.

Exhibit "2"

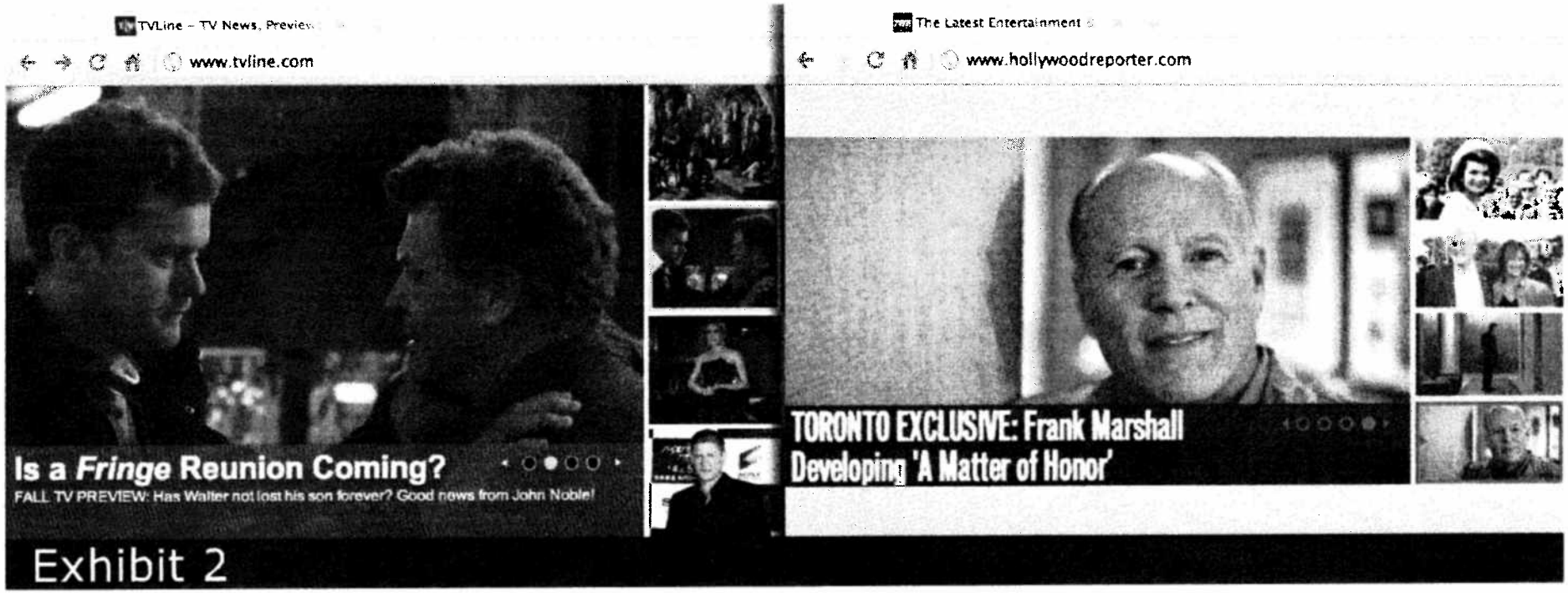


Exhibit 2

Displayed are homepage screenshots of TVLine.com and HollywoodReporter.com illuminating how the module on HollywoodReporter.com has been copied almost verbatim with only minor variations to size, color, font and text. The HollywoodReporter has not only imitated the style of the active featured story highlighter, but also stolen the alternate circle based navigation interface. Conclusively, all HollywoodReporter.com interactions with the module including auto cycling between stories on page load, number of featured stories shown, selection of active story, translucent bar displaying the title of the featured story, and the story selection animations, are stolen and misappropriated from TVLine.

Exhibit "3"

Exhibit 3

Displayed are screenshots of TVLine.com's and HollywoodReporter.com's **"Featured Stories Module"** and the underlying JavaScript code. It is evident that The HollywoodReporter has egregiously copied the TVLine code line-by-line, letter-by-letter, and maybe most surprisingly when stealing the code—somehow forgot to delete the use of "MMC" prefixes throughout their code. (MMC is the acronym for PMC's former designation: Mail.com Media Corporation, which owns TVLine.com)

Exhibit “4”

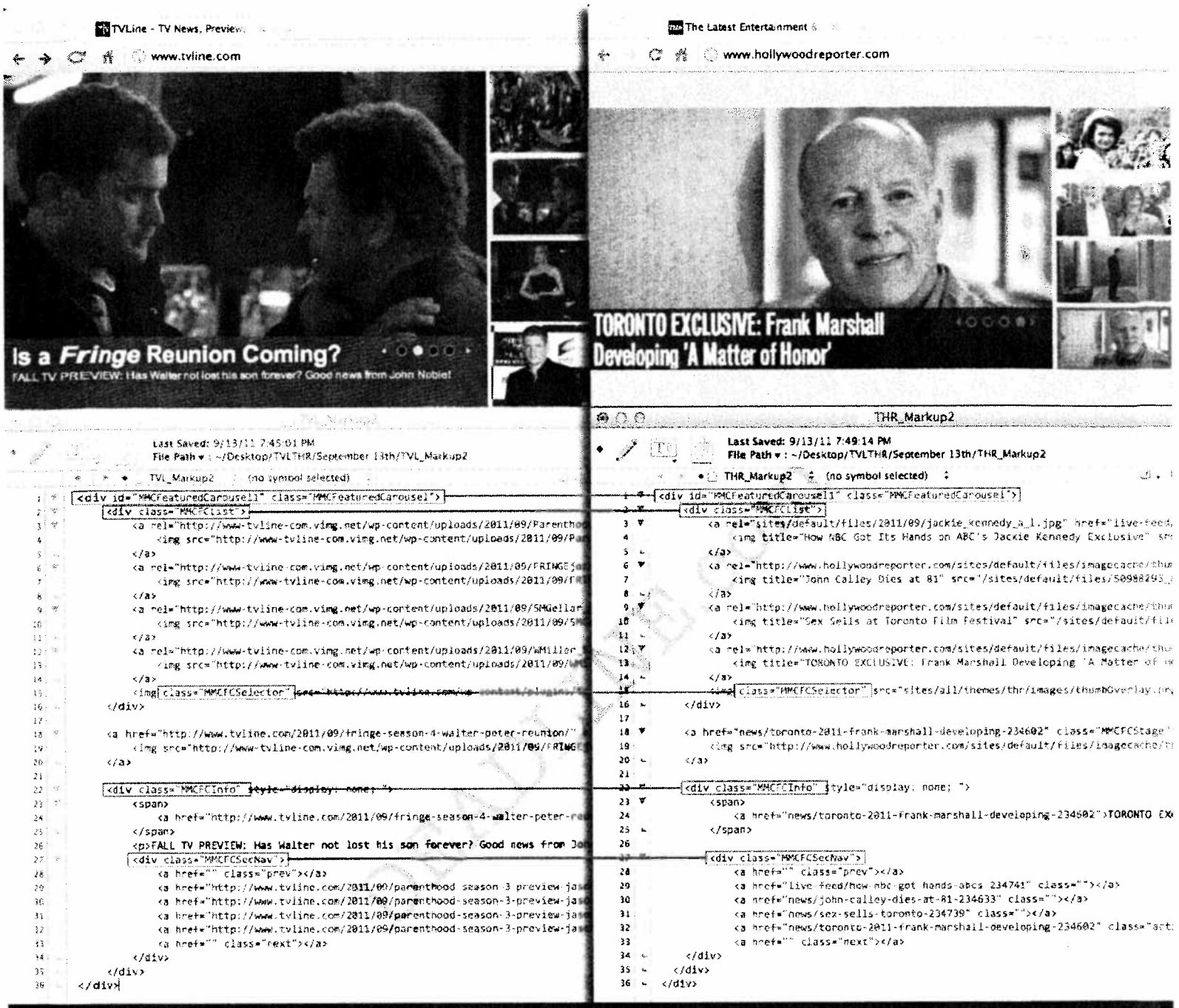


Exhibit 4

Displayed are homepage screenshots of TVLine.com and HollywoodReporter.com showing the **"Featured Stories Module"** and their identical Element Identifiers, nearly indistinguishable underlying HTML markup structure, and identical (CSS) Classnames prepended with "MMC" (MMC is the acronym for PMC's former designation: Mail.com Media Corporation, which owns TVLine.com)

Exhibit "5"

Exhibit 5

Displayed are screenshots of the HTML markup of TVLine.com's and HollywoodReporter.com's **"Featured Stories Module"** with the article content removed. With the article data and content (images, URLs, headlines, etc.) removed, it becomes absolutely obvious the HTML Markup for the module has been stolen.

Exhibit “6”

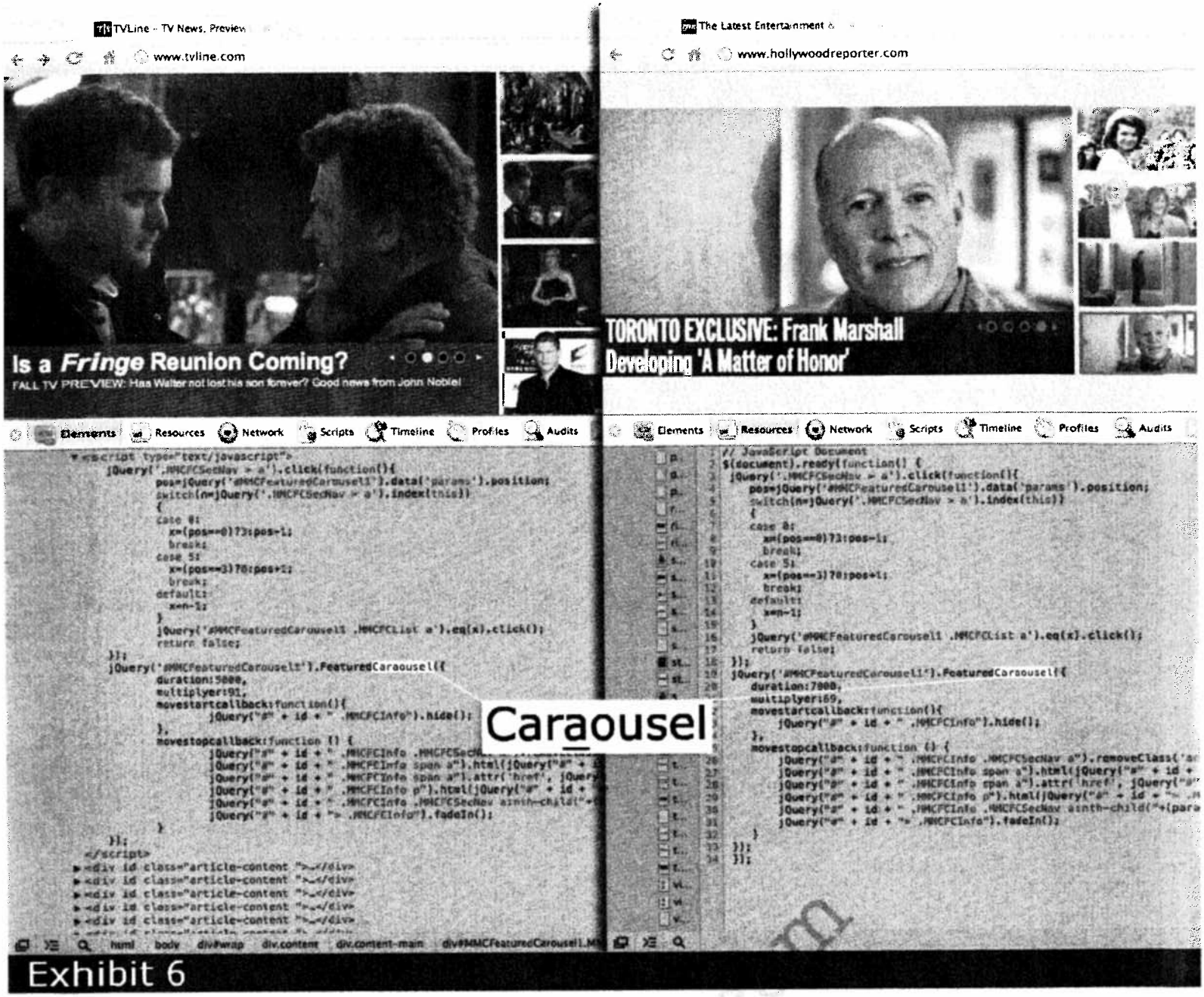
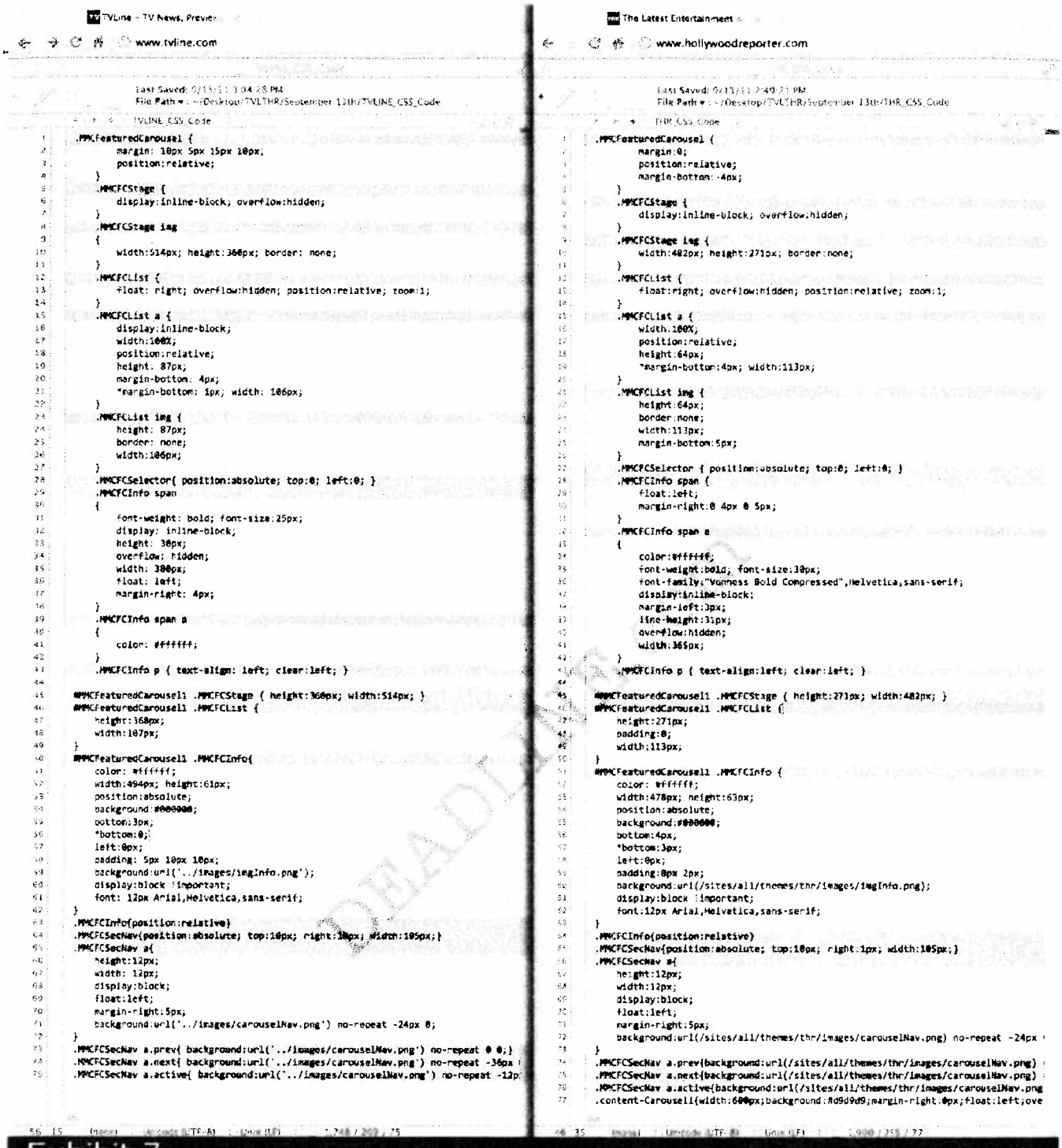


Exhibit 6

Displayed are screenshots of TVLine.com's and HollywoodReporter.com's **"Featured Stories Module"** and the underlying initialization code. Once again the code has been lifted from the TVLine site with insignificant configuration differences. Further proof of the HollywoodReporter's flagrant and unprincipled theft of PMC source code is evidenced by the misspelling of the word ("Caraousel" vs "Carousel") that appears in both sites' code (TVLine & HollywoodReporter).

Exhibit "7"



TVLine - TV News, Previe

www.tvline.com

Last Saved: 9/13/11 3:04:28 PM
File Path = ...~/Desktop/TVLTHR/September 13th/TVLINE_CSS_Code

TVLINE_CSS_Code

```
.MMCFeaturedCarousel {
        margin: 10px 5px 15px 10px;
        position:relative;
    }
    .MMCFCStage {
        display:inline-block; overflow:hidden;
    }
    .MMCFCStage img
    {
        width:514px; height:360px; border: none;
    }
    .MMCFCList {
        float: right; overflow:hidden; position:relative; zoom:1;
    }
    .MMCFCList a {
        display:inline-block;
        width:100%;
        position:relative;
        height: 87px;
        margin-bottom: 4px;
        *margin-bottom: 1px; width: 106px;
    }
    .MMCFCList img {
        height: 87px;
        border: none;
        width:106px;
    }
    .MMCFCSelector{ position:absolute; top:0; left:0; }
    .MMCFCInfo span
    {
        font-weight: bold; font-size:25px;
        display: inline-block;
        height: 30px;
        overflow: hidden;
        width: 380px;
        float: left;
        margin-right: 4px;
    }
    .MMCFCInfo span a
    {
        color: #ffffff;
    }
    .MMCFCInfo p { text-align: left; clear:left; }

#MMCFeaturedCarousel1 .MMCFCStage { height:360px; width:514px; }
#MMCFeaturedCarousel1 .MMCFCList {
    height:368px;
    width:167px;
}
#MMCFeaturedCarousel1 .MMCFCInfo{
    color: #ffffff;
    width:494px; height:61px;
    position:absolute;
    background:#000000;
    bottom:3px;
    *bottom:0;
    left:0px;
    padding: 5px 10px 10px;
    background:url('../images/imgInfo.png');
    display:block !important;
    font: 12px Arial,Helvetica,sans-serif;
}
.MMCFCInfo{position:relative}
.MMCFCSecNav{position:absolute; top:10px; right:10px; width:105px;}
.MMCFCSecNav a{
    height:12px;
    width: 12px;
    display:block;
    float:left;
    margin-right:5px;
    background:url('../images/carouselNav.png') no-repeat -24px 0;
}
.MMCFCSecNav a.prev{ background:url('../images/carouselNav.png') no-repeat 0 0;}
.MMCFCSecNav a.next{ background:url('../images/carouselNav.png') no-repeat -36px
.MMCFCSecNav a.active{ background:url('../images/carouselNav.png') no-repeat -12p
```

The Latest Entertainment

www.hollywoodreporter.com

Last Saved: 9/13/11 2:49:23 PM
File Path = ...~/Desktop/TVLTHR/September 13th/THR_CSS_Code

THR_CSS_Code

```
.MMCFeaturedCarousel {
        margin:0;
        position:relative;
        margin-bottom:-4px;
    }
    .MMCFCStage {
        display:inline-block; overflow:hidden;
    }
    .MMCFCStage img {
        width:482px; height:271px; border:none;
    }
    .MMCFCList {
        float:right; overflow:hidden; position:relative; zoom:1;
    }
    .MMCFCList a {
        width:100%;
        position:relative;
        height:64px;
        *margin-bottom:4px; width:113px;
    }
    .MMCFCList img {
        height:64px;
        border:none;
        width:113px;
        margin-bottom:5px;
    }
    .MMCFCSelector { position:absolute; top:0; left:0; }
    .MMCFCInfo span {
        float:left;
        margin-right:0 4px 0 5px;
    }
    .MMCFCInfo span a
    {
        color:#ffffff;
        font-weight:bold; font-size:30px;
        font-family:"Vanness Bold Compressed",Helvetica,sans-serif;
        display:inline-block;
        margin-left:3px;
        line-height:31px;
        overflow:hidden;
        width:365px;
    }
    .MMCFCInfo p { text-align:left; clear:left; }

#MMCFeaturedCarousel1 .MMCFCStage { height:271px; width:482px; }
#MMCFeaturedCarousel1 .MMCFCList {
    height:271px;
    padding:0;
    width:113px;
}
#MMCFeaturedCarousel1 .MMCFCInfo {
    color: #ffffff;
    width:478px; height:63px;
    position:absolute;
    background:#000000;
    bottom:4px;
    *bottom:1px;
    left:0px;
    padding:8px 2px;
    background:url(/sites/all/themes/thr/images/imgInfo.png);
    display:block !important;
    font:12px Arial,Helvetica,sans-serif;
}
.MMCFCInfo{position:relative}
.MMCFCSecNav{position:absolute; top:10px; right:1px; width:105px;}
.MMCFCSecNav a{
    height:12px;
    width:12px;
    display:block;
    float:left;
    margin-right:5px;
    background:url(/sites/all/themes/thr/images/carouselNav.png) no-repeat -24px
}
.MMCFCSecNav a.prev{background:url(/sites/all/themes/thr/images/carouselNav.png)
.MMCFCSecNav a.next{background:url(/sites/all/themes/thr/images/carouselNav.png)
.MMCFCSecNav a.active{background:url(/sites/all/themes/thr/images/carouselNav.png
.content-Carousel1{width:600px;background:#d9d9d9;margin-right:0px;float:left;ove
```

Exhibit 7

Displayed are side by side screenshots of the CSS code applied to the **"Featured Stories Module"** on TVLine.com and HollywoodReporter.com. One can lucidly see that the HollywoodReporter's CSS is merely a slight revision of the TVLine.com original CSS code. The HollywoodReporter's unashamed use of "MMC"* prefixed CSS Classnames and CSS techniques, coupled with several CSS classes that remain unchanged from the original TVLine code implementation further confirms this theft of copyright. (*MMC is the acronym for PMC's former designation: Mail.com Media Corporation, which owns TVLine.com)

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Attorneys for Plaintiff Penske Media Corp., dba PMC

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PENSKE MEDIA CORPORATION, a Delaware corporation, d/b/a PMC

PLAINTIFF(S)

v.

PROMETHEUS GLOBAL MEDIA, LLC, a Delaware limited liability company d/b/a hollywoodreporter.com; and DOES 1 through 10, inclusive

DEFENDANT(S).

CASE NUMBER

LACV11-7560 VBF (MRWx)

SUMMONS

TO: DEFENDANT(S): _____

_____

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☑ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Bryan J. Freedman, whose address is Freedman & Taitelman, LLP, 1901 Ave. of the Stars, #500, Los Angeles, CA 90067. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: SEP 14 2011

By: SUSANA P. BUSTAMANTE
Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself ☐)
PENSKE MEDIA CORPORATION, a Delaware corporation, d/b/a PMC

DEFENDANTS
PROMETHEUS GLOBAL MEDIA, LLC, a Delaware limited liability company d/b/a hollywoodreporter.com; and DOES 1 through 10, inclusive

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)

Freedman & Taitelman, LLP - 1901 Ave. of the Stars, #500, Los Angeles, CA 90067; tel: 310-201-0005; Attorneys of Record: Bryan J. Freedman (151990), Steven B. Stiglitz (222667), Jonathan M. Genish (259031)

Attorneys (If Known)

Unknown

II. BASIS OF JURISDICTION (Place an X in one box only.)

☐ 1 U.S. Government Plaintiff ☑ 3 Federal Question (U.S. Government Not a Party)

☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated or Principal Place of Business in this State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated and Principal Place of Business in Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. ORIGIN (Place an X in one box only.)

☑ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☑ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☑ No ☐ **MONEY DEMANDED IN COMPLAINT: $** Not specified

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

17 U.S.C. § 101; Business & Professions Code §§ 17200; Copyright Infringement, Unfair compensation

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES
- 400 State Reapportionment
- 410 Antitrust
- 430 Banks and Banking
- 450 Commerce/ICC Rates/etc.
- 460 Deportation
- 470 Racketeer Influenced and Corrupt Organizations
- 480 Consumer Credit
- 490 Cable/Sat TV
- 810 Selective Service
- 850 Securities/Commodities/ Exchange
- 875 Customer Challenge 12 USC 3410
- 890 Other Statutory Actions
- 891 Agricultural Act
- 892 Economic Stabilization Act
- 893 Environmental Matters
- 894 Energy Allocation Act
- 895 Freedom of Info. Act
- 900 Appeal of Fee Determination Under Equal Access to Justice
- 950 Constitutionality of State Statutes

CONTRACT
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loan (Excl. Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS
PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Fed. Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury-Med Malpractice
- ☐ 365 Personal Injury-Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 463 Habeas Corpus-Alien Detainee
- ☐ 465 Other Immigration Actions

TORTS
PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

CIVIL RIGHTS
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/Accommodations
- ☐ 444 Welfare
- ☐ 445 American with Disabilities - Employment
- ☐ 446 American with Disabilities - Other
- ☐ 440 Other Civil Rights

PRISONER PETITIONS
- ☐ 510 Motions to Vacate Sentence Habeas Corpus
- ☐ 530 General
- ☐ 535 Death Penalty
- ☐ 540 Mandamus/ Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition

FORFEITURE/ PENALTY
- ☐ 610 Agriculture
- ☐ 620 Other Food & Drug
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 630 Liquor Laws
- ☐ 640 R.R. & Truck
- ☐ 650 Airline Regs
- ☐ 660 Occupational Safety /Health
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Mgmt. Relations
- ☐ 730 Labor/Mgmt. Reporting & Disclosure Act
- ☐ 740 Railway Labor Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Empl. Ret. Inc. Security Act

PROPERTY RIGHTS
- ☑ 820 Copyrights
- ☐ 830 Patent
- ☐ 840 Trademark

SOCIAL SECURITY
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS-Third Party 26 USC 7609

LACV11-7560

FOR OFFICE USE ONLY: Case Number: _____

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

III(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☑ No ☐ Yes
'yes, list case number(s): _____

III(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☑ No ☐ Yes
'yes, list case number(s): _____

ivil cases are deemed related if a previously filed case and the present case:
'heck all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

. VENUE: (When completing the following information, use an additional sheet if necessary.)

) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
enske Media corporation, d/b/a PMC - Los Angeles County, California	

) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Prometheus Global Media, LLC - New York County, New York

List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

ounty in this District:*	California County outside of this District; State, if other than California; or Foreign Country
s Angeles County	

os Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties
e: In land condemnation cases, use the location of the tract of land involved

SIGNATURE OF ATTORNEY (OR PRO PER): _____ Date September 14, 2011
Bryan J. Freedman, Attorneys for Plaintiff

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))