

EXHIBIT 5

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9 *Interim Lead Counsel for Plaintiffs and the [Proposed] Class*

10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA -**
12 **WESTERN DIVISION**

13 GOOD MORNING TO YOU) Lead Case No. CV 13-04460-GHK (MRWx)
14 PRODUCTIONS CORP., *et al.*,)
15 Plaintiffs,) **PLAINTIFFS' SECOND NOTICE OF**
16 v.) **TAKING DEPOSITION OF THE**
17) **PERSON MOST KNOWLEDGEABLE**
18 WARNER/CHAPPELL MUSIC,) **OF DEFENDANT**
19 INC., *et al.*,) **WARNER/CHAPPELL MUSIC, INC.**
20 Defendants.) **PURSUANT TO FED. R. CIV. P. 30(b)(6)**
21)
22) Date: June 13, 2014
23) Time: 10:00 a.m.
24) Place: Glancy Binkow & Goldberg
25) LLP
26) 1925 Century Park East,
27) Suite 2100
28) Los Angeles, CA 90067

1 **TO DEFENDANT WARNER/CHAPPELL MUSIC, INC. AND ITS**
2 **ATTORNEYS OF RECORD:**

3 **PLEASE TAKE NOTICE** that, pursuant to Rule 30(b)(6) of the Federal
4 Rules of Civil Procedure, Plaintiffs Good Morning To You Productions Corp.,
5 Robert Siegel, Rupa Marya, and Major Productions, LLC (“Plaintiffs”), by their
6 attorneys, will take the deposition upon oral examination of defendant
7 Warner/Chappell Music, Inc. (“Warner/Chappell”), at the offices of Glancy Binkow
8 & Goldberg LLP, 1925 Century Park East, Suite 2100, Los Angeles, CA 90067,
9 telephone 310/201-9150, on June 13, 2014, commencing at 10:00 a.m. The oral
10 examination of the deponent will be recorded by stenographic and will continue from
11 day to day until complete.

12 Specifically, Plaintiffs request Warner/Chappell to designate one or more
13 persons most knowledgeable with respect to each of the following categories
14 pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure:

15 1. The circumstances surrounding the original preparation of the
16 documents produced by ASCAP pursuant to Plaintiffs’ Subpoena dated March 28,
17 2014, bearing document numbers ASCAP0094-117, ASCAP 0130, ASCAP 0132,
18 ASCAP0133, ASCAP0182-184, and ASCAP 0234-245;

19 2. The basis of any claim by Warner/Chappell that any of the documents
20 identified in No. 1 above are privileged or otherwise protected from disclosure;

21 3. How and why the documents identified in No. 1 above were in the
22 possession of ASCAP;

23 4. Why the documents identified in No. 1 above are not in the possession
24 of Warner/Chappell;

25 5. The relationship(s), if any, between or among Summy-Birchard Music,
26 Summy-Birchard Company, ASCAP, and Coudert Brothers in the period from 1974
27 through 1979; and
28

1 6. The services provided by ASCAP to or for Summy-Birchard Music or
2 Summy-Birchard Company during the period from 1974 through 1979.

3 You are invited to attend and cross-examine.

4
5 Dated: May 22, 2014

Respectfully submitted,
WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP

7 By: Betsy C. Manifold
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DECLARATION OF SERVICE

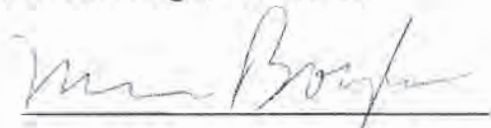
I, Marianne Boyles, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interested in the within action; that declarant's business address is 750 B Street, Suite 2770, San Diego, California. 92101.

2. That on May 22, 2014, declarant served PLAINTIFFS' SECOND NOTICE OF TAKING DEPOSITION OF THE PERSON MOST KNOWLEDGEABLE OF DEFENDANT WARNER/CHAPPELL MUSIC, INC. PURSUANT TO FED. R. CIV. P. 30(b)(6). by U.S. Mail and -mail to the parties listed on the attached Service List.

3. That there is regular communication between the parties.

I declare under penalty of perjury that the foregoing is true and correct.
Executed this 22nd day of May 2014, at San Diego, California.



MARIANNE BOYLES

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