

EXHIBIT 16

1 UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
2 WESTERN DIVISION

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3 GOOD MORNING TO YOU PRODUCTIONS CORP,
et al.

4 Plaintiffs,

5 -against-

6 WARNER/CHAPPELL MUSIC INC., et al.,

7 Defendants.
-----X

8 Lead Case No. CV 13-04460-GHK (MRWx)

9
10 DATE: July 11, 2014

TIME: 2:00 p.m.

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12 VIDEOTAPED DEPOSITION of Richard
13 Reimer, taken by Plaintiffs, held at the
14 Offices of Paul, Weiss, Rifkind, Wharton &
15 Garrison, LLP, 1285 Avenue of the Americas,
16 New York, New York 10019, before Gilbert J.
17 Bowles, a Notary Public of the State of New
18 York.

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23 Job No: 81987
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1 A P P E A R A N C E S:

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3 WOLF HALDENSTEIN ADLER FREEMAN & HERZ

Attorneys for the Plaintiffs

4 270 Madison Avenue

New York, NY 10016

5 BY: MARK C. RIFKIN, ESQ.

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MUNGER TOLLES & OLSON

7 355 South Grand Avenue

Los Angeles, CA 90071

8 BY: MELINDA EADES LeMOINE, ESQ.

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PAUL, WEISS, RIFKIND, WHARTON & GARRISON

11 1285 Avenue of the Americas

New York, NY 10019

12 BY: DARREN W. JOHNSON, ESQ.

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15 ALSO PRESENT: STEVE SANPIETRO

Legal Video Specialist

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17 RANDALL S. NEWMAN, ESQ.

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S T I P U L A T I O N S

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3 IT IS HEREBY STIPULATED AND AGREED, by and between
4 the attorneys for the respective parties herein,
5 that filing and sealing be and the same are
6 hereby waived.

7 IT IS FURTHER STIPULATED AND AGREED that all
8 objections, except as to the form of the
9 question, shall be reserved to the time of the
10 trial.

11 IT IS FURTHER STIPULATED AND AGREED that the within
12 deposition may be sworn to and signed before any
13 officer authorized to administer an oath, with
14 the same force and effect as if signed and sworn
15 to before the Court.
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1 move on.

2 Q Mr. Reimer, in the period from
3 1974 through 1979, did ASCAP provide services
4 to Summy-Birchard individually as opposed to
5 part of the services you provided to all of
6 your members in issuing blanket licenses?

7 MS. LeMOINE: Objection to form.

8 MR. JOHNSON: Objection.

9 A I really don't know.

10 Q What services did ASCAP provide to
11 Summy-Birchard in the period from 1974
12 through 1979?

13 MS. LeMOINE: Objection to form.

14 Speculation.

15 A Well, you know, apart from the
16 documents that we already produced I'm
17 unaware of any specific services.

18 Q Okay, that's fine.

19 Does ASCAP have any interest in
20 the music it licenses?

21 A Again, we produced documents that
22 I believe make clear whatever interest ASCAP
23 has. I also said in my declaration that we
24 have no interest in the copyrights
25 themselves.

1 Q Do you have any interest in the
2 music?

3 MR. JOHNSON: Objection. That's
4 also beyond the scope of the topics
5 here. Your topics about interest are
6 very specific. Interest in any fees or
7 royalties interest in any copyrights.

8 MR.RIFKIN: Okay. Are you going
9 to instruct him not to answer?

10 MR. JOHNSON: Well, are you
11 insisting -- are you continuing --

12 MR.RIFKIN: I asked a question. I
13 simply asked a question as a yes or no
14 answer. If you want to instruct him not
15 to answer go ahead, if not, let him
16 answer and we can move on.

17 MR. JOHNSON: First, I'm going to
18 object to the form of the question.
19 Second, I'm going to instruct him not to
20 answer.

21 MR.RIFKIN: Okay, that's fine.

22 Q Does ASCAP have any interest in
23 the copyright or any copyright to the song
24 Happy Birthday To You?

25 A Again, I think my response is that

1 the documents we produced speak for
2 themselves.

3 Q Did ASCAP ever have any interest
4 in any copyright to the song Happy Birthday
5 To You?

6 A I would make the same response I
7 just made.

8 Q Can you answer that yes or no for
9 the record, please?

10 A I will answer it by saying I think
11 the documents we produced are
12 self-explanatory.

13 Q Do you know if any of those
14 documents identify any interest in the
15 copyright that ASCAP has the copyright to the
16 song Happy Birthday To You?

17 MS. LeMOINE: Objection. Vague.

18 MR. JOHNSON: Objection. This is
19 also -- he's already testified to this
20 in his declaration in this case. You
21 know what the answer is. So let's not
22 try to suggest on the record that he
23 hasn't already provided this information
24 to you.

25 MR.RIFKIN: I simply want him to