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Warner/Chappell Music, Inc. and

9 Summy-Birchard, Inc.

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

14 GOOD MORNING TO YOU  
PRODUCTIONS CORP.; et al.,

15 Plaintiffs,

16 v.

17 WARNER/CHAPPELL MUSIC, INC.,  
18 et al.,

19 Defendants.

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

**DEFENDANTS' STATEMENT  
REGARDING PLAINTIFFS'  
SUBMISSION OF SUPPLEMENTAL  
EVIDENCE WITH THEIR REPLY  
SUPPORTING THEIR *EX PARTE*  
APPLICATION**

Judge: Hon. George H. King,  
Chief Judge

Courtroom: 650

Fact Disc. Completion: July 11, 2014  
MSJ Hearings: March 23 and  
July 29, 2015

Pretrial Conference: N/A  
Trial: N/A

1 Warner/Chappell reviewed the documents that Plaintiffs filed with their reply  
2 in support of their *ex parte* application, when Plaintiffs sent us the documents this  
3 past Monday. Dkt. Nos. 232-33. We do not oppose Plaintiffs' request that the  
4 Court consider this evidence on summary judgment. We do not think this evidence  
5 changes or undermines the arguments that Warner/Chappell made in its opposition  
6 to Plaintiffs' *ex parte* application.

7 We explained to Plaintiffs our position on the significance—or lack thereof—  
8 of their new documents in writing on Tuesday, before Plaintiffs filed their reply. If  
9 the Court would like to review Warner/Chappell's position on these documents, or  
10 any of the other arguments that Plaintiffs make in their reply, we would be pleased  
11 to submit a short supplemental brief. If the Court does not believe further briefing is  
12 necessary at this time, we will not burden the Court with additional paper.

13 DATED: August 7, 2015

MUNGER, TOLLES & OLSON LLP

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By:           /s/ KELLY M. KLAUS            
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