

Exhibit 3

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

14	GOOD MORNING TO YOU)	Lead Case No. CV 13-04460-GHK (MRWx)
15	PRODUCTIONS CORP., <i>et al.</i> ,)	
16)	PLAINTIFF GOOD MORNING TO
17	Plaintiffs,)	YOU PRODUCTIONS CORP.'S
18)	INTERROGATORIES TO
19	v.)	DEFENDANT WARNER/CHAPPELL
20)	MUSIC, INC. – SET NO. TWO
21	WARNER/CHAPPELL MUSIC,)	
22	INC., <i>et al.</i>)	
23)	
24	Defendant.)	
25)	
26)	

23 **PROPOUNDING PARTY: PLAINTIFF GOOD MORNING TO YOU**
 24 **PRODUCTIONS CORP.**

25 **RESPONDING PARTY: DEFENDANT WARNER/CHAPPELL MUSIC,**
 26 **INC.**

27 **SET NO.: TWO**

28

1 Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Plaintiff GOOD
2 MORNING TO YOU PRODUCTIONS CORP. ("Plaintiff"), by and through its
3 undersigned counsel, hereby propound the following interrogatories upon defendant
4 WARNER/CHAPPELL MUSIC, INC. ("Defendant"), to be answered, under oath,
5 within 30 days or such other time as the parties may agree or the Court may order.

6 **DEFINITIONS**

7 1. "Defendants" means Warner/Chappell Music, Inc., and Summy-
8 Birchard, Inc. (or each individually, as context requires).

9 2. "Warner/Chappell," means Warner/Chappell Music, Inc., its
10 subsidiaries and predecessors in interest, including without limitation Summy-
11 Birchard, Inc.

12 3. "You" or "Your" refers to each Defendant served with these requests.

13 4. "*Happy Birthday to You*" means the song *Happy Birthday to You*.

14 5. "Including" and "includes" shall be construed to mean "including
15 without limitation."

16 6. The use of the singular form of any word includes the plural and
17 vice versa.

18 **INSTRUCTIONS**

19 1. The term "document," as used here, includes each "item" set forth in
20 Rule 34(a) of the Federal Rules of Civil Procedure, including, without limitation,
21 electronically stored information, electronic or computerized data compilations, and
22 e-mail.

23 2. Whenever reference to a business entity appears, the reference shall
24 mean the business entity, its affiliated companies, partnerships, divisions,
25 subdivisions, units, businesses, ventures, directors, officers, employees, imprints,
26 agents or other representatives or affiliated third parties.

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1 3. Your answers shall include all available information, including hearsay,
2 in your possession, custody or control, or in the possession, custody or control of
3 your agents or attorneys.

4 4. You shall answer each interrogatory fully, in writing and under oath,
5 unless it is objected to, in which event all reasons for the objection shall be stated in
6 lieu of an answer.

7 5. If you object to any part of an interrogatory, please respond to the
8 remaining part or parts completely.

9 6. All documents produced as an alternative to answering an interrogatory
10 shall be produced as they are kept in the usual course of Your business or shall be
11 organized and labeled in a manner responsive to the interrogatory.

12 7. If the person who verifies the answers to the interrogatories does not
13 have personal knowledge of the information contained in each answer, that person
14 shall identify such information and its source.

15 8. Where identification of a Copyright is required, the following shall be
16 separately stated as to each Copyright:

- 17 a. the title, description, and author(s) of the work as stated on the
- 18 application for Copyright;
- 19 b. the title, description, and author(s) of the New Matter, if different from
- 20 (a.) in any respect;
- 21 c. the title, description, deposit date, and author(s) of the Deposit Copy, if
- 22 different from (a.) or (b.) in any respect;
- 23 d. the Registration Number and registration date;
- 24 e. the Copyright owner;

25 9. Where identification of a meeting is required, state the meeting date,
26 location and attendees, and the substance of the subjects discussed.

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1 10. Where identification of a telephone conversation is required, state the
2 date of the conversation, the location and identity of the call originator(s),
3 recipient(s) and all other participants, and the substance of the subjects discussed.

4 11. Where identification of a document is required, separately state as to
5 each document:

- 6 a. its date, its exact title, and the substance of the document with sufficient
7 particularity to enable it to be identified and located within any
8 document production;
- 9 b. the identification and location of the files where the original and each
10 copy is normally or presently kept;
- 11 c. the name, business affiliation, and last known address of each author,
12 intended recipient, and person currently in possession of the original or
13 a copy of the document; and,
- 14 d. if such document is no longer in existence, state the circumstances
15 surrounding its elimination, the date and reasons for such elimination,
16 and, the identity of the person(s) who ordered and/or supervised the
17 elimination.

18 12. Where information concerning licensing activity is requested, provide
19 the requested information by license type, such that information about the public
20 performance licenses, mechanical licenses, synchronization licenses and all other
21 types of licenses of the Song You have authorized or granted are separately provided.

22 13. Whenever identification of a person is required, the following shall be
23 separately stated as to each person:

- 24 a. the name and last known business address or location and phone number
25 of each such person; and
- 26 b. if such person is an individual, additionally state each business position
27 held by that individual at the time or times for which such identification
28 is requested; and

1 c. if such a person is not an individual, identify each individual employed
2 by or representing such person who has knowledge of the matter at
3 issue.

4 14. If you refuse to respond to any of these interrogatories based on a claim
5 of privilege or confidentiality, Your statement of the claim shall include all facts
6 relied upon in support thereof. If you claim attorney work-product privilege, identify
7 the litigation for which the work-product was prepared.

8 15. If you answer any interrogatory by reference to business records
9 pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, identify the business
10 records and provide the name(s) of your employee(s) certifying the documents as
11 business records for purposes of answering the interrogatory.

12 16. These interrogatories are continuing requests and you are obligated to
13 notify plaintiff's counsel right away and amend or supplement your responses as
14 soon as reasonably possible if you determine that an answer You provided was false,
15 or if You subsequently obtain information which leads You to believe that Your
16 response was incomplete or incorrect when made, or that Your response, although
17 correct and complete when made, is no longer correct and complete.

18 **RELEVANT TIME PERIOD**

19 Unless otherwise specified, the relevant time period for these interrogatories is
20 1893 to the present date (the "Relevant Time Period").

21 **INTERROGATORIES**

22 **INTERROGATORY NO. 15:**

23 Identify each person or entity, other than Defendants, who claims or has
24 claimed to own a copyright to *Happy Birthday to You* or its lyrics, and for each
25 person or entity, state:

26 (a) the nature of the claim made or asserted;

27 (b) for each such claim, when and how it was made or asserted;

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(c) when and how you learned of the claim being made or asserted;

and

(d) your response (if any) to the claim.

INTERROGATORY NO. 16:

For each claim described in the preceding Interrogatory, identify all persons with knowledge of the claim.

Dated: October 21, 2015

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