FRANCIS M. GREGOREK (144785)
gregorek@whafh.com
BETSY C. MANIFOLD (182450)
manifold@whafh.com
RACHELE R. RICKERT (190634)
rickert@whafh.com
MARISA C. LIVESAY (223247)
livesay@whafh.com
BRITTANY N. DEJONG (258766)
dejong@whafh.com
WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP FREEMAN & HERZ LLP 750 B Street, Suite 2770 San Diego, CA 92101 Telephone: 619/239-4599 Facsimile: 619/234-4599

Interim Lead Class Counsel for Plaintiffs and Proposed Class

UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA WESTERN DIVISION

| GOOD MORNING TO YOU PRODUCTIONS CORP., et al., Plaintiffs, v. | Lead Case No. CV 13-04460-GHK (MRWx) DECLARATION OF RUPA MARYA IN SUPPORT OF PLAINTIFFS' REPLY TO MOTION FOR LEAVE TO AMEND AND FILE FIFTH AMENDED COMPLAINT |
|---|--|
| WARNER/CHAPPELL MUSIC, INC., et al., Defendants. |) Date: November 16, 2015 Time: 9:30 a.m. Judge: Hon. George H. King, Chief Judge) Room: 650 |

- I, Rupa Marya, hereby declare as follows:
- 1. I am a musician and leader of the band entitled "Rupa & The April Fishes" and a member of the American Society of Composers, Authors and Publishers. I am a resident Alameda County, California and a Plaintiff in the above-entitled action.
- 2. On or about June 17, 2013, I paid defendant Warner/Chappell \$455 for a compulsory license for use of *Happy Birthday to You*.
- 3. I did not learn that there was a dispute with respect to whether or not defendant Warner/Chappell owned a copyright of *Happy Birthday to You* until this lawsuit was filed in June 2013. Prior to June 2013, I never heard about nor did I read the article written by Professor Brauneis that argued Warner/Chappell did not own a copyright to *Happy Birthday to You*.
- 4. Prior to the filing of this lawsuit, I had no reason to believe nor did I suspect that Warner/Chappell did not own a copyright to *Happy Birthday to You*. It was commonly known in the entertainment industry that Warner/Chappell claimed an exclusive copyright to *Happy Birthday to You* and it had been collecting royalties for use of the song for decades.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 12th day of November 2015, in Contra Costa County, California.

By RIJPA MARYA