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

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	Plaintiffs,)	DECLARATION OF ROBERT SIEGEL IN
17	v.)	SUPPORT OF FINAL APPROVAL OF
18)	CLASS ACTION SETTLEMENT AND
19	WARNER/CHAPPELL MUSIC,)	REQUEST FOR INCENTIVE
20	INC., <i>et al.</i>)	COMPENSATION AWARD
21	Defendants.)	
22)	Room: 650
23)	Judge: Hon. George H. King, Chief
)	Judge
)	Date: June 27, 2016
)	Time: 9:30 a.m.

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1 The undersigned, Robert Siegel, under penalty of perjury, hereby declares and
2 states as follows:

3 1. I am a filmmaker and the assignee of Big Fan Productions, Inc. (“Big
4 Fan”). I am also one of the four Plaintiffs in this Action. I have personal knowledge
5 of the facts set forth herein and, if called upon, I could and would competently testify
6 thereto.

7 2. I submit this Declaration in support of Plaintiffs’ motions for final
8 approval of the Settlement and for an incentive compensation award to the Plaintiffs.
9 These motions and supporting memoranda of law are filed concurrently herewith.

10 3. Big Fan obtained a license from Defendant Warner/Chappell Music, Inc.
11 (“Warner”) on or about September 1, 2009, for which it paid Warner the sum of
12 \$3,000. At the time, I was aware of Warner’s claim to own a copyright to the song
13 *Happy Birthday to You* (“*Happy Birthday*” or the “Song”), and at that time Big Fan
14 understood I could use the Song safely only if I obtained a license to do so.

15 4. After I paid for a license for *Happy Birthday*, I became aware that
16 another Plaintiff, Good Morning to You Productions Corp. (“GMTY”) had
17 commenced litigation against Warner and its subsidiary challenging their claim to
18 own a copyright to the Song.

19 5. I immediately contacted my attorney, Mark C. Rifkin, Esquire, and
20 discussed the copyright dispute with him. Following our discussion, I decided to
21 become involved in the litigation as a Plaintiff, and I instructed my attorney to make
22 arrangements for me to join the Action. On June 19, 2013, a complaint was filed in
23 this Court on my behalf and on behalf of all others who were similarly situated.

24 6. I have been actively involved as a Plaintiff in the Action. Before my
25 complaint was filed, I met with Mr. Rifkin and his colleagues and I gave them
26 information about Big Fan’s license, I spoke with them about the potential claims
27 against the Defendants, and explained my responsibilities as a plaintiff in a class
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1 action.

2 7. After my complaint was filed, I communicated with Mr. Rifkin and his
3 colleagues by telephone and email on numerous occasions about the progress of the
4 Action, to discuss ongoing discovery, and to discuss strategies in the litigation and
5 settlement negotiations.

6 8. My attorneys have kept me informed of the progress of the litigation
7 throughout the pendency of the Action so that I could oversee the Action for the
8 benefit of the Class. In particular, my attorneys and I reviewed the consolidated and
9 amended complaints before they were filed, we reviewed the Defendants' motion to
10 dismiss and Plaintiffs' response to it, we reviewed the Court's decision denying
11 Defendants' motion to dismiss, we reviewed the exchange of discovery, we reviewed
12 the cross-motions for summary judgment and the Court's hearings on the cross-
13 motions, we reviewed the Court's decision granting partial summary judgment in
14 favor of the Plaintiffs, and we discussed the possible settlement of the Action.

15 9. I had extensive communication with my attorneys about the proposed
16 Settlement as it was being negotiated. Ultimately, after those communications, I
17 reviewed, approved, and executed the Settlement Agreement. Thereafter, I have
18 continued to review the settlement process.

19 10. I have spent approximately 30 hours in performing my duties as Plaintiff
20 in the Action. I have spent all that time at my own expense, and without any
21 compensation or promise of compensation of any kind.

22 11. I believe my role in the Action was instrumental in achieving the
23 excellent results we have obtained for the Class and for the public.

24 12. I hereby certify, under the penalty of perjury under the laws of the
25 United States, that the foregoing statements are true and correct to the best of my
26 knowledge, information, and belief.

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Executed this 14 day of April, 2016, at New York, New York.



[INSERT NAME]

Robert Siegel

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