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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 ALMO MUSIC CORPORATION,
12 STYGIAN SONGS, CONTROVERSY
MUSIC, UNIVERSAL MUSIC CORP.
and J. ALBERT & SON (USA) INC.,

13 Plaintiffs,

14 vs.

15 KAMAL KESHMIRI, individually;
16 JAMAL (A/K/A JAMY) KESHMIRI,
individually; and DISCOPOLUS, LLC, a
17 Nevada limited liability company;

18 Defendants.

Case No.: 2:10-CV-00381-KJD-GWF

STIPULATED JUDGMENT

19 Pursuant to the terms of this Stipulated Judgment and the Settlement and Release Agreement
20 entered into between Plaintiffs ALMO MUSIC CORPORATION, STYGIAN SONGS,
21 CONTROVERSY MUSIC, UNIVERSAL MUSIC CORP. and J. ALBERT & SON (USA) INC.
22 (“Plaintiffs”), and Defendants KAMAL KESHMIRI, JAMAL KESHMIRI, and DISCOPOLUS, LLC
23 (“Defendants”) agree and therefore stipulate that Judgment be entered against Defendants KAMAL
24 KESHMIRI, JAMAL KESHMIRI, and DISCOPOLUS, LLC, jointly and severally, as follows:

25 **STIPULATION**

26 Plaintiffs and Defendants hereby stipulate to allow Judgment to be entered in favor of
27 Plaintiffs and against Defendants, KAMAL KESHMIRI, JAMAL KESHMIRI, and DISCOPOLUS,
28

1 LLC, jointly and severally, in the amount of \$125,000.00, subject to a credit for any payments made
2 to Plaintiffs pursuant to the parties’ Settlement Release and Agreement, which comprises an award of
3 statutory damages of \$15,000 per infringement, totaling \$60,000.00, and reasonable attorneys’ fees
4 and costs totaling \$65,000.00.

5 Plaintiffs and Defendants further stipulate that this Court’s February 7, 2013 “Injunctive
6 Order” shall continue to apply and that Defendants KAMAL KESHMIRI, individually and
7 DISCOPOLUS, LLC acting either in concert or individually (hereafter, the “Enjoined Defendants”),
8 and any persons acting under the direction, control, permission or authority of the Enjoined
9 Defendants, shall be and hereby are enjoined and restrained permanently from publicly performing
10 any copyrighted musical work in the ASCAP repertory, whether now in existence or later created,
11 including any or all of Plaintiffs’ copyrighted musical compositions identified on Schedule A to the
12 Second Amended Complaint [Dkt. No. 34], in any place owned, controlled or conducted by the
13 Enjoined Defendants, and from aiding or abetting the public performance of such compositions in
14 any such place or otherwise, unless and until the Enjoined Defendants receive permission to give
15 such performances either directly from the copyright owners of such works or by license from
16 ASCAP. Plaintiffs and Defendants further stipulate that the judgment results from willful and
17 malicious conduct giving rise to injury to Plaintiffs as such terms are used in 11 U.S.C. § 523(a)(6).

18 Plaintiffs and Defendants further stipulate that the Judgment is a valid final judgment on the
19 merits.

20 DATED: _____, 2013

DATED: _____, 2013

21 SNELL & WILMER L.L.P.

THIERMAN LAW FIRM

22
23 By: /s/ Marek P. Bute
24 Marek P. Bute, Esq.
25 Kelly H. Dove, Esq.
26 3883 Howard Hughes Parkway
27 Suite 1100
28 Las Vegas, NV 89109
Attorney for Plaintiffs

By: /s/ Mark R. Thierman
Mark R. Thierman, Esq.
287 Lakeside Drive
Reno, NV 89511
Attorneys for Defendants

1 **JUDGMENT**

2 Having considered the Stipulation of the Plaintiffs and Defendants above, this Court hereby
3 enters the following Judgment:

4 **IT IS HEREBY ORDERED, ADJUDGED and DECREED** that Judgment shall be entered
5 in favor of Plaintiffs and against Defendants KAMAL KESHMIRI, JAMAL KESHMIRI, and
6 DISCOPOLUS, LLC for statutory damages in the amount of \$7,500 for each of the four (4) causes of
7 action for a total of \$60,000.00, together with reasonable attorney’s fees and costs in the amount of
8 \$65,000.00; with interest accruing as of the date of this order as prescribed by 28 U.S.C. § 1961;

9 **IT IS FURTHER ORDERED, ADJUDGED, and DECREED** that Defendants Discopolus,
10 LLC, Kamal Keshmiri, and Jamal Keshmiri, acting either in concert or individually (hereafter, the
11 “Enjoined Defendants”), and any persons acting under the direction, control, permission or authority
12 of the Enjoined Defendants, shall be and hereby are enjoined and restrained permanently from
13 publicly performing any copyrighted musical work in the ASCAP repertory, whether now in
14 existence or later created, including any or all of Plaintiffs’ copyrighted musical compositions
15 identified on Schedule A to the Second Amended Complaint [Dkt. No. 34], in any establishment
16 owned, controlled or conducted by the Enjoined Defendants, and from aiding or abetting the public
17 performance of such compositions in any such place or otherwise, unless and until the Enjoined
18 Defendants receive permission to give such performances either directly from the copyright owners
19 of such works or by license from ASCAP.

20 **IT IS FURTHER ORDERED, ADJUDGED, and DECREED** that the Judgment is a valid
21 final judgment on the merits. The Court specifically finds that the award to Plaintiffs in this Judgment
22 is a result of acts of willful copyright infringement committed by Defendants with knowledge that

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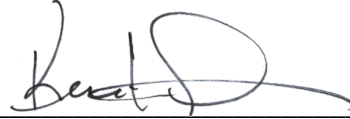
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1 such acts would result in actual and malicious harm to Plaintiffs and their property, in willful
2 disregard of Plaintiffs' rights as owners of musical copyrights to the songs listed in Schedule A to the
3 Second Amended Complaint.

4 Dated this 15th day of October, 2013.

5 **IT IS SO ORDERED.**



6
7 UNITED STATES DISTRICT COURT JUDGE

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9 SUBMITTED BY:

10 SNELL & WILMER L.L.P.

11
12 By: /s/ Marek P. Bute
13 Marek P. Bute, Esq. (NV Bar No. 9989)
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