

Exhibit 497

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

ELEKTRA ENTERTAINMENT GROUP,
INC., a Delaware corporation, WARNER
BROS. RECORDS, INC., a Delaware
corporation, CAPITOL RECORDS, INC., a
Delaware corporation, VIRGIN RECORDS
AMERICA, INC., a California corporation,
UMG RECORDINGS, INC., a Delaware
corporation, SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership, BMG MUSIC, a New York
general partnership,

Plaintiffs,

-vs-

Case No. 5:06-cv-199-Oc-10GRJ

LOUISE BALLINGER,

Defendant.

FINAL INJUNCTION

Pursuant to the parties' Stipulation to Entry of Final Judgment and Permanent Injunction (Doc. 10), it is hereby ordered and adjudged that:

1) Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by:

- a) using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs'

Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with express authority of Plaintiffs; or
b) causing, authorizing, permitting, or facilitating any third party access to the Internet or any online media distribution system through the use of an Internet connection and/or computer equipment owned or controlled by Defendant, to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs;

2) Defendant shall also destroy all copies of Plaintiffs' Recordings that Defendant and/or any third party that has used the Internet connection and/or computer equipment owned or controlled by Defendant has downloaded without Plaintiffs' authorization onto any computer hard drive or server owned or controlled by Defendant, and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control;

3) The Court shall maintain continuing jurisdiction over this action for the purpose of enforcing this Permanent Injunction; and

4) The Clerk is further directed to terminate all pending motions and close the file.

IT IS SO ORDERED. DONE and ORDERED at Ocala, Florida this 24th day of October, 2006.



UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record
Maurya McSheehy

EXHIBIT A**LOUISE BALLINGER**

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Elektra Entertainment Group Inc.	Third Eye Blind	Semi-Charmed Life	Third Eye Blind	188-673
Warner Bros. Records Inc.	The Time	Jungle Love	Ice Cream Castle	55-021
Capitol Records, Inc.	Radiohead	Fake Plastic Trees	The Bends	280-260
Virgin Records America, Inc.	Smashing Pumpkins	Everlasting Gaze	Machina/The Machine of God	278-424
UMG Recordings, Inc.	Bon Jovi	Wanted Dead Or Alive	Slippery When Wet	71-794
SONY BMG MUSIC ENTERTAINMENT	Billy Joel	We Didn't Start the Fire	Storm Front	109-420
BMG Music	Alabama	Song Of The South	Southern Star	100-925
BMG Music	Eve 6	Open Road Song	Eve 6	257-983
BMG Music	The Verve Pipe	The Freshmen	Villains	219-544

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
INTERSCOPE RECORDS, et al.,

Plaintiffs,

-against-

GILSA BARBOSA and PATRICK NIEDT

Defendants.

ORDER

Civil Action No.
CV-05-5864 (DGT)

-----X

Trager, J:

Plaintiffs moved for summary judgment against pro se defendant Patrick Niedt ("defendant" or "Niedt") on February 27, 2007, pursuant to Rule 56(c) of the Federal Rules of Civil Procedure. In response to the motion, Niedt sent a letter to chambers on April 17, 2007, stating that the motion for summary judgment should be dismissed because Niedt already paid "a settlement payment . . . to plaintiff[s] on February 28, 2007." April 17, 2007 Letter by Niedt. Plaintiffs responded that the February 28, 2007 payment Niedt was referring to was a payment of sanctions for providing false and misleading statements during discovery, not for settlement. April 26, 2007 Letter in Response by Richard Guida. Plaintiffs then renewed their motion for summary judgment. Id.

In light of plaintiffs' clarification, Niedt was directed to file an opposition to plaintiffs' motion for summary judgment by

June 11, 2007. May 22, 2007 Order. To date, defendant has failed to oppose the motion or to seek an extension of time in which to respond.

Plaintiffs' memorandum of law in support of its motion for summary judgment provides a sound basis on which to grant the motion for summary judgment. Accordingly, plaintiffs' motion for summary judgment as to defendant Patrick Niedt is granted.

A determination of the amount statutory damages and costs, as well as whether to grant injunctive relief, are respectfully referred to Magistrate Levy for a report and recommendation.

Dated: Brooklyn, New York
August 14, 2007

SO ORDERED:

/s/
David G. Trager
United States District Judge

EXHIBIT A

GILSA BARBOSA and PATRICK NIEDT

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Warner Bros. Records Inc.	Linkin Park	Papercut	Hybrid Theory	288-402
Interscope Records	Eminem	As The World Turns	The Slim Shady LP	262-686
SONY BMG MUSIC ENTERTAINMENT	Nas	Hate Me Now	I Am	175-149
UMG Recordings, Inc.	Ludacris	Freaky Thangs	Word of Mouf	304-605
SONY BMG MUSIC ENTERTAINMENT	Nas	Ether	Stillmatic	305-698
SONY BMG MUSIC ENTERTAINMENT	Nas	Represent	Illmatic	207-177
Interscope Records	Eminem	Stan	The Marshall Mathers LP	287-944
Interscope Records	Eminem	Superman	Eminem Show	317-924
SONY BMG MUSIC ENTERTAINMENT	Jagged Edge	He Can't Love You	J.E. Heartbreak	288-396
UMG Recordings, Inc.	Ja Rule	Put It on Me	Rule 3:36	270-080
UMG Recordings, Inc.	Shaggy	It Wasn't Me	Hot Shot	286-657

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Facsimile: 503.778.2200

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Attorneys for Plaintiffs
SONY BMG MUSIC ENTERTAINMENT;
UMG RECORDINGS, INC.; BMG MUSIC; and
WARNER BROS. RECORDS INC.

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

SONY BMG MUSIC ENTERTAINMENT,
a Delaware general partnership; **UMG**
RECORDINGS, INC., a Delaware
corporation; **BMG MUSIC,** a New York
general partnership; and **WARNER BROS.**
RECORDS INC., a Delaware corporation,

CV No. 6:08-CV-6081-HO

DEFAULT JUDGMENT AND
PERMANENT INJUNCTION

Plaintiffs,

v.

DANIEL BARLOW,

Defendant.

Based upon Plaintiffs' Application For Default Judgment By The Court, and good cause appearing therefor, it is hereby Ordered and Adjudged that:

1. Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Seven Thousand Five Hundred Dollars (\$7,500.00).

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2. Defendant shall pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

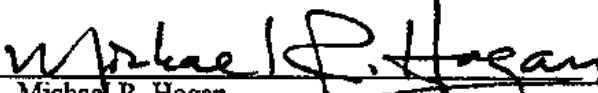
- "Goodbye Earl," on album "Fly," by artist "Dixie Chicks" (SR# 275-086);
- "If You Could Only See," on album "Lemon Parade," by artist "Tonic" (SR# 257-075);
- "Come As You Are," on album "Nevermind," by artist "Nirvana" (SR# 135-335);
- "A Long December," on album "Recovering The Satellites," by artist "Counting Crows" (SR# 226-415);
- "Men in Black," on album "Big Willie Style," by artist "Will Smith" (SR# 249-123);
- "Learn To Fly," on album "There Is Nothing Left To Lose," by artist "Foo Fighters" (SR# 285-034);
- "Sunday Bloody Sunday," on album "War," by artist "U2" (SR# 42-944);
- "I Still Haven't Found What I'm Looking For," on album "The Joshua Tree," by artist "U2" (SR# 78-949);
- "I Feel Lucky," on album "Come On Come On," by artist "Mary Chapin Carpenter" (SR# 145-470);
- "One Week," on album "Stunt," by artist "Barenaked Ladies" (SR# 257-724);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media

PAGE 2 - DEFAULT JUDGMENT AND PERMANENT INJUNCTION

distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: 23 OCT., 2008


Michael R. Hogan
United States District Judge

Submitted by:

William T. Patton, OSB No. 97364
(503) 778-2100
of Attorneys for Plaintiffs

PAGE 3 - DEFAULT JUDGMENT AND PERMANENT INJUNCTION

EXHIBIT A**DANIEL BARLOW**

IP Address: 67.42.54.204 2007-04-28 17:58:28 EDT	CASE ID# 127081538
P2P Network: Gnutella	Total Audio Files: 454

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
SONY BMG MUSIC ENTERTAINMENT	Dixie Chicks	Goodbye Earl	Fly	275-086
UMG Recordings, Inc.	Tonic	If You Could Only See	Lemon Parade	257-075
UMG Recordings, Inc.	Nirvana	Come As You Are	Nevermind	135-335
UMG Recordings, Inc.	Counting Crows	A Long December	Recovering The Satellites	226-415
SONY BMG MUSIC ENTERTAINMENT	Will Smith	Men in Black	Big Willie Style	249-123
BMG Music	Foo Fighters	Learn To Fly	There Is Nothing Left To Lose	285-034
UMG Recordings, Inc.	U2	Sunday Bloody Sunday	War	42-944
UMG Recordings, Inc.	U2	I Still Haven't Found What I'm Looking For	The Joshua Tree	78-949
SONY BMG MUSIC ENTERTAINMENT	Mary Chapin Carpenter	I Feel Lucky	Come On Come On	145-470
Warner Bros. Records Inc.	Barenaked Ladies	One Week	Stunt	257-724

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

WARNER BROS. RECORDS INC., a Delaware corporation; CAPITOL RECORDS, INC., a Delaware corporation; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; and ARISTA RECORDS LLC, a Delaware limited liability company,

Case No.: 3:06-cv-00392-RV-MD

Plaintiffs,

v.

Kim Bentz,

Defendant.

FINAL JUDGMENT AND PERMANENT INJUNCTION BASED ON STIPULATION

The Court, having considered the Stipulation to Judgment and Permanent Injunction executed by the parties,

IT IS ORDERED AND ADJUDGED THAT:

1. Plaintiffs have alleged that Defendant distributed (including by uploading) and/or reproduced (including by downloading) via the Internet or an online media distribution system copyrighted sound recordings owned or controlled by the Plaintiffs, without Plaintiffs' authorization, in violation of 17 U.S.C. § 501. Without admitting or denying liability, Defendant has not contested plaintiffs' allegations, and has acknowledged that such conduct is wrongful.
2. Defendant shall pay to Plaintiffs in settlement of this action the total sum of \$4450.00.

3. Defendant shall pay Plaintiffs' costs of suit (complaint filing fee and service of process fee) in the amount of \$550.00.

4. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by:

(a) using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs; or

(b) causing, authorizing, permitting, or facilitating any third party to access the Internet or any online media distribution system through the use of an Internet connection and/or computer equipment owned or controlled by Defendant, to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs.

Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant and/or any third party that has used the Internet connection and/or computer equipment owned or controlled by Defendant has downloaded without Plaintiffs' authorization onto any computer hard drive or server owned or controlled by Defendant, and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

5. Defendant irrevocably and fully waives notice of entry of the Judgment and Permanent Injunction, and understands and agrees that violation of the Judgment and Permanent Injunction will expose Defendant to all penalties provided by law, including for contempt of Court.

6. Defendant irrevocably and fully waives any and all right to appeal this Judgment and Permanent Injunction, to have it vacated or set aside, to seek or obtain a new trial thereon, or otherwise to attack in any way, directly or collaterally, its validity or enforceability.

7. Nothing contained in the Judgment and Permanent Injunction shall limit the right of Plaintiffs to recover damages for any and all infringements by Defendant of any right under federal copyright law or state law occurring after the date Defendant executes the Stipulation to Judgment and Permanent Injunction.

8. Defendant shall not make any public statements that are inconsistent with any term of the Stipulation to Judgment and Permanent Injunction.

9. The Court shall maintain continuing jurisdiction over this action for the purpose of enforcing this final Judgment and Permanent Injunction.

DONE AND ORDERED this 30th day of March, 2007.

/s/ Roger Vinson
SENIOR UNITED STATES DISTRICT JUDGE

EXHIBIT A


KIM BENTZ

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Warner Bros. Records Inc.	Orgy	Fiction (Dreams In Digital)	Vapor Transmission	288-413
Capitol Records, Inc.	Everclear	Father of Mine	So Much for the Afterglow	181-328
Capitol Records, Inc.	Marcy Playground	Sex and Candy	Marcy Playground	240-954
UMG Recordings, Inc.	Counting Crows	Colorblind	This Desert Life	271-316
SONY BMG MUSIC ENTERTAINMENT	Michael Bolton	How Am I Supposed To Live Without You	Soul Provider	106-829
Arista Records LLC	Brooks & Dunn	Neon Moon	Brand New Man	140-290
Arista Records LLC	Westlife	Swear It Again	Westlife	284-150

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CLERK OF DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY  DEPUTY

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UMG RECORDINGS, SONY BMG
ENTERTAINMENT; BMG MUSIC;
and CAPITOL RECORDS, INC.,
PLAINTIFFS,

§
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§

CAUSE NO. A-07-CA-358-LY

V.

CASSI BLEVINS,
DEFENDANT.

FINAL JUDGMENT

Before the Court is the above-entitled cause. On this date, the Court signed an order approving and accepting the Amended Report and Recommendation of the United States Magistrate Judge and granting Plaintiffs' Application for Entry of Default Judgment against Defendant Cassi Blevins. That order awards Plaintiffs damages in the amount of \$6,750 and costs in the amount of \$420, and enjoins Defendant from further violation of sections 502 and 503 of Title 17 of the United States Code. Accordingly, the Court renders the following final judgment pursuant to Federal Rule of Civil Procedure 58:

IT IS ORDERED that Plaintiffs' Application for Entry of Default Judgment by the Court (Doc. #19) is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiffs shall recover from Defendant Cassi Blevins damages in the amount of \$6,750.

IT IS FURTHER ORDERED that Plaintiffs shall recover from Defendant Cassi Blevins costs in this action in the amount of \$420.

IT IS FURTHER ORDERED that Defendant Cassi Blevins is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the Copyrighted Recordings and any sound recording, whether now in existence or later created, that is owned or controlled by

Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

IT IS FURTHER ORDERED that all relief not expressly granted is hereby **DENIED**.

IT IS FINALLY ORDERED that the above-entitled cause is **CLOSED**.

SIGNED this 8th day of August, 2008.



LEE YEAKEL
UNITED STATES DISTRICT JUDGE

EXHIBIT A

CASSI BLEVINS

IP Address: 128.62.212.146 2007-02-03 21:41:47 EST

CASE ID# 117065422

P2P Network: Gnutella

Total Audio Files: 129

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
UMG Recordings, Inc.	Counting Crows	A Long December	Recovering The Satellites	226-415
SONY BMG MUSIC ENTERTAINMENT	Incubus	Drive	Make Yourself	278-818
UMG Recordings, Inc.	U2	Walk On	All That You Can't Leave Behind	294-631
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	Because You Loved Me	Falling Into You	224-159
BMG Music	Dave Matthews Band	Crash Into Me	Crash	212-572
BMG Music	Dave Matthews Band	Everyday	Everyday	300-313
BMG Music	David Gray	Babylon	White Ladder	297-324
Capitol Records, Inc.	Vanilla Ice	Ice Ice Baby	To The Extreme	125-259
SONY BMG MUSIC ENTERTAINMENT	Train	Meet Virginia	Train	298-334

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

**SONY BMG MUSIC ENTERTAINMENT, a
Delaware general partnership; ELEKTRA
ENTERTAINMENT GROUP INC., a Delaware
corporation; UMG RECORDINGS, INC., a
Delaware corporation; INTERSCOPE RECORDS,
a California general partnership; and WARNER
BROS. RECORDS INC., a Delaware corporation,**

Plaintiffs,

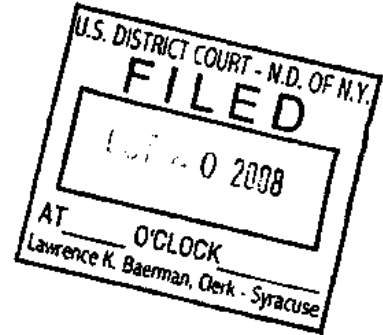
vs.

KASEY LYN BROOKS,

Defendant.

**DEFAULT JUDGMENT AND
PERMANENT INJUNCTION**

Case No.: 5:08-cv-00275-GTS-GJD



Based upon Plaintiffs' Application For Default Judgment By The Court, and good cause appearing therefore, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the nine sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Seven Hundred Fifty Dollars (\$6,750.00).
2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).
3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

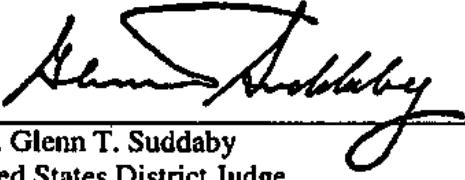
- "Cowboy Take Me Away," on album "Fly," by artist "Dixie Chicks" (SR# 275-086);
- "Semi-Charmed Life," on album "Third Eye Blind," by artist "Third Eye Blind" (SR# 188-673);
- "Come As You Are," on album "Nevermind," by artist "Nirvana" (SR# 135-335);
- "Don't Speak," on album "Tragic Kingdom," by artist "No Doubt" (SR# 206-724);
- "One Sweet Day," on album "Daydream," by artist "Mariah Carey" (SR# 215-243);
- "Music," on album "Music," by artist "Madonna" (SR# 285-828);
- "Heart-Shaped Box," on album "In Utero," by artist "Nirvana" (SR# 172-276);
- "Like a Virgin," on album "Like a Virgin," by artist "Madonna" (SR# 59-442);
- "Honey," on album "Butterfly," by artist "Mariah Carey" (SR# 244-014);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall

destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: October 20, 2008

By:



Hon. Glenn T. Suddaby
United States District Judge

EXHIBIT A**KASEY LYN BROOKS**

IP Address: 136.204.204.111 2007-02-08 20:51:24 EST	CASE ID# 117672633
P2P Network: Gnutella	Total Audio Files: 179

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
SONY BMG MUSIC ENTERTAINMENT	Dixie Chicks	Cowboy Take Me Away	Fly	275-086
Elektra Entertainment Group Inc.	Third Eye Blind	Semi-Charmed Life	Third Eye Blind	188-673
UMG Recordings, Inc.	Nirvana	Come As You Are	Nevermind	135-335
Interscope Records	No Doubt	Don't Speak	Tragic Kingdom	206-724
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	One Sweet Day	Daydream	215-243
Warner Bros. Records Inc.	Madonna	Music	Music	285-828
UMG Recordings, Inc.	Nirvana	Heart-Shaped Box	In Utero	172-276
Warner Bros. Records Inc.	Madonna	Like a Virgin	Like a Virgin	59-442
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	Honey	Butterfly	244-014

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Trenton, N.J. 08607-1298
Telephone: (609) 392-2100
Facsimile: (609) 392-7956
Attorneys for Plaintiffs

10899

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; BMG MUSIC, a New York general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; and MAVERICK RECORDING COMPANY, a California joint venture,

Plaintiffs,

v.

NIEL CAMILO,

Defendant.

CIVIL ACTION NO.
2:06-CV-01267 (FSH) (PS)

**DOCUMENT FILED
ELECTRONICALLY**

**DEFAULT JUDGMENT AND
PERMANENT INJUNCTION**

Based upon Plaintiffs' Application for Default Judgment by the Court, and good cause appearing therefore, it is hereby Ordered and Adjudged that:

1. Defendant, having failed to plead or otherwise defend in this action as provided by The Federal Rules of Civil Procedure, is in default.

2. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the seven sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Five Thousand Two Hundred Fifty Dollars (\$5,250.00).

~~2.~~^{3.} Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Three Hundred Twenty Dollars (\$320.00).

~~3.~~^{4.} Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Sweet Child O' Mine," on album "Appetite for Destruction," by artist "Guns N Roses" (SR# 85-358);
- "Guantanamera," on album "Wyclef Jean Presents The Carnival Featuring Refugee Allstars," by artist "Wyclef Jean" (SR# 251-493);
- "I'm So Into You," on album "It's About Time," by artist "SWV" (SR# 146-905);
- "You Make Me Sick," on album "Can't Take Me Home," by artist "Pink" (SR# 279-958);
- "Drop in the Ocean," on album "The Spirit Room," by artist "Michelle Branch" (SR# 303-732);
- "You Make Me Wanna," on album "My Way," by artist "Usher" (SR# 257-730);
- "November Rain," on album "Use Your Illusion I," by artist "Guns N Roses" (SR# 134-647);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e.,

upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: 06/26/06

By:

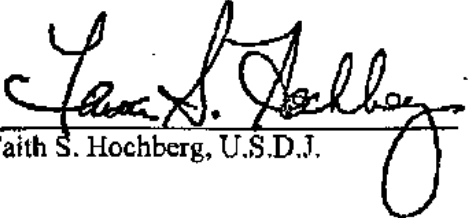

Hon. Faith S. Hochberg, U.S.D.J.

EXHIBIT A

NIEL CAMILO

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
UMG Recordings, Inc.	Guns N Roses	Sweet Child O' Mine	Appetite for Destruction	85-358
SONY BMG MUSIC ENTERTAINMENT	Wyclef Jean	Guantanamera	Wyclef Jean Presents The Carnival Featuring Refugee Allstars	251-493
BMG Music	SWV	I'm So Into You	It's About Time	146-905
Arista Records LLC	Pink	You Make Me Sick	Can't Take Me Home	279-958
Maverick Recording Company	Michelle Branch	Drop in the Ocean	The Spirit Room	303-732
Arista Records LLC	Usher	You Make Me Wanna	My Way	257-730
UMG Recordings, Inc.	Guns N Roses	November Rain	Use Your Illusion I	134-647

4. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by:

- a. using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings; to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs; or
- b. causing, authorizing, permitting, or facilitating any third party to access the Internet or any online media distribution system through the use of an Internet connection and/or computer equipment owned or controlled by Defendant, to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs.

Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant and/or any third party that has used the Internet connection and/or computer equipment owned or controlled by Defendant has downloaded without Plaintiffs' authorization onto any computer hard drive or server owned or controlled by Defendant, and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

5. Defendant irrevocably and fully waives notice of entry of the Judgment and Permanent Injunction, and understands and agrees that violation of the Judgment and Permanent Injunction will expose Defendant to all penalties provided by law, including for contempt of Court.

6. Defendant irrevocably and fully waives any and all right to appeal this Judgment and Permanent Injunction, to have it vacated or set aside, to seek or obtain a new trial thereon, or otherwise to attack in any way, directly or collaterally, its validity or enforceability.

7. Nothing contained in the Judgment and Permanent Injunction shall limit the right of Plaintiffs to recover damages for any and all infringements by Defendant of any right under federal copyright law or state law occurring after the date Defendant executes the Stipulation to Judgment and Permanent Injunction.

8. Defendant shall not make any public statements that are inconsistent with any term of the Stipulation to Judgment and Permanent Injunction.

9. The Court shall maintain continuing jurisdiction over this action for the purpose of enforcing this final Judgment and Permanent Injunction.

SIGNED:

12/1/06



Honorable Walter S. Smith
United States District Judge

EXHIBIT A

ANGELA AND BOB CAMP

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Atlantic Recording Corporation	Jewel	Daddy	Pieces of You	198-481
Capitol Records, Inc.	Bonnie Raitt	I Can't Make You Love Me	Luck of the Draw	133-193
Capitol Records, Inc.	Everclear	Father of Mine	So Much for the Afterglow	181-328
Motown Record Company, L.P.	Boyz II Men	On Bended Knee	II	196-004
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	The Power of Love	The Colour of My Love	191-558
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	My Heart Will Go On	Let's Talk About Love	248-109
BMG Music	Martina McBride	Valentine	Evolution	240-332

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 0:08-cv-61023-JIC

ELEKTRA ENTERTAINMENT GROUP
INC., a Delaware corporation; BMG
MUSIC, a New York general
partnership; UMG RECORDINGS, INC.,
a Delaware corporation; SONY BMG
MUSIC ENTERTAINMENT, a Delaware
general partnership; and LAFACE
RECORDS LLC, a Delaware limited
liability company,

Hon. James I. Cohn

SCANNED

Plaintiffs,

v.

PATRICE CHANNER,

Defendant.

DEFAULT JUDGMENT AND PERMANENT INJUNCTION

THIS CAUSE is before the Court upon Plaintiffs' Application For Default Judgment [DE 9]. The Court has carefully considered the Application, the accompanying affidavit [DE 9-2], the entire file of this case including Plaintiff's complaint and exhibits [DE 1], return of service upon defendant [DE 6], the Clerk's entry of default against defendant [DE 8], and the failure of Defendant to respond to the instant motion , it is hereby **ORDERED AND ADJUDGED** as follows:

1. Plaintiffs' Application For Default Judgment By The Court is hereby granted.
2. Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Dollars (\$6,000.00).
3. Defendant shall pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).

4. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "My Body," on album "Levert, Sweat, Gill," by artist "LSG" (SR# 252-131);
- "I'm So Into You," on album "It's About Time," by artist "SWV" (SR# 146-905);
- "Nothing In This World," on album "Soul Sista," by artist "Keke Wyatt" (SR# 303-159);
- "He Can't Love You," on album "J.E. Heartbreak," by artist "Jagged Edge" (SR# 288-396);
- "Creep," on album "CrazySexyCool," by artist "TLC" (SR# 198-743);
- "I'd Rather," on album "Luther Vandross," by artist "Luther Vandross" (SR# 298-047);
- "Sexual Healing," on album "Midnight Love," by artist "Marvin Gaye" (SR# 41-568);
- "My First Love," on album "My Thoughts," by artist "Avant" (SR# 281-220);

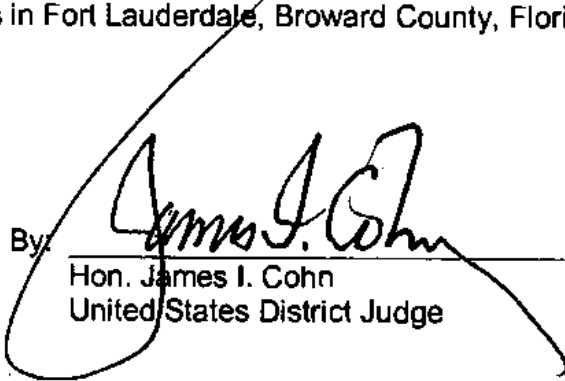
and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of

Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

5. The Clerk may close this case and deny any pending motions as moot.

DONE AND ORDERED in chambers in Fort Lauderdale, Broward County, Florida
this 29th day of September, 2008.

By:



Hon. James I. Cohn
United States District Judge

cc: Chaila D. Restall, Esq.

Patrice Channer
7020 SW 38th Court
Miramar, FL 33023

EXHIBIT A

PATRICE CHANNER

IP Address: 131.247.224.178 2007-04-15 20:32:30 EDT

CASE ID# 125626763

P2P Network: Gnutella

Total Audio Files: 1093

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Elektra Entertainment Group Inc.	LSG	My Body	Levert, Sweat, Gill	252-131
BMG Music	SWV	I'm So Into You	It's About Time	146-905
UMG Recordings, Inc.	Keke Wyatt	Nothing In This World	Soul Sista	303-159
SONY BMG MUSIC ENTERTAINMENT	Jagged Edge	He Can't Love You	J.E. Heartbreak	288-396
LaFace Records LLC	TLC	Creep	CrazySexyCool	198-743
BMG Music	Luther Vandross	I'd Rather	Luther Vandross	298-047
SONY BMG MUSIC ENTERTAINMENT	Marvin Gaye	Sexual Healing	Midnight Love	41-568
UMG Recordings, Inc.	Avant	My First Love	My Thoughts	281-220

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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation; WARNER BROS. RECORDS INC., a Delaware corporation; CAPITOL RECORDS, INC., a Delaware corporation; VIRGIN RECORDS AMERICA, INC., a California corporation; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; and ARISTA RECORDS LLC, a Delaware limited liability company,

Plaintiffs,

vs.

CARMEN CONTE,

Defendant.

Case No.: CV 07-00025 ODW (RZx)

Honorable Otis D. Wright II

~~PROPOSED~~ DEFAULT
JUDGMENT AND PERMANENT
INJUNCTION

THIS CONSTITUTES NOTICE OF ENTRY
AS REQUIRED BY FRCP, RULE 77(d).

Based upon Plaintiffs' Application for Default Judgment By The Court, and good cause appearing therefor, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the

1 ten (10) sound recordings listed in Exhibit A to Plaintiffs' Complaint. Accordingly,
2 having been adjudged to be in default, Defendant Carmen Conte ("Defendant") shall
3 pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound
4 recordings listed in Exhibit A to the Complaint, in the total principal sum of Seven
5 Thousand Five Hundred Dollars (\$7,500.00).

6 2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount
7 of Four Hundred Twenty Dollars (\$420.00).

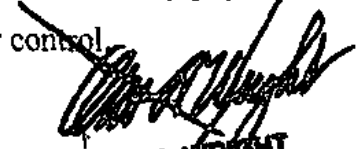
8 3. Defendant shall be and hereby is enjoined from directly or indirectly
9 infringing Plaintiffs' rights under federal or state law in the following copyrighted
10 sound recordings:

- 11 • "Semi-Charmed Life," on album "Third Eye Blind," by artist "Third Eye
12 Blind" (SR# 188-673);
- 13 • "Express Yourself," on album "Like a Prayer," by artist "Madonna" (SR#
14 106-808);
- 15 • "Santa Monica," on album "Sparkle And Fade," by artist "Everclear"
16 (SR# 279-015);
- 17 • "That's The Way Love Goes," on album "Janet," by artist "Janet
18 Jackson" (SR# 174-392);
- 19 • "Party Up," on album "...And Then There Was X," by artist "DMX"
20 (SR# 279-017);
- 21 • "All Apologies," on album "In Utero," by artist "Nirvana" (SR# 172-
22 276);
- 23 • "One More Try," on album "Faith," by artist "George Michael" (SR# 92-
24 432);
- 25 • "Gone Till November," on album "Wyclef Jean Presents The Carnival
26 Featuring Refugee Allstars," by artist "Wyclef Jean" (SR# 251-493);
- 27 • "So Emotional," on album "Whitney," by artist "Whitney Houston" (SR#
28 89-966);

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• "All at Once," on album "Whitney Houston," by artist "Whitney Houston" (SR# 60-716);
and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) and of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant shall also destroy all copies of Plaintiffs' Recordings that defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

Dated: 7/10/07

By: 
OTIS D. WRIGHT
Honorable Otis D. Wright II
United States District Judge

PROOF OF SERVICE
1013 A(3) CCP REVISED 5/1/88

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 777 South Figueroa Street, Suite 2800, Los Angeles, CA 90017-5826.

On **June 12, 2007**, I served the foregoing document described as **[PROPOSED] DEFAULT JUDGMENT AND PERMANENT INJUNCTION** on the interested party in this action by placing a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

BY PERSONAL SERVICE: I caused the above-mentioned document to be personally served to the offices of the addressee.

BY FACSIMILE: I communicated such document via facsimile to the addressee as indicated on the attached service list.

BY FEDERAL EXPRESS: I caused said document to be sent via Federal Express to the addressee as indicated on the attached service list.

BY ELECTRONIC MAIL: I communicated such document via electronic mail to the addressee on the attached service list.

Executed on **June 12, 2007**, at Los Angeles, California.

X (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.


BARBARA E. PETERS

PROOF OF SERVICE

SERVICE LIST

RECEIVED

Carmen Conte
1248 N. Formosa Ave.
West Hollywood, CA 90046-5811

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PROOF OF SERVICE

EXHIBIT A

CARMEN CONTE

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Elektra Entertainment Group Inc.	Third Eye Blind	Semi-Charmed Life	Third Eye Blind	188-673
Warner Bros. Records Inc.	Madonna	Express Yourself	Like a Prayer	106-808
Capitol Records, Inc.	Everclear	Santa Monica	Sparkle And Fade	279-015
Virgin Records America, Inc.	Janet Jackson	That's The Way Love Goes	Janet	174-392
UMG Recordings, Inc.	DMX	Party Up	...And Then There Was X	279-017
UMG Recordings, Inc.	Nirvana	All Apologies	In Utero	172-276
SONY BMG MUSIC ENTERTAINMENT	George Michael	One More Try	Faith	92-432
SONY BMG MUSIC ENTERTAINMENT	Wyclef Jean	Gone Till November	Wyclef Jean Presents The Carnival Featuring Refugee Allstars	251-493
Arista Records LLC	Whitney Houston	So Emotional	Whitney	89-966
Arista Records LLC	Whitney Houston	All at Once	Whitney Houston	60-716

- "Lessons Learned," on album "Lessons Learned," by artist "Tracy Lawrence" (SR# 303-764);
- "What I Really Meant to Say," on album "My World," by artist "Cyndi Thompson" (SR# 302-663);
- "Father of Mine," on album "So Much for the Afterglow," by artist "Everclear" (SR# 181-328);
- "Heartland," on album "Pure Country," by artist "George Strait" (SR# 146-421);
- "Always Be My Baby," on album "Daydream," by artist "Mariah Carey" (SR# 215-243);
- "Where I Come From," on album "When Somebody Loves You," by artist "Alan Jackson" (SR# 289-367);
- "Every Other Time," on album "Life Is Good," by artist "LFO" (SR# 300-386);
- "I'm A Thug," on album "Thugs Are Us," by artist "Trick Daddy" (SR# 303-748);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall

destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: April 10, 2007

By: s/Charles R. Butler, Jr.
Hon. Charles R. Butler, Jr.
Senior United States District Judge

EXHIBIT A

THOMAS CORLEY

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Atlantic Recording Corporation	Tracy Lawrence	Lessons Learned	Lessons Learned	303-764
Capitol Records, Inc.	Cyndi Thompson	What I Really Meant to Say	My World	302-663
Capitol Records, Inc.	Everclear	Father of Mine	So Much for the Afterglow	181-328
UMG Recordings, Inc.	George Strait	Heartland	Pure Country	146-421
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	Always Be My Baby	Daydream	215-243
Arista Records LLC	Alan Jackson	Where I Come From	When Somebody Loves You	289-367
BMG Music	LFO	Every Other Time	Life Is Good	300-386
Atlantic Recording Corporation	Trick Daddy	I'm A Thug	Thugs Are Us	303-748

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
ENTERED

OCT 5 2006

Michael N. Milby, Clerk of Court

ARISTA RECORDS LLC, et al.,	§	
	§	
Plaintiffs,	§	
	§	Case No.: 4:05-cv-04233
vs.	§	
	§	
TAMMY MICHELLE GOTREAUX,	§	JUDGE DAVID HITTNER
	§	
Defendant.	§	

DEFAULT JUDGMENT AND PERMANENT INJUNCTION

Based upon Plaintiffs' Application For Default Judgment By The Court, and good cause appearing therefor, it is hereby Ordered and Adjudged that:

1. Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Seven Hundred Fifty Dollars (\$6,750.00).

2. Defendant shall pay Plaintiffs' costs of suit herein in the amount of Two Hundred Fifty Dollars (\$ 250.00).

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:


- "Giving In," on album "Adema," by artist "Adema" (SR# 302-233);

- "Sadness," on album "MCMXC, A.D.," by artist "Enigma" (SR# 126-800);
- "Don't Stop Believin'," on album "Escape," by artist "Journey" (SR# 30-088);
- "Sharp Dressed Man," on album "Eliminator," by artist "ZZ Top" (SR# 45-132);
- "Cold Hearted," on album "Forever Your Girl," by artist "Paula Abdul" (SR# 93-688);
- "Philadelphia Freedom," on album "Captain Fantastic," by artist "Elton John" (SR# N26203);
- "Runnin' With the Devil," on album "Van Halen," by artist "Van Halen" (SR# 239);
- "The Dolphin's Cry," on album "The Distance To Here," by artist "Live" (SR# 271-726);
- "Turn My Head," on album "Secret Samadhi," by artist "Live" (SR# 233-098);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that

Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: Oct 4, 2006

By: 

United States District Judge

Presented by:

Stacy R. Obenhaus
Attorney-in-Charge
State Bar No. 15161570
S.D. Texas Attorney No. 11260
Lisa L. Honey
State Bar No. 24048550
S.D. Texas No. 620461
Gardere Wynne Sewell LLP
3000 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201-4761
Tel: 214- 999-3000
Fax: 214-999-4667

ATTORNEYS FOR PLAINTIFFS
ARISTA RECORDS LLC; VIRGIN
RECORDS AMERICA, INC.;
SONY BMG MUSIC
ENTERTAINMENT; WARNER
BROS. RECORDS INC.; and UMG
RECORDINGS, INC.

OF COUNSEL:

Geoffrey H. Bracken
State Bar No. 02809750
1000 Louisiana, Suite 3400
Houston, Texas 77002-5007
Tel: 713-276-5555

EXHIBIT A

TAMMY MICHELLE GOTREAUX

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Arista Records LLC	Adema	Giving In	Adema	302-233
Virgin Records America, Inc.	Enigma	Sadness	MCMXC, A.D.	126-800
SONY BMG MUSIC ENTERTAINMENT	Journey	Don't Stop Believin'	Escape	30-088
Warner Bros. Records Inc.	ZZ Top	Sharp Dressed Man	Eliminator	45-132
Virgin Records America, Inc.	Paula Abdul	Cold Hearted	Forever Your Girl	93-688
UMG Recordings, Inc.	Elton John	Philadelphia Freedom	Captain Fantastic	N26203
Warner Bros. Records Inc.	Van Halen	Runnin' With the Devil	Van Halen	239
UMG Recordings, Inc.	Live	The Dolphin's Cry	The Distance To Here	271-726
UMG Recordings, Inc.	Live	Turn My Head	Secret Samadhi	233-098

HOLME ROBERTS & OWEN LLP
Jonathan G. Fetterly (State Bar No.:228612)
777 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5826
Main Phone: (213) 572-4300
Main fax: (213) 572-4400
www.hro.com

FILED
CLERK, U.S. DISTRICT COURT
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CENTRAL DISTRICT OF CALIFORNIA
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BY *[Signature]*

Attorneys for Plaintiffs
ELEKTRA ENTERTAINMENT
GROUP INC.; VIRGIN RECORDS
AMERICA, INC.; UMG
RECORDINGS, INC.; SONY BMG
MUSIC ENTERTAINMENT;
INTERSCOPE RECORDS; ARISTA
RECORDS LLC; and BMG MUSIC

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LOS ANGELES

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

ELEKTRA ENTERTAINMENT
GROUP INC., a Delaware corporation;
VIRGIN RECORDS AMERICA, INC.,
a California corporation; UMG
RECORDINGS, INC., a Delaware
corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware
general partnership; INTERSCOPE
RECORDS, a California general
partnership; ARISTA RECORDS LLC,
a Delaware limited liability company;
and BMG MUSIC, a New York general
partnership,

Case No.: CV06-7233 DDP (JCx)

Hon. Dean D. Pregerson

**[PROPOSED] JUDGMENT AND
PERMANENT INJUNCTION**

Plaintiffs,

vs.

MIGUEL GUTIERREZ,
Defendant.

DOCKETED ON CM
FEB - 5 2007
BY *[Signature]* 145

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1 The Court, having considered the Stipulation to Judgment and Permanent
2 Injunction executed by the parties,

3
4 IT IS ORDERED AND ADJUDGED THAT:

5
6 1. Plaintiffs have alleged that Defendant distributed (including by
7 uploading) and/or reproduced (including by downloading) via the Internet or an online
8 media distribution system copyrighted sound recordings owned or controlled by the
9 Plaintiffs, without Plaintiffs' authorization, in violation of 17 U.S.C. § 501. Without
10 admitting or denying liability, Defendant has not contested plaintiffs' allegations, and
11 has acknowledged that such conduct is wrongful.

12
13 2. Defendant shall pay to Plaintiffs in settlement of this action the total sum
14 of \$4580.00.

15
16 3. Defendant shall pay Plaintiffs' costs of suit (complaint filing fee and
17 service of process fee) in the amount of \$420.00.

18
19 4. Defendant shall be and hereby is enjoined from directly or indirectly
20 infringing Plaintiffs' rights under federal or state law in any sound recording, whether
21 now in existence or later created, that is owned or controlled by Plaintiffs (or any
22 parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"),
23 including without limitation by:

- 24
25 a. using the Internet or any online media distribution system to reproduce
26 (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload)

1 any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings
2 available for distribution to the public, except pursuant to a lawful license
3 or with the express authority of Plaintiffs; or
4

5 b. causing, authorizing, permitting, or facilitating any third party to access
6 the Internet or any online media distribution system through the use of an
7 Internet connection and/or computer equipment owned or controlled by
8 Defendant, to reproduce (i.e., download) any of Plaintiffs' Recordings, to
9 distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of
10 Plaintiffs' Recordings available for distribution to the public, except
11 pursuant to a lawful license or with the express authority of Plaintiffs.
12

13 Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant and/or
14 any third party that has used the Internet connection and/or computer equipment
15 owned or controlled by Defendant has downloaded without Plaintiffs' authorization
16 onto any computer hard drive or server owned or controlled by Defendant, and shall
17 destroy all copies of those downloaded recordings transferred onto any physical
18 medium or device in Defendant's possession, custody, or control.
19

20 5. Defendant irrevocably and fully waives notice of entry of the Judgment
21 and Permanent Injunction, and understands and agrees that violation of the Judgment
22 and Permanent Injunction will expose Defendant to all penalties provided by law,
23 including for contempt of Court.
24

25 6. Defendant irrevocably and fully waives any and all right to appeal this
26 Judgment and Permanent Injunction, to have it vacated or set aside, to seek or obtain a
27


1 new trial thereon, or otherwise to attack in any way, directly or collaterally, its validity
2 or enforceability.

3
4 7. Nothing contained in the Judgment and Permanent Injunction shall limit
5 the right of Plaintiffs to recover damages for any and all infringements by Defendant
6 of any right under federal copyright law or state law occurring after the date
7 Defendant executes the Stipulation to Judgment and Permanent Injunction.

8
9 8. Defendant shall not make any public statements that are inconsistent with
10 any term of the Stipulation to Judgment and Permanent Injunction.

11
12 9. The Court shall maintain continuing jurisdiction over this action for the
13 purpose of enforcing this final Judgment and Permanent Injunction.

14
15 DATED: 2-1-07

16 By: 
17 Hon. Dean D. Pregerson
18 United States District Judge
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1 PROOF OF SERVICE
2 1013 A(3) CCP REVISED 5/1/88

3 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

4 I am employed in the County of Los Angeles, State of California. I am over the age of 18
5 and not a party to the within action. My business address is 777 South Figueroa Street, Suite 2800,
6 Los Angeles, CA 90017-5826.

7 On January 29, 2007, I served the foregoing document described as **[PROPOSED]**
8 **JUDGMENT AND PERMANENT INJUNCTION** on the interested party in this action by placing
9 a true and correct copy thereof enclosed in a sealed envelope addressed as follows:

10 **SEE ATTACHED SERVICE LIST**

11 **BY MAIL:** I am "readily familiar" with the firm's practice of collection and
12 processing correspondence for mailing. Under that practice it would be deposited with U.S. postal
13 service on that same day with postage thereon fully prepaid at Los Angeles, California in the
14 ordinary course of business. I am aware that on motion of the party served, service is presumed
15 invalid if postal cancellation date or postage meter date is more than one day after date of deposit for
16 mailing in affidavit.

17 **BY PERSONAL SERVICE:** I caused the above-mentioned document to be
18 personally served to the offices of the addressee.

19 **BY FACSIMILE:** I communicated such document via facsimile to the
20 addressee as indicated on the attached service list.

21 **BY FEDERAL EXPRESS:** I caused said document to be sent via Federal
22 Express to the addressee as indicated on the attached service list.

23 **BY ELECTRONIC MAIL:** I communicated such document via electronic
24 mail to the addressee on the attached service list.

25 Executed on January 29, 2007, at Los Angeles, California.

26 **(FEDERAL)** I declare that I am employed in the office of a member of the bar
27 of this court at whose direction the service was made.

28 
ELAINE BELL

PROOF OF SERVICE

SERVICE LIST

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Michael Ford, Esq.
Ford & Ford
448 Sespe Avenue
Fillmore, CA 93015-2042

Attorneys for Defendant MIGUEL GUTIERREZ

PROOF OF SERVICE

EXHIBIT A

MIGUEL GUTIERREZ

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Elektra Entertainment Group Inc.	The Cure	Close to Me	The Head on the Door	65-872
Elektra Entertainment Group Inc.	Third Eye Blind	Semi-Charmed Life	Third Eye Blind	188-673
Virgin Records America, Inc.	UB40	The Way You Do the Things You Do	Labour Of Love II	112-173
UMG Recordings, Inc.	3 Doors Down	Be Like That	The Better Life	277-407
SONY BMG MUSIC ENTERTAINMENT	Babyface	How Come, How Long	The Day	231-025
Interscope Records	No Doubt	Hella Good	Rock Steady	305-872
SONY BMG MUSIC ENTERTAINMENT	Destiny's Child	Bootylicious	Survivor	289-199
Arista Records LLC	Avril Lavigne	Anything but Ordinary	Let Go	312-786
BMG Music	Busta Rhymes	Pass the Courvoisier	Genesis	312-547

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

RECEIVED CLERK'S OFFICE
2008 FEB -7 A 11: 58

ATLANTIC RECORDING CORPORATION, a Delaware corporation;)
CAPITOL RECORDS, INC., a Delaware corporation;)
UMG RECORDINGS, INC., a Delaware corporation;)
SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership;)
and ARISTA RECORDS LLC, a Delaware limited liability company,)

Case No. 3:07-cv-00478-CWH
DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON, SC
The Hon. C. Weston Houck

Plaintiffs,

v.

KATHLEEN HAMILTON (AKA
KATHLEEN JONES),

Defendant.

DEFAULT JUDGMENT AND PERMANENT INJUNCTION

Based upon Plaintiffs' Application For Default Judgment By The Court, and good cause appearing therefore, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the eight sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Dollars (\$6,000.00).

2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).

#1
CWH.

- "No Remorse," on album "Adrenaline Rush," by artist "Twista" (SR# 238-303);
- "Atomic Dog," on album "Computer Games," by artist "George Clinton" (SR# 43-549);
- "Joy and Pain," on album "Joy and Pain," by artist "Maze" (SR# 20-598);
- "Hangin on a String (Contemplating)," on album "A Little Spice," by artist "Loose Ends" (SR# 85-040);
- "When Can I See You," on album "For The Cool In You," by artist "Babyface" (SR# 184-540);
- "Unpretty," on album "Fanmail," by artist "TLC" (SR# 298-454);
- "You Make Me Wanna," on album "My Way," by artist "Usher" (SR# 257-730);
- "How Deep Is Your Love," on album "Enter the Dru," by artist "Dru Hill" (SR# 290-402);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies

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of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: Feb. 6, 2008

By: C. Weston Houck
Hon. C. Weston Houck
United States District Judge

#2
CWH.

EXHIBIT A

KATHLEEN HAMILTON (AKA KATHLEEN JONES)

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Atlantic Recording Corporation	Twista	No Remorse	Adrenaline Rush	238-303
Capitol Records, Inc.	George Clinton	Atomic Dog	Computer Games	43-549
Capitol Records, Inc.	Maze	Joy and Pain	Joy and Pain	20-598
UMG Recordings, Inc.	Loose Ends	Hangin on a String (Contemplating)	A Little Spice	85-040
SONY BMG MUSIC ENTERTAINMENT	Babyface	When Can I See You	For The Cool In You	184-540
Arista Records LLC	TLC	Unpretty	Fanmail	298-454
Arista Records LLC	Usher	You Make Me Wanna	My Way	257-730
UMG Recordings, Inc.	Dru Hill	How Deep Is Your Love	Enter the Dru	290-402

2. Defendant shall pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).


3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Semi-Charmed Life," on album "Third Eye Blind," by artist "Third Eye Blind" (SR# 188-673);
- "Barbie Girl," on album "Aquarium," by artist "Aqua" (SR# 243-903);
- "Lithium," on album "Nevermind," by artist "Nirvana" (SR# 135-335);
- "Happy Nation," on album "The Sign," by artist "Ace of Base" (SR# 169-749);
- "Something To Sleep To," on album "The Spirit Room," by artist "Michelle Branch" (SR# 303-732);
- "Move Bitch," on album "Word of Mouf," by artist "Ludacris" (SR# 304-605);
- "One Mic," on album "Stillmatic," by artist "Nas" (SR# 305-698);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except

pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded

recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

SIGNED: November 5, 2007, By: 
United States District Judge

Presented by:

Stacy R. Obenhaus
Attorney-in-Charge
State Bar No. 15161570
S.D. Texas Attorney No. 11260
Lisa L. Honey
State Bar No. 24048550
S.D. Texas No. 620461
Gardere Wynne Sewell LLP
3000 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201-4761
Tel: 214-999-3000
Fax: 214-999-4667

ATTORNEYS FOR PLAINTIFFS
ELEKTRA ENTERTAINMENT
GROUP INC.; UMG
RECORDINGS, INC.; ARISTA
RECORDS LLC; MAVERICK
RECORDING COMPANY; and
SONY BMG MUSIC
ENTERTAINMENT

OF COUNSEL:

Geoffrey H. Bracken
State Bar No. 02809750
1000 Louisiana, Suite 3400
Houston, Texas 77002-5007
Tel: 713-276-5555

EXHIBIT A

QUY HUYNH

IP Address: 24.238.238.36 2005-06-09 08:03:12

CASE ID# 67118950A

P2P Network: GnutellaUS

Total Audio Files: 322

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Elektra Entertainment Group Inc.	Third Eye Blind	Semi-Charmed Life	Third Eye Blind	188-673
UMG Recordings, Inc.	Aqua	Barbie Girl	Aquarium	243-903
UMG Recordings, Inc.	Nirvana	Lithium	Nevermind	135-335
Arista Records LLC	Ace of Base	Happy Nation	The Sign	169-749
Maverick Recording Company	Michelle Branch	Something To Sleep To	The Spirit Room	303-732
UMG Recordings, Inc.	Ludacris	Move Bitch	Word of Mouf	304-605
SONY BMG MUSIC ENTERTAINMENT	Nas	One Mic	Stillmatic	305-698

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

WARNER BROS. RECORDINGS, §
INC., ET AL §
VS. § CIVIL ACTION NO. 4:07-CV-086-Y
ERIC JONES §
§

FINAL JUDGMENT OF DEFAULT AND PERMANENT INJUNCTION

After review of Plaintiffs' motion (doc. #8) for default judgment against defendant Eric Jones, the Court GRANTS the motion. Accordingly, the Court ORDERS that:

Plaintiffs have judgment against Defendant Eric Jones ("Jones") in the total principal sum of Six Thousand Dollars (\$6000) for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the complaint;

Jones pay Plaintiffs' costs of suit (complaint filing fee and service-of-process fee) in the amount of four hundred twenty dollars (\$420.00);

Jones be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

1. "Points of Authority," on album "Hybrid Theory," by artist "Linkin Park" (SR# 288-402);
2. "Father of Mine," on album "So Much for the Afterglow," by artist "Everclear" (SR# 181-328);
3. "Forgive Me," on album "Awake," by artist "Godsmack" (SR# 293-376);
4. "Blind," on album "Korn," by artist "Korn" (SR# 201-939);
5. "Right Now," on album "Now You See In-

side," by artist "SR-71" (SR# 283-812);

6. "Pardon Me," on album "Make Yourself," by artist "Incubus" (SR# 278-818);

7. "Blood on the Ground," on album "Morning View," by artist "Incubus" (SR# 306-181); and,

8. "New Skin," on album "SCIENCE," by artist "Incubus" (SR# 249-690);


and in any other sound recording ("Plaintiffs' Recordings"), whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) including, without limitation, by using the internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs;

Jones destroy all copies of Plaintiffs' Recordings that he has downloaded onto any computer hard drive or server without Plaintiffs' authorization and destroy all copies of those downloaded recordings transferred onto any physical medium or device in his possession, custody, or control;

All other costs under 28 U.S.C. § 1920 not mentioned above shall be taxed against the party incurring them; and,

Postjudgment interest shall accrue on the judgment and cost awarded at a rate of 4.98% from the date this judgment is entered on the docket until paid. See 28 U.S.C. § 1961.

SIGNED June 20, 2007.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE

EXHIBIT A

ERIC JONES

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Warner Bros. Records Inc.	Linkin Park	Points Of Authority	Hybrid Theory	288-402
Capitol Records, Inc.	Everclear	Father of Mine	So Much for the Afterglow	181-328
UMG Recordings, Inc.	Godsmack	Forgive Me	Awake	293-376
SONY BMG MUSIC ENTERTAINMENT	Korn	Blind	Korn	201-939
BMG Music	SR-71	Right Now	Now You See Inside	283-812
SONY BMG MUSIC ENTERTAINMENT	Incubus	Pardon Me	Make Yourself	278-818
SONY BMG MUSIC ENTERTAINMENT	Incubus	Blood on the Ground	Morning View	306-181
SONY BMG MUSIC ENTERTAINMENT	Incubus	New Skin	SCIENCE	249-690

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

WARNER BROS. RECORDS INC., a Delaware
corporation; CAPITOL RECORDS, INC., a
Delaware corporation; MOTOWN RECORD
COMPANY, L.P., a California limited partnership;
UMG RECORDINGS, INC., a Delaware
corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; and BMG MUSIC, a New York general
partnership;

Plaintiffs,

-against-

ZOSIMA KALAW,

Defendant.

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Civil Action No.: 1:06-cv-05877-DGT-
RML

Filed Electronically

[REDACTED] **DEFAULT JUDGMENT
AND PERMANENT INJUNCTION**

Based upon Plaintiffs' Application For Default Judgment By The Court, and good cause appearing therefore, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the ten sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Seven Thousand Five Hundred Dollars (\$7,500.00).
2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Like a Virgin," on album "Like a Virgin," by artist "Madonna" (SR# 59-442);
- "Notorious," on album "Notorious," by artist "Duran Duran" (SR# 81-387);
- "Father of Mine," on album "So Much for the Afterglow," by artist "Everclear" (SR# 181-328);
- "Invisible Man," on album "98 Degrees," by artist "98 Degrees" (SR# 249-152);
- "Tainted Love," on album "Non-Stop Erotic Cabaret," by artist "Soft Cell" (SR# 32-408);
- "Hey Ladies," on album "The Writing's on the Wall," by artist "Destiny's Child" (SR# 268-936);
- "Never Is A Promise," on album "Tidal," by artist "Fiona Apple" (SR# 227-923);
- "Rain," on album "Release Some Tension," by artist "SWV" (SR# 249-300);
- "Give It Away," on album "Blood Sugar Sex Magik," by artist "Red Hot Chili Peppers" (SR# 135-276);
- "Girlfriend," on album "Songs in A Minor," by artist "Alicia Keys" (SR# 299-410);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of

Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED:

5/16/2008

By

Hon. David G. Trager
United States District Judge

EXHIBIT A

ZOSIMA KALAW

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Warner Bros. Records Inc.	Madonna	Like a Virgin	Like a Virgin	59-442
Capitol Records, Inc.	Duran Duran	Notorious	Notorious	81-387
Capitol Records, Inc.	Everclear	Father of Mine	So Much for the Afterglow	181-328
Motown Record Company, L.P.	98 Degrees	Invisible Man	98 Degrees	249-152
UMG Recordings, Inc.	Soft Cell	Tainted Love	Non-Stop Erotic Cabaret	32-408
SONY BMG MUSIC ENTERTAINMENT	Destiny's Child	Hey Ladies	The Writing's on the Wall	268-936
SONY BMG MUSIC ENTERTAINMENT	Fiona Apple	Never Is A Promise	Tidal	227-923
BMG Music	SWV	Rain	Release Some Tension	249-300
Warner Bros. Records Inc.	Red Hot Chili Peppers	Give It Away	Blood Sugar Sex Magik	135-276
BMG Music	Alicia Keys	Girlfriend	Songs in A Minor	299-410

Honorable Robert S. Lasnik

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

ATLANTIC RECORDING CORPORATION,
a Delaware corporation; WARNER BROS.
RECORDS INC., a Delaware corporation;
CAPITOL RECORDS, INC., a Delaware
corporation; VIRGIN RECORDS AMERICA,
INC., a California corporation; UMG
RECORDINGS, INC., a Delaware
corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; ARISTA RECORDS LLC, a
Delaware limited liability company; and BMG
MUSIC, a New York general partnership,

Plaintiffs,

v.

BEN KESSLER,

Defendant.

No. 2:06-cv-00234-RSL

**DEFAULT
JUDGMENT AND PERMANENT
INJUNCTION**



06-CV-00234-JGM

Having considered Plaintiffs' Application for Default Judgment by the Court, and good cause appearing therefore, it is ORDERED:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the eight sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs'

1 copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total
2 principal sum of Six Thousand Dollars (\$6,000.00).

3 2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of
4 Three Hundred Twenty Dollars (\$320.00).

5 3. Defendant shall be and hereby is enjoined from directly or indirectly
6 infringing Plaintiffs' rights under federal or state law in the following copyrighted sound
7 recordings:

- 8 • "You Were Meant for Me," on album "Pieces of You," by artist
9 "Jewel" (SR# 198-481);
- 10 • "Papercut," on album "Hybrid Theory," by artist "Linkin Park" (SR#
11 288-402);
- 12 • "Father of Mine," on album "So Much for the Afterglow," by artist
13 "Everclear" (SR# 181-328);
- 14 • "Magdalena," on album "Mer De Noms," by artist "A Perfect Circle"
15 (SR# 281-642);
- 16 • "Awake," on album "Awake," by artist "Godsmack" (SR# 293-376);
- 17 • "It's All Coming Back 'fo Me Now," on album "Falling Into You,"
18 by artist "Celine Dion" (SR# 224-159);
- 19 • "Nice and Slow," on album "My Way," by artist "Usher" (SR# 257-
20 730);
- 21 • "She's Got It All," on album "I Will Stand," by artist "Kenny
22 Chesney" (SR# 238-371);

23 and in any other sound recording, whether now in existence or later created, that is owned
24 or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of
25 Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or
26 any online media distribution system to reproduce (i.e., download) any of Plaintiffs'

1 Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of
2 Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful
3 license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of
4 Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or
5 server without Plaintiffs' authorization and shall destroy all copies of those downloaded
6 recordings transferred onto any physical medium or device in Defendant's possession,
7 custody, or control.

8 DATED: Aug 31, 2006 By: Robert S. Lasnik
9 Hon. Robert S. Lasnik
10 United States District Judge

11 Presented by:
12 Scott T. Wilsdon, WSBA #20608
13 Lyle A. Tenpenny, WSBA #34883
14 **YARMUTH WILSDON CALFO PLLC**
15 The IDX Tower
16 925 Fourth Avenue, Suite 2500
17 Seattle, Washington 98104
18 (206) 516-3800
19 (206) 516-3888 (fax)

20 Attorneys for Plaintiffs
21 ATLANTIC RECORDING CORPORATION;
22 WARNER BROS. RECORDS INC.; CAPITOL
23 RECORDS, INC.; VIRGIN RECORDS
24 AMERICA, INC.; UMG RECORDINGS, INC.;
25 SONY BMG MUSIC ENTERTAINMENT;
26 ARISTA RECORDS LLC; and BMG MUSIC

~~PROPOSED~~ DEFAULT JUDGMENT AND
PERMANENT INJUNCTION

YARMUTH WILSDON CALFO PLLC
THE IDX TOWER
925 FOURTH AVENUE, SUITE 2500
SEATTLE, WA 98104
T 206 516 3800 F 206 516 3888

EXHIBIT A

BEN KESSLER

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Atlantic Recording Corporation	Jewel	You Were Meant for Me	Pieces of You	198-481
Warner Bros. Records Inc.	Linkin Park	Papercut	Hybrid Theory	288-402
Capitol Records, Inc.	Everclear	Father of Mine	So Much for the Afterglow	181-328
Virgin Records America, Inc.	A Perfect Circle	Magdalena	Mer De Noms	281-642
UMG Recordings, Inc.	Godsmack	Awake	Awake	293-376
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	It's All Coming Back To Me Now	Falling Into You	224-159
Arista Records LLC	Usher	Nice and Slow	My Way	257-730
BMG Music	Kenny Chesney	She's Got It All	I Will Stand	238-371

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
Case No.: 5:06-CV-150**

CAPITOL RECORDS, INC., a Delaware corporation; VIRGIN RECORDS AMERICA, INC., a California corporation; MOTOWN RECORD COMPANY, L.P., a California limited partnership; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; and BMG MUSIC, a New York general partnership,

Plaintiffs,

v.

CRAIG KIBLER,

Defendant.

ORDER

JUDGMENT AND PERMANENT INJUNCTION BASED ON STIPULATION

The Court, having considered the Stipulation to Judgment and Permanent Injunction (Document #8) executed by the parties,

IT IS ORDERED AND ADJUDGED THAT:

Plaintiffs have alleged that Defendant distributed (including by uploading) and/or reproduced (including by downloading) via the Internet or an online media distribution system copyrighted sound recordings owned or controlled by the Plaintiffs, without Plaintiffs' authorization, in violation of 17 U.S.C. § 501. Without admitting or denying

liability, Defendant has not contested Plaintiffs' allegations, and has acknowledged that such conduct is wrongful.

1. Defendant shall pay to Plaintiffs in settlement of this action the sum of \$4,580.00.

2. Defendant shall pay Plaintiffs' costs of suit (complaint filing fee and service of process fee) in the amount of \$420.00.

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by:

(a) using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs; or

(b) causing, authorizing, permitting, or facilitating any third party to access the Internet or any online media distribution system through the use of an Internet connection and/or computer equipment owned or controlled by Defendant, to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs.

Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant and/or any third party that has used the Internet connection and/or computer equipment owned or controlled by Defendant has downloaded without Plaintiffs' authorization onto any computer hard drive or server owned or controlled by Defendant, and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

4. Defendant irrevocably and fully waives notice of entry of the Judgment and Permanent Injunction, and understands and agrees that violation of the Judgment and Permanent Injunction will expose Defendant to all penalties provided by law, including for contempt of Court.

5. Defendant irrevocably and fully waives any and all right to appeal this Judgment and Permanent Injunction, to have it vacated or set aside, to seek or obtain a new trial thereon, or otherwise to attack in any way, directly or collaterally, its validity or enforceability.

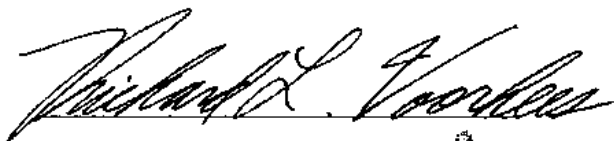
6. Nothing contained in the Judgment and Permanent Injunction shall limit the right of Plaintiffs to recover damages for any and all infringements by Defendant of any right under federal copyright law or state law occurring after the date Defendant executes the Stipulation to Judgment and Permanent Injunction.

7. Defendant shall not make any public statements that are inconsistent with any term of the Stipulation to Judgment and Permanent Injunction.

8. The Court shall maintain continuing jurisdiction over this action for the purpose of enforcing this final Judgment and Permanent Injunction.

SO ORDERED.

Signed: December 28, 2007

A handwritten signature in cursive script, reading "Richard L. Voorhees".

Richard L. Voorhees
United States District Judge



EXHIBIT A

CRAIG KIBLER

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Capitol Records, Inc.	Grand Funk Railroad	We're An American Band	We're An American Band	N-9482
Virgin Records America, Inc.	Spice Girls	Say You'll Be There	Spice	201-276
Motown Record Company, L.P.	98 Degrees	Invisible Man	98 Degrees	249-152
Motown Record Company, L.P.	98 Degrees	I Do (Cherish You)	98 Degrees & Rising	237-315
UMG Recordings, Inc.	U2	Sunday Bloody Sunday	War	42-944
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	My Heart Will Go On	Let's Talk About Love	248-109
SONY BMG MUSIC ENTERTAINMENT	Savage Garden	Truly Madly Deeply	Savage Garden	299-097
Arista Records LLC	LFO	Girl on TV	LFO	306-981
BMG Music	LFO	Every Other Time	Life Is Good	300-386

Kenneth R. Davis, II, OSB No. 97113
davisk@lanepowell.com
William T. Patton, OSB No. 97364
pattonw@lanepowell.com
LANE POWELL PC
601 SW Second Avenue, Suite 2100
Portland, Oregon 97204-3158
Telephone: 503.778.2100
Facsimile: 503.778.2200

FILED 07 JUN 28 15:25 U.S.D.C. ORN

Attorneys for Plaintiffs Warner Bros. Records Inc.;
Virgin Records America, Inc.; UMG Recordings, Inc.;
Sony BMG Music Entertainment; and BMG Music

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

**WARNER BROS. RECORDS INC., a
Delaware corporation; VIRGIN RECORDS
AMERICA, INC., a California corporation;
UMG RECORDINGS, INC., a Delaware
corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; and BMG MUSIC, a New York
general partnership,**

CV No. 1:06-CV-3064-CL

DEFAULT JUDGMENT AND
PERMANENT INJUNCTION

Plaintiffs,

v.

**RENEE VALENA, IAN ROBERT KRALY,
SHANNON KRALY, and JASON HEFLEY,**

Defendants.

Based upon Plaintiffs' Application For Default Judgment By The Court, and good cause
appearing therefor, IT IS HEREBY ORDERED AND ADJUDGED THAT:

PAGE 1 – DEFAULT JUDGMENT AND PERMANENT INJUNCTION

LANE POWELL PC
601 SW SECOND AVENUE, SUITE 2100
PORTLAND, OREGON 97204-3158
PHONE: (503) 778-2100
FAX: (503) 778-2200

1. Defendants Ian Robert Kraly, Shannon Kraly and Jason Hefley shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the ^{Amended} Complaint, in the total principal sum of Seven Thousand Five Hundred Dollars (\$7,500.00).

2. Said Defendants shall pay Plaintiffs' costs of suit herein in the amount of One Thousand Two Hundred Thirty Dollars (\$1,230.00).

3. Defendants Ian Robert Kraly, Shannon Kraly and Jason Hefley shall be and hereby are enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Warning," on album "Warning," by artist "Green Day" (SR# 288-352);
- "Papercut," on album "Hybrid Theory," by artist "Linkin Park" (SR# 288-402);
- "Perfect," on album "Adore," by artist "Smashing Pumpkins" (SR# 261-479);
- "Bullet With Butterfly Wings," on album "Mellon Collie and the Infinite Sadness," by artist "Smashing Pumpkins" (SR# 183-904);
- "Party Up," on album "...And Then There Was X," by artist "DMX" (SR# 279-017);
- "From This Moment On," on album "Come On Over," by artist "Shania Twain" (SR# 243-502);
- "Freak On a Leash," on album "Follow the Leader," by artist "Korn" (SR# 263-749);
- "Paradise By The Dashboard Light," on album "Bat Out Of Hell," by artist "Meat Loaf" (SR# N46849);

PAGE 2 -- DEFAULT JUDGMENT AND PERMANENT INJUNCTION

- "How Forever Feels," on album "Everywhere We Go," by artist "Kenny Chesney" (SR# 263-302);
- "I Lost It," on album "Greatest Hits," by artist "Kenny Chesney" (SR# 277-700);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: _____

6/28/07



Owen M. Panner
United States District Judge

SUBMITTED BY:

/s/ William T. Patton

William T. Patton, OSB No. 97364
(503) 778-2100
Attorney for Plaintiffs

PAGE 3 – DEFAULT JUDGMENT AND PERMANENT INJUNCTION

LANE POWELL PC
601 SW SECOND AVENUE, SUITE 2100
PORTLAND, OREGON 97204-3158
PHONE: (503) 778-2100
FAX: (503) 778-2200

From: info@ord.uscourts.gov
Sent: Monday, July 02, 2007 11:34 AM
To: nobody@ord.uscourts.gov
Subject: Activity in Case 1:06-cv-03064-CL Warner Bros. Records Inc. et al v. Valena Permanent Injunction

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.
*****NOTE TO PUBLIC ACCESS USERS*** You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this first viewing.**

U.S. District Court

District of Oregon

Notice of Electronic Filing

The following transaction was entered on 7/2/2007 at 11:33 AM PDT and filed on 6/28/2007

Case Name: Warner Bros. Records Inc. et al v. Valena

Case Number: 1:06-cv-3064

Filer:

WARNING: CASE CLOSED on 06/28/2007

Document Number: 29

Docket Text:

Permanent Injunction and Default Judgment in favor of Plaintiff. Signed on 6/28/2007 by Judge Owen M. Panner. (wk)

1:06-cv-3064 Notice has been electronically mailed to:

Kenneth R. Davis , II davisk@lanepowell.com, docketing-pdx@lanepowell.com, kilpatrickj@lanepowell.com

William T. Patton pattonw@lanepowell.com, docketing-pdx@lanepowell.com, hromcoa@lanepowell.com

1:06-cv-3064 Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:Not Available

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[STAMP ordStamp_ID=875559790 [Date=7/2/2007] [FileNumber=2136875-0] [a51d91672fe5f1b80b37ce4d939c7de46c9574802049acf1b61c86521160b10c5f02ba802fc862a6126bc3404cb194ce4c9b7bd4d3e7a4b1e35538c6b4d81133]]

7/2/2007

EXHIBIT A

RENEE VALENA, IAN ROBERT KRALY, SHANNON KRALY, JASON HEFLEY

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Warner Bros. Records Inc.	Green Day	Warning	Warning	288-352
Warner Bros. Records Inc.	Linkin Park	Papercut	Hybrid Theory	288-402
Virgin Records America, Inc.	Smashing Pumpkins	Perfect	Adore	261-479
Virgin Records America, Inc.	Smashing Pumpkins	Bullet With Butterfly Wings	Mellon Collie and the Infinite Sadness	183-904
UMG Recordings, Inc.	DMX	Party Up	...And Then There Was X	279-017
UMG Recordings, Inc.	Shania Twain	From This Moment On	Come On Over	243-502
SONY BMG MUSIC ENTERTAINMENT	Korn	Freak On a Leash	Follow the Leader	263-749
SONY BMG MUSIC ENTERTAINMENT	Meat Loaf	Paradise By The Dashboard Light	Bat Out Of Hell	N46849
BMG Music	Kenny Chesney	How Forever Feels	Everywhere We Go	263-302
BMG Music	Kenny Chesney	I Lost It	Greatest Hits	277-700

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Still D.R.E.," on album "2001," by artist "Dr. Dre" (SR# 277-983);
- "A Long December," on album "Recovering The Satellites," by artist "Counting Crows" (SR# 226-415);
- "Sexual Healing," on album "Midnight Love," by artist "Marvin Gaye" (SR# 41-568);
- "Southern Hospitality," on album "Back For the First Time," by artist "Ludacris" (SR# 289-433);
- "Move Bitch," on album "Word of Mouf," by artist "Ludacris" (SR# 304-605);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

4. The Clerk of Court is hereby directed to close this case for statistical purposes.

DATED: April 25, 2007


By: 
Hon. Mora Barry Fischer
United States District Judge

EXHIBIT A

GEORGE LANG

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Interscope Records	Dr. Dre	Still D.R.E.	2001	277-983
UMG Recordings, Inc.	Counting Crows	A Long December	Recovering The Satellites	226-415
SONY BMG MUSIC ENTERTAINMENT	Marvin Gaye	Sexual Healing	Midnight Love	41-568
UMG Recordings, Inc.	Ludacris	Southern Hospitality	Back For the First Time	289-433
UMG Recordings, Inc.	Ludacris	Move Bitch	Word of Mouf	304-605

#12

IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ELEKTRA ENTERTAINMENT)
GROUP, INC., a Delaware)
corporation; WARNER BROS.)
RECORDS INC., a Delaware)
corporation; UMG RECORDINGS,)
INC., a Delaware corporation;)
ARISTA RECORDS LLC, a)
Delaware limited liability company;)
and SONY BMG MUSIC)
ENTERTAINMENT, a Delaware)
general partnership,)

Plaintiffs,)

vs.)

CIVIL ACTION NO. 07-0003-CG-C

CYNTHIA MADISON, (AKA)
CYNTHIA DICKSON) (AKA)
CYNTHIA L. KENNEDY),)

Defendant.)

DEFAULT JUDGMENT AND PERMANENT INJUNCTION

This matter is before the court on the Plaintiffs' Motion For Default Judgment (Doc. 11).

Upon due consideration, and showing of good cause, it is hereby **ORDERED** and **ADJUDGED** that:

1. Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Dollars (\$6,000.00).
2. Defendant shall pay Plaintiffs' costs of suit herein in the amount of Four Hundred Forty-Five Dollars (\$445.00).
3. Defendant shall be and hereby is enjoined from directly or indirectly infringing

Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

Semi-Charmed Life," on album "Third Eye Blind," by artist "Third Eye Blind" (SR# 188-673);
"One Step Closer," on album "Hybrid Theory," by artist "Linkin Park" (SR# 288-402);
"All the Small Things," on album "Enema of the State," by artist "Blink-182" (SR# 279-826);
"Grindin'," on album "Lord Willin'," by artist "Clipse" (SR# 321-673);
"Southern Hospitality," on album "Back For the First Time," by artist "Ludacris" (SR# 289-433);
"Stellar," on album "Make Yourself," by artist "Incubus" (SR# 278-818);
"I'm With You," on album "Let Go," by artist "Avril Lavigne" (SR# 312-786);
"U Got It Bad," on album "8701," by artist "Usher" (SR# 307-207);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DONE and ORDERED, this the 21st day of May, 2007.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE

knowledge of the following facts and, if called and sworn as a witness, could and would competently testify thereto.

2. On January 3, 2007 Plaintiffs filed the Complaint. Attached hereto as Exhibit 1 is a true and correct copy of the Complaint.

3. On March 27, 2007 the Clerk of this Court entered the default of Defendant. Attached hereto as Exhibit 2 is a true and correct copy of the Default By Clerk.

4. Defendant has not appeared in this action.

5. I am informed and believe that Defendant is not an infant or incompetent.

6. A search for Defendant's name was conducted through the Defense Manpower Data Center, Servicemembers Civil Relief Act database. That search revealed no evidence that Defendant is in the military service.

7. Plaintiffs have incurred costs in this case in the amount of \$445.00.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on May 21, 2007 at Gulfport, Mississippi.



THOMAS C. ANDERSON

JURISDICTION AND VENUE

1. This is a civil action seeking damages and injunctive relief for copyright infringement under the copyright laws of the United States (17 U.S.C. §101, et seq.).
2. This Court has jurisdiction under 17 U.S.C. § 101, et seq.; 28 U.S.C. §1331 (federal question); and 28 U.S.C. §1338(a) (copyright)
3. This Court has personal jurisdiction over the Defendant, and venue in this District is proper under 28 U.S.C. § 1391(b) and 28 U.S.C. § 1400(a), in that the Defendant resides in this District, and the acts of infringement complained of herein occurred in this District.

PARTIES

4. Plaintiff Elektra Entertainment Group Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.
5. Plaintiff Warner Bros. Records Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

6. Plaintiff UMG Recordings, Inc. is a corporation duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of California.

7. Plaintiff Arista Records LLC is a limited liability company duly organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

8. Plaintiff SONY BMG MUSIC ENTERTAINMENT is a Delaware general partnership, with its principal place of business in the State of New York.

9. Plaintiffs are informed and believe that Defendant is an individual residing in this District.

COUNT I

INFRINGEMENT OF COPYRIGHTS

10. Plaintiffs incorporate herein by this reference each and every allegation contained in each paragraph above.

11. Plaintiffs are, and at all relevant times have been, the copyright owners or licensees of exclusive rights under United States copyright with respect

to certain copyrighted sound recordings (the "Copyrighted Recordings"). The Copyrighted Recordings include but are not limited to each of the copyrighted sound recordings identified in Exhibit A attached hereto, each of which is the subject of a valid Certificate of Copyright Registration issued by the Register of Copyrights. In addition to the sound recordings listed on Exhibit A, Copyrighted Recordings also include certain of the sound recordings listed on Exhibit B which are owned by or exclusively licensed to one or more of the Plaintiffs or Plaintiffs' affiliate record labels, and which are subject to valid Certificates of Copyright Registration issued by the Register of Copyrights.

12. Among the exclusive rights granted to each Plaintiff under the Copyright Act are the exclusive rights to reproduce the Copyrighted Recordings and to distribute the Copyrighted Recordings to the public.

13. Plaintiffs are informed and believe that Defendant, without the permission or consent of Plaintiffs, has used, and continues to use, an online media distribution system to download the Copyrighted Recordings, to distribute the Copyrighted Recordings to the public, and/or to make the Copyrighted Recordings available for distribution to others. In doing so, Defendant has violated Plaintiffs' exclusive rights of reproduction and distribution. Defendant's actions constitute infringement of Plaintiffs' copyrights and exclusive rights under copyright.

14. Plaintiffs have placed proper notices of copyright pursuant to 17 U.S.C. § 401 on each respective album cover of each of the sound recordings identified in Exhibit A. These notices of copyright appeared on published copies of each of the sound recordings identified in Exhibit A. These published copies were widely available, and each of the published copies of the sound recordings identified in Exhibit A was accessible by Defendant.

15. Plaintiffs are informed and believe that the foregoing acts of infringement have been willful and intentional, in disregard of and with indifference to the rights of Plaintiffs.

16. As a result of Defendant's infringement of Plaintiffs' copyrights and exclusive rights under copyright, Plaintiffs are entitled to statutory damages pursuant to 17 U.S.C. § 504(c) for Defendant's infringement of each of the Copyrighted Recordings. Plaintiffs further are entitled to their attorneys' fees and costs pursuant to 17 U.S.C. § 505.

17. The conduct of Defendant is causing and, unless enjoined and restrained by this Court, will continue to cause Plaintiffs great and irreparable injury that cannot fully be compensated or measured in money. Plaintiffs have no adequate remedy at law. Pursuant to 17 U.S.C. §§ 502 and 503, Plaintiffs are

entitled to injunctive relief prohibiting Defendant from further infringing Plaintiffs' copyrights, and ordering Defendant to destroy all copies of sound recordings made in violation of Plaintiffs' exclusive rights.

WHEREFORE, Plaintiffs pray for judgment against each Defendant as follows:

1. For an injunction providing:

"Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the Copyrighted Recordings and any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control."

2. For statutory damages for each infringement of each Copyrighted Recording pursuant to 17 U.S.C. § 504.
3. For Plaintiffs' costs in this action.
4. For Plaintiffs' reasonable attorneys' fees incurred herein.
5. For such other and further relief as the Court may deem just and proper.

Respectfully submitted,

DATED: January 3, 2007

s/ Thomas C. Anderson
Thomas C. Anderson
(andet 5980)
Balch & Bingham L.L.P.
1310 Twenty-Fifth Avenue
Gulfport, MS 39501
Main Phone: (228) 864-9900
Main Fax: (228) 864-8221

ATTORNEY FOR PLAINTIFFS

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**ELEKTRA ENTERTAINMENT GROUP,)
INC., et al.,)
)
Plaintiffs,)
)
vs.) **CIVIL ACTION NO. 07-0003-CG-C**
)
**CYNTHIA MADISON (aka Cynthia)
Dickson) (aka Cynthia L. Kennedy),)
)
Defendant.)****

CLERK'S ENTRY OF DEFAULT

Pursuant to Rule 55(a), FRCP, and plaintiff's Motion for Entry of Default (Doc. 8), **DEFAULT** is hereby entered by the Clerk against defendant Cynthia Madison, a/k/a Cynthia Dickson, a/k/a Cynthia L. Kennedy for failure to plead or otherwise defend.

Done this the 27th day of March, 2007.

CHARLES R. DIARD, JR., CLERK

By: /s/ Mary Ann Boyles
Deputy Clerk

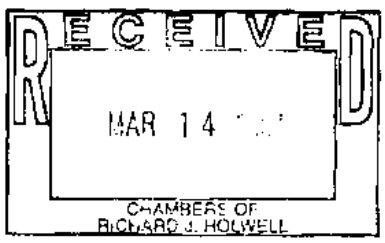
EXHIBIT A

CYNTHIA MADISON (AKA CYNTHIA DICKSON) (AKA CYNTHIA L. KENNEDY)

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Elektra Entertainment Group Inc.	Third Eye Blind	Semi-Charmed Life	Third Eye Blind	188-673
Warner Bros. Records Inc.	Linkin Park	One Step Closer	Hybrid Theory	288-402
UMG Recordings, Inc.	Blink-182	All the Small Things	Enema of the State	279-826
Arista Records LLC	Clipse	Grindin'	Lord Willin'	321-673
UMG Recordings, Inc.	Ludacris	Southern Hospitality	Back For the First Time	289-433
SONY BMG MUSIC ENTERTAINMENT	Incubus	Stellar	Make Yourself	278-818
Arista Records LLC	Avril Lavigne	I'm With You	Let Go	312-786
Arista Records LLC	Usher	U Got It Bad	8701	307-207

HSLW800,55

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



WARNER BROS. RECORDS INC., a Delaware corporation; CAPITOL RECORDS, INC., a Delaware corporation; VIRGIN RECORDS AMERICA, INC., a California corporation; INTERSCOPE RECORDS, a California general partnership; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; and BMG MUSIC, a New York general partnership,

Civil Action No.: 05-CV-7667 (RJH)(DFE)
Filed Electronically

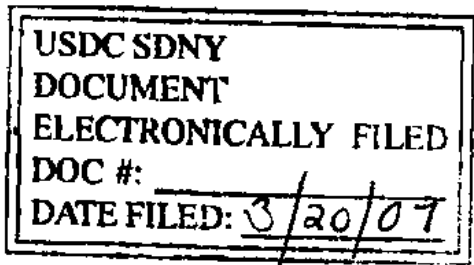
~~PROPOSED~~ JUDGMENT AND PERMANENT INJUNCTION BASED ON STIPULATION

Plaintiffs,

-against-

ROCIO MORENO,

Defendant.



The Court, having considered the Stipulation to Judgment and Permanent Injunction executed by the parties,

IT IS ORDERED AND ADJUDGED THAT:

1. Plaintiffs have alleged that Defendant distributed (including by uploading) and/or reproduced (including by downloading) via the Internet or an online media distribution system copyrighted sound recordings owned or controlled by the Plaintiffs, without Plaintiffs' authorization, in violation of 17 U.S.C. § 501. Without admitting or denying liability, Defendant has not contested plaintiffs' allegations, and has acknowledged that such conduct is wrongful.

2. Defendant shall pay to Plaintiffs in settlement of this action the sum of \$4650.00.

3. Defendant shall pay Plaintiffs' costs of suit (complaint filing fee and service of process fee) in the amount of \$350.00.

4. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by:

- (a) using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs; or
- (b) causing, authorizing, permitting, or facilitating any third party to access the Internet or any online media distribution system through the use of an Internet connection and/or computer equipment owned or controlled by Defendant, to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs.

Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant and/or any third party that has used the Internet connection and/or computer equipment owned or controlled by Defendant has downloaded without Plaintiffs' authorization onto any computer hard drive or server owned or controlled by Defendant, and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

5. Defendant irrevocably and fully waives notice of entry of the Judgment and Permanent Injunction, and understands and agrees that violation of the Judgment and Permanent Injunction will expose Defendant to all penalties provided by law, including for contempt of Court.

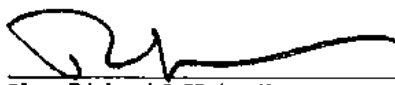
6. Defendant irrevocably and fully waives any and all right to appeal this Judgment and Permanent Injunction, to have it vacated or set aside, to seek or obtain a new trial thereon, or otherwise to attack in any way, directly or collaterally, its validity or enforceability.

7. Nothing contained in the Judgment and Permanent Injunction shall limit the right of Plaintiffs to recover damages for any and all infringements by Defendant of any right under federal copyright law or state law occurring after the date Defendant executes the Stipulation to Judgment and Permanent Injunction.

8. Defendant shall not make any public statements that are inconsistent with any term of the Stipulation to Judgment and Permanent Injunction.

9. The Court shall maintain continuing jurisdiction over this action for the purpose of enforcing this final Judgment and Permanent Injunction.

DATED: 3/16/17

By: 

Hon. Richard J. Holwell
United States District Judge

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**

EXHIBIT A

ROCIO MORENO

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Warner Bros. Records Inc.	Red Hot Chili Peppers	Under the Bridge	Blood Sugar Sex Magik	135-276
Warner Bros. Records Inc.	Van Halen	You Really Got Me	Van Halen	239
Capitol Records, Inc.	Everclear	Father of Mine	So Much for the Afterglow	181-328
Virgin Records America, Inc.	Enigma	Smell Of Desire	The Screen Behind The Mirror	277-091
Interscope Records	No Doubt	Bathwater	Return Of Saturn	279-727
UMG Recordings, Inc.	Guns N Roses	Think About You	Appetite for Destruction	85-358
SONY BMG MUSIC ENTERTAINMENT	Celine Dion	Because You Loved Me	Falling Into You	224-159
SONY BMG MUSIC ENTERTAINMENT	Destiny's Child	Bills, Bills, Bills	The Writing's on the Wall	268-936
Arista Records LLC	No Mercy	Where Do You Go	No Mercy	251-426
BMG Music	Vertical Horizon	Best I Ever Had (Grey Sky Morning)	Everything You Want	277-868

EXHIBIT A

SHERA AND DONALD NEWLAND

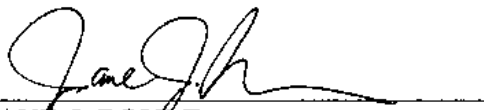
<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Capitol Records, Inc.	Everclear	Father of Mine	So Much for the Afterglow	181-328
Capitol Records, Inc.	Everclear	Brown Eyed Girl	Songs from an American Movie - Vol. 1, Learning How to Smile	284-811
UMG Recordings, Inc.	Sammy Kershaw	Love of My Life	Labor of Love	243-496
SONY BMG MUSIC ENTERTAINMENT	Dixie Chicks	Cowboy Take Me Away	Fly	275-086
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	One Sweet Day	Daydream	215-243
BMG Music	Kenny Chesney	How Forever Feels	Everywhere We Go	263-302
BMG Music	Kenny Chesney	She's Got It All	I Will Stand	238-371

- "Leech," on album "Eve 6," by artist "Eve 6" (SR# 257-983);
- "You Set Me Free," on album "The Spirit Room," by artist "Michelle Branch" (SR# 303-732);
- "Mobile," on album "Let Go," by artist "Avril Lavigne" (SR# 312-786);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

SO ORDERED.

July 3rd, 2007


JANE J. BOYLE
UNITED STATES DISTRICT JUDGE

Presented by:
Stacy R. Obenhaus
State Bar No. 15161570
Lisa L. Honey
State Bar No. 24048550
Gardere Wynne Sewell LLP
3000 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201-4761
Tel: 214- 999-3000
Fax: 214-999-4667
sobenhaus@gardere.com
lhoney@gardere.com
OF COUNSEL:

Geoffrey H. Bracken
State Bar No. 02809750
1000 Louisiana, Suite 3400
Houston, Texas 77002-5007
Tel: 713-276-5555

ATTORNEYS FOR PLAINTIFFS
ELEKTRA ENTERTAINMENT GROUP
INC.; UMG RECORDINGS, INC.; SONY
BMG MUSIC ENTERTAINMENT; BMG
MUSIC; MAVERICK RECORDING
COMPANY; and ARISTA RECORDS
LLC

EXHIBIT A

DEVON OWENS

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Elektra Entertainment Group Inc.	Third Eye Blind	Semi-Charmed Life	Third Eye Blind	188-673
UMG Recordings, Inc.	Sublime	Badfish	Second Hand Smoke	246-011
UMG Recordings, Inc.	Sublime	Garden Grove	Sublime	224-105
SONY BMG MUSIC ENTERTAINMENT	Destiny's Child	Say My Name	The Writing's on the Wall	268-936
BMG Music	Eve 6	Leech	Eve 6	257-983
Maverick Recording Company	Michelle Branch	You Set Me Free	The Spirit Room	303-732
Arista Records LLC	Avril Lavigne	Mobile	Let Go	312-786

3. Plaintiffs allege that Defendant distributed (including by uploading) and/or reproduced (including by downloading) via the Internet or an online media distribution system copyrighted sound recordings owned or controlled by the Plaintiffs, without Plaintiffs' authorization, in violation of 17 U.S.C. § 501. Without admitting or denying liability, Defendant does not contest plaintiffs' allegations, and acknowledges that such conduct is wrongful.

4. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by:

- a) using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs; or
- b) causing, authorizing, permitting, or facilitating any third party to access the Internet or any online media distribution system through the use of an Internet connection and/or computer equipment owned or controlled by Defendant, to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs.

Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant and/or any third party that has used the Internet connection and/or computer equipment owned or controlled by

Defendant has downloaded without Plaintiffs' authorization onto any computer hard drive or server owned or controlled by Defendant, and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

5. Defendant has been properly and validly served with the Summons and Complaint in this action, and is subject to the jurisdiction of the Court.

6. Defendant irrevocably and fully waives notice of entry of the Judgment and Permanent Injunction, and understands and agrees that violation of the Judgment and Permanent Injunction will expose Defendant to all penalties provided by law, including for contempt of Court.

7. Defendant irrevocably and fully waives any and all right to appeal the Judgment and Permanent Injunction, to have it vacated or set aside, to seek or obtain a new trial thereon, or otherwise to attack in any way, directly or collaterally, its validity or enforceability.

8. Nothing contained in the Judgment and Permanent Injunction shall limit the right of Plaintiffs to recover damages for any and all infringements by Defendant of any right under federal copyright law or state law occurring after the date Defendant executes this Stipulation to Judgment and Permanent Injunction.

9. Defendant shall not make any public statements that are inconsistent with any term of this Stipulation to Judgment and Permanent Injunction.

10. Defendant acknowledges that Defendant has read this Stipulation to Judgment and Permanent Injunction, and the attached [Proposed] Judgment and Permanent

Injunction, has had the opportunity to have them explained by counsel of Defendant's choosing, fully understands them and agrees to be bound thereby, and will not deny the truth or accuracy of any term or provision herein. Defendant is at least 18 years old and is otherwise legally competent to enter into this Stipulation to Judgment and Permanent Injunction.

11. The Court shall maintain continuing jurisdiction over this action for the purpose of enforcing this final Judgment and Permanent Injunction.

Dated: New York, New York

11-9-04

COWAN, LIEBOWITZ & LATMAN, P.C.
Attorneys for Plaintiffs

By: 

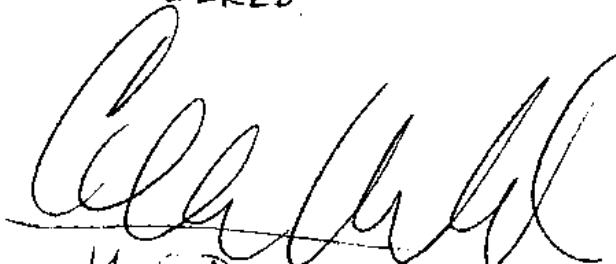
J. Christopher Jensen (JJ-1864)
Jason B. Sanders (JS-2219)
1133 Avenue of the Americas
New York, New York 10036-6799
Phone: (212) 790-9200
Fax: (212) 575-0671

DATED: 10-31-04

By: 

Joseph Potts, *in propria persona*

SO ORDERED.


U.S.D.J.

dated: 11/16/04

EXHIBIT A

JOSEPH POTTS

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Virgin Records America, Inc.	Enigma	Smell Of Desire	The Screen Behind The Mirror	277-091
Arista Records, Inc.	TLC	Unpretty	Fanmail	298-454
UMG Recordings, Inc.	Counting Crows	A Long December	Recovering The Satellites	226-415
Capitol Records, Inc.	Norah Jones	Don't Know Why	Come Away With Me	320-120
Elektra Entertainment Group Inc.	The Cars	Shake It Up	Shake It Up	32-055
Interscope Records	No Doubt	Making Out	Rock Steady	305-872
Arista Records, Inc.	Ace of Base	The Sign	The Sign	169-749

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CAPITOL RECORDS, INC., a Delaware corporation; INTERSCOPE RECORDS, a California general partnership; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; and ATLANTIC RECORDING CORPORATION, a Delaware corporation,

Plaintiffs,

v.

SHANNON RHOADES, a/k/a
SHANNON BARRETT,

Defendant.

CASE NO. 8:07CV106

JUDGMENT BY DEFAULT
AND
PERMANENT INJUNCTION

This matter is before the Court on the Plaintiffs' Motion For Default Judgment (Filing No. 13).¹ The Court has reviewed the Motion and the Declaration of David V. Clark. The Court finds that Defendant Shannon Rhoades was served with a copy of the Summons and Complaint on or about May 8, 2007. (Filing No. 6). Upon the Plaintiffs' motion, the Clerk filed her Entry of Default. (Filing No. 10).

Upon review of the entire record, the Court finds that the Plaintiffs have complied with Fed. R. Civ. P. 55 and NECivR 55.1(c). "A default judgment entered by the court binds the party facing the default as having admitted all of the well pleaded allegations in the plaintiff's complaint." *Angelo lafrate Const., LLC v. Potashnick Const., Inc.*, 370 F.3d 715, 722 (8th Cir. 2004). Plaintiffs now seek default judgment, minimum statutory damages, permanent injunctive relief, and costs from Rhoades. Based on the facts as alleged in the Complaint and in the Clark Declaration, I conclude that default judgment should be granted in favor of the Plaintiffs.

¹ The Clerk will be directed to terminate a duplicate motion filed without the supporting documents and evidence at Filing No. 12.

Accordingly,

IT IS ORDERED:

1. The Clerk is directed to terminate the Plaintiffs' Motion for Default Judgment (Filing No. 12) as a duplicate and incomplete filing;
2. The Plaintiffs' Motion for Default Judgment (Filing No. 13) is granted;
3. Judgment by default is entered in favor of the Plaintiffs and against the Defendant Shannon Rhoades as follows:
 - a. Shannon Rhoades shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Five Thousand Two Hundred Fifty Dollars (\$5,250.00);
 - b. Shannon Rhoades shall pay Plaintiffs' costs of suit in the amount of Four Hundred Twenty Dollars (\$420.00);
 - c. Shannon Rhoades is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:
 - "Father of Mine," on album "So Much for the Afterglow," by artist "Everclear" (SR# 181-328);
 - "Ackrite," on album "2001," by artist "Dr. Dre" (SR# 277-983);
 - "Dumpweed," on album "Enemy of the State," by artist "Blink-182" (SR# 279-826);
 - "Da Goodness," on album "Docs Da Name 2000," by artist "Redman" (SR# 263-689);
 - "Always Be My Baby," on album "Daydream," by artist "Mariah Carey" (SR# 215-243);
 - "Gone Till November," on album "Wyclef Jean Presents The Carnival Featuring Refugee Allstars," by artist "Wyclef Jean" (SR# 251-493);

- "I'm A Thug," on album "Thugs Are Us," by artist "Trick Daddy" (SR# 303-748);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs; and

- d. Shannon Rhoades also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

Dated this 16th day of July, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Court

EXHIBIT A

Shannon Rhoades

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Capitol Records, Inc.	Everclear	Father of Mine	So Much for the Afterglow	181-328
Interscope Records	Dr. Dre	Ackrite	2001	277-983
UMG Recordings, Inc.	Blink-182	Dumpweed	Enema of the State	279-826
UMG Recordings, Inc.	Redman	Da Goodness	Docs Da Name 2000	263-689
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	Always Be My Baby	Daydream	215-243
SONY BMG MUSIC ENTERTAINMENT	Wyclef Jean	Gone Till November	Wyclef Jean Presents The Carnival Featuring Refugee Allstars	251-493
Atlantic Recording Corporation	Trick Daddy	I'm A Thug	Thugs Are Us	303-748

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CAPITOL RECORDS, INC., a Delaware corporation; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; BMG MUSIC, a New York general partnership; and MAVERICK RECORDING COMPANY, a California joint venture,)	Case No.: 5:07-cv-03883
)	
Plaintiffs,)	Judge John R. Adams
)	
v.)	
)	
TIMOTHY SHIVERS,)	<u>Default Judgment and Permanent Injunction</u>
)	
Defendant.)	

Based upon Plaintiffs' Motion for Default Judgment, and good cause appearing therefore, it is hereby Ordered and Adjudged that:

Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the eight sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Dollars (\$6,000.00).

1. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars (\$420.00).

2. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

1. "Father of Mine," on album "So Much for the Afterglow," by artist "Everclear" (SR# 181-328);

2. "Where The Blacktop Ends," on album "Keith Urban," by artist "Keith Urban" (SR# 273-265);
3. "For My," on album "Country Grammar," by artist "Nelly" (SR# 281-782);
4. "When," on album "Come On Over," by artist "Shania Twain" (SR# 243-502);
5. "Always Be My Baby," on album "Daydream," by artist "Mariah Carey" (SR# 215-243);
6. "I Turn To You," on album "Christina Aguilera," by artist "Christina Aguilera" (SR# 274-004);
7. "I Love You," on album "Emotion," by artist "Martina McBride" (SR# 269-161);
8. "All You Wanted," on album "The Spirit Room," by artist "Michelle Branch" (SR# 303-732);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: May 14, 2008

By: /s/ John R. Adams
United States District Judge

EXHIBIT A

TIMOTHY SHIVERS

IP Address: 65.185.71.128 2005-10-23 17:00:06

CASE ID# 97981407

P2P Network: Gnutella

Total Audio Files: 532

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Capitol Records, Inc.	Everclear	Father of Mine	So Much for the Afterglow	181-328
Capitol Records, Inc.	Keith Urban	Where The Blacktop Ends	Keith Urban	273-265
UMG Recordings, Inc.	Nelly	For My	Country Grammar	281-782
UMG Recordings, Inc.	Shania Twain	When	Come On Over	243-502
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	Always Be My Baby	Daydream	215-243
BMG Music	Christina Aguilera	I Turn To You	Christina Aguilera	274-004
BMG Music	Martina McBride	I Love You	Emotion	269-161
Maverick Recording Company	Michelle Branch	All You Wanted	The Spirit Room	303-732

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

WARNER BROS. RECORDS INC., VIRGIN
RECORDS AMERICA, INC., UMG
RECORDINGS, INC., SONY BMG MUSIC
ENTERTAINMENT, ARISTA RECORDS, LLC,
MAVERICK RECORDING COMPANY, and
CAPITOL RECORDS, INC.,
Plaintiffs

vs.

C.A. No. 06-237T

MICHAEL SIMPSON,
Defendants

JUDGMENT

Jury Verdict. This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

Decision by the Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED:

Pursuant to a Stipulation to Judgment and Permanent Injunction entered by the Court on September 25th, 2007, judgment hereby enters for the Plaintiffs Warner Bros. Records, Inc., et al. against the Defendant Michael Simpson in the amount of \$9500.00. Further, the Defendant is hereby enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording that is owned or controlled by the Plaintiffs pursuant to the terms set forth in the above-reference Stipulation to Judgment and Permanent Injunction.

Enter:



Deputy Clerk

Dated: September 25th, 2007

EXHIBIT A

MICHAEL SIMPSON

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Warner Bros. Records Inc.	Madonna	Express Yourself	Like a Prayer	106-808
Warner Bros. Records Inc.	Madonna	Into the Groove	Like a Virgin	59-442
Virgin Records America, Inc.	Paula Abdul	Cold Hearted	Forever Your Girl	93-688
UMG Recordings, Inc.	Blink-182	Josie	Dude Ranch	243-969
UMG Recordings, Inc.	Shania Twain	Man! I Feel Like A Woman	Come On Over	243-502
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	Open Arms	Daydream	215-243
Arista Records LLC	Pink	You Make Me Sick	Can't Take Me Home	279-958
Arista Records LLC	Whitney Houston	I Wanna Dance With Somebody	Whitney	89-966
Maverick Recording Company	Michelle Branch	Goodbye to You	The Spirit Room	303-732
Capitol Records, Inc.	Beastie Boys	Sure Shot	Ill Communication	213-461

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

RECEIVED
CLERK, CHARLESTON, SC
2007 OCT -4 P 2:18

ATLANTIC RECORDING CORPORATION, a Delaware corporation; VIRGIN RECORDS AMERICA, INC., a California corporation; MOTOWN RECORD COMPANY, L.P., a California limited partnership; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; and BMG MUSIC, a New York general partnership,

Plaintiffs,

vs.

BRENDA & KATANNYA SMITH,

Defendants.

Case No. 6:06-cv-01628-CWH

The Hon. C. Weston Houck

DEFAULT JUDGMENT AND PERMANENT INJUNCTION

Based upon Plaintiffs' Application For Default Judgment By The Court, and good cause appearing therefore, it is hereby Ordered and Adjudged that:

1. Plaintiffs seek the minimum statutory damages of \$750 per infringed work, as authorized under the Copyright Act (17 U.S.C. § 504(c)(1)), for each of the eight sound recordings listed in Exhibit A to the Complaint. Accordingly, having been adjudged to be in default, Defendants shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Dollars (\$6,000.00).

2. Defendant shall further pay Plaintiffs' costs of suit herein in the amount of Four Hundred Twenty Dollars. (\$ 420.00).

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound

#1
CWH

- "My First Love," on album "My Thoughts," by artist "Avant" (SR# 281-220);
- "All Cried Out," on album "Allure," by artist "Allure" (SR# 241-069);
- "It's Not Right But It's Okay," on album "My Love is Your Love," by artist "Whitney Houston" (SR# 298-453);
- "One Moment In Time," on album "Whitney The Greatest Hits," by artist "Whitney Houston" (SR# 284-891);
- "Rain," on album "Release Some Tension," by artist "SWV" (SR# 249-300);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED:

Oct 4, 2007

By:

C. Weston Houck
Hon. C. Weston Houck
United States District Judge

H. J. Court.

EXHIBIT A**BRENDA & KATANNYA SMITH**

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Atlantic Recording Corporation	Changing Faces	That Other Woman	Visit Me	311-800
Virgin Records America, Inc.	Beenie Man	Girls Dem Sugar	Art And Life	284-383
Motown Record Company, L.P.	98 Degrees	Invisible Man	98 Degrees	249-152
UMG Recordings, Inc.	Avant	My First Love	My Thoughts	281-220
SONY BMG MUSIC ENTERTAINMENT	Allure	All Cried Out	Allure	241-069
Arista Records LLC	Whitney Houston	It's Not Right But It's Okay	My Love is Your Love	298-453
Arista Records LLC	Whitney Houston	One Moment In Time	Whitney The Greatest Hits	284-891
BMG Music	SWV	Rain	Release Some Tension	249-300

EF

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ELEKTRA ENTERTAINMENT GROUP
INC., a Delaware corporation; UMG
RECORDINGS, INC., a Delaware
corporation; SONY BMG MUSIC
ENTERTAINMENT, a Delaware general
partnership; BMG MUSIC, a New York
general partnership; and PRIORITY
RECORDS LLC, a California limited liability
company,

Plaintiffs,

vs.

DANIEL WARD,

Defendant.

Case No.: 06 C 6363

Honorable Samuel Der-Yeghiayan

JUDGMENT AND PERMANENT INJUNCTION BASED ON STIPULATION

The Court, having considered the Stipulation to Judgment and Permanent Injunction executed by the parties,

IT IS ORDERED AND ADJUDGED THAT:

1. Plaintiffs have alleged that Defendant distributed (including by uploading) and/or reproduced (including by downloading) via the Internet or an online media distribution system copyrighted sound recordings owned or controlled by the Plaintiffs, without Plaintiffs' authorization, in violation of 17 U.S.C. § 501. Without admitting or denying liability, Defendant has not contested Plaintiffs' allegations, and has acknowledged that such conduct is wrongful.

2. Defendant shall pay to Plaintiffs in settlement of this action the sum of \$9280.00.
3. Defendant shall pay Plaintiffs' costs of suit (complaint filing fee and service of process fee) in the amount of \$420.00.
4. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by:

- (a) using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs; or
- (b) causing, authorizing, permitting, or facilitating any third party to access the Internet or any online media distribution system through the use of an Internet connection and/or computer equipment owned or controlled by Defendant, to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs.

Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant and/or any third party that has used the Internet connection and/or computer equipment owned or controlled by Defendant has downloaded without Plaintiffs' authorization onto any computer hard drive or server owned or controlled by Defendant, and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

5. Defendant irrevocably and fully waives notice of entry of the Judgment and Permanent Injunction, and understands and agrees that violation of the Judgment and Permanent

Injunction will expose Defendant to all penalties provided by law, including for contempt of Court.

6. Defendant irrevocably and fully waives any and all right to appeal this Judgment and Permanent Injunction, to have it vacated or set aside, to seek or obtain a new trial thereon, or otherwise to attack in any way, directly or collaterally, its validity or enforceability.

7. Nothing contained in the Judgment and Permanent Injunction shall limit the right of Plaintiffs to recover damages for any and all infringements by Defendant of any right under federal copyright law or state law occurring after the date Defendant executes the Stipulation to Judgment and Permanent Injunction.

8. Defendant shall not make any public statements that are inconsistent with any term of the Stipulation to Judgment and Permanent Injunction.

9. The Court shall maintain continuing jurisdiction over this action for the purpose of enforcing this final Judgment and Permanent Injunction.

DATED: 7-2-2007

By: Samuel Der-Yeghayan
Honorable Samuel Der-Yeghayan
United States District Judge

EXHIBIT A

DANIEL WARD

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Elektra Entertainment Group Inc.	Third Eye Blind	Semi-Charmed Life	Third Eye Blind	188-673
UMG Recordings, Inc.	Shania Twain	Don't Be Stupid	Come On Over	243-502
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	Always Be My Baby	Daydream	215-243
BMG Music	Dave Matthews Band	I Did It	Everyday	300-313
Priority Records LLC	Snoop Dogg	Lay Low	Tha Last Meal	317-638

EXHIBIT A

MICHAEL WHITAKER

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Atlantic Recording Corporation	Matchbox 20	Real World	Yourself or Someone Like You	227-755
Warner Bros. Records Inc.	Linkin Park	Papercut	Hybrid Theory	288-402
Priority Records LLC	NWA	Automobile	Efil4zaggin'	137-627
Virgin Records America, Inc.	Smashing Pumpkins	Bullet With Butterfly Wings	Mellon Collie and the Infinite Sadness	183-904
Interscope Records	No Doubt	Don't Speak	Tragic Kingdom	206-724
Sony BMG Music Entertainment	Korn	Freak On a Leash	Follow the Leader	263-749
Sony BMG Music Entertainment	Marvin Gaye	Sexual Healing	Midnight Love	41-568
Arista Records LLC	Outkast	Rosa Parks	Aquemini	264-092
BMG Music	Dave Matthews Band	Ants Marching	Under the Table and Dreaming	285-688

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

ATLANTIC RECORDING CORPORATION, a Delaware corporation; UMG RECORDINGS, INC., a Delaware corporation; and SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership,

Cause No. 1:08-cv-00654-LJM-TAB

Plaintiffs,

vs.

Samillia Renee Woods,

Defendant.

STIPULATION TO JUDGMENT AND PERMANENT INJUNCTION

Plaintiffs and Defendant hereby stipulate to the following terms, and that the Court may enter a final Judgment and Permanent Injunction in favor of Plaintiffs and against Defendant without further notice or appearance by the parties, as follows:

1. Defendant shall pay to Plaintiffs in settlement of this action the sum of \$10,150.00.
2. Defendant shall pay Plaintiffs' costs of suit (complaint filing fee and service of process fee) in the amount of \$550.00.
3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording, whether now in existence or

later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by:

- (a) using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs; or
- (b) causing, authorizing, permitting, or facilitating any third party to access the Internet or any online media distribution system through the use of an Internet connection and/or computer equipment owned or controlled by Defendant, to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs.

Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant and/or any third party that has used the Internet connection and/or computer equipment owned or controlled by Defendant has downloaded without Plaintiffs' authorization onto any computer hard drive or server owned or controlled by Defendant, and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

4. Defendant has been properly and validly served with the Summons and Complaint in this action, and is subject to the jurisdiction of the Court.

5. Defendant irrevocably and fully waives notice of entry of the Judgment and Permanent Injunction, and understands and agrees that violation of the Judgment and Permanent

Injunction will expose Defendant to all penalties provided by law, including for contempt of Court.

6. Defendant irrevocably and fully waives any and all right to appeal the Judgment and Permanent Injunction, to have it vacated or set aside, to seek or obtain a new trial thereon, or otherwise to attack in any way, directly or collaterally, its validity or enforceability.

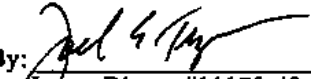
7. Nothing contained in the Judgment and Permanent Injunction shall limit the right of Plaintiffs to recover damages for any and all infringements by Defendant of any right under federal copyright law or state law occurring after the date Defendant executes this Stipulation to Judgment and Permanent Injunction.

8. Defendant acknowledges that Defendant has read this Stipulation to Judgment and Permanent Injunction, and the attached proposed Judgment and Permanent Injunction, has had the opportunity to have them explained by counsel of Defendant's choosing, fully understands them and agrees to be bound thereby, and will not deny the truth or accuracy of any term or provision herein. Defendant is at least 18 years old and is otherwise legally competent to enter into this Stipulation to Judgment and Permanent Injunction.

9. The Court shall maintain continuing jurisdiction over this action for the purpose of enforcing this final Judgment and Permanent Injunction.

DATED: 8-26-08

LOCKE REYNOLDS LLP

By: 
James Dimos #11178-49
Joel E. Tragesser #21414-29
Attorneys for ATLANTIC
RECORDING CORPORATION; UMG
RECORDINGS, INC.; and SONY BMG
MUSIC ENTERTAINMENT

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jtragesser@locke.com

DATED: 7-5-08

By: 
Samillia Renee Woods, *in propria*
persona

Samillia Renee Woods
7117 Hemlock Avenue
Gary, IN

EXHIBIT A

SAMILLIA RENEE WOODS

IP Address: 156.56.192.103 2007-04-06 21:28:47 EDT	CASE ID# 124562878
P2P Network: GnutellaUS	Total Audio Files: 150

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Atlantic Recording Corporation	Anita Baker	Sweet Love	Rapture	69-752
UMG Recordings, Inc.	Janet Jackson	When I Think of You	Control	69-529
Atlantic Recording Corporation	Anita Baker	I Apologize	Rhythm Of Love	199-187
UMG Recordings, Inc.	Mary J. Blige	Real Love	What's The 411?	149-212
SONY BMG MUSIC ENTERTAINMENT	Nas	One Love	Illmatic	207-177
UMG Recordings, Inc.	U2	One	Achtung Baby	139-599

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**ELEKTRA ENTERTAINMENT GROUP,)
INC., a Delaware Corporation,)
CAPITOL RECORDS, Inc., A Delaware)
Corporation, MOTOWN RECORD)
COMPANY L.P., a California Limited)
Partnership, UMG RECORDINGS, INC.,)
a Delaware Corporation, SONY BMG)
MUSIC ENTERTAINMENT, a Delaware)
General Partnership, ARISTA)
RECORDS, LLC, a Delaware Limited)
Liability Company, and MAVERICK)
RECORDING COMPANY, a California)
Joint Venture,)**

Plaintiffs,)

V.)

SHELLY YBAY,)

Defendant.)

CASE NO. 8:06CV729

**JUDGMENT AND
PERMANENT INJUNCTION
BASED ON STIPULATION**

This matter is before the Court on the parties' Stipulation to Judgment and Permanent Injunction. (Filing No. 7). Having reviewed the Complaint and the Stipulation, the Court makes the following findings and conclusions.

Plaintiffs have commenced this action alleging a violation of federal copyright laws. The Court has jurisdiction over the subject matter of this case pursuant to 28 U.S.C. §§ 1331 and 1338(a). The Defendant, Shelly Ybay, is a resident of Nebraska and has been served with the Summons and Complaint. (Filing No. 6). The parties agree and the Court is satisfied that it has jurisdiction over the parties and the subject matter of this action. (Filing No. 7 ¶ 6).

Plaintiffs have alleged that Defendant distributed (including by uploading) and/or

reproduced (including by downloading) via the Internet or an online media distribution system copyrighted sound recordings owned or controlled by the Plaintiffs, without Plaintiffs' authorization, in violation of 17 U.S.C. § 501. Without admitting or denying liability, Defendant has not contested Plaintiffs' allegations, and has acknowledged that such conduct is wrongful.

IT IS ORDERED, ADJUDGED AND DECREED:

A. The parties' Stipulation to Judgment and Permanent Injunction (Filing No. 7) is approved, and the relief requested therein shall be granted;

B. Judgment in favor of the Plaintiffs and against the Defendant, Shelly Ybay, is granted as follows:

1. Defendant shall pay to Plaintiffs in settlement of this action the sum of \$4,080.00;

2. Defendant shall pay Plaintiffs' costs of suit, including the Complaint filing fee and service of process fee, in the amount of \$420.00;

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by:

a) using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for

distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs; or

- b) causing, authorizing, permitting, or facilitating any third party to access the Internet or any online media distribution system through the use of an Internet connection and/or computer equipment owned or controlled by Defendant, to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs.

4. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant and/or any third party that has used the Internet connection and/or computer equipment owned or controlled by Defendant has downloaded without Plaintiffs' authorization onto any computer hard drive or server owned or controlled by Defendant, and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control;

5. Defendant irrevocably and fully waives notice of entry of the Judgment and Permanent Injunction, and understands and agrees that violation of the Judgment and Permanent Injunction could expose Defendant to all penalties provided by law, including for contempt of Court;

6. Defendant irrevocably and fully waives any and all right to appeal this Judgment and Permanent Injunction, to have it vacated or set aside, to seek or obtain a new trial thereon, or otherwise to attack in any way, directly or collaterally, its validity or enforceability;

7. Nothing contained in the Judgment and Permanent Injunction shall limit the right of Plaintiffs to recover damages for any and all infringements by Defendant of any right under federal copyright law or state law occurring after the date Defendant executes the Stipulation to Judgment and Permanent Injunction.

8. Defendant shall not make any public statements that are inconsistent with any term of the Stipulation to Judgment and Permanent Injunction.

DATED this 30th day of March, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge

§ AO 121 (6/90)

TO: Register of Copyrights Copyright Office Library of Congress Washington, D.C. 20559	REPORT ON THE FILING OR DETERMINATION OF AN ACTION OR APPEAL REGARDING A COPYRIGHT
---	--

In compliance with the provisions of 17 U.S.C. 508, you are hereby advised that a court action or appeal has been filed on the following copyright(s):

<input checked="" type="checkbox"/> ACTION <input type="checkbox"/> APPEAL		COURT NAME AND LOCATION
DOCKET NO. 8:06CV279	DATE FILED 11/28/2006	U.S. District Court, District of Nebraska
PLAINTIFF ELEKTRA ENTERTAINMENT GROUP, CAPITOL RECORDS, MOTOWN RECORD, UMG RECORDINGS, SON BMG MUSIC ENTERTAINMENT, ARISTA RECORDS AND MAVERICK RECORDING		DEFENDANT SHELLY YBAY
COPYRIGHT REGISTRATION NO.	TITLE OF WORK	AUTHOR OR WORK
1	SEE ATTACHED JUDGMENT	
2		
3		
4		
5		

In the above-entitled case, the following copyright(s) have been included:

DATE INCLUDED	INCLUDED BY <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
COPYRIGHT REGISTRATION NO.	TITLE OF WORK	AUTHOR OF WORK	
1			
2			
3			

In the above-entitled case, a final decision was rendered on the date entered below. A copy of the order or judgment together with the written opinion, if any, of the court is attached.

COPY ATTACHED <input type="checkbox"/> Order <input checked="" type="checkbox"/> Judgment	WRITTEN OPINION ATTACHED <input type="checkbox"/> Yes <input type="checkbox"/> No	DATE RENDERED 3/30/2007
CLERK Denise M. Lucks	(BY) DEPUTY CLERK S/ Mary Roundtree	DATE 3/30/07

- DISTRIBUTION:**
- 1) Upon initiation of action, mail copy to Register of Copyrights
 - 2) Upon filing of document adding copyright(s), mail copy to Register of Copyrights
 - 3) Upon termination of action, mail copy to Register of Copyrights
 - 4) In the event of an appeal, forward copy to Appellate Court
 - 5) Case File Copy

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UMG RECORDINGS, INC., a Delaware corporation; LAFACE RECORDS LLC, a Delaware limited liability company; INTERSCOPE RECORDS, a California general partnership; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; and MOTOWN RECORD COMPANY, L.P., a California limited partnership,

Plaintiffs,

v.

Trudy Yip,

Defendant.

JUDGMENT AND
PERMANENT INJUNCTION
BASED ON STIPULATION

Case No.: 6:08-cv-6111

The Court, having considered the Stipulation to Judgment and Permanent Injunction executed by the parties,

IT IS ORDERED AND ADJUDGED THAT:

1. Defendant shall pay to Plaintiffs in settlement of this action the sum of \$10,280.00.
2. Defendant shall pay Plaintiffs' costs of suit (complaint filing fee and service of process fee) in the amount of \$420.00.
3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in any sound recording, whether now in existence or later created, that is owned or controlled by Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by:
 - (a) using the Internet or any online media distribution system to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings

available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs; or

- (b) causing, authorizing, permitting, or facilitating any third party to access the Internet or any online media distribution system through the use of an Internet connection and/or computer equipment owned or controlled by Defendant, to reproduce (*i.e.*, download) any of Plaintiffs' Recordings, to distribute (*i.e.*, upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs.

Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant and/or any third party that has used the Internet connection and/or computer equipment owned or controlled by Defendant has downloaded without Plaintiffs' authorization onto any computer hard drive or server owned or controlled by Defendant, and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

4. Defendant irrevocably and fully waives notice of entry of the Judgment and Permanent Injunction, and understands and agrees that violation of the Judgment and Permanent Injunction will expose Defendant to all penalties provided by law, including for contempt of Court.

5. Defendant irrevocably and fully waives any and all right to appeal this Judgment and Permanent Injunction, to have it vacated or set aside, to seek or obtain a new trial thereon, or otherwise to attack in any way, directly or collaterally, its validity or enforceability.

EXHIBIT A**TRUDY YIP**

IP Address: 129.21.104.181 2007-02-01 23:31:13 EST	CASE ID# 116798118
P2P Network: Gnutella	Total Audio Files: 275

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
UMG Recordings, Inc.	U2	Beautiful Day	All That You Can't Leave Behind	294-631
LaFace Records LLC	TLC	Creep	CrazySexyCool	198-743
Interscope Records	Eminem	The Way I Am	The Marshall Mathers LP	287-944
SONY BMG MUSIC ENTERTAINMENT	Destiny's Child	Say My Name	The Writing's on the Wall	268-936
SONY BMG MUSIC ENTERTAINMENT	Jennifer Lopez	I'm Real	J.To Tha L-Ol: The Remixes	309-337
Motown Record Company, L.P.	98 Degrees	Invisible Man	98 Degrees	249-152
Motown Record Company, L.P.	98 Degrees	Because Of You	98 Degrees & Rising	237-315
Interscope Records	Eminem	My Name Is	The Slim Shady LP	262-686
LaFace Records LLC	TLC	Unpretty	Fanmail	298-454