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5 Attorney for Plaintiff  
6 ERVIN POPE /p/k/a EP

2010 JUL -2 AM 11:28  
CLERK U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

FILED

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8 **UNITED STATES DISTRICT COURT**  
9 **CENTRAL DISTRICT OF CALIFORNIA**

10  
11 ERVIN POPE p/k/a EP  
12 Plaintiff,

13 v.

14  
15 FONTANA DISTRIBUTION, LLC,  
16 HOO BANGIN ENTERTAINMENT,  
17 INC., SOFT WHITE MUZIK and  
18 DEDRICK ROLISON p/k/a MACK 10

19 Defendants.

Case No.:

**CV10 4907 MRP (RCX)**

COMPLAINT FOR:

- 1. FEDERAL COPYRIGHT INFRINGEMENT
- 2. COMMON LAW COPYRIGHT INFRINGEMENT;
- 3. UNJUST ENRICHMENT;
- 4. ACCOUNTING;
- 5. UNFAIR COMPETITION; and
- 6. MISAPPROPRIATION

20  
21 **COMPLAINT FOR COPYRIGHT INFRINGEMENT AND AN**  
22 **ACCOUNTING**

23  
24 Plaintiff Ervin Pope p/k/a EP ("EP" or "Plaintiff") sues Defendants Fontana  
25 Distribution, LLC ("Fontana"), Hoo Bangin Entertainment, Inc. ("Hoo Bangin"),  
26 Soft White Muzik ("Soft White") and Dedrick Rolison p/k/a Mack 10 ("Mack 10")  
27 (collectively "Defendants"), and states:  
28

1 **NATURE OF ACTION**

2 1. This is a civil action seeking damages and injunctive relief for  
3 copyright infringement arising under 17 U.S.C.A. §§ 501, *et seq* (referred to herein  
4 as the “Copyright Act”), and other related causes of action.  
5

6 **THE PARTIES**

7  
8 2. Plaintiff EP is an individual residing in Los Angeles County, California.

9  
10 3. Upon information and belief, Defendant Fontana is a wholly-owned  
11 subsidiary of Universal Music Group and is a California limited liability company  
12 with its principal place of business in Los Angeles County, California.  
13

14 4. Upon information and belief, Defendant Hoo Bangin is an independent  
15 record label with its principal place of business in Los Angeles County, California.  
16

17 5. Upon information and belief, Defendant Soft White is located in Los  
18 Angeles County, California.

19  
20 6. Upon information and belief, Defendant Mack 10 is an individual  
21 residing in Los Angeles County, California.

22 **JURISDICTION AND VENUE**

23  
24 7. This Court has jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338 in  
25 that the controversy arises under the Copyright Act (17 U.S.C. 101 *et seq.*), which is  
26 within the exclusive jurisdiction of federal courts under 28 U.S.C. § 1367.  
27

28 8. This Court has personal jurisdiction over Defendants on the grounds

1 that they reside in and are doing business in this State and District as all Defendants  
2 have purposefully availed themselves of the jurisdiction of this Court by transacting  
3 business in this District and the State of California concerning the musical  
4 compositions and recordings at issue in this action.  
5

6  
7 9. Venue in this District is proper pursuant to 28 U.S.C. § 1391(b) and 28  
8 U.S.C. § 1400(a) on the grounds that Defendant companies maintain their principal  
9 places of business in this District and this District is where a substantial part of the  
10 events giving rise to the claim occurred. Upon information and belief, the subject  
11 recordings were recorded in whole or in part in this District.  
12

13  
14 **FACTUAL BACKGROUND**

15 10. Plaintiff is an established music producer who, among other things,  
16 creates, arranges, programs, mixes, remixes, routes and processes audio recordings  
17 for various musical recording artists and record companies (hereinafter referred to  
18 as "Production Services").  
19

20  
21 11. In or around 2009, Plaintiff produced and composed underlying musical  
22 compositions at the request of Defendants Mack 10, Hoo Bangin' and Soft White  
23 (the "Musical Compositions").  
24

25 12. In exchange for Plaintiff's agreement to produce and compose the  
26 underlying Musical Compositions, Defendants Mack 10, Hoo Bangin' and Soft  
27 White agreed, among other things, to remunerate Plaintiff EP in the amount of  
28

1 \$30,000.00 per underlying Musical Composition, for a total of \$60,000.00.

2  
3 13. Without entering into a formal written agreement with Plaintiff EP, or  
4 obtaining his consent or authorization, Defendants took Plaintiff's Musical  
5 Compositions derived from his Production Services and embodied them in master  
6 recordings for purposes of creating, in part, Defendant Mack 10's most recent  
7 album.  
8

9  
10 14. Specifically, Plaintiff EP is the creator, producer and copyright owner  
11 of the underlying Musical Compositions of the songs "Big Balla" and "It's Your  
12 Life" (the "Infringing Songs") which recordings appear on the album entitled "Soft  
13 White" (the "Infringing Album") featuring the performance of Defendant Mack 10.  
14

15 15. Registered in the United States Copyright Office under the Name of  
16 Ervin Pope, the case number for the underlying Musical Composition used in the  
17 song "Big Balla" is 1-426225565.  
18

19 16. Registered in the United States Copyright Office under the Name of  
20 Ervin Pope, the case number for the underlying Musical Composition used in the  
21 song "It's Your Life" is 1-426378453.  
22

23  
24 17. As no formal agreement was ever reached between Plaintiff EP and  
25 Defendants regarding the subject underlying Musical Compositions, and Plaintiff  
26 EP was and has still not been remunerated for his Production Services, Plaintiff EP,  
27 at all times, maintained the exclusive right to reproduce and exploit the subject  
28

1 underlying Musical Compositions and to distribute it to the public.

2  
3 18. All rights of ownership to the underlying Musical Compositions belong  
4 to Plaintiff, as at no time did Defendants have any right to take, copy, convert,  
5 exploit or otherwise use Plaintiff's Musical Compositions.

6  
7 19. Defendant Fontana ("Distributor") is, among other things, a music  
8 company and/or record label which distribute music throughout the world and upon  
9 information and belief has or had a recording agreement with Defendant Mack 10,  
10 whereby Mack 10 would provide to Distributor a series of musical compositions  
11 and Distributor would distribute and make those compilations available for  
12 commercial exploitation.  
13  
14

15 20. Without the express authorization of Plaintiff, the Infringing Songs  
16 were included on Mack 10's Album entitled "Soft White" which was originally  
17 distributed and released for sale by Distributor. The Infringing Album is currently  
18 being distributed to music retailers by Distributor and sold to the public.  
19  
20

21 21. Plaintiff EP was credited on the Infringing Album with authoring the  
22 Infringing Songs, however, as stated, Plaintiff EP never signed an agreement  
23 authorizing any of the Defendants to sell or exploit the Infringing Songs embodying  
24 Plaintiff's Musical Compositions for commercial gain.  
25

26 22. Moreover, Plaintiff EP has never received any producer royalties in  
27 connection with the commercial exploitation of the Infringing Songs by the  
28

1 Defendants or any other third parties.

2 23. Upon information and belief, Defendants knew that Plaintiff EP was the  
3 copyright owner and producer of the Musical Compositions at the time the  
4 Infringing Songs were released.

5  
6 24. Defendants have willfully and intentionally disregarded the Plaintiff's  
7 copyright ownership interest in the Musical Compositions.

8  
9 25. Defendants have further wrongfully used, distributed and sold the  
10 Infringing Songs without obtaining authorization from and/or compensating  
11 Plaintiff EP for their use.

12  
13 26. Defendants' unauthorized use of the Infringing Songs and their  
14 subsequent distribution and sale of the Infringing Songs, without authorization and  
15 any payment whatsoever to Plaintiff EP for such use was and continues to be a  
16 direct infringement of Plaintiff's copyright in the Musical Compositions.

17  
18 27. Upon information and belief, to date, the Infringing Album, containing  
19 the Infringing Songs, has sold a significant number of copies.

20  
21 28. By certified letters, dated October 22, 2009 and November 13, 2009,  
22 Plaintiff notified Defendants that they cease and desist their unauthorized  
23 exploitation of the Infringing Songs and recordings and demanded that Defendants  
24 provide Plaintiff with, among other things, a full accounting of the number of  
25 Infringing Recordings and/or Infringing Albums which have been sold and/or  
26  
27  
28

1 otherwise distributed by Defendants and the compensation received by Defendants  
2 as a result of such sale and/or distribution. Defendants, however, have refused to  
3 comply with Plaintiff's multiple requests.  
4

5 29. Instead, Defendants have continued reproducing, distributing,  
6 promoting and offering for sale the unauthorized copies of the Infringing Songs on  
7 the Infringing Album containing Plaintiff's Musical Compositions in the United  
8 States and in foreign countries.  
9

10  
11 30. Plaintiff EP has engaged undersigned counsel and has agreed to pay  
12 counsel reasonable attorneys' fees for all services rendered in this action.  
13

14 31. All conditions precedent to the institution of this action have been  
15 satisfied, discharged, excused, and/or waived.  
16

17 **COUNT I**

18 **COPYRIGHT INFRINGEMENT (17 U.S.C. §§ 501, et seq.)**

19 **(AS TO ALL DEFENDANTS)**

20  
21 32. Plaintiff repeats and re-alleges each and every allegation contained in  
22 paragraphs 1 through 31 as if fully set forth herein.  
23

24 33. As the owner of the original Musical Compositions (U.S. Reg. Cases  
25 1-426378453 and 1-426225565), Plaintiff is entitled to exclusive use of these  
26 Musical Compositions without the unauthorized use by third parties.  
27

28 34. Plaintiff never granted Defendants a license to reproduce, distribute,

1 publicly perform, or in any way use, compile, or commercially exploit the Musical  
2 Compositions.

3  
4 35. Plaintiff never authorized the use of the Musical Compositions on the  
5 Infringing Album or the subsequent distribution of the Infringing Album  
6 worldwide.

7  
8 36. By including the Musical Compositions on the Infringing Album,  
9 Defendants have violated Plaintiff's copyright for the purpose of their own financial  
10 gain.

11  
12 37. Despite being credited on the Infringing Album as clearly having  
13 produced the Musical Compositions, Plaintiff has received no compensation in the  
14 form of royalties and/or copyright ownership interests in and for the exploitation of  
15 the Musical Compositions.  
16

17  
18 38. Upon information and belief, all Defendants have collected fees and  
19 royalties from the sale of records containing the Infringing Songs and from  
20 downloads of the Infringing Songs from internet sources and have retained a  
21 portion of those fees and royalties without submitting the appropriate amount to  
22 Plaintiff.  
23

24  
25 39. Plaintiff EP is entitled to an injunction enjoining Defendants and their  
26 agents, employees, and all other persons in active concert or privity or in  
27 participation with them, from directly or indirectly infringing on Plaintiff's  
28



1 copyright in the Musical Compositions or from continuing to market, offer, sell,  
2 dispose of, license, lease, transfer, display, advertise, reproduce, develop, or  
3 manufacture any works derived, copied, and/or sampled from the Infringing Songs,  
4 in whatever medium, or to participate or assist in any such activity

5  
6  
7 40. Defendants' conduct, including infringement, has been, and continues  
8 to be, willful and knowing and with utter and reckless disregard for Plaintiff's  
9 rights, and, as such, Defendants' direct and willful acts of infringement entitle  
10 Plaintiff EP to recover from Defendants damages pursuant to 17 U.S.C. § 504.  
11 Indeed, notwithstanding being put on notice of Plaintiff's claims, Defendants have  
12 failed and/or refused to act to remedy the infringement, and records containing the  
13 Musical Compositions continue to be sold.

14  
15  
16  
17 41. Accordingly, Plaintiff is entitled to compensatory and/or statutory  
18 damages in an amount to be determined at trial, but in no event less than  
19 \$100,00.00, in addition to punitive damages, interest, costs and a statutory award of  
20 attorneys' fees.  
21

22 **COUNT II**

23 **CALIFORNIA STATE COMMON LAW COPYRIGHT INFRINGEMENT**

24  
25  
26 42. Plaintiff repeats and re-alleges each and every allegation contained in  
27 paragraphs 1 through 31 as if fully set forth herein.

28 43. Plaintiff never granted Defendants a license to reproduce, distribute,

1 publicly perform, or in any way use, compile, or commercially exploit the  
2 Infringing Songs.

3  
4 44. Plaintiff never authorized the use of the Infringing Songs on the  
5 Infringing Album or the subsequent distribution of the Infringing Album  
6 worldwide.

7  
8 45. By including the Infringing Songs on the Infringing Album, Defendants  
9 have violated Plaintiff's common law copyright in the Musical Compositions for  
10 the purpose of their own financial gain.

11  
12 46. Despite being credited on the Infringing Album as clearly having  
13 produced the Infringing Songs, Plaintiff has received no compensation in the form  
14 of royalties and/or copyright ownership interests in and for the exploitation of the  
15 Infringing Songs.  
16

17  
18 47. Upon information and belief, all Defendants have collected fees and  
19 royalties from the sale of records containing the Infringing Songs and from digital  
20 downloads of the Infringing Songs from internet sources and have retained a  
21 portion of those fees and royalties without submitting the appropriate amount to  
22 Plaintiff.  
23

24  
25 48. Plaintiff EP is entitled to an injunction enjoining Defendants and their  
26 agents, employees, and all other persons in active concert or privity or in  
27 participation with them, from directly or indirectly infringing on Plaintiff's  
28

1 copyright in the Infringing Songs or from continuing to market, offer, sell, dispose  
2 of, license, lease, transfer, display, advertise, reproduce, develop, or manufacture  
3 any works derived, copied, and/or sampled from the Infringing Songs, in whatever  
4 medium, or to participate or assist in any such activity  
5

6  
7 49. Defendants' conduct, including infringement, has been, and continues to  
8 be, willful and knowing and with full knowledge and utter and reckless disregard  
9 for Plaintiff's copyrights.  
10

11 50. Indeed, notwithstanding being put on notice of Plaintiff's claims,  
12 Defendants have failed and/or refused to act to remedy the infringement, and  
13 records containing the Infringing Songs continue to be sold.  
14

15 51. The infringement of each of Plaintiff's rights in and to each of the  
16 common law copyrighted Musical Compositions constituted a separate and distinct  
17 act of common law infringement.  
18

19 52. As a direct and proximate result of Defendants' infringement of  
20 Plaintiff's copyrights and exclusive rights under common law, Plaintiff is entitled to  
21 compensatory and/or statutory damages in an amount to be determined at trial,  
22 including Defendants' profits, but in no event less than \$100,00.00, in addition to  
23 punitive damages, interest, costs and a statutory award of attorneys' fees.  
24  
25

26  
27 **COUNT III**  
28 **UNJUST ENRICHMENT**  
**(AS TO ALL DEFENDANTS)**

1  
2 53. Plaintiff repeats and re-alleges each and every allegation contained in  
3 paragraphs 1 through 31 as if fully set forth herein.  
4

5 54. Defendants have received and obtained substantial gains, advantages,  
6 and benefits by creating the false impression that they are owner and author of the  
7 Infringing Songs.  
8

9 55. It is inequitable and unjust for Defendants to retain those gains,  
10 advantages, and benefits.  
11

12 56. Defendants have enriched themselves at the expense and to the  
13 detriment of Plaintiff.  
14

15 57. Defendants should not in equity and good conscience be permitted to  
16 retain the benefit bestowed on them by the Plaintiff.  
17

18 58. As a result of the retention of such benefit, Defendants have been  
19 unjustly enriched and are jointly and severally liable to Plaintiff.  
20

21 59. As a result of the unjust enrichment of Defendants, Plaintiff has  
22 incurred damages in an amount to be determined at trial, plus applicable interest,  
23 attorneys' fees, and costs.  
24

25 60. Plaintiff is entitled to receive and obtain from Defendants the  
26 reasonable value of the sales of the Infringing Songs and Infringing Album, but in  
27 no event less than \$100,000.00, in addition to interest, costs and attorneys' fees.  
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**COUNT IV**  
**ACCOUNTING**  
**(AS TO ALL DEFENDANTS)**

61. Plaintiff repeats and re-alleges each and every allegation contained in paragraphs 1 thru 31 as if fully set forth herein.

62. Upon information and belief, Defendants received, and continue to receive, profits from the sale of and contracts related to the Infringing Album and the Infringing Songs.

63. Accordingly, Plaintiff is entitled to a full accounting of all net profits received by Defendants in connection with the creation, marketing, distribution and sale of Infringing Album and the Infringing Songs.

**COUNT V**  
**UNFAIR COMPETITION**  
**(AS TO ALL DEFENDANTS)**

64. Plaintiff repeats and re-alleges each and every allegation contained in paragraphs 1 thru 31 as if fully set forth herein.

65. Defendants' actions pertaining to the Musical Compositions were designed to derive a commercial benefit.

66. The Defendants' conduct alleged above constitutes unlawful, unfair or fraudulent business practices in violation of California Business & Professions

1 Code §§ 17200 et seq.

2 67. Defendants induced Plaintiff into providing them with a copy of his  
3 copyright protected Musical Compositions with the implied promise that they  
4 would either compensate him for their use thereof or that they would refrain from  
5 using it.  
6

7  
8 68. Despite not reaching any formal agreement regarding any exploitation  
9 or use of Plaintiff's Musical Compositions, Defendants proceeded to embody the  
10 Musical Compositions into the Infringing Songs and exploit the Infringing Songs  
11 for commercial gain, while at the same time advertising and using Plaintiff's name  
12 and likeness in furtherance of this exploitation.  
13

14  
15 69. Defendants' infringing actions, including the unauthorized use and  
16 distribution of the Musical Compositions, created unfair competition in the  
17 marketplace for the copyrighted works.  
18

19 70. The Defendants, and each of them, have continuously engaged in  
20 intentional and willful unfair trade practices and unfair competition against Plaintiff  
21 to Plaintiff's irreparable damage in an amount to be proven at time of trial, but  
22 which is at least \$100,000.00, as against all Defendants, and each of them, jointly  
23 and severally.  
24  
25

26 **COUNT VI**  
27 **MISAPPROPRIATION**  
28

1 71. Plaintiff repeats and re-alleges each and every allegation contained in  
2 paragraphs 1 thru 31 as if fully set forth herein.  
3

4 72. Without Plaintiff's authorization, Defendants intentionally and willfully  
5 have advertised, promoted, reproduced, manufactured, distributed, offered for sale,  
6 sold and/or otherwise exploited the Infringing Sound Recordings and Infringing  
7 Album by, among other things, selling unauthorized copies for financial gain.  
8

9 73. Defendants' conduct as alleged constitutes and continues to constitutes  
10 an unlawful misappropriation of property under the laws of the State of California  
11 with respect to the exploitation and use of the Musical Compositions.  
12

13 **REQUEST FOR RELIEF**  
14

15  
16 WHEREFORE, Plaintiff Ervin Pope p/k/a EP respectfully requests that this  
17 Court enter a final judgment in its favor and against Defendants, jointly and  
18 severally, as follows:  
19

- 20 (i) Determining that Defendants have infringed on Plaintiff's copyright in the  
21 Musical Compositions;  
22  
23 (ii) That Defendants, and their agents, employees, and all other persons in active  
24 concert or privity or in participation with them, be enjoined from directly or  
25 indirectly infringing on Plaintiff's copyright in the subject Sound Recordings  
26 or from continuing to market, offer, sell, dispose of, license, lease, transfer,  
27 display, advertise, reproduce, develop, or manufacture any works derived,  
28 copied, and/or sampled from the subject Sound Recordings, in whatever

1 medium, or to participate or assist in any such activity;

2  
3 (iii) That Defendants, and all their representatives, agents, servants, employees,  
4 officers, directors, partners, attorneys, subsidiaries, and all persons under  
5 their control or acting in active concert or participation with them, be ordered  
6 to immediately post a notice on each of its websites stating that the prior use  
7 of the subject Sound Recordings was unauthorized;

8  
9 (iv) That Defendants, their affiliates and licensees, immediately cease and desist  
10 from any further recording, reproduction, distribution, transmission, or other  
11 use of the Infringing Album and Infringing Songs;

12  
13 (v) That judgment be entered in favor of Plaintiff and against Defendants for the  
14 actual damages suffered by Plaintiff and for any profits attributable to the  
15 infringements of Plaintiff's copyright in the Musical Compositions the  
16 amount of which, at present, cannot be fully ascertained, but are reasonably  
17 believed to exceed \$100,000.00;

18  
19 (vi) That judgment be entered in favor of Plaintiff and against Defendants for  
20 statutory damages based on Defendants acts of infringement, pursuant to 17  
21 U.S.C. § 504;

22  
23 (vii) That all gains, profits, and advantages derived by Defendants from their acts  
24 of infringement and other violations of law be deemed to be held in  
25 constructive trust for the benefit of Plaintiff;

26  
27 (viii) That Defendants be ordered to furnish to Plaintiff a complete and accurate  
28 accounting of all profits earned in connection with their use of the subject



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Sound Recordings, Infringing Album and Infringing Songs;

- (ix) That judgment be entered in favor of Plaintiff and against Defendants for punitive damages for their willful disregard of Plaintiff's rights;
- (x) That judgment be entered against Defendants for Plaintiff's costs, disbursements and attorneys' fees pursuant to 17 U.S.C. §§ 101, et seq.; and
- (xi) That the Court grant such other and further relief as this Court deems just, proper, and equitable under the circumstances.

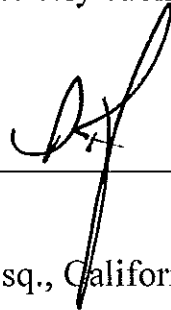
**JURY DEMAND**

Plaintiff demands a trial by jury on all issues in this action.

Dated: June \_\_\_\_, 2010.  
Los Angeles, California

Respectfully submitted,

s./




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 Facsimile: (888) 734-3555  
 Attorneys for Plaintiff Ervin Pope p/k/a EP

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

**NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY**

This case has been assigned to District Judge Mariana P. Pfaelzer and the assigned discovery Magistrate Judge is Rosalyn M. Chapman.

The case number on all documents filed with the Court should read as follows:

**CV10-4907 MRP (RCx)**

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

The United States District Judge assigned to this case will review all filed discovery motions and thereafter, on a case-by-case or motion-by-motion basis, may refer discovery related motions to the Magistrate Judge for hearing and determination

-----  
**NOTICE TO COUNSEL**

*A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).*

Subsequent documents must be filed at the following location:

**Western Division**  
312 N. Spring St., Rm. G-8  
Los Angeles, CA 90012

**Southern Division**  
411 West Fourth St., Rm. 1-053  
Santa Ana, CA 92701-4516

**Eastern Division**  
3470 Twelfth St., Rm. 134  
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

ERVIN POPE P/A/W EP

PLAINTIFF(S)

v.

FONTANA DISTRIBUTION, LLC, 1100  
DANGIN ENTERTAINMENT, INC., SOFT  
WHITE MUSIC, +

DEFENDANT(S).

DEDRICK ROLISON P/A/W  
MACK 10

CASE NUMBER

CV10 4907 MRP (RCX)

SUMMONS

TO: DEFENDANT(S): \_\_\_\_\_

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached  complaint  \_\_\_\_\_ amended complaint  counterclaim  cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Darjinder Singh, whose address is 400 S. Beverly Hills Dr., Beverly Hills, CA 90212. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court. *(suite 400)*

Clerk, U.S. District Court

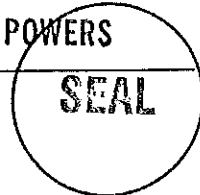
JUL - 2 2010

Dated: \_\_\_\_\_

CHRISTOPHER POWERS

By: \_\_\_\_\_  
Deputy Clerk

(Seal of the Court)



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input type="checkbox"/> ) ERVIN POPE p/k/a EP	<b>DEFENDANTS</b> FONTANA DISTRIBUTION, LLC, HOO BANGIN ENTERTAINMENT, INC., SOFT WHITE MUZIK and DEDRICK ROLISON p/k/a MACK 10
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)  Daljinder Singh, Esq. (SBN: 261587) SINGH, SINGH & TRAUBEN, LLP, 400 S. Beverly Drive, Suite 400 Beverly Hills, CA 90212, Tel: 310-856-9705	Attorneys (If Known)  Fischbach, Perlsetein, Lieberman & Almond, LLP 1875 Century Park East, Suite 1450 Los Angeles, California 90067

<b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)  <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)  <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<b>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only</b> (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="border: none;">Citizen of This State</td> <td style="border: none; text-align: center;">PTF DEF</td> <td style="border: none;"> <input type="checkbox"/> 1   <input type="checkbox"/> 1   Incorporated or Principal Place of Business in this State                 </td> <td style="border: none; text-align: center;">PTF DEF</td> <td style="border: none;"> <input type="checkbox"/> 4   <input type="checkbox"/> 4                 </td> </tr> <tr> <td style="border: none;">Citizen of Another State</td> <td style="border: none; text-align: center;"> <input type="checkbox"/> 2   <input type="checkbox"/> 2                 </td> <td style="border: none;"> <input type="checkbox"/> 2   <input type="checkbox"/> 2   Incorporated and Principal Place of Business in Another State                 </td> <td style="border: none; text-align: center;"> <input type="checkbox"/> 5   <input type="checkbox"/> 5                 </td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">Citizen or Subject of a Foreign Country</td> <td style="border: none; text-align: center;"> <input type="checkbox"/> 3   <input type="checkbox"/> 3                 </td> <td style="border: none;"> <input type="checkbox"/> 3   <input type="checkbox"/> 3   Foreign Nation                 </td> <td style="border: none; text-align: center;"> <input type="checkbox"/> 6   <input type="checkbox"/> 6                 </td> <td style="border: none;"></td> </tr> </table>	Citizen of This State	PTF DEF	<input type="checkbox"/> 1 <input type="checkbox"/> 1   Incorporated or Principal Place of Business in this State	PTF DEF	<input type="checkbox"/> 4 <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	<input type="checkbox"/> 2 <input type="checkbox"/> 2   Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5		Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	<input type="checkbox"/> 3 <input type="checkbox"/> 3   Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6	
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	<input type="checkbox"/> 3 <input type="checkbox"/> 3   Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6													

**IV. ORIGIN** (Place an X in one box only.)

1 Original Proceeding   
  2 Removed from State Court   
  3 Remanded from Appellate Court   
  4 Reinstated or Reopened   
  5 Transferred from another district (specify): \_\_\_\_\_   
  6 Multi-District Litigation   
  7 Appeal to District Judge from Magistrate Judge

**V. REQUESTED IN COMPLAINT:** JURY DEMAND:  Yes    No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23:  Yes    No     
 MONEY DEMANDED IN COMPLAINT: \$ 100,000.00

**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

17 U.S.C. §§ 501, et seq.

**VII. NATURE OF SUIT** (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER	LABOR
<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<b>PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE/PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV10 4907

**FOR OFFICE USE ONLY:** Case Number: \_\_\_\_\_

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed?  No  Yes  
If yes, list case number(s): \_\_\_\_\_

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case?  No  Yes  
If yes, list case number(s): \_\_\_\_\_

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply)  A. Arise from the same or closely related transactions, happenings, or events; or  
 B. Call for determination of the same or substantially related or similar questions of law and fact; or  
 C. For other reasons would entail substantial duplication of labor if heard by different judges; or  
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named plaintiff resides.  
 Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH named defendant resides.  
 Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which EACH claim arose.  
 Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

\* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): \_\_\_\_\_ Date 7/2/10

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))