

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

TWILIGHT RECORDS INC., an Illinois corporation, and)
assignee of Sylvester Thompson p/k/a Syl Johnson and)
SYL-ZEL MUSIC INC., an Illinois Corporation)

Plaintiffs,)

v.)

No:13cv7057

USHER RAYMOND a/k/a USHER, SCHOOLBOY Q a/k/a)
QUINCY MATTHEW HANLEY, WILLIAM JONATHAN)
DRAYTON JR. a/k/a FLAVOR FLAV, LISA WILLIAMSON)
a/k/a/ SISTER SOULJAH, CARLTON DOUGLAS RIDENHOUR)
a/k/a CHUCK D, RICHARD GRIFFIN a/k/a PROFESSOR GRIFF)
NORMAN LEE ROGERS a/k/a TERMINATOR X, KHARI)
JAMES WYNN, BRIAN CASEY a/k/a BRASCO, BRANDON)
CASEY a/k/a CASE, KYLE NORMAN a/k/a QUICK, RICHARD)
WINGO a/k/a WINGO, JOSEPH SIMMONS a/k/a REV RUN,)
DARRYL MCDANIELS a/k/a DMC, IVAN TABACK as)
ADMINISTRATOR of the ESTATE OF JASON MIZELL a/k/a)
JAM MASTER JAY, ANTHONY CRISS a/k/a TREACH,)
VINCENT BROWN a/k/a VIN ROCK, DANA OWENS a/k/a)
QUEEN LATIFAH, KIER GIST a/k/a DJ KAY GEE, ANDRE)
WESTON a/k/a DRAY a/k/a KRAZY DRAYZY, WILLIAM)
HINES a/k/a WILLIE a/k/a SKOOB, ANTHONYTERELL)
SMITH a/k/a TONE LOC, LUTHER RODERICK CAMPBELL)
a/k/a UNCLE LUKE, DAVID HOBBS a/k/a MR. MIXX, CHRIS)
WONG WON a/k/a FRESH KID ICE, YURI VIOLET a/k/a)
AMAZING V, LARRY DOBSON, a/k/a VERB, MARK)
WAHLBERG a/k/a MARKY MARK, DONNIE WAHLBERG,)
DANNY WOOD, SCOTT ROSS a/k/a SCOTTIE GEE, HECTOR)
BARROS, ANTHONY THOMAS a/k/a ASHLEY ACE, TERRY)
YANCEY a/k/a DJ-T, THOMAS POUGH a/k/a DJ POLO,)
MELVIN GLOVER a/k/a MELLE MEL, EDWARD MORRIS)
a/k/a SCORPIO a/k/a MR. NESS, JESSE WEAVER a/k/a)
SCHOOLLY D, SIMON HARRIS, WINSTON GEORGE a/k/a)
CUT MASTER DC a/k/a DJ HAKIM, WILLIAM JAMES)
DENNIS a/k/a WILLIE D, SANDRA ST. VICTOR, PETER)
LORD MORELAND, VERNON JEFFREY SMITH, KEVIN)
DONOVAN a/k/a AFRIKA BAMBAATA, JEFF THOMPCKINS)
a/k/a JT MONEY, PATRICK WALKER a/k/a DEBONAIRE,)
EDELE LYNCH, KEAVY LYNCH, LINDSAY ARMAOU,)
SINEAD O' CARROLL, ALEX BORDEN as ADMINISTRATOR)
OF THE ESTATE OF JAMES DEWITT YANCEY a/k/a J DILLA)
OTIS JACKSON JR. a/k/a MADLIB FRANK BUSH and)

Judge: Joan B. Gotschall

JURY DEMANDED

DERRICK HARVEY a/k/a FRANK ‘N’ DANK, COSIMO FINI)
 a/k/a GUE PEQUENO, FRANCESCO VIGORELLI a/k/a JAKE LA)
 FURIA, LUIGI FLORIO a/k/a DON JOE, ALESSANDRO ALEOTTI)
 a/k/a J- Ax, ROBERT RITCHIE a/k/a KID ROCK, JAMES ZAVALA)
 a/k/a JIMMY Z, ANDRE YOUNG a/k/a DR. DRE, SONY MUSIC)
 ENTERTAINMENT a corporation, UMG RECORDINGS INC,)
 a corporation, WARNER MUSIC GROUP a corporation,)
 LAFACE RECORDS a corporation, LIL JOE RECORDS INC.)
 LUKESKYWALKER RECORDS a corporation, d/b/a LUKE)
 RECORDS, ISLAND DEF JAM RECORDS a Corporation,)
 MOTOWN RECORDS a corporation, EPIC RECORDS a)
 corporation, TOMMY BOY RECORDS a Corporation,)
 DELICIOUS VINYL a corporation, RUTHLESS)
 RECORDS a Corporation, STONES THROW RECORDS a)
 Corporation, INTERSCOPE RECORDS, a corporation,)
 ATLANTIC RECORDS, a corporation SCHOOLLY D RECORDS))
 A corporation, MUSIC OF LIFE RECORDS, a corporation)
 ZAKIA RECORDS, a corporation, ATLANTIC RECORDS, a)
 corporation, RAP-A-LOT 2K RECORDS, a corporation,)
 UNIVERSAL MUSIC ITALIA SRL, a corporation, Caroline)
 Distribution and HBO FILMS INC.)
 Defendants)

FOURTH AMENDED COMPLAINT

Plaintiffs TWILIGHT RECORDS INC (hereinafter “Twilight”), an Illinois Corporation and SYL-ZELMUSIC INC.,(hereinafter “Syl-Zel”), by and through their attorney, Amina Dowuonah and the Dowuonah Law Office, complain against Defendants USHER RAYMOND, QUINCY MATTHEW HANLEY WILLIAM JONATHAN DRAYTON JR. , LISA WILLIAMSON, CARLTON DOUGLAS RIDENHOUR, RICHARD GRIFFIN, NORMAN LEE ROGERS, KHARI JAMES WYNN, BRIAN CASEY, BRANDON CASE, KYLE NORMAN, RICHARD WINGO, JOSEPH SIMMONS, DARRYL MCDANIELS , IVAN TABACK, Administrator of the ESTATE OF JASON MIZELL, ANTHONY CRISS, VINCENT BROWN, DANA OWENS, KIER GIST, ANDRE WESTON , WILLIAM HINES, ANTHONY ERELL SMITH, LUTHER RODERICK CAMPBELL, DAVID HOBBS , CHRIS WONG WON, YURI VIOLET,, MARK ROSS, LARRY DOBSON, MARK WAHLBERG , DONNIE WAHLBERG, DANNY WOOD, SCOTT ROSS, HECTOR BARROS, ANTHONY THOMAS, TERRY YANCEY, THOMAS POUGH, MELVIN GLOVER, EDWARD MORRIS, JESSE WEAVER , SIMON HARRIS, WINSTON GEORGE, WILLIAM JAMES DENNIS, SANDRA ST. VICTOR , PETER LORD MORELAND, VERNON JEFFREY SMITH, AFRIKA BAMBAATA, JEFF THOMPCKINS, PATRICK WALTER, DEBONAIRE, EDELE LYNCH , KEAVY LYNCH, LINDSAY ARMAOU, SINEAD O’ CARROLL, ALEX BORDEN, JAMES DEWITT YANCEY, OTIS JACKSON JR., FRANK BUSH, DERRICK HARVEY, COSIMO FINI, FRANCESCO VIGORELLI , JAKE LA FURIA, LUIGI FLORIO, ALESSANDRO ALEOTTI, ROBERT RITCHIE, JAMES ZAVALA, ANDRE YOUNG, SONY MUSIC ENTERTAINMENT, UMG RECORDINGS INC, WARNER MUSIC, LAFACE RECORDS, LUKESKYWALKER RECORDS, LIL

JOE RECORDS INC, ISLAND DEF JAM RECORDS, MOTOWN RECORDS, EPIC RECORDS, TOMMY BOY RECORDS, DELICIOUS VINYL, RUTHLESS RECORDS, STONES THROW RECORDS, EPIC RECORDS and INTERSCOPE RECORDS, SCHOOLLY D RECORDS, MUSIC OF LIFE RECORDS, ZAKIA RECORDS, ATLANTIC RECORDS, RAP-A-LOT 2K RECORDS, UNIVERSAL MUSIC ITALIA SRL, CAROLINE DISTRIBUTION AND HBO FILMS INC. as follows:

I. NATURE OF THIS ACTION

1. This is a civil action seeking damages and injunctive relief for widespread, copyright infringement under the copyright laws of the United States (17 U.S.C. § 101 et seq.) as well as Illinois Common law copyright.

II. JURISDICTION AND VENUE

2. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. Sections 1331 and 1338. This Court has federal question jurisdiction in this matter in that Plaintiff seeks damages and injunctive relief against Defendants named herein under Sections 501 through 505 of the Copyright Act of 1976, 17 U.S.C. § 101, et seq. and supplemental jurisdiction pursuant to 28 U.S.C. Section 1367 to hear the claims of Misappropriation and Unfair Competition which are based on Illinois common law copyright and arise under state law.

3. Venue lies within this Court pursuant to 28 U.S.C. Sections 1391(b)(2)-(3), 1391(c), 1391(d), and 1400(a) in that a substantial part of the acts and omissions giving rise to Plaintiff's claims occurred in this District. In particular Syl Johnson, the recording artist who recorded a resident of Illinois recorded "Different Strokes," the composition in question in this District. Furthermore, each and every Defendant, without the consent or permission of the copyright owners, illegally disseminated records containing portions of copyrighted works in every jurisdiction in the United States including this District. Upon information and belief, all Defendants regularly and systematically carried and continue to carry out substantial, ongoing business activities in this District and are subject to personal jurisdiction in this district.

III. INTRODUCTION

4. In 1967, Johnson produced, sang and recorded the composition "Different Strokes." The composition "Different Strokes" was written and created by John Cameron and John Zachary. After February of 1972, Johnson recorded a derivative of his original recording "Different Strokes." "Different Strokes" was distributed to the public to great acclaim and has been sampled by several artists.

5. As performer of the vocals on the song "Different Strokes", Johnson owns the

sound recording rights to both the 1967 and subsequent derivative version of “Different strokes.” Mr. Johnson’s sound recording rights in the original recording of 1967 are protected from misappropriation and acts of unfair competition under Illinois common law. Mr. Johnson’s sound recording rights in the derivative recording are protected under federal sound recording copyright law. Mr. Johnson assigned his ownership in the Master to Plaintiff Twilight.

6. Writers John Zachary and Jon Cameron registered the copyright in the musical composition of “Different Strokes” with the United States Copyright Office and secured Certificate of Registration No. *EU9873*. The writers entered into an administration agreement with Plaintiff Syl-Zel Music by which Syl-Zel Music as music publisher was assigned the rights to administrate publishing.

7. Without Plaintiffs’ knowledge or consent, the individuals named as Defendants collectively infringed on Plaintiffs’ copyright in the composition of the song “Different Strokes” by copying and sampling portion of the original composition and illegally included it in their respective new compositions. The individuals named as Defendants still continue sell and profit from these compositions containing the infringement.

8. Corporate Defendants Sony Music Entertainment, UMG Recordings Inc. and Warner Music Group manufactured, reproduced and/or distributed and continue to manufacture, reproduce and distribute large numbers of copies of these songs which have violated Plaintiffs’ copyright and are at issue in this lawsuit.

9. Corporate Defendant HBO Films Inc. released the movie “First Time Felons” which features music that violates Plaintiff’s copyright and is at issue in this lawsuit.

10. Corporate Defendants Def Jam Records, Motown Records, Epic Records, Profile Records, Tommy boy records, Delicious Vinyl, Ruthless records, Luke Records, Interscope Records, Interscope Records, Schoolly D Records, Music of Life Records, Zakia Records, Atlantic Records, Rap-A- Lot Records, Stones Throw Records, Universal Music Italia SRL and HBO Films Inc. have not only marketed and exploited the songs that are at issue in this lawsuit, but have granted or caused to be granted to various parties, licenses to reproduce, sample and/or distribute the songs that are in violation of Plaintiffs’ copyright.

IV. PARTIES

TWILIGHT RECORDS

11. Plaintiff, Twilight Records Inc., is an Illinois corporation engaged in the business

of selling samples of various sound recordings. Syl Johnson, the creator of the sound recording assigned Twilight Records both common law and United States copyright of the sound recording “Different Strokes.”

SYL-ZELMUSIC INC.

12. Syl-Zel Music Inc. is an Illinois corporation and is in the business of music publishing and administration. Syl-Zel Music Inc. is the publishing administrator for John Cameron and John Zachary, writers of the composition, “Different Strokes.”

USHER RAYMOND

13. Upon information and belief, Defendant Usher Raymond a/k/a “Usher” is an adult citizen of the State of Georgia. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he performed the song “Call me a Mack”, which infringed on the song Different Strokes

QUINCY MATTHEW HANLEY a/k/a SCHOOLBOY Q

14. Upon information and belief, Defendant Quincy Matthew Hanley a/k/a Schoolboy Q is an adult citizen of the State of Illinois. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he performed the song “Raymond 1969”, which infringed on the song Different Strokes.

WILLIAM JONATHAN DRAYTON JR. a/k/a FLAVOR FLAV

15. Upon information and belief, Defendant William Jonathan Drayton a/k/a “Flavor Flav” is an adult citizen of the State of Nevada. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group Public Enemy, which performed “Fear of a black planet”, “Fight the Power”, “Miuzi weighs a ton” and “Hard rhyming”, all of which are infringing on the song “Different Strokes.”

CARLTON DOUGLAS RIDENHOUR a/k/a CHUCK D

16. Upon information and belief, Defendant Carlton Douglas Ridenhour a/k/a “Chuck D” is an adult citizen of the State of California. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group Public Enemy, which performed a number of songs which infringed on the

song “Different Strokes.” The songs at issue are “Fear of a black planet”, “Fight the Power”, “Miuzi weighs a ton” and “Hard rhyming,” all of which are infringing on the song “Different Strokes.”

RICHARD GRIFFIN a/k/a PROFESSOR GRIFF

17. Upon information and belief, Defendant Richard Griffin a/k/a “Professor Griff” is an adult citizen of the State of New York. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group Public Enemy, which performed a number of songs which infringed on the song “Different Strokes.” The songs at issue are “Fear of a black planet”, “Fight the Power”, “Miuzi weighs a ton” and “Hard rhyming,” all of which are infringing on the song “Different Strokes.”

NORMAN LEE ROGERS a/k/a TERMINATOR X,

18. Upon information and belief, Defendant Norman Lee Rogers a/k/a “Terminator X” is an adult citizen of the State of North Carolina. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group Public Enemy, which performed a number of songs which infringed on the song “Different Strokes.” The songs at issue are “Fear of a black planet”, “Fight the Power”, “Miuzi weighs a ton” and “Hard rhyming,” all of which are infringing on the song “Different Strokes.”

KHARI JAMES WYNN

19. Upon information and belief, Defendant Khari James Wynn is an adult citizen of the State of Tennessee, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group Public Enemy, which performed a number of songs which infringed on the song “Different Strokes.” The songs at issue are “Fear of a black planet”, “Fight the Power”, “Miuzi weighs a ton” and “Hard rhyming,” all of which are infringing on the song “Different Strokes.”

LISA WILLIAMSON a/k/a/ SISTER SOULJAH

20. Upon information and belief, Defendant Lisa Williamson a/k/a “Sister Souljah “X” is an adult citizen of the State of New York. She is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, she was featured on the Public Enemy song called “Hard Rhyming”, one of the songs that infringed on “Different Strokes.”

BRIAN CASEY a/k/a BRASCO

21. Upon information and belief, Defendant Brian Casey a/k/a “Brasco” is an adult

citizen of the State of Georgia. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group Jagged Edge, which performed “Put A Little Umph in it” which infringes on the song “Different Strokes.”

BRANDON CASEY a/k/a CASE

22. Upon information and belief, Defendant Brandon Casey a/k/a “Case” is an adult citizen of the State of Georgia. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group Jagged Edge, which performed “Put A Little Umph in it” which infringes on the song “Different Strokes.”

KYLE NORMAN a/k/a QUICK

23. Upon information and belief, Defendant Kyle Norman a/k/a “Quick” is an adult citizen of the State of Georgia. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group Jagged Edge, which performed “Put A Little Umph in it” which infringes on the song “Different Strokes.”

RICHARD WINGO a/k/a WINGO

24. Upon information and belief, Defendant Richard Wingo a/k/a “Wingo” is an adult citizen of the State of Georgia. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group Jagged Edge, which performed “Put A Little Umph in it” which infringes on the song “Different Strokes.”

JOSEPH SIMMONS a/k/a REV RUN

25. Upon information and belief, Defendant Joseph Simmons a/k/a “Rev Run” is an adult citizen of the State of New Jersey. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “RUN DMC” which performed “Naughty” and “Beats to the Rhyme”. Both compositions infringe on the song “Different Strokes.”

DARRYL MCDANIELS a/k/a DMC,

26. Upon information and belief, Defendant Darryl McDaniels a/k/a “DMC” is an adult citizen of the State of New York. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “RUN DMC” which performed “Naughty” and “Beats to the Rhyme”. Both compositions infringe on the song “Different Strokes.”

ESTATE OF JASON MIZELL a/k/a JAM MASTER JAY,

27. Upon information and belief, Ivan Taback, is administrator of the Estate of Jason

Mizell. Ivan Taback is a citizen of the State of New York. At all times relevant to this complaint, Jason Mizell was a member of the group “RUN DMC” which performed “Naughty” and “Beats to the Rhyme”. Both compositions infringe on the song “Different Strokes.” Defendant Ivan Taback, is being sued in his capacity as Administrator of the estate of Jason Mizell.

ANTHONY CRISS a/k/a TREACH

28. Upon information and belief, Defendant Anthony Criss a/k/a “Treach” is an adult citizen of the State of New Jersey, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Naughty by Nature” which performed “Sleepin’ on Jersey” which infringes on the song “Different Strokes.”

ANTHONY VINCENT BROWN a/k/a VIN ROCK

29. Upon information and belief, Defendant Anthony Vincent Brown a/k/a “Vin Rock” is an adult citizen of the State of New Jersey, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Naughty by Nature” which performed “Sleepin’ on Jersey” which infringes on the song “Different Strokes.”

DANA OWENS a/k/a QUEEN LATIFAH

30. Upon information and belief, Defendant Dana Owens a/k/ “Queen Latifah ” is an adult citizen of the State of New Jersey. She is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, she was a contributing artist to the song “Sleepin’ on Jersey” which she performed with members of the group “Naughty by Nature”.

KIER GIST a/k/a DJ KAY GEE

31. Upon information and belief, Defendant Kier Gist a/k/a “DJ Kay Gee” is an adult citizen of the State of New Jersey, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Naughty by Nature” which performed “Sleepin’ on Jersey” which infringes on the song “Different Strokes.”

ANDRE WESTON a/k/a DRAY a/k/a KRAZY DRAYZY

32. Upon information and belief, Defendant Andre Weston a/k/a “Dray” a/k/a “Krazy Drayzy” is an adult citizen of the State of Virgin, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was

a member of the group “DAS EFX” which performed “Alright” which infringes on the song “Different Strokes.”

WILLIAM HINES a/k/a WILLIE a/k/a SKOOB

33. Upon information and belief, Defendant William Hines a/k/a/ "WILLIE", a/k/a “Skoob” is an adult citizen of the State of Virginia, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “DAS EFX” which performed “Alright” which infringes on the song “Different Strokes.”

VINCENT BROWN a/k/a VIN ROCK

34. Upon information and belief, Defendant Anthony Vincent Brown a/k/a “Vin Rock” is an adult citizen of the State of New Jersey, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “DAS EFX” which performed “Alright” which infringes on the song “Different Strokes.”

ANTHONY TERELL SMITH a/k/a TONE LOC

35. Upon information and belief, Defendant Anthony Terrell Smith a/k/a “Tone Loc” is an adult citizen of the State of California, He is engaged in the business of writing, publishing, performing and producing music. He performed the song “On Fire”, which infringes on the song “Different Strokes.”

LUTHER RODERICK CAMPBELL a/k/a UNCLE LUKE

36. Upon information and belief, Defendant Luther Roderick Campbell a/k/a “Uncle Luke” is an adult citizen of the State of Florida, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “2 Live Crew” which performed the song “2 Live Blues,” which infringes on the song “Different Strokes.”

DAVID HOBBS a/k/a MR. MIXX

37. Upon information and belief, Defendant David Hobbs a/k/a “Mr. Mixx” is an adult citizen of the State of Florida, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “2 Live Crew” which performed the song “2 Live Blues,” which infringes on the song “Different Strokes.”

CHRIS WONG WON a/k/a FRESH KID ICE

38. Upon information and belief, Defendant Chris Wong Won a/k/a “Fresh Kid Ice” is an adult citizen of the State of Florida, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “2 Live Crew” which performed the song “2 Live Blues,” which infringes on the song “Different Strokes.”

YURI VIOLET a/k/a AMAZING V

39. Upon information and belief, Defendant Yuri Violet a/k/a “Amazing V” is an adult citizen of the State of Florida, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “2 Live Crew” which performed the song “2 Live Blues,” which infringes on the song “Different Strokes.”

LARRY DOBSON a/k/a VERB

40. Upon information and belief, Defendant Larry Dobson a/k/a “Verb” is an adult citizen of the State of Florida, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “2 Live Crew” which performed the song “2 Live Blues,” which infringes on the song “Different Strokes.”

MARK WAHLBERG a/k/a MARKY MARK

41. Upon information and belief, Defendant Mark Wahlberg a/k/a “Marky Mark” is an adult citizen of the State of California. He is engaged in the business of acting, writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Marky Mark and the Funky Bunch” which performed the song “The last song on side B” which infringes on the song “Different Strokes.”

DONNIE WAHLBERG

42. Upon information and belief, Defendant Donnie Wahlberg is an adult citizen of the State of California, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Marky Mark and the Funky Bunch” which performed the song “The last song on side B” which infringed on the song “Different Strokes.”

DANNY WOOD

43. Upon information and belief, Defendant Danny Wood is an adult citizen of the

State of Massachusetts, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Marky Mark and the Funky Bunch” which performed the song “The last song on side B” which infringed on the song “Different Strokes.”

SCOTT ROSS a/k/a SCOTTIE GEE

44. Upon information and belief, Defendant Scott Ross a/k/a “Scottie Gee” is an adult citizen of the State of Massachusetts, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Marky Mark and the Funky Bunch” which performed the song “The last song on side B” which infringed on the song “Different Strokes.”

HECTOR BARROS

45. Upon information and belief, Defendant Hector Barros is an adult citizen of the State of Massachusetts, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Marky Mark and the Funky Bunch” which performed the song “The last song on side B”. which infringed on the song “Different Strokes.”

ANTHONY THOMAS a/k/a ASHLEY ACE

46. Upon information and belief, Defendant Anthony Thomas a/k/a “Ashley Ace” is an adult citizen of the State of Massachusetts, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Marky Mark and the Funky Bunch” which performed the song “The last song on side B” which infringed on the song “Different Strokes.”

TERRY YANCEY a/k/a DJ-T

48. Upon information and belief, Defendant Terry Yancey a/k/a “DJ-T” is an adult citizen of the State of Massachusetts, He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Marky Mark and the Funky Bunch” which performed the song “The last song on side B” which infringed on the song “Different Strokes.”

THOMAS POUGH a/k/a DJ POLO

49. Upon information and belief, Defendant Thomas Pough is an adult citizen of the State of North Carolina. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he collaborated with Melvin Glover and Edward

Morris in the performance of the song “Yo Playa”, which was on the soundtrack of the HBO movie “First Time Felon” and which infringes on the song “Different Strokes.”

MELVIN GLOVER a/k/a MELLE MEL,

50. Upon information and belief, Melvin Glover is an adult citizen of the State of New York. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he collaborated with Thomas Pough and Edward Morris in the performance of the song “Yo Playa”, which was on the soundtrack of the HBO movie “First Time Felon” and which infringes on the song “Different Strokes.”

EDWARD MORRIS a/k/a SCORPIO a/k/a MR. NESS

51. Upon information and belief, Defendant Edward Morris is an adult citizen of the State of New York. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he collaborated with Melvin Glover and Thomas Pough in the performance of the song “Yo Playa”, which was on the soundtrack of the HBO movie “First Time Felon” and which infringes on the song “Different Strokes.”

JESSE WEAVER a/k/a SCHOLLY D

52. Upon information and belief, Defendant Jesse Weaver is an adult citizen of the State of Pennsylvania. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he performed the song “B-boy Rhyme and Riddle” which infringed on the song “Different Strokes.”

SIMON HARRIS

53. Upon information and belief, Defendant Simon Harris is an adult citizen of the United Kingdom. He is engaged in the business of mixing, writing, publishing, performing and producing music. At all times relevant to this complaint, he performed the songs “Bass- How low can you go” and “London’s finest” which both infringed on the song “Different Strokes.”

WINSTON GEORGE a/k/a CUTMASTER DC

54. Upon information and belief, Defendant Winston George a/k/a Cutmaster DC is an adult citizen of the state of New York. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he performed the songs “Brooklyn rocks the best” which infringed on the song “Different Strokes.”

JAMES DENNIS a/k/a WILLIE D

55. Upon information and belief, Defendant James Dennis a/k/a Willie D is an adult citizen of the state of Texas. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he performed the songs “Fuck me now” which infringed on the song “Different Strokes.”

SANDRA ST VICTOR

56. Upon information and belief, Defendant Sandra St. Victor is an adult citizen of the Netherlands. She is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, she was a member of the group “Family stand” which performed the song “Ghetto Heaven” which infringed on the song “Different Strokes.”

PETER LORD MORELAND

57. Upon information and belief, Defendant Peter Lord Moreland is an adult citizen of the state of California. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, she was a member of the group “Family stand” which performed the song “Ghetto Heaven” which infringed on the song “Different Strokes.”

VERNON JEFFREY SMITH

58. Upon information and belief, Defendant Vernon Jeffrey Smith is an adult citizen of the state of New York. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, she was a member of the group “Family stand” which performed the song “Ghetto Heaven” which infringed on the song “Different Strokes.”

KEVIN DONOVAN a/k/a AFRIKA BAMBAATA

59. Upon information and belief, Defendant Kevin Donovan a/k/a Afrika Bambaata is an adult citizen of the state of New York. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he performed the song “Jazzy Sensation” which infringed on the song “Different Strokes.”

JEFF THOMPSON a/k/a JT MONEY

60. Upon information and belief, Defendant Jeff Thompkins a/k/a JT Money is an adult citizen of the state of New York. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “poison clan” which performed the song “Jeri Curl” ” which infringed on the song “Different Strokes.”

PATRICK WALTER a/k/a DEBONAIRE

61. Upon information and belief, Defendant Patrick Walter a/k/a Debonair is an adult citizen of the state of New York. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “poison clan” which performed the song “Jeri Curl” ” which infringed on the song “Different Strokes.”

EDELE LYNCH

62. Upon information and belief, Defendant Edele Lynch is an adult citizen of the London, United Kingdom. She is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, she was a member of the group “Bewitched” which performed the song “Jesse Hold on” which infringed on the song “Different Strokes.” Bewitched has been regularly, continuously and systematically doing business and/or selling its records worldwide, including the United States and in the State of Illinois.

KEAVY LYNCH

63. Upon information and belief, Defendant Keavy Lynch is an adult citizen of the London, United Kingdom. She is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, she was a member of the group “Bewitched” which performed the song “Jesse Hold on” which infringed on the song “Different Strokes.” Bewitched has been regularly, continuously and systematically doing business and/or selling its records worldwide, including the United States and in the State of Illinois.

SINEAD O’ CARROLL

64. Upon information and belief, Defendant Sinead O’ Carroll is an adult citizen of Ireland. She is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, she was a member of the group “Bewitched” which performed the song “Jesse Hold on” which infringed on the song “Different Strokes.” Bewitched has been regularly, continuously and systematically doing business and/or selling its records worldwide, including the United States and in the State of Illinois.

LINDSAY ARMAOU

65. Upon information and belief, Defendant Lindsay Armaou is an adult citizen of the London, United Kingdom. She is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, she was a member of the group

“Bewitched” which performed the song “Jesse Hold on” which infringed on the song “Different Strokes.” Bewitched has been regularly, continuously and systematically doing business and/or selling its records worldwide, including the United States and in the State of Illinois.

ESTATE OF JAMES DEWITT YANCEY a/k/a J DILLA

66. Upon information and belief, Alex Borden is administrator of the Estate of James Dewitt Yancey a/k/a J Dilla. Alex Borden is a citizen of the State of California. At all times relevant to this complaint, James Dewitt Yancey was one half of the group “Jaylib” which along with Frank Bush and Derek Harvey a/k/a Frank ‘n’ Dank performed “ McNasty filth” which infringed on the song “Different Strokes.”

OTIS JACKSON a/k/a MADLIB

67. Upon information and belief, Otis Jackson a/k/a Madlib is a citizen of the State of California. At all times relevant to this complaint, he was a one half of group “Jaylib” which along with Frank Bush and Derek Harvey a/k/a Frank ‘n’ Dank performed “ McNasty filth” which infringed on the song “Different Strokes.”

FRANK BUSH

68. Upon information and belief, Frank Bush is a citizen of the State of Michigan. At all times relevant to this complaint, he was a one half of group “Frank ‘n’ Dank ” which along with Otis Jackson and James Dewitt Yancey a/k/a Jaylib performed “ McNasty filth” which infringed on the song “Different Strokes.”

DERRICK HARVEY

69. Upon information and belief, Derrick Harvey is a citizen of the State of Michigan. At all times relevant to this complaint, he was a one half of group “Frank ‘n’ Dank” which along with Otis Jackson and James Dewitt Yancey a/k/a Jaylib performed “McNasty filth” which infringed on the song “Different Strokes.”

COSIMO FINI a/k/a Gue Pequeno

70. Upon information and belief, Defendant Cosimo Fini a/k/a Gue Pequeno is an adult citizen of Milan, Italy. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Club Dogo” who along with Alessandra Aleotti a/k/a “J-Ax” performed the song “Sangue Blu” which infringed on the song “Different Strokes.” Club Dogo has been regularly, continuously and systematically doing business and/or selling its records worldwide, including the United States and in the State of Illinois.

FRANCESCO VIGORELLI a/k/a Jake La Fluria

71. Upon information and belief, Defendant Francesco Vigorelli a/k/a Jake la Fluria is an adult citizen of Milan, Italy. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Club Dogo” who along with Alessandra Aleotti a/k/a “J-Ax” performed the song “Sangue Blu” which infringed on the song “Different Strokes.” Club Dogo has been regularly, continuously and systematically doing business and/or selling its records worldwide, including the United States and in the State of Illinois.

LUIGI FLORIO a/k/a DON JOE

72. Upon information and belief, Defendant Luigi Florio a/k/a Don Joe is an adult citizen of Milan, Italy. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he was a member of the group “Club Dogo” who along with Alessandra Aleotti a/k/a “J-Ax” performed the song “Sangue Blu” which infringed on the song “Different Strokes.” Club Dogo has been regularly, continuously and systematically doing business and/or selling its records worldwide, including the United States and in the State of Illinois.

ALLESSANDRO ALEOTTI a/k/a J-Ax

73. Upon information and belief, Defendant Alessandro Aleotti is an adult citizen of Milan, Italy. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he along with the group “Club Dogo” performed the song “Sangue Blu” which infringed on the song “Different Strokes.”

JAMES ZAVALA a/k/a JIMMY Z

74. Upon information and belief, Defendant James Zavala a/k/a Jimmy Z is an adult citizen of the state of California. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he performed the song “Funky flute” which infringed on the song “Different Strokes.”

ANDRE YOUNG a/k/a DR. DRE

75. Upon information and belief, Defendant Andre Young a/k/a Dr. Dre is an adult citizen of the state of California. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he collaborated with James Zavala a/k/a Jimmy Z and performed the song “Funky flute” which infringed on the song “Different Strokes.”

ROBERT RITCHIE a/k/a KID ROCK

76. Upon information and belief, Defendant Robert Ritchie is an adult citizen of the state of Michigan. He is engaged in the business of writing, publishing, performing and producing music. At all times relevant to this complaint, he performed the song “The upside” which infringed on the song “Different Strokes.”

SONY MUSIC ENTERTAINMENT

77. Upon information and belief, Defendant Sony is a corporation organized and existing under the laws of the State of New York, with its principal place of business in the State of New York.

UMG RECORDINGS INC

78. Upon information and belief, Defendant UMG RECORDINGS INC is a corporation organized and existing under the laws of the State of California, with its principal place of business in the State of California.

WARNER MUSIC GROUP

79. Upon information and belief, Warner Music Group is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business in the State of New York.

TOP DAWG ENTERTAINMENT

80. Top Dawg Entertainment is a limited liability corporation organized and existing under the laws of the state of California, with its principal place of business in the state of California.

LAFACE RECORDS

81. Upon information and belief, Defendant UMG RECORDINGS INC is a corporation organized and existing under the laws of the State of Georgia, with its principal place of business in the State of Georgia.

LUKE SKYWALKER RECORDS d/b/a LUKE RECORDS and LIL JOE RECORDS INC.

82. Upon information and belief, Defendant Luke Records was a corporation organized and existing under the laws of the State of Florida, with its principal place of business in the

State of Florida. Upon information and belief, Luke Records is now defunct and Lil Joe Records acquired all worldwide rights to the masters owned and controlled by Luke Records. Upon information and belief, Lil Joe Records Inc. is a corporation organized and existing under the laws of the State of Florida, with its principal place of business in Florida.

ISLAND DEF JAM RECORDS

83. Upon information and belief, Defendant Island Def Jam is a Delaware corporation with its principal place of business in the state of New York.

MOTOWN RECORDS

84. Upon information and belief, Defendant Motown Records LP is a California limited partnership with its principle place of business in the state of California.

EPIC RECORDS

85. Upon information and belief, Epic Records is a corporation organized and existing under the laws of the State of New York, with its principal place of business in the State of New York.

TOMMY BOY ENTERTAINMENT

86. Upon information and belief, Defendant Tommy Boy Entertainment is a limited liability corporation organized and existing under the laws of the State of Delaware with its principle place of business in New York.

DELICIOUS VINYL

87. Upon information and belief, Defendant Delicious Vinyl is a corporation organized and existing under the laws of the State of California, with its principal place of business in the State of California.

RUTHLESS RECORDS

88. Upon information and belief, Ruthless records is a corporation organized and existing under the laws of the State of California, with its principal place of business in the State of California.

INTERSCOPE RECORDS

89. Upon information and belief, Interscope Records is a subsidiary of Universal Music group. It is a California General Partnership with its principle place of business in the State of California.

SCHOOLLY D RECORDS

90. Upon information and belief, Defendant Schoolly D records is a record label located in Philadelphia, Pennsylvania.

MUSIC OF LIFE RECORDS

91. Upon information and belief, Music of Life Records is a foreign corporation located in London, England. Music for Life has been regularly, continuously and systematically doing business and/or selling its records worldwide, including the United States and in the State of Illinois.

ZAKIA RECORDS

92. Upon information and belief, Zakia Records is a record label located in New York, New York.

RAP-A-LOT 2K RECORDS

93. Upon information and belief Rap-A-Lot 2K records is a corporation organized and existing under the laws of the State of Texas, with its principal place of business in the State of Texas.

ATLANTIC RECORDS

94. Upon information and belief, Atlantic Records is a corporation organized and existing under the laws of the State of New York, with its principal place of business in the State of New York.

STONE THROW RECORDS

95. Upon information and belief, Stone Throw Records is a corporation organized and existing under the laws of the State of California, with its principal place of business in the State of California.

UNIVERSAL MUSIC ITALIA

96. Upon information and belief, Defendant Universal Music Italia is located in Milano, Italy and is a subsidiary of UMG RECORDINGS INC which is a corporation organized and existing under the laws of the State of California, with its principal place of business in the State of California.

HBO FILMS INC

97. Upon information and belief, HBO Films Inc. is a corporation organized and

existing under the laws of the State of California, with its principal place of business in the State of California.

IV. DEFENDANTS UNLAWFUL CONDUCT

“Raymond 1969”

98. Defendant Quincy Matthew Hanley a/k/a “Schoolboy Q” released the song “Raymond 1969” in 2013. Defendant continues to profit from the song to date.

99. Upon information and belief “Raymond 1969” was released under the Top Dawg Entertainment label and distributed by Sony Music Group.

100. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way

“Miuzi weighs a ton”

101. Under the group name of “Public Enemy”, Defendants William Jonathan Drayton a/k/a Flavor Flav, Carlton Douglas Ridenhour a/k/a “Chuck D, Richard Griffin a/k/a “Professor Griff”, Norman Lee Rogers a/k/a “Terminator X” and Khari James Wynn released the song “Miuzi weighs a ton” in 1987. Defendants continue to profit from the song to date.

102. Upon information and belief “Miuzi weighs a ton” was released under both Def Jam record label and Columbia Records and was distributed by UMG Recordings Inc. and Sony Music Entertainment respectively.

103. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Hard Rhyming”

104. Defendants William Jonathan Drayton a/k/a Flavor Flav, Carlton Douglas Ridenhour a/k/a “Chuck D, Richard Griffin a/k/a “Professor Griff”, Norman Lee Rogers a/k/a “Terminator X” and Khari James Wynn under the group Public Enemy, along with Lisa Williamson aka “Sister Souljah” released the song “Hard Rhyming” in 2006. Defendants continue to profit from the song to date.

105. Upon information and belief “Hard Rhyming” was released under the Def Jam Record label and distributed by UMG RECORDINGS INC.

106. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Put a little Umph in it”

107. Defendants Brian Casey a/k/a “Brasco”, Brandon Brandon Casey a/k/a “Case”, Kyle Norman a/k/a “Quick and Richard Wingo a/k/a Wingo under the group “Jagged Edge” released the song “Put a little Umph in it” in 2007. Defendants continue to profit from the song to date.

108. Upon information and belief “Put a little Umph in it” was released under the Def Jam record label and distributed by UMG RECORDINGS INC.

109. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Call me a Mack”

110. Defendant Usher Raymond a/k/a “Usher” released the song “Call me a Mack” in 1993. Defendant continues to profit from the song to date.

111. Upon information and belief “Call me a Mack” was released under the Epic records label and distributed by Sony Music Group.

112. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Naughty”

113. Under the group name “RUN DMC”, Defendants Darryl McDaniels a/k/a/ “DMC” and Jason Mizell released the song “Naughty” in 1990. Defendants continue to profit from the song to date.

114. Upon information and belief “Naughty” was released under the Arista records label and distributed by Sony Music Entertainment.

115. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Beats to the Rhyme”

116. Under the group name “RUN DMC”, Defendants Darryl McDaniels a/k/a/ “DMC” and Jason Mizell released the song “Beats to the Rhyme.” Defendants continue to profit from the song to date.

117. Upon information and belief “Beats to the Rhyme” was released under Arista Records records label and distributed by Sony Music Entertainment.

118. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

"Sleeping on Jersey"

119. Under the group name "Naughty by Nature", Defendants Anthony Criss a/k/a "Treach", Anthony Vincent Brown a/k/a Vin Rock and Kier Gist a/k/a DJ Kay Gee released the song "Sleeping in Jersey" in 1993. Defendant Dana Owens a/k/a Queen Latifah was featured on "Sleeping on Jersey". Defendants continue to profit from the song to date.

120. Upon information and belief "Sleeping on Jersey" was released under the Tommy Boy Record label, now d/b/a Tommy Boy Entertainment and distributed by Warner Music group.

121. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

"Alright"

122. Under the group "DAS EFX", Defendants Andre Weston a/k/a "Dray" a/k/a "Krazy Drayzy, William Hines a/k/a/ "WILLIE", a/k/a "SKOOB" and Vincent Brown a/k/a "Vin Rock" released the song "Alright" in 1995. Defendants continue to profit from the song to date.

123. Upon information and belief "Alright" was released under the East West Records label and distributed by Warner Music Group.

124. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

"On fire"

125. Defendant Anthony Terrell Smith a/k/a "Tone Loc" released the song "On fire" in 1987. Defendant continues to profit from the song to date.

126. Upon information and belief "On fire" was released under the Delicious Vinyl Record label and distributed by Warner Music Group.

127. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

"Live Blues"

128. Under the group name of "2 Live Crew", Defendants Luther Roderick Campbell

a/k/a “Uncle Luke”, David Hobbs a/k/a “Mr. Mixx”, Chris Wong Won a/k/a “Fresh Kid Ice”, Yuri Violet a/k/a “Amazing V”, Mark Ross a/k/a “Brother Marquis” and Larry Dobson a/k/a “Verb” released the song “ 2 Live Blues” in 1989. Defendants continue to profit from the song to date.

129. Upon information and belief “2 Live Blues” was released under the Luke records label and distributed independently. Lil Joe Records Inc. currently owns all the masters, and worldwide copyright and/or publishing interests held by Luke records.

130. The song samples portions of Plaintiffs' song "Different Strokes" but does not credit Plaintiff in any way.

“The last song on side B”

131. Under the group name “Marky Mark and the Funky Bunch” Defendants Donnie Wahlberg, Danny Wood, Scott Ross a/k/a “Scottie Gee”, Hector Barros, Anthony Thomas a/k/a “Ashley Ace” and Terry Yancey a/k/a “DJ-T” released the song “The last song on B side” in 1991. Defendants continue to profit from the song to date.

132. Upon information and belief “The Last song on B side was released on the Interscope Record label and Atlantic Record label and distributed by both UMG Recordings Inc. and Warner Music Group respectively.

133. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Yo Playa”

134. Defendants Thomas Pough, Melvin Glover and Edward Morris released the song “Yo Playa”, in 1998. Defendants continue to profit from the song to date.

135. Upon information and belief “Yo playa ” was on the soundtrack of the HBO Films Inc. movie release “First time Felon”.

136. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“B-Boy Rhyme and Riddle”

137. Defendant Jesse Weaver a/k/a “Schoolly D” released the song “B-boy Rhyme and Riddle” in 1986. Defendant continues to profit from the song to date.

138. Upon information and belief “B-boy Rhyme and Riddle” was released under the Schoolly D Records label under the Jive Records label group and distributed by Sony Music.

139. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Bass-How low can you go”

140. Defendant Simon Harris released the song **“Bass-How low can you go”** in 1989. Defendant continues to profit from the song to date.

141. Upon information and belief **“Bass-How low can you go”** was released under the Music of Life Records label and also separately under the Rhino Records label and distributed by Warner Music Group.

142. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

London’s finest

143. Defendant Simon Harris released the song **“London’s Finest”** in 1996. Defendant continues to profit from the song to date.

144. Upon information and belief **“London’s finest”** was released under the Music of Life Records label.

145. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Brooklyn rocks the best”

146. Defendant Winston George released the song **“Brooklyn Rocks the best”** in 1986. Defendant continues to profit from the song to date.

147. Upon information and belief **“Brooklyn rocks the best”** was released under the Zakia Records and Profile records label and distributed by Sony Music Entertainment.

148. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Fuck me now”

149. Defendant James Dennis a/k/a **“Willie D”** released the song **“Fuck me now”** in 1989.

Defendant continues to profit from the song to date.

158. Upon information and belief **“Fuck me now”** was released under the Rap-A-Lot Records label as well as Priority records label and distributed by UMG Recordings Inc. and Warner Music Group respectively.

159. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Ghetto Heaven”

160. Under the group name Family Stand, Defendants Sandra St. Victor, Peter Lord Moreland and Vernon Jeffrey Smith released the song “Ghetto Heaven” in 1990. Defendants continue to profit from the song to date.

161. Upon information and belief “Ghetto Heaven” was released under Rhino Record label and Atlantic Records label and distributed by Warner Music group and Sony Music Entertainment.

162. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Jazzy sensation”

163. Defendant Kevin Donovan a/k/a Afrika Bambaata released the song “Jazzy Sensation” in 1981. Defendant continues to profit from the song to date.

166. Upon information and belief “Jazzy sensation” was released under the Tommy Boy Records label and distributed by Warner Music Group.

167. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Jeri Curl”

169. Under the group name Poison clan, Defendants Jeff Thompkins a/k/a JT Money and Patrick Walter a/k/a Debonaire released the song “Jeri Curl” in 1990. Defendants continue to profit from the song to date.

170. Upon information and belief “Jeri Curl” was released under the Luke Records label and independently distributed. Lil Joe Records Inc. currently owns all the masters, worldwide copyright and/or publishing interests held by Luke records.

171. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Jesse hold on”

172. Under the group name Bewitched, Defendants Edele Lynch, Keavy Lynch, Sinead O’ Carroll and Lindsay Armaou released the song “Jesse hold on” in 1999. Defendants continue to profit from the song to date.

173. Upon information and belief “Jesse hold on” was released under the Glowworm Record label with was absorbed by Epic records label. “Jesse Hold on” was distributed internationally by Sony Music.

174. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“McNasty filth”

175. Under the group names Jaylib and Frank ‘n’ Dank, Defendants James Dewitt Yancey a/k/a J Dilla, Otis Jackson Jr. a/k/a Madlib, Frank Bush and Derrick Harvey collaborated and released the song “McNasty filth” in 2003. Defendants continue to profit from the song to date.

176. Upon information and belief “McNasty filth” was released under the Stones Throw Records label and distributed by Caroline Distribution, a UMG Recordings Inc. affiliate.

177. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Sangue Blu”

178. Under the group names Club Dogo, Defendants Cosimo Fini, Francesco Vigorelli and Luigi Florio along with Alessandrea Alleotti a/k/a J-Ax collaborated and released the song “Sangue Blu” in 2012. Defendants continue to profit from the song to date.

179. Upon information and belief “Sangue Blu” was produced by Universal Music Italia SRL and distributed internationally by UMG Recordings Inc.

180. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“Funky flute”

181. Defendant James Zavala a/k/a “Jimmy Z” along with Andre Young a/k/a Dr. Dre released the song “Funky flute” in 1991. Defendants continue to profit from the song to date.

182. Upon information and belief “Funky flute” was released under the Ruthless Records label and Atlantic Record label and distributed by UMG Recordings Inc. and Warner Music Group respectively.

183. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

“The upside “

184. Defendant Robert Ritchie a/k/a Kid Rock released the song “The upside” in 1990. Defendant continues to profit from the song to date.

185. Upon information and belief “The upside” was released under the RCA/Jive Records label and distributed by Sony Music.

186. The song samples portions of one of the versions of the song "Different Strokes" but does not credit the original creators of the composition in any way.

COUNT I

FEDERAL LAW COPYRIGHT INFRINGEMENT

AGAINST INDIVIDUAL DEFENDANTS

USHER RAYMOND a/k/a USHER , WILLIAM JONATHAN DRAYTON JR. a/k/a FLAVOR FLAV, LISA WILLIAMSON a/k/a/ SISTER SOULJAH,CARLTON DOUGLAS RIDENHOUR a/k/a CHUCK D, RICHARD GRIFFIN a/k/a PROFESSOR GRIFF, NORMAN LEE ROGERS a/k/a TERMINATOR X, KHARI JAMES WYNN, BRIAN CASEY a/k/a BRASCO, BRANDON CASEY a/k/a CASE, KYLE NORMAN a/k/a QUICK, RICHARD WINGO a/k/a WINGO,JOSEPH SIMMONS a/k/a REV RUN, DARRYL MCDANIELS a/k/a DMC, IVAN TABACK, Administrator of the ESTATE OF JASON MIZELL a/k/a JAM MASTER JAY, ANTHONY CRISS a/k/a/ TREACH, VINCENT BROWN a/k/a VIN ROCK, DANA OWENS a/k/a QUEEN LATIFAH, KIER GIST a/k/a DJ KAY GEE, ANDRE WESTON a/k/a DRAY a/k/a KRAZY DRAYZY, WILLIAM HINES a/k/a WILLIE a/k/a SKOOB, ANTHONY TERELL SMITH a/k/a TONE LOC, LUTHER RODERICK CAMPBELL a/k/a UNCLE LUKE, DAVID HOBBS a/k/a MR. MIXX, CHRIS WONG WON a/k/a FRESH KID ICE, YURI VIOLET a/k/a AMAZING V, MARK ROSS a/k/a BROTHER MARQUIS, LARRY DOBSON a/k/a VERB, MARK WAHLBERG a/k/a MARKY MARK, DONNIE WAHLBERG, DANNY WOOD, SCOTT ROSS a/k/a SCOTTIE GEE, HECTOR BARROS, ANTHONY THOMAS a/k/a ASHLEY ACE, TERRY YANCEY a/k/a DJ-T, THOMAS POUGH a/k/a DJ POLO, MELVIN GLOVER a/k/a MELLE MEL, EDWARD MORRIS a/k/a SCORPIO a/k/a MR. NESS, JESSE WEAVER a/k/a SCHOOLLY D, SIMON HARRIS, WINSTON GEORGE a/k/a CUT MASTER DC a/k/a DJ HAKIM, WILLIAM JAMES DENNIS a/k/a WILLIE D, SANDRA ST. VICTOR,PETER LORD MORELAND, VERNON JEFFREY SMITH, KEVIN DONOVAN a/k/a AFRIKA BAMBAATA, JEFF THOMPCKINS a/k/a JT MONEY, PATRICK WALKER a/k/a DEBONAIRE, EDELE LYNCH,KEAVY LYNCH, LINDSAY ARMAOU, SINEAD O’

CARROLL, ALEX BORDEN as Administrator of the ESTATE OF JAMES DEWITT YANCEY a/k/a J DILLA, OTIS JACKSON JR. a/k/a MADLIB, FRANK BUSH and DERRICK HARVEY a/k/a FRANK 'N'DANK, COSIMO FINI a/k/a GUE PEQUENO, FRANCESCO VIGORELLI a/k/a JAKE LA FURIA, LUIGI FLORIO a/k/a DON JOE, ALESSANDRO ALEOTTI a/k/a J- Ax, ROBERT RITCHIE a/k/a KID ROCK, JAMES ZAVALA a/k/a JIMMY Z, ANDRE YOUNG a/k/a DR. DRE)

187. Plaintiff hereby incorporates by reference the allegations contained in Paragraphs 1 through 186.

188. Plaintiffs own the federal registered copyright in the derivative recording of "Different Strokes."

189. Defendants were and are aware of Plaintiffs' rights in the composition.

190. Defendants were aware at all times relevant to this complaint that "Different Strokes" was the original expression of Syl Johnson, John Zachary and John Cameron, and that it was not the original expression of Defendants or anyone else associated with Defendants, and that the work was and continues to be protected by copyright.

191. Without Plaintiffs' knowledge or consent, Defendants infringed on the copyright in the composition by copying portions of one of the versions of the composition "Different strokes" and including it in a new composition without permission.

192. Without Plaintiffs' knowledge, permission or consent, Defendants infringed on the sound recording copyright of the composition by sampling excerpts of one of the versions of the sound recording "Different Strokes" without authorization.

193. Defendants have not paid any royalties or other compensation to Plaintiffs for Defendants' copying and unauthorized uses of plaintiffs work.

194. Defendants' conduct violated 17 U.S.C. § 106, and Defendants are liable under 17 U.S.C. § 501.

195. All the Defendants' infringing acts described herein were committed willfully and continue to be committed willfully as they are still being distributed.

196. Plaintiffs are entitled to recover all damages sustained as a result of Defendants' unlawful conduct.

COUNT II

ILLINOIS COMMON LAW UNFAIR COMPETITION AND MISAPPROPRIATION AGAINST INDIVIDUAL DEFENDANTS

USHER RAYMOND, WILLIAM JONATHAN DRAYTON JR. a/k/a FLAVOR FLAV, LISA WILLIAMSON a/k/a/ SISTER SOULJAH,CARLTON DOUGLAS RIDENHOUR a/k/a CHUCK D, RICHARD GRIFFIN a/k/a PROFESSOR GRIFF, NORMAN LEE ROGERS a/k/a TERMINATOR X, KHARI JAMES WYNN, BRIAN CASEY a/k/a BRASCO, BRANDON CASEY a/k/a CASE, KYLE NORMAN a/k/a QUICK, RICHARD WINGO a/k/a WINGO, JOSEPH SIMMONS a/k/a REV RUN, DARRYL MCDANIELS a/k/a DMC, IVAN TABACK as Administrator of the ESTATE OF JASON MIZELL a/k/a JAM MASTER JAY, ANTHONY CRISS a/k/a/ TREACH, VINCENT BROWN a/k/a VIN ROCK, DANA OWENS a/k/a QUEEN LATIFAH, KIER GIST a/k/a DJ KAY GEE, ANDRE WESTON a/k/a DRAY a/k/a KRAZY DRAYZY, WILLIAM HINES a/k/a WILLIE a/k/a SKOOB, ANTHONY TEREEL SMITH a/k/a TONE LOC, LUTHER RODERICK CAMPBELL a/k/a UNCLE LUKE, DAVID HOBBS a/k/a MR. MIXX, CHRIS WONG WON a/k/a FRESH KID ICE, YURI VIOLET a/k/a AMAZING V, MARK ROSS a/k/a BROTHER MARQUIS, LARRY DOBSON a/k/a VERB, MARK WAHLBERG a/k/a MARKY MARK, DONNIE WAHLBERG, DANNY WOOD, SCOTT ROSS a/k/a SCOTTIE GEE, HECTOR BARROS, ANTHONY THOMAS a/k/a ASHLEY ACE, TERRY YANCEY a/k/a DJ-T, THOMAS POUGH a/k/a DJ POLO, MELVIN GLOVER a/k/a MELLE MEL, EDWARD MORRIS a/k/a SCORPIO a/k/a MR. NESS, JESSE WEAVER a/k/a SCHOOLLY D, SIMON HARRIS, WINSTON GEORGE a/k/a CUT MASTER DC a/k/a DJ HAKIM, WILLIAM JAMES DENNIS a/k/a WILLIE D, SANDRA ST. VICTOR,PETER LORD MORELAND, VERNON JEFFREY SMITH, KEVIN DONOVAN a/k/a AFRIKA BAMBAATA)JEFF THOMPKINS a/k/a JT MONEY, PATRICK WALKER a/k/a DEBONAIRE, EDELE LYNCH,KEAVY LYNCH, LINDSAY ARMAOU, SINEAD O' CARROLL, ALEX BORDEN as ADMINISTRATOR OF THE ESTATE OF JAMES DEWITT YANCEY a/k/a J DILLA, OTIS JACKSON JR. a/k/a MADLIB, FRANK BUSH and DERRICK HARVEY a/k/a FRANK 'N'DANK, COSIMO FINI a/k/a GUE PEQUENO, FRANCESCO VIGORELLI a/k/a JAKE LA FURIA, LUIGI FLORIO a/k/a DON JOE, ALESSANDRO ALEOTTI a/k/a J- Ax, ROBERT RITCHIE a/k/a KID ROCK, JAMES ZAVALA a/k/a JIMMY Z, ANDRE YOUNG a/k/a DR. DRE)

197. Plaintiffs hereby incorporates by reference the allegations contained in Paragraphs 1 through 196.

198. Plaintiffs own the Illinois common law copyright in the sound recording of the original music composition "Different Strokes."

199. Defendants were and are aware of Plaintiffs' rights in the composition.

200. Defendants were aware at all times relevant to this complaint that "Different Strokes" was the original expression of Syl Johnson, John Zachary and John Cameron, and that it was not the original expression of Defendants or anyone else associated with Defendants, and that the work was and continues to be protected by copyright.

201. Without Plaintiffs' knowledge or consent, Defendants infringed on the copyright in the sound recording by copying portions of one of the versions of the sound recording "Different Strokes" and including it in a new composition without permission, thus appropriating a valuable

business asset belonging to Plaintiff.

202. Defendants have not paid any royalties or other compensation to Plaintiffs for Defendants' copying and unauthorized uses of plaintiffs work. Defendants' conduct is in violation of Illinois common law as it relates to the torts of Unfair competition and Misappropriation.

203. Pursuant to title 17 United States Code, sec/ 301(c), Plaintiffs' rights in the sound recording are protected from defendants' misappropriation and unfair competition under Illinois state law by the same rights and remedies that protect copyright owners regarding infringement of federal sound recording copyrights on sound recordings that were fixed after February 15, 1972.

204. The continued unauthorized use by defendants of portions of the original sound recording of "Different Strokes" constitutes the continuing torts of unfair competition and wrongful appropriation (piracy) of said sound recording under the common law and statutory law of the State of Illinois

205. All the Defendants' infringing acts described herein continue to be committed willfully.

206. Plaintiffs are entitled to recover all damages sustained as a result of Defendants' unlawful conduct.

COUNT III

CONTRIBUTORY COPYRIGHT INFRINGEMENT

(Against SONY MUSIC ENTERTAINMENT, UMG RECORDINGS INC, WARNER MUSIC, LAFACE RECORDS, LUKESKYWALKER RECORDS, LIL JOE RECORDS INC., ISLAND DEF JAM RECORDS, MOTOWN RECORDS, EPIC RECORDS, TOMMY BOY RECORDS, DELICIOUS VINYL, RUTHLESS RECORDS, INTERSCOPE RECORDS, SCHOOLLY D RECORDS, MUSIC OF LIFE RECORDS, ZAKIA RECORDS, ATLANTIC RECORDS, RAP-A- LOT RECORDS, STONES THROW RECORDS, ZAKIA RECORDS, UNIVERSAL MUSIC ITALIA SRL and HBO FILMS INC.)

207. Plaintiffs hereby incorporate by reference the allegations contained in paragraphs 1 through 206.

208. Plaintiffs, as the owner of the registered copyright in the original musical Compositions as well as the subsequently recorded derivative have the exclusive right to

authorize the performance, reproduction, and distribution of this work pursuant to Illinois law as well as 17 U.S.C. § 106.

209. Upon information and belief, Defendants Sony Music Entertainment, UMG Recordings Inc. and Warner Music Group have manufactured, reproduced and/or distributed and continue to manufacture, reproduce and distribute large numbers of copies of songs and/or movies which have violated Plaintiffs copyright and are at issue in this lawsuit.

210. Upon information and belief, Defendants Def Jam Records, Motown Records, Epic Records, Profile Records, Tommy boy records, Delicious Vinyl, Ruthless records, Luke Records, Lil Joe Records Inc., Interscope Records, Interscope Records, Schoolly D Records, Music of Life Records, Zakia Records, Atlantic Records, Rap-A- Lot Records, Stones Throw Records, Universal Music Italia SRL and HBO Films Inc. have marketed and exploited the songs that are at issue in this lawsuit. Defendants have also caused or granted to various parties, license to reproduce, sample and/or distribute some of the songs that have violated Plaintiffs copyright.

211. Defendants Sony Music Entertainment, UMG Recordings Inc., Warner Music Group, Def Jam Records, Motown Records, Epic Records, Profile Records, Tommy boy records, Delicious Vinyl, Ruthless records, Luke Records, Lil Joe Records Inc., Interscope Records, Schoolly D Records, Music of Life Records, Zakia Records, Atlantic Records, Rap-A-Lot Records, Stones Throw Records, Universal Music Italia SRL and HBO Films Inc. have willfully contributed to the infringement of Plaintiffs' copyrights.

212. Plaintiffs are entitled to recover all damages sustained as a result Sony Music Entertainment, UMG RECORDINGS INC, Warner Music Group, Def Jam Records, Motown Records, Epic Records, Profile Records, Tommy boy records, Delicious Vinyl, Ruthless records, Luke Records, Lil Joe Records Inc., Interscope Records, Interscope Records, Schoolly D Records, Music of Life Records, Zakia Records, Atlantic Records, Rap-A- Lot Records, Stones Throw Records, Universal Music Italia SRL and HBO Films Inc.'s contributory copyright infringement.

COUNT IV

ACTION FOR ACCOUNTING

(Against all Defendants)

213. Plaintiffs hereby incorporates by reference the allegations contained in paragraphs 1 through 212.

214. Compensation is due and owing from Defendants to Plaintiffs.

215. There is no adequate remedy at law as Plaintiffs are not in the position to ascertain the proper compensation they are due without an accounting of Defendants sales and revenues from the use of Plaintiffs' sound recording and a judgment for the balance.

COUNT V

UNJUST ENRICHMENT

(Against all Defendants)

216. Plaintiffs hereby incorporates by reference the allegations contained in paragraphs 1 through 215.

217. Plaintiffs' ownership of the rights to use and the rights to license the use of the composition "Different strokes" are a valuable asset to Plaintiff.

218. By sampling excerpts from Plaintiff's sound recording "Different Strokes" without permission or authorization, and using it in Defendants' sound recordings without paying compensation, Defendants have appropriated a valuable asset belonging to Plaintiff.

219. By failing to pay compensation to Plaintiff for the use of portions of the composition "Different Strokes", Defendants have retained Plaintiffs' benefit and such retention of Plaintiffs' benefit violates the fundamental principles of justice, equity and good conscience.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Twilight Records and Syl-Zel Music Inc. pray that this Honorable Court grant the following relief in their favor:

1. Permanently restrain and enjoin Defendants and all persons acting in concert with Defendants of acting or purporting to act on their behalf, from infringing Plaintiffs federal and common-law copyrights in any manner whatsoever, and specifically distributing copies of Plaintiffs musical composition or sound

- recording;
2. Order the impounding of all musical compositions and sound recordings in Defendants possession, custody, or control that were made or used in violation of Plaintiffs federal and common law copyrights pursuant to 17 V.S.C. § 106;
 3. Award Plaintiffs their actual damages and Defendants' profits attributed to Defendants' act of infringement;
 4. Order a full accounting from Defendants arising out the sales and publishing activities relating to any of Plaintiffs' rights, and render a judgment for the balance due to Plaintiffs;
 5. Order disgorgement of any money Defendants have retained through unjust enrichment;
 6. Award punitive damages appropriate to the egregious nature of Defendants' tortuous conduct;
 7. Award Plaintiffs' attorney fees and costs pursuant to 17 U.S.C. §505; and
 8. Award such other relief as is warranted by the facts and the law and is just under the circumstances. Plaintiff hereby demands a jury trial on all issues properly triable before a jury.

PLAINTIFF DEMANDS TRIAL BY JURY ON ALL COUNTS.

Respectfully submitted,

The Dowuonah Law Office

By: /s/Amina Dowuonah

Attorney for Plaintiff

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