

1 DAVIS WRIGHT TREMAINE LLP
2 865 S. FIGUEROA ST.
3 SUITE 2400
4 LOS ANGELES, CALIFORNIA 90017-2566
5 TELEPHONE (213) 633-6800
6 FAX (213) 633-6899

4 ALONZO WICKERS IV (State Bar No. 169454)
5 alonzowickers@dwt.com
6 NICOLAS A. JAMPOL (State Bar No. 244867)
7 nicolasjampol@dwt.com
8 KATHLEEN CULLINAN (State Bar No. 287604)
9 kathleencullinan@dwt.com

8 Attorneys for Plaintiff
9 CYRIL HUMPHRIS

2014 APR 24 PM 4:06
RECEIVED DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES
BY: [Signature]

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

13 CYRIL HUMPHRIS, an individual,

14 Plaintiff,

15 vs.

16 JAMES FRANCO, an individual;
17 RABBIT BANDINI PRODUCTIONS,
18 INC., a California corporation; and DOES
1-10, inclusive,

19 Defendants.

Case N 14-3162 GW-Ex

COMPLAINT FOR COPYRIGHT
INFRINGEMENT

DEMAND FOR JURY TRIAL

Hollywood REPORTER

23 PAID
24 APR 24 2014
25 Clerk, US District Court
26 COURT 4612
27
28

1 Plaintiff Cyril Humphris alleges as follows:

2 **NATURE OF THE ACTION**

3 1. This is an action pursuant to the Copyright Act, 17 U.S.C. § 101 *et seq.*
4 Plaintiff is the exclusive owner of the motion-picture rights to the semi-
5 autobiographical novel "Ham on Rye" (the "Novel") by Charles Bukowski.
6 Defendant James Franco is a well-known actor, screenwriter, producer, and director,
7 who without Plaintiff's permission produced a motion picture entitled "Bukowski"
8 that is based on the Novel and infringes on Plaintiff's motion-picture rights to the
9 Novel. Plaintiff seeks a ruling that Mr. Franco's film is infringing, an injunction
10 against further unauthorized use of the Novel, and damages.

11 **PARTIES**

12 2. Plaintiff Cyril Humphris is an individual residing in London, England.

13 3. Defendant James Franco is an individual residing in Los Angeles,
14 California.

15 4. Defendant Rabbit Bandini Productions, Inc. ("Rabbit Bandini") is a
16 production company based in Burbank, California. Plaintiff is informed and believes
17 that Rabbit Bandini is a California corporation, and that defendant James Franco is a
18 co-owner of the corporation.

19 5. The true names and capacities, whether individual or otherwise, of
20 defendants Does 1-10 (the "Doe Defendants"), inclusive, are unknown to Plaintiff,
21 who therefore sues these defendants by such fictitious names. Plaintiff is informed
22 and believes that each of the Doe Defendants is responsible in some manner for the
23 events and happenings alleged below, and that each individually or as a group caused
24 injuries and damages as alleged in this Complaint.

25 6. Plaintiff is informed and believes, and based thereon alleges, that at all
26 times mentioned in this Complaint, each of the defendants was the agent, servant,
27 and employee of each of the remaining defendants and was at all times acting within
28 the purpose and scope of said agency and employment, with the knowledge and

1 consent or ratification of each of the other defendants in doing the things alleged in
2 this Complaint.

3 JURISDICTION AND VENUE

4 7. This action arises under the Copyright Act, 17 U.S.C. § 101, *et seq.*
5 This Court has jurisdiction over the subject matter of this action under 28 U.S.C.
6 §§ 1331 (federal question) and 1338(a) (copyrights).

7 8. This Court has personal jurisdiction over defendants because Mr. Franco
8 and Rabbit Bandini, and on information and belief the Doe Defendants, reside and
9 regularly do business in this judicial district and have availed themselves of the laws
10 and benefits of the State of California by doing business in the state.

11 9. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and
12 1400(a).

13 Factual Allegations

14 10. Henry Charles Bukowski (known as Charles Bukowski) was a well-
15 known, German-born American poet and author.

16 11. One of Mr. Bukowski's most famous novels is "Ham on Rye," which
17 was published in 1982.

18 12. The Novel is an original work subject to copyright under United States
19 law. The Novel is registered for copyright with the United States Copyright Office.
20 The certificate of registration is No. TX0000974837, and has an effective date of
21 September 13, 1982.

22 13. Since 1994, Mr. Humphris has been the lawful and exclusive owner of
23 the motion-picture rights to the Novel, pursuant to a valid written assignment.

24 14. Mr. Franco is, and at all relevant times has been, a well-known actor,
25 producer, screenwriter, and director.

26 15. Mr. Franco is an admitted fan of the Novel. In an October 18, 2010,
27 article posted on The Daily Beast website (located at
28 <http://www.thedailybeast.com/articles/2010/10/18/james-francos-6-favorite->

1 books.html), Mr. Franco lists the Novel as one of his six favorite books and describes
2 it as “one of the funniest and most moving childhood novels.” See
3 <http://www.thedailybeast.com/galleries/2010/10/18/james-franco-s-book-bag.html>.

4 16. Mr. Franco is aware that Mr. Humphris owns the exclusive motion-
5 picture rights to the Novel. In January 2009, Mr. Franco and Mr. Humphris entered
6 into an agreement pursuant to which Mr. Franco would have certain rights to develop
7 a film based on the Novel. Mr. Franco’s rights terminated in November 2010.

8 17. Mr. Franco has seen and, on information and belief, read a draft
9 screenplay that Mr. Humphris wrote based on the Novel.

10 18. Mr. Franco has produced and directed a motion picture with the working
11 title “Bukowski” (the “Film”).

12 19. On information and belief, Rabbit Bandini and the Doe Defendants also
13 were involved in the production, development, screenwriting, distribution, and/or
14 making of the Film.

15 20. The Film is based on the Novel. Mr. Franco and his brother Dave
16 Franco have both stated that they were adapting the Novel into a film. See, e.g.,
17 http://www.oscars.org/press/presskits/nominations/pdf/83aa_franco.pdf (in press kit
18 for 83rd Academy Awards, stating that Mr. Franco “plans to direct two feature films
19 next year,” including “an adaptation of Charles Bukowski’s HAM ON RYE”);
20 http://zap2it.com/blogs/meet_dave_franco_of_scrubs-2009-12 (Dave Franco stating
21 in an interview that “[o]ne of my favorite books of all time is ‘Ham on Rye,’ by
22 Charles Bukowski, which my brother and I are actually adapting right now”). See
23 also “‘Bukowski’ plays role in modest rise for local film production,” *The Los*
24 *Angeles Times*, February 13, 2013 (“The prolific actor-director-writer-producer
25 [James Franco] has started production on a movie titled ‘Bukowski,’ an adaptation of
26 the boozy poet’s semi-autobiographical novel ‘Ham on Rye,’ which is set in
27 Depression-era L.A.”).

28

1 21. The Film focuses on the Novel's account of the elementary, middle, and
2 high school years in the life of a boy growing up in working-class Los Angeles in the
3 1940s. Both the Film and the Novel delve into the boy's increasingly hostile
4 relationship with his father, who beats his son and channels to the boy his own
5 feelings of inadequacy and bitterness at the world. In the Film, as in the Novel, the
6 boy feels alternately isolated from and misunderstood by the other children his own
7 age. He is harangued by his teachers, coaches, and principal, who typically find him
8 sneering and defiant. In high school, he develops a disfiguring case of acne. The
9 Film and Novel show how he copes with that, and a host of other arbitrary cruelties
10 in the world, by suppressing his sensitivities beneath a sullen, sarcastic – and
11 increasingly drunken – persona.

12 22. The Film borrows the Novel's themes of childhood loneliness;
13 adolescent self-consciousness; the failures, hypocrisy, and cruelty of adults; and, in
14 an unflinching depiction, the crude interest teenage boys take in sex. The mood in
15 both works is dark but humorous, through successive scenes in which the boy is
16 attacked by his father, belittled by other adults, or humiliated in front of his peers.
17 The Novel deals with a time period extending several years beyond the boy's exit
18 from high school, which is essentially where the Film ends. However, since both
19 works focus in similar detail on many of the same events, they share the same pace.

20 23. The Film incorporates entire scenes, including substantially their
21 dialogue, from the Novel. In the Novel, for instance, the boy's father takes the
22 family to orange groves for a picnic. The father decides to pick oranges and take
23 them home. He is stopped by a farmer with a shotgun who tells him to tell the boy's
24 mother to drop the basket of fruit. The father protests that there "are plenty of
25 oranges," "[y]ou don't need all these oranges" and "[g]uys like you ought to be
26 hung!" Eventually, he tells the mother to drop the oranges and the family leaves.
27 Substantially the same scene plays out in the Film, with the father protesting:
28 "[t]hey're not your oranges. They shouldn't be, anyway[,] " "[t]his son of a bitch

1 | thinks he owns nature” and “[f]ruit should be for everybody. These oranges should
2 | be for eating These oranges should be mine.”

3 | 24. Similarly, in the Novel, the boy accompanies his father on a milk-
4 | delivery run, and discovers that his father is having an affair with a customer. Later,
5 | the boy comes home to find the woman in the front room of the house, with the
6 | father and mother engaged in a fight. The mistress runs out and, after briefly trying
7 | to get her back, the father turns on the mother and beats her. The boy tries without
8 | success to intervene to protect his mother. Here again, the Film includes
9 | substantially the same scene. In the Novel, the mother says to the boy, “[y]our father
10 | says he loves this woman,” and the father says, “I love *both* of you! Now get that kid
11 | out of here!” In the Film, the mother says, “Hank, this woman, she loves your
12 | father”; the mistress says, “[h]e loves me. He tells me all the time.”

13 | 25. In a later, pivotal scene in both the Novel and the Film, the boy stumbles
14 | upon a group of his friends about to turn a bulldog loose on a cat, which is backed
15 | into a corner in fear. The boy asks the others to let the cat go, and when they refuse,
16 | he walks away, repulsed and choosing loneliness over the bloodlust of his peers.
17 | Again, substantially the same scene, with similar dialogue, appears in the Film.

18 | 26. Mr. Humphris has not authorized Mr. Franco, or anyone else, to make
19 | the Film. In fact, after learning of Mr. Franco’s project, Mr. Humphris emailed him
20 | to express his concern and to ask for a copy of the shooting script for the Film. Mr.
21 | Franco responded briefly, stating that “I’m doing a little project with some of my
22 | NYU colleagues based on one of Bukowski’s biographies.” Mr. Humphris then sent
23 | additional emails to Mr. Franco, again asking him to provide a copy of the script and
24 | to identify the biography that supposedly is the source for the Film. Mr. Franco
25 | never responded to these follow-up emails, and completed the production of the
26 | Film.

27 | 27. On February 22, 2013, Mr. Humphris’ counsel sent a letter by email to
28 | Mr. Franco’s counsel asking him to provide a copy of the shooting script and to

1 identify the underlying biographical sources for the Film. Mr. Humphris' counsel
2 requested a response by February 26, 2013. Mr. Franco's counsel did not respond to
3 the letter.

4 28. On March 5, 2013, Mr. Humphris' counsel sent another letter by email
5 to Mr. Franco's counsel, again asking for a copy of the shooting script and for
6 information about the biographical sources for the Film. Mr. Humphris' counsel
7 requested a response by March 8, 2013. Mr. Franco's counsel did not respond by
8 that date. On March 11, 2013, Mr. Franco's counsel responded, stating only that he
9 was "currently in the process of reaching out to [his] client and investigating this
10 matter."

11 29. Around the same time, Mr. Humphris became aware of a conspicuously-
12 timed effort by Mr. Franco to tell interviewers that the Film is not an adaptation of
13 the Novel. During the week of March 11, 2013, Mr. Franco publicly denied that the
14 Film is based on the Novel, and was quoted in the press stating that the Film "focuses
15 on [Bukowski's] childhood."

16 30. On March 22, 2013, Mr. Humphris' counsel sent another letter to Mr.
17 Franco's counsel, noting Mr. Franco's recent public comments about the Film and
18 again requesting that Mr. Franco provide a shooting script for the Film, which Mr.
19 Humphris assured he would keep confidential. Mr. Franco never provided a copy of
20 the script, though his counsel stated that the Film did not infringe Mr. Humphris'
21 exclusive motion-picture rights to "Ham on Rye."

22 31. In or around December 2013, Mr. Humphris learned that Mr. Franco and
23 Rabbit Bandini had completed work on the Film and were attempting to secure
24 distribution for it. The Film was shown to persons in the entertainment industry at or
25 around that time.

26 32. By producing, marketing, displaying, and/or distributing the Film, Mr.
27 Franco, Rabbit Bandini, and those involved with them have infringed on Mr.
28 Humphris' exclusive motion-picture rights to the Novel.

1 33. According to the Internet Movie Database
2 (<http://www.imdb.com/title/tt2663568/>) and news sources, Mr. Franco's film is set to
3 be released in the United States in 2014.

4 34. Because it is based on "Ham on Rye," Mr. Franco's film impairs Mr.
5 Humphris' ability to exploit his rights to produce a film based on the Novel.

6 **FIRST CAUSE OF ACTION**
7 **(COPYRIGHT INFRINGEMENT)**

8 35. Plaintiff repeats and realleges each and every allegation set forth in
9 paragraphs 1 through 34, above.

10 36. At all relevant times, Mr. Humphris has held all right, title, and interest
11 in and to the motion-picture rights to the Novel. Under 17 U.S.C. § 106, Mr.
12 Humphris has the exclusive right to produce, distribute, display, and/or prepare
13 motion pictures based on the Novel.

14 37. Mr. Humphris is informed and believes that by the actions alleged
15 above, defendants, and each of them, have infringed Mr. Humphris' exclusive
16 motion-picture rights to the Novel.

17 38. Defendants' infringements were and are willful.

18 39. Plaintiff is entitled to recover from defendants actual damages that he
19 has suffered as a result of their infringement, as well as all profits made by
20 defendants as a result of the infringement, or, at Plaintiff's election prior to entry of
21 judgment, statutory damages under 17 U.S.C. § 504.

22 40. Plaintiff also is entitled to recover from defendants his costs and
23 attorneys' fees under 17 U.S.C. § 505.

24 41. Defendants' infringements have caused and, unless restrained by this
25 Court, will continue to cause, irreparable injury to Plaintiff not fully compensable in
26 monetary damages, for which no adequate remedy at law exists. An injunction is
27 warranted considering the balance of hardships, and the public interest will not be
28 disserved by an injunction.

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PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief against defendants as follows:

1. A preliminary and permanent injunction, enjoining and restraining defendants and all persons acting in concert with them from filming, preparing, distributing, displaying, offering for sale and/or selling, or performing the Film, or any material that is substantially similar to it.

2. Compensatory damages, including but not limited to losses suffered by Plaintiff and all gains, profits, and advantages defendants have obtained by virtue of their infringement of Plaintiff's motion-picture rights to the Novel; or, if Plaintiff elects prior to judgment, for statutory damages, including \$150,000 in statutory damages for defendants' willful infringement of Plaintiff's motion-picture rights to the Novel.

3. An award to Plaintiff of his reasonable costs and attorneys' fees; and

4. Such other and further relief as the Court deems just.

DATED: April 24, 2014

DAVIS WRIGHT TREMAINE LLP

ALONZO WICKERS IV

NICOLAS A. JAMPOL

KATHLEEN CULLINAN

By: Alonzo Wickers IV INJ
Alonzo Wickers IV

Attorneys for Plaintiff
CYRIL HUMPHRIS

JURY DEMAND

For all jury-triable issues, plaintiff Cyril Humphris hereby requests a trial by jury under Rule 38 of the Federal Rules of Civil Procedure.

DATED: April 24, 2014

DAVIS WRIGHT TREMAINE LLP
ALONZO WICKERS IV
NICOLAS A. JAMPOL
KATHLEEN CULLINAN

By: Alonzo Wickers IV NJ
Alonzo Wickers IV

Attorneys for Plaintiff
CYRIL HUMPHRIS

THE
Hollywood
REPORTER

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

I. (a) PLAINTIFFS (Check box if you are representing yourself) **DEFENDANTS** (Check box if you are representing yourself)

CYRIL HUMPRIS, an individual
JAMES FRANCO, an individual; RABBIT BANDINI PRODUCTIONS, INC., a California corporation; and DOES 1-10, inclusive

(b) County of Residence of First Listed Plaintiff United Kingdom County of Residence of First Listed Defendant _____
(EXCEPT IN U.S. PLAINTIFF CASES) *(IN U.S. PLAINTIFF CASES ONLY)*

(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.
Davis Wright Tremaine LLP
865 S. Figueroa St., Suite 2400
Los Angeles, CA 90017
(213) 633-6800

II. BASIS OF JURISDICTION (Place an X in one box only.)

1. U.S. Government Plaintiff 3. Federal Question (U.S. Government Not a Party)

2. U.S. Government Defendant 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant)

Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<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	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

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

CLASS ACTION under F.R.Cv.P. 23: Yes No **THE MONEY DEMANDED IN COMPLAINT:** \$ According to proof

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. - Copyright Infringement

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

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<input checked="" type="checkbox"/> Habeas Corpus	<input checked="" type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	TORTS PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 895 Freedom of Info. Act	REAL PROPERTY	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	LABOR	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

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

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:		INITIAL DIVISION IN CACD IS:
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF?	A DEFENDANT?	
	Then check the box below for the county in which the majority of DEFENDANTS reside.	Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western	

Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row.)	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

C.1. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> only 1 answer in Column C and no answers in Column D Your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question D, below. If none applies, answer question C2 to the right. →	C.2. Is either of the following true? If so, check the one that applies: <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> only 1 answer in Column D and no answers in Column C Your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question D, below. If none applies, go to the box below. ↓
Your case will initially be assigned to the WESTERN DIVISION. Enter "Western" in response to Question D below.	

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	Western

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

IX(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): _____

IX(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.

**X. SIGNATURE OF ATTORNEY
(OR SELF-REPRESENTED LITIGANT):**

Neal James

DATE: April 24, 2014


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. 405 (g))

TO: Register of Copyrights Copyright Office Library of Congress Washington, D.C. 20559	REPORT ON THE FILING OR DETERMINATION OF AN ACTION OR APPEAL REGARDING A COPYRIGHT
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In compliance with the provisions of 17 U.S.C. 508, you are hereby advised that a court action or appeal has been filed on the following copyright(s):

<input checked="" type="checkbox"/> ACTION <input type="checkbox"/> APPEAL		COURT NAME AND LOCATION United States District Court for the Central District of California, Western Division
DOCKET NO. CV14-3162	DATE FILED 4/24/2014	BY: <i>[Signature]</i> 2014 APR 24 PM 4:00 CENTRAL DISTRICT OF CALIFORNIA FILED
PLAINTIFF CYRIL HUMPHRIS, an individual		DEFENDANT JAMES FRANCO, an individual; RABBIT BARDINI PRODUCTIONS, INC., a California corporation; and DOES 1-10, inclusive
COPYRIGHT REGISTRATION NO.	TITLE OF WORK	AUTHOR OF WORK
1 TX0000974837	Ham on rye: a novel	Charles Bukowski
2		
3		
4		
5		
5		

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

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading			
COPYRIGHT REGISTRATION NO.	TITLE OF WORK	AUTHOR OF WORK		
1	2	3		
2	3	4		
3	4	5		

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

COPY ATTACHED <input type="checkbox"/> Order <input type="checkbox"/> Judgment	WRITTEN OPINION ATTACHED <input type="checkbox"/> Yes <input type="checkbox"/> No	DATE RENDERED
CLERK	(BY) DEPUTY CLERK	DATE

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