

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

Flava Works, Inc.,)	
)	
Plaintiff,)	Case No.
)	
v.)	
)	
Lee A. Momient, Jr., a/k/a Lee Moment)	JURY TRIAL DEMANDED
)	
)	
Defendant.)	

COMPLAINT

Plaintiff, Flava Works, Inc. (hereinafter “Plaintiff” or “Flava Works”), by and through its attorney, Meanith Huon, and for its Complaint against the Defendant, Lee A. Momient, Jr. a/k/a Lee Moment states as follows:

NATURE OF THE ACTION

1. This is an action for copyright infringement pursuant to the Copyright Act, 17 U.S.C. § 101 *et seq.*

THE PARTIES

2. Plaintiff is a corporation incorporated under the laws of the State of Florida with its principal place of business at 2610 N. Miami Ave., Miami, Florida 33127 and in Chicago, Illinois at 933 W. Irving Park Rd., Ste. C, Chicago, Illinois 60613.

3. On information and belief, Defendant, Lee A. Momient, Jr. a/k/a Lee Moment, is an individual who resides in the State of Illinois.

JURISDICTION AND VENUE

4. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331, § 1338 and § 1367; pursuant to the Copyright Act, 17 U.S.C. § 101 *et seq.*;

5. Venue is proper in this district under 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated, in this district.

FACTUAL BACKGROUND

6. Plaintiff is a corporation that produces adult entertainment in the form of DVDs, magazines, websites, pictures, streaming video and various other media.

7. Plaintiff distributes its adult entertainment through various distributors and licensees, as well as through its websites: www.FlavaMen.com, www.CocoDorm.com, www.CocoStore.com, www.PapiCock.com, and www.ThugBoy.com, among others.

8. Plaintiff has applied for or has registered various copyrights for its works, including Copyright Registration Number: PA0001294211 with a date of publication of August 15, 2005.

9. Plaintiff is recognized nationally and internationally as a leader in the field of production and distribution of adult entertainment due, in large part, to the goodwill and name recognition associated with its trademarks, as well as the high quality content that is associated with its copyrighted material.

10. Defendant was retained by Flava Works to perform work as an independent contractor. After this business relationship ended, Defendant started a number of competing websites, including www.HypnoThugs.com and www.HouseinTheHood.com.

11. Defendant, without Flava Works' permission, authorization and/or approval, used Flava Works' copyrighted images in connection with Defendant's commercial websites. See attached Exhibit A.

COUNT I

(Direct Copyright Infringement– 17 U.S.C. § 501.)

1-11. Plaintiff incorporates and re-alleges paragraphs 1-11 of this Complaint as paragraphs 1-11 of Count I.

12. Defendant's conduct interfered with Plaintiff's exclusive right to reproduce, distribute and display the copyrighted works.

13. Defendant's conduct constituted copyright infringement that this Court may remedy under Sections 106 and 501 of the Copyright Act.

14. As a result of the injury suffered by Plaintiff's business from Defendant's actions of direct copyright infringement, Plaintiff is entitled to recover actual and/or statutory damages, which shall be determined at trial, and costs of this action, including reasonable attorney's fees, as well as injunctive relief to prevent future infringement.

WHEREFORE Plaintiff, Flava Works, Inc. respectfully requests that this Honorable Court enter a judgment in its favor of Plaintiff, Flava Works, Inc. and against the

Defendant, Lee A. Momient, Jr., a/k/a Lee Moment for actual or statutory damages, punitive damages, costs, and reasonable attorneys' fees.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury of all issues properly triable by jury in this action, pursuant to Rule 38 of the Federal Rules of Civil Procedure.

DATED:

September 9, 2011

Respectfully Submitted,

By: /s/ Meanith Huon

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