

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

| | | |
|--------------------|---|---------------|
| FLAVA WORKS, INC., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 11 C 6306 |
| |) | |
| LEE MOMIENT, |) | |
| |) | |
| Defendant. |) | |

MEMORANDUM ORDER

Until now the parties to this copyright action have principally engaged in procedural skirmishes that have not cast much light for this Court's benefit on the substantive issues involved. Now, however, plaintiff-counterdefendant Flava Works, Inc. ("Flava") has filed its Answer to defendant-counterplaintiff Lee Momient's counterclaim--and one of Flava's assertions suggests that some further input may be highly useful in narrowing the issues or, perhaps, even in resolving the parties' disputes.

Flava's Answer to Momient's Counterclaim states that Momient earlier entered into an agreement with Flava under a Commission Work Agreement, and (Counterclaim Answer ¶10):

that Defendant/Counter-Plaintiff, Lee Momient agreed under paragraph 4 of the Agreement that Flava Works, Inc. shall own all rights to videos and photographs worked on by Defendant/Counter-Plaintiff.

That assertion calls for the prompt delivery to this Court of a copy of the signed Commission Work Agreement, together with any additional documentary evidence that is available to establish

(or to negate) Flava's copyright violation claims or Momient's copyright violation Counterclaim. That information is ordered to be provided to this Court on or before April 19, 2013.¹



Milton I. Shadur
Senior United States District Judge

Date: April 1, 2013

¹ If documentary evidence is not available on the copyright infringement claim or counterclaim, counsel for the parties are ordered to file a brief statement as to what needs to be done to set up a hearing on those subjects.