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8 Attorney for Plaintiff,
9 Liberty Media Holdings, LLC

10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 LIBERTY MEDIA HOLDINGS, LLC)

13 Plaintiff,)

14 vs.)

15 FELIX LATIMORE AND DOES 1-50)

16 Defendants)

Case No. '11CV40 JLS RBB

COMPLAINT

- (1) **COPYRIGHT INFRINGEMENT**
- (2) **TRADEMARK INFRINGEMENT**
- (3) **INJUNCTIVE RELIEF**

17 **INTRODUCTION**

18 1. The Plaintiff, Liberty Media Holdings, LLC ("LIBERTY") produces high quality
19 adult entertainment films, which are distributed throughout the world on DVDs and over the
20 Internet on a website where its members pay a monthly fee for authorized access to LIBERTY's
21 works. The Defendant, Felix Latimore ("LATIMORE") unlawfully obtained a copy of one of
22 LIBERTY's works, Down on the Farm, and now he manufactures DVDs of this movie and then
23 sells those DVDs to the public.

24 2. LATIMORE's actions are a clear violation of the Plaintiff's copyrights as
25 protected by Title 17 of the U.S. Code; and, since the counterfeit DVDs bear the Plaintiff's
26 federally-protected trademark and are sold under that trademark, the defendant's actions are a
27 violation of the Plaintiff's trademark rights as protected by the Lanham Act.

28 3. The Defendant's actions were willful in nature, entitling the Plaintiff to enhanced
damages. The Plaintiff seeks statutory damages, actual damages, an award of its attorneys' fees
and costs of suit, as well as injunctive relief putting an end to Mr. Latimore's criminal activity.

THE PARTIES

The Plaintiff, Liberty Media Holdings, LLC

1
2
3 4. Liberty Media Holdings, LLC (LIBERTY) is a California corporation doing
4 business as CORBIN FISHER®, with a mailing address of 302 Washington Street, Suite 321
5 San Diego, CA 92103.

6 5. LIBERTY produces, markets, and distributes works of original creative
7 expression including Internet web content, DVDs, and photographs of an erotic nature.

8 6. LIBERTY prohibits persons who are under the age of 18 from accessing the more
9 explicit areas of its website, and does not sell its DVDs to minors.

Defendant LATIMORE

10 7. LIBERTY is informed and believes, and on that basis alleges that DAVID
11 LATIMORE is an individual who resides Tallassee, FL.

12 8. Defendant LATIMORE does business under the name “felixthecat1,” on sell.com,
13 where he sells his bootleg DVDs.

14 9. Under this name, LATIMORE manufactures and sells bootleg CORBIN
15 FISHER® DVDs, which is the underlying conduct leading to this lawsuit.

16 10. Although LIBERTY takes steps to keep its materials out of the hands of minors,
17 LATIMORE took no such protective steps. Thus potentially circumventing LIBERTY’s strong
18 “no minors” policy.

Does 1-50

19 11. The true names and capacities, whether individual, corporate, associate, or
20 otherwise of the Defendants sued herein as Does 1-50 are unknown to Plaintiff, which sues said
21 Defendants by such fictitious names. If necessary, Plaintiff will seek leave of this Court to
22 amend this Complaint to state these defendants’ true names and capacities.

23 12. Plaintiff is informed and believes, and on that basis alleges, that these Doe
24 defendants should also be subject to the relief requested herein.

25 13. Does 1-50 intentionally induced Defendant LATIMORE into committing the acts
26 complained of herein, and are accordingly contributorily liable for Defendant LATIMORE’s
27 infringement.

28 14. Plaintiff is informed, and believes, and on that basis alleges, that these Doe
29 Defendants are in possession of the counterfeit goods produced by Defendant LATIMORE and
30 should be ordered to forfeit such goods to the Plaintiff for destruction, and if they have in turn

1 duplicated the goods, publicly displayed them, or have otherwise also infringed upon the
2 Plaintiff's rights, that they should be held responsible for these legal wrongs as well.

3 **JURISDICTION AND VENUE**

4 15. This Court has subject matter jurisdiction pursuant to the Copyright Act, (17
5 U.S.C. §§ 101 et seq.), the Lanham Act, 15 U.S.C. § 1121, and 28 U.S.C. §§ 1331, 1338(a),
6 2201, and 2202.

7 16. This Court has personal jurisdiction over the Defendant, who has engaged in
8 business activities in and directed to this district, and has committed a tortious act within this
9 district.

10 17. Defendant LATIMORE has solicited business from California residents, has
11 transacted business with California residents, and has committed unlawful and tortious acts
12 outside of California, which were expressly aimed at California residents, which he knew would
13 cause economic injury in California, and which did, in fact, cause economic injury in California.

14 18. Plaintiff's claims arise out of this very conduct, which is expressly aimed at
15 California.

16 19. Venue is proper in this Court pursuant to 28 U.S.C. § 1391, as a substantial part of
17 the events or omissions giving rise to the claims pleaded herein occurred in this district.

18 **FACTS COMMON TO ALL CLAIMS**

19 20. Plaintiff Liberty is the copyright holder for the full length DVD Down on the
20 Farm, Federal Copyright Registration Number PA 1-698-357. Exhibit 1.

21 21. The Plaintiff sells this DVD through its website, www.corbinfisher.com.

22 22. The Plaintiff keeps detailed lists of everyone who has purchased a copy of this
23 work, however, at no time is Plaintiff aware of Defendant purchasing even a single copy of
24 Down on the Farm.

25 23. As such, on information and belief, LATIMORE obtained a copy through illegal
26 means.

27 24. Defendant LATIMORE placed advertisements on Sell.com attempting to sell
28 copies of the Plaintiff's work on DVD+R disks. See Exhibit 2.

29 25. It is unknown at this time how many bootleg disks LATIMORE has sold.

30 26. Each of the audiovisual works at issue in this action is of high production value
31 and is easily discernable as a professionally produced work.

1 27. The audiovisual work at issue in this action is registered, by the Plaintiff, with the
2 United States Copyright Office. See Exhibit 1.

3 28. Defendant LATIMORE knew that the infringed upon works belonged to the
4 Plaintiff, and even lied on his sell.com advertisement claiming that the Plaintiff had authorized
5 his reproduction and distribution of the bootleg DVDs.

6 29. Each of the Plaintiff's works is marked with the Plaintiff's trademark, CORBIN
7 FISHER®, a copyright notice, a warning that unauthorized copying is illegal and will be
8 prosecuted, and a statement regarding age verification records as required by 18 U.S.C. § 2257.

9 30. Defendant LATIMORE knew or should have known that the Plaintiff is based in
10 San Diego, California, and that infringement of its works was likely to cause economic harm in
11 California.

12 31. One of Plaintiff's employees found Defendant LATIMORE's advertisement on
13 sell.com and documented the existence of the advertisement, ordered the DVD from the
14 Defendant, and paid for this order with a credit card via PayPal. See Exhibit 3.

15 32. Defendant LATIMORE provided this DVD via US Mail to the employee. Exhibit
16 3.

17 33. Defendant LATIMORE knowingly shipped and/or caused to be shipped, not less
18 than one counterfeit copy of each of the work into the Southern District of California.

19 34. Defendant LATIMORE knowingly and willfully created and/or caused to be
20 created and/or knowingly and willfully sold counterfeit DVD copies of the Plaintiff's
21 copyrighted work through direct sales via sell.com and via the Internet.

22 35. Neither Plaintiff nor any other person granted Defendant LATIMORE the right to
23 manufacture and/or distribute copies of the Plaintiff's copyrighted works.

24 36. At no time has Defendant LATIMORE obtained the right to manufacture and/or
25 distribute counterfeit copies of the Plaintiff's copyrighted works.

26 37. Although LIBERTY takes steps to kept its materials out of the hands of minors,
27 LATIMORE took no such protective steps, thus potentially circumventing LIBERTY's strong
28 "no minors" policy.

FIRST CAUSE OF ACTION
Copyright Infringement – 17 U.S.C. §§ 101 *Et. Seq.*

38. Plaintiff repeats and incorporates by reference each and every allegation set forth
above in paragraphs 1 through 38, inclusive.

1 39. Defendant LATIMORE has illegally manufactured and sold many counterfeit
2 DVDs of 1 of the Plaintiff's copyrighted works.

3 40. Plaintiff has registered the copyright to this work, and copies of the copyright
4 registration is attached as Exhibit 1.

5 41. Plaintiff owns exclusive rights and privileges in and to the Copyright.

6 42. Plaintiff is the owner of all rights, title, and interest in the Copyright at issue.

7 43. Defendant LATIMORE's conduct infringes upon the Plaintiff's Copyright.

8 44. Defendant LATIMORE's actions constitute an intentional and/or willful
9 infringement of the Plaintiff's copyrights.

10 45. On information and belief, as a direct and proximate result of his conduct,
11 Defendant LATIMORE has realized and continues to realize profits and other benefits rightfully
12 belonging to the Plaintiff.

13 46. Defendant LATIMORE has willfully engaged in, and is willfully engaging in, the
14 acts complained of in this complaint with malice, fraudulent intent, and in conscious disregard
15 for the Plaintiff's intellectual property rights and other legal rights.

16 47. Plaintiff has been damaged by Defendant LATIMORE's conduct, continues to be
17 damaged by such conduct, and has no adequate remedy at law to compensate the Plaintiff for all
18 of the possible damages stemming from the Defendant's conduct.

19 48. Plaintiff hereby reserves the right, pursuant to 17 U.S.C. § 504(c), to elect to
20 recover statutory damages in an amount of not less than \$750 and not more than \$150,000 for
21 each infringement, in lieu of seeking recovery of actual damages.

22 49. As Defendant LATIMORE's infringement was intentional and/or willful, the
23 Plaintiff is entitled to an award of statutory damages, exemplary damages, attorneys' fees, and
24 the costs of suit.

25 **SECOND CAUSE OF ACTION**
26 **Trademark Infringement 15 U.S.C. § 1125**

27 50. Plaintiff is the holder of the following federally registered trademarks: Corbin
28 Fisher, Serial Number 78691008; Corbin Fisher's Amateur College Sex, Serial Number
78691030; Excelsior Media, Serial Number 3200827.

51. Plaintiff's trademarks are inherently distinctive.

52. The relevant market associates the Plaintiff's trademarks exclusively with the
Plaintiff.

1 53. Plaintiff includes its trademarks and logos on the packaging for its DVDs and in
2 frames for the videos that it produces. This identifies the works as those of the Plaintiff.

3 54. Defendant LATIMORE includes the Plaintiff's logos and trademarks on his
4 counterfeit goods, including in frames on the videos on the DVDs that Defendant LATIMORE
5 produces and sells to the public, and each counterfeit DVD produced by Defendant LATIMORE
6 bears one or more of the Plaintiff's trademarks.

7 55. Plaintiff has made, and continues to make, substantial investments of resources in
8 the production, marketing, and branding of its products sold and otherwise distributed under
9 these trademarks.

10 56. Plaintiff takes great care in creating the look and quality of the films sold under its
11 mark, including the production values inherent in the films themselves, but also including the
12 packaging of its DVDs and the materials provided to consumers with the Plaintiffs goods.

13 57. Plaintiff exercises a great degree of control and oversight in the production and
14 post-production stages of the creation and marketing of its products. This is to insure that all of
15 the Plaintiffs productions retain their distinctive character and quality, so as to maintain the
16 Plaintiff's reputation in the relevant marketplace.

17 58. Plaintiff has, at all times relevant hereto, taken care to enforce its trademarks and
18 to prevent third parties from infringing thereupon.

19 59. Plaintiff has, at all times relevant hereto, exercised significant control over the
20 technical quality of its goods and services, including but not limited to the Plaintiff's copyrighted
21 works, as well as the packaging, duplication, manufacture, and distribution thereof, in order to
22 maintain the overall quality of the goods bearing the Plaintiff's trademarks and to protect the
23 value of the relevant trademarks.

24 60. Defendant LATIMORE's unlawful sale of counterfeit DVDs bearing the
25 Plaintiff's trademarks constitutes an intentional and unlawful use of the Plaintiff's trademarks.
26 This misuse constitutes a false designation of origin, and is likely to cause confusion in the
27 marketplace as to the source or origin of the counterfeit DVDs; is likely to cause consumers to
28 mistake the counterfeit DVDs for actual goods produced by the Plaintiff; and, is likely to deceive
the public accordingly.

61. Defendant LATIMORE's unlawful use of the Plaintiff's trademarks was made in
connection with the Defendant's sale of goods that are in direct competition with the Plaintiff

1 and such sales were made to customers who otherwise would have been customers of the
2 Plaintiff.

3 62. This misuse has caused the Plaintiff's customers, members of the relevant trade,
4 and other end users to suffer confusion, mistake, and/or to be deceived as to the origin and
5 authenticity of the counterfeit DVDs.

6 63. Defendant LATIMORE's DVDs are not of the same quality as the Plaintiff's
7 DVDs; for example:

8 a. The menu sequence in Defendant LATIMORE's DVDs is amateurish and
9 poorly designed when compared to the DVDs that the Plaintiff sells under its
10 trademark.

11 b. Defendant LATIMORE's DVDs do not give the user the option to choose
12 languages in the soundtrack other than English, unlike the DVDs that the
13 Plaintiff sells under its trademark, which allow the viewer to choose multiple
14 languages.

15 c. The packaging of the DVDs is of poor quality.

16 d. The DVDs give the impression that Corbin Fisher produced low-budget, low
17 quality DVDs.

18 64. The above-noted quality deficiencies in the Defendant's products serves to
19 diminish the Plaintiff's standing in the marketplace and violates the Plaintiff's right to control the
20 quality of materials in the marketplace that bear the Plaintiff's trademarks.

21 65. Defendant's conduct infringes upon the Plaintiff's Trademarks.

22 66. On information and belief, as a direct and proximate result of his conduct,
23 Defendant LATIMORE has realized and continues to realize profits and other benefits rightfully
24 belonging to the Plaintiff.

25 67. Defendant LATIMORE has willfully engaged in, and is willfully engaging in, the
26 acts complained of in this complaint with malice, fraudulent intent, and in conscious disregard
27 for the Plaintiff's intellectual property rights and other legal rights.

28 68. The Plaintiff has suffered damages of an amount to be proven at trial, but no less
than \$25,000.

69. Plaintiff has been damaged by the Defendant's conduct, continues to be damaged
by such conduct, and has no adequate remedy at law to compensate the Plaintiff for all of the
possible damages stemming from Defendant LATIMORE's conduct.

1 70. As Defendant LATIMORE's conduct was an intentional act, using the Plaintiff's
2 federally registered trademarks, and undertaken in order to unfairly compete with the Plaintiff's
3 business, the Plaintiff is entitled to treble damages, attorney's fees, and costs of suit.

4 71. Additionally, Defendant LATIMORE's brazen and willful conduct in this case
5 rises to the level of it being an "exceptional case," thus independently entitling the Plaintiff to an
6 award of its attorneys fees expended in order to bring this action.

7 **THIRD CAUSE OF ACTION**
8 **Injunctive Relief**

9 72. Plaintiff repeats and incorporates by reference each and every allegation set forth
10 above in paragraphs 1 through 71, inclusive.

11 73. Defendant LATIMORE's acts of unfair competition, trademark infringement, and
12 copyright infringement have caused Plaintiff to suffer severe and irreparable harm, for which
13 there is no adequate remedy at law.

14 74. Plaintiff is informed and believes, and on that basis alleges, that absent an order
15 from this Court, Defendant LATIMORE will continue to operate his enterprise and will continue
16 to cause the Plaintiff to suffer continuing damages for which there are no adequate remedies at
17 law.

18 75. Plaintiff is entitled to temporary, preliminary, and permanent injunctive relief to
19 enjoin any further such acts on the part of the Defendant LATIMORE or any party or entity
20 acting in consort with him.

21 **WHEREFORE; PLAINTIFF PRAYS**

22 76. That this court issue a Temporary Restraining Order enjoining the Defendant
23 LATIMORE and his respective agents, employees, successors, assigns, and all other persons
24 who may be acting in concert with him or them from:

- 25 a. Destroying, secreting, shipping, or in any way transferring any DVD which
26 appears to be a copy of any of the Plaintiff's copyrighted works, or any and all
27 other DVD copies of works bearing the Plaintiff's trademarks, name, or logos;
28 and,
- b. Erasing, deleting, altering, or destroying any documents, electronic files,
business records, or any other records of any kind that pertain to the purchase,
sale, copying, reproduction, duplication, dissemination, and/or distribution of

1 any DVDs bearing the Plaintiff's copyrighted works or bearing the Plaintiff's
2 trademarks; and,

3 c. Copying, causing to be copied, purchasing and/or selling any additional
4 counterfeit copies of the Plaintiff's intellectual property; and,

5 77. That the Court issue a Preliminary Injunction in accordance with the Order
6 requested above.

7 78. That the Court issue a Permanent Injunction in accordance with the Order
8 requested above.

9 79. That the Defendant be required to pay Plaintiff's actual damages proximately
10 resulting from the Defendant's acts, or statutory damages for each violation, as
11 the Plaintiff may elect as a matter of right.

12 80. That the Defendant be required to pay treble damages for his willful trademark
13 infringement; and

14 81. That Defendant accounts for:

15 a. All gains, profits, and advantages of any kind derived by him by his
16 aforementioned and complained-of acts and business practices; and,

17 b. All gains, profits, and advantages derived by the infringement upon the
18 Plaintiff's copyrights, or such damages as this Court shall deem proper within
19 the provisions of the Copyright Act, up to \$150,000 for each unlawful
20 duplication and distribution of the Plaintiff's works, which was intentionally
21 and unlawfully infringed upon by the Defendant; and,

22 82. For statutory and/or exemplary damages, as awarded by this Court; and,

23 83. That defendants be required to deliver up to be impounded during the pendency of
24 this action:

25 a. All copies of the Plaintiff's works, in any format, in Defendant's possession or
26 under his control,

27 b. All infringing copies and/or digital masters, plates, molds, equipment,
28 computers, hard drives, DVD burners, and all other equipment and other
matter for making such infringing copies and counterfeit goods; and,

84. That Defendant pays to the Plaintiff its reasonable attorneys' fees pursuant to 17
U.S.C. § 505 and 15 U.S.C. § 1117(a).

85. That Defendant pays the Plaintiff the costs of this action; and,

1 86. For any additional and further relief which this Court deems to be just and proper.

2 Dated: January 7, 2011

3
4 Respectfully Submitted,

5 s/Marc Randazza

6 Marc J. Randazza, Esq. SBN 269535
7 Randazza Legal Group
8 3969 Fourth Avenue, Suite 204
9 San Diego, CA 92103
10 888-667-1113
11 305-437-7662 (fax)
12 mjr@randazza.com

Exhibit 1

Certificate of Registration

DVD



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

Registration Number
PA 1-698-357

Effective date of registration:

August 27, 2010

Title

Title of Work: Corbin Fisher Amateur College Men Down On The Farm

Completion/Publication

Year of Completion: 2010

Date of 1st Publication: August 26, 2010

Nation of 1st Publication: United States

Author

▪ **Author:** Liberty Media Holdings, LLC, dba Excelsior Productions

Author Created: entire motion picture, Artwork/Photographs

Work made for hire: Yes

Citizen of: United States

Copyright claimant

Copyright Claimant: Liberty Media Holdings, LLC, dba Excelsior Productions

302 Washington Street, STE 161, San Diego, CA, 92103, United States

Rights and Permissions

Organization Name: Excelsior Media Corp

Name: Marc J Randazza, Esq

Email: copyright@excelsiormedia.com

Telephone: 888-267-2462

Address: 302 Washington Street

STE 321

San Diego, CA 92103 United States

Certification

Name: Jason Gibson

Date: August 26, 2010

Applicant's Tracking Number: DVD-Down On The Farm

Exhibit 2



Get a **FREE** ad

Try us for free

home

sell now

my stuff

search

sign in

Browse Categories Browse by Location Basic Search Advanced Search

Corbin Fisher Down on The Farm

Adult & Erotic \$19.99 (Fixed) US Dollars Seller: [felixthecat1 \(0\) UNRATED](#)
sell.com marketplace > Adult & Erotic > DVD's > 259F7G

Ad Info

Asking Price: **\$19.99** (Fixed) US Dollars
Quantity For Sale: **10** (New condition)
Item Location: Tallahassee, FL (United States)
Shipping & Handling: **\$3.50** for first and **\$1.00** each add'l.
Seller will ship worldwide. Estimated delivery time 1-3 days.
Tax: None.
Payment Terms: Money Order/Cashiers Check, PayPal.
Refund Policy: No refunds.
Date Posted: 3 weeks ago

Seller Info

Sign-in Name: [felixthecat1 \(0\) UNRATED](#)
Member Since: **15-Nov-2010**
Last Login: **last week**

[View more ads from felixthecat1](#)
[Save this seller](#) to your favorites

[Buy Now](#) Purchase via PayPal.

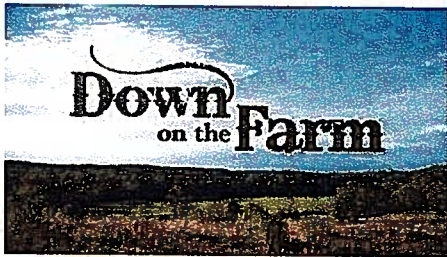
[Contact](#) Make an offer or ask a question.

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[»Inappropriate](#)

Classified Details Corbin Fisher Down on The Farm



farm1.jpg

****This item is a copy of an original made with the express written consent of the copyright holder****

Ready to get plowed?

A whole stable of Corbin Fisher studs goes DOWN ON THE FARM for a smokin' photo and video shoot.

Filled with exclusive, no-holds-barred action, and filmed in HD on location deep in the American heartland, this DVD shows what really goes on in the haystacks. All your favorites; Connor, Dawson, Dru, Elijah, Trey and Travis, head down to the farm to saddle up the horses- and each other!

DOWN ON THE FARM is 126 minutes of steer wrestling, bucking broncos and pole-bending - and that's just the indoor action!

Get ready to ride hard!

*****All DVDs are new and of excellent quality***** All of our DVDs come on DVD+R disks, and are of excellent quality. The DVDs do not come in boxes, but are shipped in plastic cases with label artwork(as pictured). DVDs are compatible with all DVD players. We ask that you e-mail us before bidding so you can know what you will be receiving. We guarantee that you will be more than happy with our products, because you will be getting DVD+R DVDs of the top hot gay porn studio flicks at more than affordable prices. We hope you decide to do business with us and exchange good positive feedback. Email if you have further questions.



farm22.jpg



3.jpg



farm4.jpg



5.jpg



farm6.jpg

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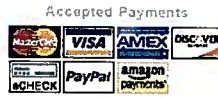


Exhibit 3

felixthecat1 has sent a message.
Regarding [Corbin Fisher Down on The Farm](#) (Original Asking Price: \$19.99)

- Messages Sent**
- felixthecat1** (0) UNREPLIED 15-Dec-2010 18:03 CST

Hi John,
Yes it was mailed today, 2nd day Air. The tracking number is 03070020000065541177

Message:
Thanks again for your business!
Felix
 - mrjeep1964** (0) UNREPLIED 15-Dec-2010 16:41 CST

Hi,
Was wondering if you were able to send the DVD off today and if there is a tracking or conformation number?

Message:
Thanks,
John
 - felixthecat1** (0) ACCEPTED 14-Dec-2010 21:10 CST

Message: Great, just received the payment! I will ship it 2nd day tomorrow. Thanks for you your business!
 - mrjeep1964** (0) UNREPLIED 14-Dec-2010 20:46 CST

Message: I have sent the money via paypal....Hopefully I can have it here by friday....Thanks....
 - System Message** 14-Dec-2010 20:22 CST

Message: The seller will be emailed when PayPal notifies us of your payment. All PayPal notifications will appear here. Be aware that PayPal notifications may be delayed. You can send the seller a message anytime by clicking the "Message" button.
 - felixthecat1** (0) UNREPLIED 14-Dec-2010 20:02 CST

Hi,
Yes I would be willing to do it for you, If you make the payment tonight, I can ship it off tomorrow via 2nd day mail. It will cost \$15.00 to do it. The total would be \$34.99 You can make the payment via paypal at Charismatic1@comcast.net and I will send you delivery confirmation once I ship.

Message:

Thanks
 - mrjeep1964** (0) UNREPLIED 14-Dec-2010 19:10 CST

Hi,
I was wondering if you offer Next Day or 2nd Day Air. I am leaving to go out of town this weekend and wanted to take it with me. Please let me know.

Message:
Thanks
Mr. Jeep

Showing 1-7 of 7

- Buy Now** Purchase this item via PayPal.
- Message** Make an offer or ask a question.
- End** End the negotiation.
- Rate** Before you can rate, ask the seller to click "accept" and agree to sell [more](#).
- Abuse** Inform sell.com of problems or suspicious behavior. [more](#).
- Close** Return to your Message Center.

The 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, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Liberty Media Holdings, LLC

(b) County of Residence of First Listed Plaintiff San Diego (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number) Marc Randazza, Randazza Legal Group 969 4th Ave, Ste. 204, San Diego, CA 92103 88-667-1113, 305-437-7662

DEFENDANTS

Felix Latimore

County of Residence of First Listed Defendant Leon County (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

'11CV40 JLS RBB

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, PERSONAL INJURY, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. 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 Multidistrict Litigation, 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity): 17 U.S.C. Section 101, et seq., 15 U.S.C. Section 1125

Brief description of cause: Copyright and Trademark Infringement

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ 25,000

CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

January 7, 2011

s/ Marc Randazza

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE