

**ORIGINAL**

**FILED**

Superior Court Of California  
County Of Los Angeles

JUN 12 2014

Sherri R. Carter, Executive Officer/Clerk

By Kristina Vargas, Deputy  
Kristina Vargas

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6 Attorneys for Plaintiff  
7 VERA SEROVA

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF LOS ANGELES

Gallo LLP  
1299 Fourth St., Suite 505  
San Rafael, CA 94901

12 VERA SEROVA, an individual, on behalf of  
13 herself and all others similarly situated,

14 Plaintiff,

15 vs.

16 SONY MUSIC ENTERTAINMENT, a Delaware  
17 general partnership; JOHN BRANCA, as Co-  
18 Executor of the Estate of Michael J. Jackson;  
19 EDWARD JOSEPH CASCIO, an individual;  
20 JAMES VICTOR PORTE, an individual; MJJ  
21 PRODUCTIONS, INC., a California Corporation;  
22 ANGELIKSON PRODUCTIONS LLC, a New  
23 Jersey Limited Liability Company; and DOES 1  
24 through 50, inclusive,

25 Defendants.

Case No. BC548468

CLASS ACTION

CLASS ACTION COMPLAINT FOR:

- 1. VIOLATION OF THE CONSUMERS LEGAL REMEDIES ACT
- 2. VIOLATION OF THE UNFAIR COMPETITION LAW
- 3. FRAUD

DEMAND FOR JURY TRIAL

D-310 Kenneth Freeman

06/12/2014

CIT/CASE: BC548468  
LEA/DEF#: RECEIPT #: CCH517486036  
DATE PAID: 06/12/14 11:30 AM  
PAYMENT: \$435.00 310  
RECEIVED:  
CHECK: \$435.00  
CASH: \$0.00  
CHANGE: \$0.00  
CARD: \$0.00

COMPLAINT

1 Plaintiff Vera Serova, for herself and on behalf of all others similarly situated,  
2 alleges as follows. The allegations herein that relate to Plaintiff's personal actions are  
3 made based on her personal knowledge. The balance are made on information and belief  
4 based on the investigation of counsel.

5 **THE PARTIES**

6 1. Plaintiff Vera Serova is an individual residing within the State of  
7 California, County of Santa Clara.

8 2. On information and belief, Defendant Sony Music Entertainment ("Sony")  
9 is a Delaware general partnership with its principal place of business in the State of New  
10 York.

11 3. On information and belief, Defendant John Branca, who is sued in his  
12 capacity as co-executor of the Estate of Michael J. Jackson, is an individual residing in  
13 the County of Los Angeles.

14 4. On information and belief, Defendant Edward Joseph Cascio is an  
15 individual residing in the State of New Jersey.

16 5. On information and belief, Defendant James Victor Porte is an individual  
17 residing in the State of Tennessee.

18 6. On information and belief, Defendant MJJ Productions, Inc. is a California  
19 Corporation with its principal place of business in the County of Los Angeles.

20 7. On information and belief, Defendant Angelikson Productions LLC  
21 ("Angelikson") is a New Jersey limited liability corporation with its principal place of  
22 business in New Jersey. On information and belief, Angelikson is Defendant Edward  
23 Cascio's production company.

24 8. Plaintiff is unaware of the true identities of those Defendants sued herein  
25 as DOES 1 through 50, inclusive, and therefore sues such Defendants by these fictitious  
26 names. Plaintiff is informed and believes and thereon alleges that each of the fictitiously  
27 named Defendants is responsible in some manner for the injuries and damages alleged by  
28 Plaintiff. Plaintiff will seek leave of Court to amend this Complaint to show the true

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1 names and capacities of the fictitiously named Defendants if and when they have been  
2 ascertained.

3 9. On information and belief, each of the Defendants, including the DOE  
4 defendants, are the agents, servants, employees, partners, joint venturers, alter egos,  
5 aiders and abettors, and/or co-conspirators of one or more of the remaining Defendants,  
6 and in doing the acts alleged herein, were acting within the course and scope of said  
7 agency, employment, partnership, joint venture, and/or conspiracy, or otherwise aided  
8 and abetted the others in committing the wrongs alleged here.

9 **FACTUAL BACKGROUND**

10 10. *Michael* is the first posthumous compilation album of previously  
11 unreleased tracks by recording artist Michael Jackson. It was released in the United States  
12 on or about December 14, 2010, approximately eighteen months after Jackson's death on  
13 or about June 25, 2009. *Michael* was released by Sony through its Epic Records division  
14 in conjunction with the Estate of Michael J. Jackson. On information and belief,  
15 Defendant MJJ Productions, Inc. holds the copyright to *Michael*.

16 11. Since *Michael's* inception, controversy has surrounded three of the  
17 album's ten songs: "Breaking News," "Monster," and "Keep Your Head Up." According  
18 to Defendants, Jackson recorded these songs in the basement recording studio of his  
19 friends, the Cascio family. These three songs are known as the Cascio tracks. Sony  
20 attributes authorship of the Cascio tracks to Jackson, Edward Cascio and James Porte.  
21 Defendants contend the lead vocals on the Cascio tracks were all performed by Jackson.  
22 On information and belief, Defendant MJJ Productions, Inc. co-produced "Keep Your  
23 Head Up" and Defendant Angelikson co-produced each of the Cascio tracks.

24 12. Before *Michael's* release, several members of Jackson's family disputed  
25 the authenticity of the Cascio tracks, claiming that the lead vocals were not actually  
26 Jackson's.

27 13. On November 5, 2010, Sony responded to the questions regarding the  
28 authenticity of the Cascio tracks by stating "We have complete confidence in the results

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1 of our extensive research as well as the accounts of those who were in the studio with  
2 Michael that the vocals on the new album are his own.”

3 14. On November 11, 2010, attorney Howard Weitzman released a statement  
4 on behalf of Jackson’s Estate addressing the questions that had arisen regarding the  
5 authenticity of the Cascio tracks. The statement identified the following people as having  
6 concluded that Jackson performed the lead vocals on the Cascio tracks:

- 7 a. Jackson’s former producers and engineers Bruce Swedien, Matt Forger,  
8 Stewart Brawley, Michael Prince, Dr. Freeze and Teddy Riley, who  
9 listened to raw a cappella version of the Cascio tracks together.
- 10 b. Jackson’s former musical director and piano player Greg Phillinganes.
- 11 c. Jackson’s former vocal director Dorian Holley.
- 12 d. An unidentified forensic musicologist retained by Jackson’s estate who  
13 listened to the Cascio tracks a capella and performed wave form analysis.
- 14 e. An unidentified forensic musicologist retained by Sony.
- 15 f. Two unidentified persons in the music industry who played crucial roles in  
16 Jackson’s career.

17 15. Following Weitzman’s statement, record producer Cory Rooney and  
18 Jackson’s nephew Taryll Jackson claimed they attended the listening session with the six  
19 former Jackson producers and engineers and that the majority of those mentioned did not  
20 agree that Jackson performed the lead vocals on the Cascio tracks.

21 16. On December 6, 2014, Defendant Edward Joseph Cascio claimed that  
22 Jackson performed the lead vocals on the Cascio tracks on the Oprah Winfrey Show.

23 17. On December 14, 2010, Sony released *Michael* in the United States  
24 through its label Epic Records. In marketing and defending *Michael*, Defendants  
25 expressly and implicitly represented that the lead vocals on all of the tracks on the album  
26 were performed by Michael Jackson. In addition to the statements referenced above,  
27 *Michael’s* back cover states “This album contains 9 previously unreleased vocal tracks  
28 performed by Michael Jackson.” (Plaintiff is informed and believes this statement refers

1 to nine previously unreleased vocal tracks instead of ten previously unreleased vocal  
2 tracks because one of the ten songs on the album—"The Way You Love Me"—was  
3 previously released in 2004.)

4 18. In reliance on Defendants' claims that Jackson performed the lead vocals  
5 on the Cascio tracks, Plaintiff Vera Serova purchased *Michael* on compact disk in  
6 California between June 18 and 28, 2011.

7 19. Ms. Serova later learned several facts suggesting that Michael Jackson did  
8 not perform the lead vocals on the Cascio tracks. When it became apparent that  
9 Defendants would not offer further explanation or evidence regarding the authenticity of  
10 the Cascio tracks, Serova engaged independent audio expert Doctor George Papcun to  
11 assess whether Jackson had actually performed the lead vocals on the Cascio tracks. After  
12 a comprehensive assessment, Dr. Papcun prepared a report and concluded that it was very  
13 likely that Michael Jackson did not sing the lead vocals on the Cascio tracks. Counsel  
14 subsequently had Dr. Papcun's expert report peer reviewed by another well-credentialed  
15 independent audio expert who concluded that Dr. Papcun's methodologies and  
16 conclusions were reasonable.

17 20. Plaintiff is informed and believes that Michael Jackson did not actually  
18 perform the lead vocals on the songs "Breaking News," "Monster," and "Keep Your  
19 Head Up."

20 21. In addition to selling "Breaking News," "Monster," and "Keep Your Head  
21 Up" as part of *Michael*, Sony also sold these songs individually through channels such as  
22 iTunes and as part of *The Ultimate Fan Extras Collection* released in 2013.

23 **CLASS ACTION ALLEGATIONS**

24 22. Plaintiff brings this action under Code of Civil Procedure 382 and/or Civil  
25 Code Section 1781, on behalf of herself and a class of similarly-situated persons defined  
26 as:

27  
28 All persons who purchased "Breaking News," "Monster,"  
and/or "Keep Your Head Up" (individually or as part of a

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compilation) in California

23. Plaintiff also seeks certification of the following subclass (the "Three Year Subclass"):

All persons who purchased "Breaking News," "Monster," and/or "Keep Your Head Up" (individually or as part of a compilation) in California within the three years immediately preceding the filing of this action

24. Upon information and belief, there are thousands of class and subclass members. Individual joinder of all members of the class and/or subclass would be impracticable.

25. Common questions of law or fact exist as to all members of the class and subclass. These questions predominate over the questions affecting only individual class members. These common legal and factual questions include, among others:

- a. Whether Michael Jackson performed the lead vocals on the songs "BreakingNews," "Monster," and "Keep Your Head Up";
- b. Whether Defendants' conduct violates the Consumers Legal Remedies Act;
- c. Whether Defendants' conduct violates the Unfair Competition Law;
- d. Whether class members lost money or property as a result of Defendants' unfair conduct;
- e. Whether class members are entitled to a refund, in whole or in part, of the purchase price of the album *Michael* and/or the songs "Breaking News," "Monster," and "Keep Your Head Up."

26. Plaintiff's claims are typical of the claims of the class and subclass. All members of the class and subclass, including Plaintiff, purchased one or more of the three songs, each of which was marketed with a material misrepresentation.

27. Plaintiff is an adequate class and subclass representative because her interests do not conflict with the interests of the other class or subclass members she seeks to represent. She has retained counsel competent and experienced in conducting

1 consumer fraud class actions. Plaintiff and her counsel will adequately protect the  
2 interests of the class.

3 28. A class action is superior to other available methods for the fair and  
4 efficient adjudication of the controversy, and will create a substantial benefit to both the  
5 public and the courts in that: the per class-member costs of prosecuting the action  
6 individually will vastly exceed the costs for prosecuting the case as a class action; class  
7 certification will obviate the necessity of a multiplicity of claims; it is desirable to  
8 concentrate the litigation of these claims in this forum; and unification of common  
9 questions of fact and law into a single proceeding before this Court will reduce the  
10 likelihood of inconsistent rulings, opinions, and decisions. Moreover, members of the  
11 class lack an adequate economic incentive to pay attorneys to prosecute their claims  
12 individually and individual claims are not sufficiently sizable to attract the interest of  
13 highly able and dedicated attorneys to prosecute such claims on a contingency basis.

14 29. A class action presents far fewer management difficulties than litigating  
15 this case as hundreds or thousands of individual actions and provides the benefits of  
16 single adjudication, economies of scale, and comprehensive supervision by a single court.

17 30. The class and subclass are ascertainable because they describe a set of  
18 common characteristics sufficient to allow members of that group to identify themselves  
19 as having a right to recover based on the descriptions.

20  
21 **FIRST CAUSE OF ACTION—VIOLATION OF THE CONSUMERS**  
**LEGAL REMEDIES ACT**

22 (On Behalf of the Three Year Subclass Only)

23 (Against Sony, John Branca, Edward Joseph Cascio, James Victor Porte, and MJJ  
24 Productions, Inc. Only)

25 31. Plaintiff incorporates paragraphs 1 through 30 above as though repeated  
26 here.

27 32. The Defendants Sony, John Branca, Edward Joseph Cascio, James Victor  
28

1 Porte, and MJJ Productions, Inc. have violated subsections 1, 2, 3, 5, 7, and 9 of Cal. Civ.  
2 Code § 1770 (a), the Consumers Legal Remedies Act (the “CLRA”), by falsely  
3 representing that Michael Jackson performed the songs “Breaking News,” “Monster,”  
4 and “Keep Your Head Up” in transactions that were intended to result in and that in fact  
5 resulted in the sale of goods or services to consumers.

6 33. As a result of the Defendants’ deceptive business practices, Plaintiff and  
7 other subclass members have suffered damage and lost money in that they paid for goods  
8 that were not as represented.

9 34. Defendants’ CLRA violations are ongoing and present a continuing threat  
10 that members of the public will be misled into purchasing the songs “Breaking News,”  
11 “Monster,” and/or “Keep Your Head Up.”

12  
13 **SECOND CAUSE OF ACTION—UNFAIR COMPETITION UNDER**  
14 **BUS. & PROF. CODE § 17200, et seq.**

15 **(On Behalf of the Class)**

16 35. Plaintiff incorporates paragraphs 1 through 34 above as though repeated  
17 here.

18 36. California Business and Professions Code § 17200, et seq., (the “Unfair  
19 Competition Law” or “UCL”) prohibits unlawful, unfair, and fraudulent business  
20 practices.

21 37. Defendants’ above alleged actions violate the UCL’s fraudulent prong  
22 because the actions were likely to, and did, deceive Plaintiff and the public and likely will  
23 mislead the public in the future.

24 38. Defendants’ above alleged actions violate the UCL’s unlawful prong  
25 because the actions violate, without limitation California Civil Code § 1770, et seq. as  
26 alleged above;

27 39. The Defendants’ misrepresentations have caused Plaintiff and class  
28 members to lose money by causing them to purchase goods they would not have

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1 otherwise purchased.

2 40. Defendants' UCL violations are ongoing and present a continuing threat  
3 that members of the public will be misled into purchasing the songs "Breaking News,"  
4 "Monster," and/or "Keep Your Head Up."

5  
6 **THIRD CAUSE OF ACTION—FRAUD**

7 **(On Behalf of the Three Year Subclass Only)**

8 **(Against Edward Cascio, James Porte, and Angelikson Only)**

9 41. Plaintiff incorporates paragraphs 1 through 40 above as though repeated  
10 here.

11 42. Defendants Cascio, Porte, and Angelikson knowingly and intentionally  
12 made numerous false and/or misleading representations of material fact with the intent to  
13 deceive and/or induce reliance by Plaintiff. Cascio, Porte, and Angelikson further failed  
14 to disclose and concealed facts that they were required to disclose to prevent other  
15 statements that they had made from being false and misleading. Plaintiff actually and  
16 reasonably relied on these misrepresentations, omissions, and concealments resulting in  
17 damages to Plaintiff.

18 43. Defendants Cascio's, Porte's, and Angelikson's herein-alleged wrongful  
19 acts and omissions, and each of them, were knowingly, willfully, intentionally,  
20 maliciously, oppressively, and fraudulently undertaken with the express purpose and  
21 intention of defrauding Plaintiff, and each of them, all to the substantial financial benefit  
22 of Cascio, Porte, and Angelikson, and each of them, entitling Plaintiff to punitive  
23 damages.

24  
25 **PRAYER FOR RELIEF**

26 **WHEREFORE**, Plaintiff, individually and on behalf of the class, prays for  
27 judgment as follows:

28 **On the First Cause of Action for Violation of the Consumers Legal Remedies**

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1 **Act:**

2 1. For permanent injunctive relief enjoining Defendants from representing  
3 that Michael Jackson performed "Breaking News," "Monster," and "Keep Your Head  
4 Up;" or any of them, in transactions intended to result in the sale of goods or services to  
5 California consumers;

6 2. For attorneys' fees and expenses pursuant to all applicable laws including  
7 without limitation, Code of Civil Procedure §1021.5, and California Civil Code § 1780

8 (e):

9 3. For costs of suit; and

10 4. For such other and further relief as the Court deems just and proper.

11 **On the Second Cause of Action for Unfair Competition:**

12 1. For restitution and disgorgement of all money or property wrongfully  
13 obtained from Plaintiff and class members by Defendants by means of their herein-  
14 alleged unfair business practices;

15 2. For attorneys' fees and expenses pursuant to all applicable laws including  
16 without limitation, Code of Civil Procedure §1021.5;

17 3. For costs of suit; and

18 4. For such other and further relief as the Court deems just and proper.

19 **On the Third Cause of Action for Fraud:**

20 1. For restitution and disgorgement of all money or property wrongfully  
21 obtained from Plaintiff and Three Year Subclass members by Defendants Cascio, Porte,  
22 and Angelikson by means of their herein-alleged fraud;

23 2. For damages;

24 3. For punitive damages;

25 4. For attorneys' fees and expenses pursuant to all applicable laws including  
26 without limitation, Code of Civil Procedure §1021.5;

27 5. For costs of suit; and

28 6. For such other and further relief as the Court deems just and proper.

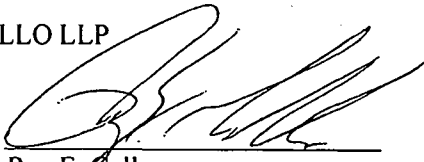
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Date: June 12, 2014

GALLO LLP

By:



Ray E. Gallo  
Dominic Valerian

Attorneys for Plaintiff VERA SEROVA


06 / 12 / 2014

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**DEMAND FOR JURY TRIAL**

Plaintiff hereby demands a jury trial of all issues, claims, and causes of action so triable.

Date: June 12 2014

GALLO LLP  
  
By: \_\_\_\_\_  
Ray E. Gallo  
Dominic Valerian  
Attorneys for Plaintiff VERA SEROVA

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06 / 12 / 2014

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):  
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ATTORNEY FOR (Name): Vera Serova

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FILED  
Superior Court Of California  
County Of Los Angeles

JUN 12 2014

Sherri R. Carter, Executive Officer/Clerk  
By Kristina Vargas, Deputy  
Kristina Vargas

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles  
STREET ADDRESS: 111 N. Hill St.  
MAILING ADDRESS: 111 N. Hill St.  
CITY AND ZIP CODE: Los Angeles, CA 90012  
BRANCH NAME: Stanley Mosk Courthouse, Central District

CASE NAME:  
Vera Serova v. Sony Music Entertainment, et al.

**CIVIL CASE COVER SHEET**  
 **Unlimited** (Amount demanded exceeds \$25,000)  **Limited** (Amount demanded is \$25,000 or less)  
 **Complex Case Designation**  
 **Counter**  **Joinder**  
Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER  
**BC 548468**  
JUDGE:  
DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:
- |   |   |   |
|---|---|---|
| <b>Auto Tort</b><br><input type="checkbox"/> Auto (22)<br><input type="checkbox"/> Uninsured motorist (46)  | <b>Contract</b><br><input type="checkbox"/> Breach of contract/warranty (06)<br><input type="checkbox"/> Rule 3.740 collections (09)<br><input type="checkbox"/> Other collections (09)<br><input type="checkbox"/> Insurance coverage (18)<br><input type="checkbox"/> Other contract (37) | <b>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</b><br><input type="checkbox"/> Antitrust/Trade regulation (03)<br><input type="checkbox"/> Construction defect (10)<br><input type="checkbox"/> Mass tort (40)<br><input type="checkbox"/> Securities litigation (28)<br><input type="checkbox"/> Environmental/Toxic tort (30)<br><input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) |
| <b>Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort</b><br><input type="checkbox"/> Asbestos (04)<br><input type="checkbox"/> Product liability (24)<br><input type="checkbox"/> Medical malpractice (45)<br><input type="checkbox"/> Other PI/PD/WD (23)   | <b>Real Property</b><br><input type="checkbox"/> Eminent domain/Inverse condemnation (14)<br><input type="checkbox"/> Wrongful eviction (33)<br><input type="checkbox"/> Other real property (26)   | <b>Enforcement of Judgment</b><br><input type="checkbox"/> Enforcement of judgment (20)   |
| <b>Non-PI/PD/WD (Other) Tort</b><br><input type="checkbox"/> Business tort/unfair business practice (07)<br><input type="checkbox"/> Civil rights (08)<br><input type="checkbox"/> Defamation (13)<br><input checked="" type="checkbox"/> Fraud (16)<br><input type="checkbox"/> Intellectual property (19)<br><input type="checkbox"/> Professional negligence (25)<br><input type="checkbox"/> Other non-PI/PD/WD tort (35) | <b>Unlawful Detainer</b><br><input type="checkbox"/> Commercial (31)<br><input type="checkbox"/> Residential (32)<br><input type="checkbox"/> Drugs (38)  | <b>Miscellaneous Civil Complaint</b><br><input type="checkbox"/> RICO (27)<br><input type="checkbox"/> Other complaint (not specified above) (42)   |
| <b>Employment</b><br><input type="checkbox"/> Wrongful termination (36)<br><input type="checkbox"/> Other employment (15)   | <b>Judicial Review</b><br><input type="checkbox"/> Asset forfeiture (05)<br><input type="checkbox"/> Petition re: arbitration award (11)<br><input type="checkbox"/> Writ of mandate (02)<br><input type="checkbox"/> Other judicial review (39)  | <b>Miscellaneous Civil Petition</b><br><input type="checkbox"/> Partnership and corporate governance (21)<br><input type="checkbox"/> Other petition (not specified above) (43)   |

2. This case  is  is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:  
a.  Large number of separately represented parties d.  Large number of witnesses  
b.  Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e.  Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court  
c.  Substantial amount of documentary evidence f.  Substantial postjudgment judicial supervision
3. Remedies sought (check all that apply): a.  monetary b.  nonmonetary; declaratory or injunctive relief c.  punitive
4. Number of causes of action (specify): (3) Fraud, CLRA violation, UCL violation
5. This case  is  is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: June 12, 2014  
Ray E. Gallo

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

**NOTICE**

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

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**INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET**

**To Plaintiffs and Others Filing First Papers.** If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

**To Parties In Rule 3.740 Collections Cases.** A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

**To Parties in Complex Cases.** In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

**CASE TYPES AND EXAMPLES**

**Auto Tort**

- Auto (22)—Personal Injury/Property Damage/Wrongful Death
- Uninsured Motorist (46) *(if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)*

**Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort**

- Asbestos (04)
  - Asbestos Property Damage
  - Asbestos Personal Injury/Wrongful Death
- Product Liability *(not asbestos or toxic/environmental)* (24)
- Medical Malpractice (45)
  - Medical Malpractice—Physicians & Surgeons
  - Other Professional Health Care Malpractice
- Other PI/PD/WD (23)
  - Premises Liability (e.g., slip and fall)
  - Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
  - Intentional Infliction of Emotional Distress
  - Negligent Infliction of Emotional Distress
  - Other PI/PD/WD

**Non-PI/PD/WD (Other) Tort**

- Business Tort/Unfair Business Practice (07)
- Civil Rights (e.g., discrimination, false arrest) *(not civil harassment)* (08)
- Defamation (e.g., slander, libel) (13)
- Fraud (16)
- Intellectual Property (19)
- Professional Negligence (25)
  - Legal Malpractice
  - Other Professional Malpractice *(not medical or legal)*
- Other Non-PI/PD/WD Tort (35)

**Employment**

- Wrongful Termination (36)
- Other Employment (15)

**Contract**

- Breach of Contract/Warranty (06)
- Breach of Rental/Lease Contract *(not unlawful detainer or wrongful eviction)*
- Contract/Warranty Breach—Seller Plaintiff *(not fraud or negligence)*
- Negligent Breach of Contract/Warranty
- Other Breach of Contract/Warranty
- Collections (e.g., money owed, open book accounts) (09)
- Collection Case—Seller Plaintiff
- Other Promissory Note/Collections Case
- Insurance Coverage *(not provisionally complex)* (18)
  - Auto Subrogation
  - Other Coverage
- Other Contract (37)
  - Contractual Fraud
  - Other Contract Dispute

**Real Property**

- Eminent Domain/Inverse Condemnation (14)
- Wrongful Eviction (33)
- Other Real Property (e.g., quiet title) (26)
  - Writ of Possession of Real Property
  - Mortgage Foreclosure
  - Quiet Title
  - Other Real Property *(not eminent domain, landlord/tenant, or foreclosure)*

**Unlawful Detainer**

- Commercial (31)
- Residential (32)
- Drugs (38) *(if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)*

**Judicial Review**

- Asset Forfeiture (05)
- Petition Re: Arbitration Award (11)
- Writ of Mandate (02)
  - Writ—Administrative Mandamus
  - Writ—Mandamus on Limited Court Case Matter
  - Writ—Other Limited Court Case Review
- Other Judicial Review (39)
  - Review of Health Officer Order
  - Notice of Appeal—Labor Commissioner Appeals

**Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)**

- Antitrust/Trade Regulation (03)
- Construction Defect (10)
- Claims Involving Mass Tort (40)
- Securities Litigation (28)
- Environmental/Toxic Tort (30)
- Insurance Coverage Claims *(arising from provisionally complex case type listed above)* (41)

**Enforcement of Judgment**

- Enforcement of Judgment (20)
  - Abstract of Judgment (Out of County)
  - Confession of Judgment *(non-domestic relations)*
  - Sister State Judgment
  - Administrative Agency Award *(not unpaid taxes)*
  - Petition/Certification of Entry of Judgment on Unpaid Taxes
  - Other Enforcement of Judgment Case

**Miscellaneous Civil Complaint**

- RICO (27)
- Other Complaint *(not specified above)* (42)
  - Declaratory Relief Only
  - Injunctive Relief Only *(non-harassment)*
  - Mechanics Lien
  - Other Commercial Complaint Case *(non-tort/non-complex)*
  - Other Civil Complaint *(non-tort/non-complex)*

**Miscellaneous Civil Petition**

- Partnership and Corporate Governance (21)
- Other Petition *(not specified above)* (43)
  - Civil Harassment
  - Workplace Violence
  - Elder/Dependent Adult Abuse
  - Election Contest
  - Petition for Name Change
  - Petition for Relief From Late Claim
  - Other Civil Petition

03/12/2014

SHORT TITLE: <b>SEROVA V. SONY MUSIC</b>	CASE NUMBER <b>BC548468</b>
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**CIVIL CASE COVER SHEET ADDENDUM AND  
STATEMENT OF LOCATION  
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

**This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.**

**Item I.** Check the types of hearing and fill in the estimated length of hearing expected for this case:  
 JURY TRIAL?  YES CLASS ACTION?  YES LIMITED CASE?  YES TIME ESTIMATED FOR TRIAL 2  HOURS/  DAYS

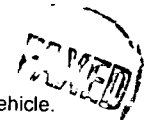
**Item II.** Indicate the correct district and courthouse location (4 steps – If you checked “Limited Case”, skip to Item III, Pg. 4):

**Step 1:** After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column **A**, the Civil Case Cover Sheet case type you selected.

**Step 2:** Check one Superior Court type of action in Column **B** below which best describes the nature of this case.

**Step 3:** In Column **C**, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

**Applicable Reasons for Choosing Courthouse Location (see Column C below)**



- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. Class actions must be filed in the Stanley Mosk Courthouse, central district.</li> <li>2. May be filed in central (other county, or no bodily injury/property damage).</li> <li>3. Location where cause of action arose.</li> <li>4. Location where bodily injury, death or damage occurred.</li> <li>5. Location where performance required or defendant resides.</li> </ol> | <ol style="list-style-type: none"> <li>6. Location of property or permanently garaged vehicle.</li> <li>7. Location where petitioner resides.</li> <li>8. Location wherein defendant/respondent functions wholly.</li> <li>9. Location where one or more of the parties reside.</li> <li>10. Location of Labor Commissioner Office.</li> </ol> |
|---|--|

**Step 4:** Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons <input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4. 1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall) <input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.) <input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress <input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4. 1., 4. 1., 3. 1., 4.

<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
Business Tort (07)	<input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
Civil Rights (08)	<input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
Defamation (13)	<input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
Fraud (16)	<input checked="" type="checkbox"/> A6013 Fraud (no contract)	①, 2., 3.
Professional Negligence (25)	<input type="checkbox"/> A6017 Legal Malpractice	1., 2., 3.
	<input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3.
Other (35)	<input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Employment	<input type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	<input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Breach of Contract/ Warranty (06) (not insurance)		<input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)
	<input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence)	2., 5.
	<input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud)	1., 2., 5.
	<input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	1., 2., 5.
Contract	<input type="checkbox"/> A6002 Collections Case-Seller Plaintiff	2., 5., 6.
	<input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5.
Insurance Coverage (18)	<input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
Other Contract (37)	<input type="checkbox"/> A6009 Contractual Fraud	1., 2., 3., 5.
	<input type="checkbox"/> A6031 Tortious Interference	1., 2., 3., 5.
	<input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 8.
Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> A7300 Eminent Domain/Condemnation      Number of parcels _____	2.
Wrongful Eviction (33)	<input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
Other Real Property (26)	<input type="checkbox"/> A6018 Mortgage Foreclosure	2., 6.
	<input type="checkbox"/> A6032 Quiet Title	2., 6.
	<input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6.
Unlawful Detainer-Commercial (31)	<input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Residential (32)	<input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer-Post-Foreclosure (34)	<input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
Unlawful Detainer-Drugs (38)	<input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

Non-Personal Injury/ Property  
Damage/ Wrongful Death Tort

Employment

Contract

Real Property

Unlawful Detainer

7 102 / 21 / 00



	<b>A</b> Civil Case Cover Sheet Category No.	<b>B</b> Type of Action (Check only one)	<b>C</b> Applicable Reasons - See Step 3 Above
<b>Judicial Review</b>	Asset Forfeiture (05)	<input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.
	Petition re Arbitration (11)	<input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.
	Writ of Mandate (02)	<input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.
	Other Judicial Review (39)	<input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.
<b>Provisionally Complex Litigation</b>	Antitrust/Trade Regulation (03)	<input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.
	Construction Defect (10)	<input type="checkbox"/> A6007 Construction Defect	1., 2., 3.
	Claims Involving Mass Tort (40)	<input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.
	Securities Litigation (28)	<input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.
	Toxic Tort Environmental (30)	<input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.
<b>Enforcement of Judgment</b>	Enforcement of Judgment (20)	<input type="checkbox"/> A6141 Sister State Judgment	2., 9.
		<input type="checkbox"/> A6160 Abstract of Judgment	2., 6.
		<input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations)	2., 9.
		<input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes)	2., 8.
		<input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax	2., 8.
		<input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 8., 9.
<b>Miscellaneous Civil Complaints</b>	RICO (27)	<input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.
	Other Complaints (Not Specified Above) (42)	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex)	1., 2., 8.
	<input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8.	
<b>Miscellaneous Civil Petitions</b>	Partnership Corporation Governance (21)	<input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.
	Other Petitions (Not Specified Above) (43)	<input type="checkbox"/> A6121 Civil Harassment	2., 3., 9.
<input type="checkbox"/> A6123 Workplace Harassment		2., 3., 9.	
<input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case		2., 3., 9.	
<input type="checkbox"/> A6190 Election Contest		2.	
<input type="checkbox"/> A6110 Petition for Change of Name		2., 7.	
<input type="checkbox"/> A6170 Petition for Relief from Late Claim Law		2., 3., 4., 8.	
<input type="checkbox"/> A6100 Other Civil Petition		2., 9.	

SHORT TITLE:

SEROVA V. SONY MUSIC

CASE NUMBER

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.

1.  2.  3.  4.  5.  6.  7.  8.  9.  10.

ADDRESS:

9830 Wilshire Blvd.

CITY:

Beverly Hills

STATE:

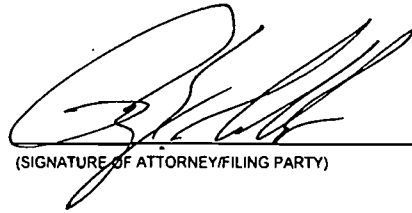
CA

ZIP CODE:

90212

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: 6/12/2014



(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

06/12/2014