

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Alan S. Gutman, SBN 128514
Matthew E. Hess, SBN 214732
LAW OFFICES OF ALAN S. GUTMAN
9401 Wilshire Boulevard, Suite 575
Beverly Hills, CA 90212-2918
Telephone: 310-385-0700
Facsimile: 310-385-0710
email: alangutman@gutmanlaw.com
email: mhess@gutmanlaw.com

FILED
2008 JAN 11 PM 5:10
CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

Attorneys for Plaintiffs GLOBUS MUSIC, INC., YOAV GOREN,
JEFFREY FAYMAN, IMPERATIVA and FAYMAN FORTUNA

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

GLOBUS MUSIC, INC., YOAV
GOREN, JEFFREY FAYMAN,
IMPERATIVA and FAYMAN
FORTUNA,

Plaintiffs,

vs.

MILLENNIUM FILMS, INC., NU
IMAGE, INC.,

Defendants.

Case Number **CV08-00205**

**COMPLAINT FOR DAMAGES
AND INJUNCTIVE RELIEF FOR
COPYRIGHT INFRINGEMENT**

DEMAND FOR JURY TRIAL

JFW
(SSx)

Plaintiffs allege as follows:

JURISDICTION

1. This is a copyright infringement action. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338. Plaintiffs seeks injunctive relief, actual damages (or statutory damages at Plaintiffs' election pursuant to 17 U.S.C. § 504(c)(1)), costs and attorney's fees, for the willful infringement of the musical composition and sound recording "Preliator."

VENUE

2. Venue in this judicial district is proper under 28 U.S.C. § 1400(a) as both Defendants may be found in this district and Plaintiffs' principal place

1 of business is in this district.

2 **THE PARTIES**

3 3. Plaintiff Globus Music, Inc. ("Globus") is a California corporation
4 with its principal place of business in the County of Los Angeles, State of
5 California, and is the owner of the copyright to the sound recording that is the
6 subject of this lawsuit which has been infringed by the Defendants herein.

7 4. Plaintiff Yoav Goren ("Goren") is an individual residing in the
8 County of Los Angeles, State of California, and is one of the co-writers and
9 a co-owner of the copyright to the musical composition that is the subject of
10 this lawsuit which has been infringed by the Defendants herein.

11 5. Plaintiff Jeffrey Fayman ("Fayman") is an individual residing in the
12 County of Los Angeles, State of California, and is one of the co-writers and
13 a co-owner of the copyright to the musical composition that is the subject of
14 this lawsuit which has been infringed by the Defendants herein.

15 6. Plaintiff Imperativa is one of the publishing designees with an
16 interest in the musical composition that is the subject of this lawsuit which has
17 been infringed by the Defendants herein.

18 7. Plaintiff Fayman Fortuna is one of the publishing designees with
19 an interest in the musical composition that is the subject of this lawsuit which
20 has been infringed by the Defendants herein.

21 8. Plaintiff is informed and believes and on that basis alleges that
22 Defendant Millennium Films, Inc. ("Millennium") is a Delaware corporation with
23 its principal place of business in the County of Los Angeles, State of
24 California.

25 9. Plaintiff is informed and believes and on that basis alleges that
26 Defendant Nu Image, Inc. ("Nu Image") is a California corporation with its
27 principal place of business in the County of Los Angeles, State of California.

28 //

1 **FIRST CLAIM FOR RELIEF**
2 **COPYRIGHT INFRINGEMENT**
3 **BY PLAINTIFF GLOBUS**
4 **AGAINST ALL DEFENDANTS**

5 10. Plaintiffs reallege and incorporate by reference all allegations
6 contained in paragraphs 1 through 9 as though said allegations were set forth
7 in their entirety herein.

8 11. Plaintiff Globus is the owner of the copyright in and to the sound
9 recording entitled "Preliator" from the commercial CD "Epicon" by the artist
10 Globus.

11 12. Sometime within the past three years, Defendants and each of
12 them used the sound recording of "Preliator" without authorization in a trailer
13 for the motion picture "Hero Wanted" and featured that trailer on their website
14 for some undetermined period of time. Plaintiff is informed and believes and
15 thereon alleges that said Defendants also used the sound recording at issue
16 herein in other forum other than their website in attempting to garner interest
17 and sales of their motion picture.

18 13. Plaintiff Globus has duly complied with all required provisions of
19 the copyright laws of the United States applicable to the sound recording,
20 including but not limited to, duly registering and receiving a copyright in and
21 to the sound recording with the United States Copyright Office.

22 14. Defendants infringed Plaintiffs' copyright in the sound recording
23 by using the sound recording without authorization.

24 15. In undertaking the conduct complained of in this action,
25 Defendants knowingly and intentionally violated Plaintiff's rights.

26 16. Based upon the Defendants' willful infringement, Plaintiff is
27 entitled to actual damages (or may hereafter elect statutory damages).
28 Plaintiff is also entitled to an award of attorney's fees and costs.

1 17. The amount of actual damages shall be proven at the time of trial.

2 18. Additionally, Defendants have caused and continue to cause great
3 injury to Plaintiff, which damage cannot be accurately computed, and unless
4 this Court restrains these Defendants from further infringements, Plaintiff will
5 suffer irreparable injury, for which there is no adequate remedy at law.

6 **SECOND CLAIM FOR RELIEF**

7 **COPYRIGHT INFRINGEMENT**

8 **BY PLAINTIFFS**

9 **GOREN, FAYMAN, IMPERATIVA and FAYMAN FORTUNA**

10 **AGAINST ALL DEFENDANTS**

11 19. Plaintiffs reallege and incorporate by reference all allegations
12 contained in paragraphs 1 through 9 as though said allegations were set forth
13 in their entirety herein.

14 20. Plaintiffs Goren, Fayman, Imperativa and Fayman Fortuna are the
15 owners of the copyright in and to the musical composition entitled "Preliator"
16 from the commercial CD "Epicon" by the artist Globus.

17 21. Sometime within the past three years, Defendants and each of
18 them used the musical composition "Preliator" without authorization in a trailer
19 for the motion picture "Hero Wanted" and featured that trailer on their website
20 for some undetermined period of time. Plaintiff is informed and believes and
21 thereon alleges that said Defendants also used the musical composition at
22 issue herein in other forum other than their website in attempting to garner
23 interest and sales of their motion picture.

24 22. Plaintiffs have duly complied with all required provisions of the
25 copyright laws of the United States applicable to the musical composition,
26 including but not limited to, duly registering and receiving a copyright in and
27 to the musical composition with the United States Copyright Office.

28 23. Defendants infringed Plaintiffs' copyright in the musical

1 composition by using the musical composition without authorization.

2 24. In undertaking the conduct complained of in this action,
3 Defendants knowingly and intentionally violated Plaintiffs' rights.

4 25. Based upon the Defendants' willful infringement, Plaintiffs are
5 entitled to actual damages (or may hereafter elect statutory damages).
6 Plaintiffs are also entitled to an award of attorney's fees and costs.

7 26. The amount of actual damages shall be proven at the time of trial.

8 27. Additionally, Defendants have caused and continue to cause great
9 injury to Plaintiffs, which damage cannot be accurately computed, and unless
10 this Court restrains these Defendants from further infringements, Plaintiffs will
11 suffer irreparable injury, for which there is no adequate remedy at law.

12

13 WHEREFORE, Plaintiffs pray as follows:

14 1. That Defendants and all persons acting under the direction,
15 control, permission or authority of said Defendants be permanently enjoined
16 and restrained from using the copyrighted sound recording and musical
17 composition and from causing or permitting said copyrighted musical
18 composition and sound recording to be sold, distributed, broadcast or
19 disseminated in connection with any broadcast or other means of
20 dissemination used by Defendants.

21 2. That Defendants be ordered to pay Plaintiffs' actual damages in
22 an amount to be proven at the time of trial. Alternatively, in the event such an
23 election is made by Plaintiffs, that said Defendants be ordered to pay
24 statutory damages as specified in 17 U.S.C. § 504(c)(1) for willful
25 infringement. Plaintiffs reserve the right to elect between statutory and actual
26 damages as such election is permitted under 17 U.S.C. § 504.

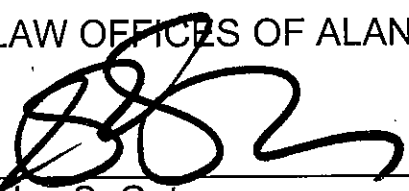
27 3. That Defendants be ordered to pay the Plaintiffs' costs and
28 attorney's fees.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

4. For such other and further relief as this Court may deem just and proper.

Dated: January 10 2008

LAW OFFICES OF ALAN S. GUTMAN

By: 

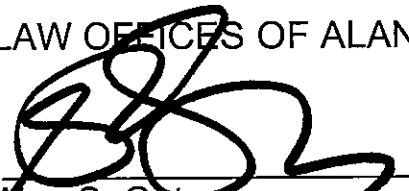
Alan S. Gutman
Attorneys for Plaintiffs GLOBUS MUSIC, INC., YOAV GOREN, JEFFREY FAYMAN, IMPERATIVA and FAYMAN FORTUNA

DEMAND FOR JURY TRIAL

Plaintiffs hereby demand trial by jury.

Dated: January 10 2008

LAW OFFICES OF ALAN S. GUTMAN

By: 

Alan S. Gutman
Attorneys for Plaintiffs GLOBUS MUSIC, INC., YOAV GOREN, JEFFREY FAYMAN, IMPERATIVA and FAYMAN FORTUNA

Alan S. Gutman, SBN 128514
LAW OFFICES OF ALAN S. GUTMAN
9401 Wilshire Blvd., Ste. 575
Beverly Hills, CA 90212-2918
Tel: 310-385-0700

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

GLOBUS MUSIC, INC., YOAV GOREN, JEFFREY
FAYMAN, IMPERATIVA an FAYMAN FORTUNA
PLAINTIFF(S)

CASE NUMBER

FCV08-00205 JFW (SSX)

v.

MILLENNIUM FILMS, INC., NU IMAGE, INC.

SUMMONS

DEFENDANT(S).

TO: DEFENDANT(S): MILLENNIUM FILMS, INC., NU IMAGE, INC.

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Alan S. Gutman, whose address is 9401 Wilshire Blvd., Ste. 575, Beverly Hills, CA 90212-2918. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

LA'REE HORN

By: _____

Deputy Clerk

Dated: JAN 11 2008

(Seal of the Court)



[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

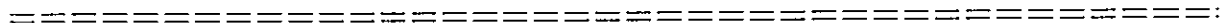
This case has been assigned to District Judge John F. Walter and the assigned discovery Magistrate Judge is Suzanne H. Segal.

The case number on all documents filed with the Court should read as follows:

CV08 - 205 JFW (SSx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge



NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

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

<p>I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) GLOBUS MUSIC, INC., YOAV GOREN, JEFFREY FAYMAN, IMPERATIVA and FAYMAN FORTUNA</p>	<p>DEFENDANTS MILLENNIUM FILMS, INC., NU IMAGE, INC.</p>
<p>(b) County of Residence of First Listed Plaintiff (Except in U.S. Plaintiff Cases): LOS ANGELES</p>	<p>County of Residence of First Listed Defendant (In U.S. Plaintiff Cases Only): LOS ANGELES</p>
<p>(c) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Alan S. Gutman, SBN 128514 TEL: 310-385-0700 Matthew E. Hess, SBN 214732 LAW OFFICES OF ALAN S. GUTMAN 9401 Wilshire Boulevard, Suite 575 Beverly Hills, CA 90212-2918</p>	<p>Attorneys (If Known) UNKNOWN</p>

<p>II. BASIS OF JURISDICTION (Place an X in one box only.)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)</p> <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	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
	PTF	DEF		PTF	DEF																				
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 7 Appeal to District Judge from Magistrate Judge

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

CLASS ACTION under F.R.C.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT:** \$ PER 17 USC 504(c)

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 USC 101 et seq; Copyright Infringement

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

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities /Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<p style="text-align: center;">PERSONAL INJURY</p> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<p style="text-align: center;">PERSONAL PROPERTY</p> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <p style="text-align: center;">BANKRUPTCY</p> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <p style="text-align: center;">CIVIL RIGHTS</p> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <p style="text-align: center;">FORFEITURE/PENALTY</p> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <p style="text-align: center;">PROPERTY RIGHTS</p> <input checked="" type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <p style="text-align: center;">SOCIAL SECURITY</p> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DWWC/DIWW (405(g)) <input type="checkbox"/> 864 SSD Title XVI <input type="checkbox"/> 865 RSI (405(g)) <p style="text-align: center;">FEDERAL TAX SUITS</p> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

VIII(a). IDENTICAL CASES: Has this action been previously filed and dismissed, remanded or closed? No Yes

If yes, list case number(s):

FOR OFFICE USE ONLY: Case Number: _____

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

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

VIII(b). RELATED CASES: Have any cases been previously filed 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.

IX. VENUE: List the California County, or State if other than California, in which EACH named plaintiff resides (Use an additional sheet if necessary)

Check here if the U.S. government, its agencies or employees is a named plaintiff.

LOS ANGELES

List the California County, or State if other than California, in which EACH named defendant resides. (Use an additional sheet if necessary).

Check here if the U.S. government, its agencies or employees is a named defendant.

LOS ANGELES

List the California County, or State if other than California, in which EACH claim arose. (Use an additional sheet if necessary)

Note: In land condemnation cases, use the location of the tract of land involved.

LOS ANGELES

X. SIGNATURE OF ATTORNEY (OR PRO PER):  ALAN S GUTMAN Date JANUARY 10, 2008

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. (g))