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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

FILED

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FOR THE DISTRICT
OF INDIANA

BROADCAST MUSIC, INC.; ABKCO)
MUSIC, INC.; EMI VIRGIN SONGS,)
INC.; THE END OF MUSIC, LLC)
d/b/a THE END OF MUSIC; SONGS)
OF UNIVERSAL, INC.; EMI VIRGIN)
SONGS, INC. d/b/a EMI)
LONGITUDE MUSIC; RONDOR MUSIC)
INTERNATIONAL, INC. d/b/a)
IRVING MUSIC; SONY/ATV SONGS)
LLC; KINGS ROAD MUSIC; BREW)
MUSIC COMPANY; ESCATAWPA)
SONGS,)

Plaintiffs,)

v.)

STAMPER PROPERTIES, INC. d/b/a)
ROADHOUSE BAR & GRILL; and)
R. BRUCE STAMPER,)
individually,)

Defendants.)

2 13 CV 435

CIVIL ACTION NO.:

VERIFIED COMPLAINT

Plaintiffs, by their attorneys, for their Complaint against Defendants, allege as follows (on knowledge as to Plaintiffs; otherwise on information and belief):

JURISDICTION AND VENUE

1. This is a suit for copyright infringement under the United States Copyright Act of 1976, as amended, 17 U.S.C. Sections 101 et seq. (the "Copyright Act"). This Court has jurisdiction pursuant to 28 U.S.C. Section 1338(a).

2. Venue is proper in this judicial district pursuant to 28 U.S.C. Section 1400(a).

THE PARTIES

3. Plaintiff Broadcast Music, Inc. ("BMI") is a corporation organized and existing under the laws of the State of New York. BMI's principal place of business is 7 World Trade Center, 250 Greenwich Street, New York, New York 10007. BMI has been granted the right to license the public performance rights in approximately 7.5 million copyrighted musical compositions (the "BMI Repertoire"), including those which are alleged herein to have been infringed.

4. The Plaintiffs other than BMI are the owners of the copyrights in the musical compositions, which are the subject of this lawsuit. All Plaintiffs are joined pursuant to Fed. R. Civ. P. 17(a) and 19(a).

5. Plaintiff Abkco Music, Inc. is a corporation. This Plaintiff is the copyright owner of at least one of the songs in this matter.

6. Plaintiff Rondor EMI Virgin Songs, Inc. is a corporation. This Plaintiff is the copyright owner of at least one of the songs in this matter.

7. Plaintiff Rondor The End of Music, LLC is a limited liability company d/b/a The End of Music. This Plaintiff is the copyright owner of at least one of the songs in this matter.

8. Plaintiff Songs of Universal, Inc. is a corporation. This Plaintiff is the copyright owner of at least one of the songs in this matter.

9. Plaintiff EMI Virgin Songs, Inc. is a corporation d/b/a EMI Longitude Music. This Plaintiff is the copyright owner of at least one of the songs in this matter.

10. Plaintiff Rondor Music International, Inc. is a corporation d/b/a Irving Music. This Plaintiff is the copyright owner of at least one of the songs in this matter.

11. Plaintiff Sony/ATV Songs LLC is a limited liability company. This Plaintiff is the copyright owner of at least one of the songs in this matter.

12. Plaintiff Kings Road Music is a sole proprietorship owned by Philip H. Gillin. This Plaintiff is the copyright owner of at least one of the songs in this matter.

13. Plaintiff Brew Music Company is a sole proprietorship owned by Donald G. Brewer. This Plaintiff is the copyright owner of at least one of the songs in this matter.

14. Plaintiff Escatawpa Songs is a partnership owned by Bradley Kirk Arnold, Robert Todd Harrell, Matthew Darrick Roberts and Christopher Lee Henderson. This Plaintiff is the copyright owner of at least one of the songs in this matter.

15. Defendant Stamper Properties, Inc. is a corporation organized and existing under the laws of the state of Indiana, which operates, maintains and controls an establishment known as Roadhouse Bar & Grill, located at 4 West US Highway 6, Valparaiso, Indiana 46385, in this district (the "Establishment").

16. In connection with the operation of the Establishment, Defendant Stamper Properties, Inc. publicly performs musical compositions and/or causes musical compositions to be publicly performed.

17. Defendant Stamper Properties, Inc. has a direct financial interest in the Establishment.

18. Defendant R. Bruce Stamper is the President of Defendant Stamper Properties, Inc. with responsibility for the operation and management of that corporation and the Establishment.

19. Defendant R. Bruce Stamper has the right and ability to supervise the activities of Defendant Stamper Properties, Inc. and a direct financial interest in that corporation and the Establishment.

CLAIMS OF COPYRIGHT INFRINGEMENT

20. Plaintiffs repeat and reallege each of the allegations contained in paragraphs 1 through 19.

21. Plaintiffs allege ten (10) claims of willful copyright infringement, based upon Defendants' unauthorized public performance of musical compositions from the BMI Repertoire. All of the claims for copyright infringement joined in this Complaint are governed by the same legal rules and involve similar facts. Joinder of these claims will promote the convenient administration of justice and will avoid a multiplicity of separate, similar actions against Defendants.

22. Annexed to this Complaint as a schedule (the "Schedule") and incorporated herein is a list identifying some of the many musical compositions whose copyrights were infringed by Defendants. The Schedule contains information on the ten (10) claims of copyright infringement at issue in this action. Each numbered claim has the following eight lines of information (all references to "Lines" are lines on the Schedule): Line 1 providing the claim number; Line 2 listing the title of the musical composition related to that claim; Line 3 identifying the writer(s) of the musical composition; Line 4 identifying the publisher(s) of the musical composition and the plaintiff(s) in this action pursuing the claim at issue; Line 5 providing the date on which the copyright registration was issued for the musical composition; Line 6 indicating the copyright registration number(s) for the musical composition; Line 7 showing the date(s) of infringement; and Line 8 identifying the Establishment where the infringement occurred.

23. For each musical composition identified on the Schedule, the person(s) named on Line 3 was the creator of that musical composition.

24. For each work identified on the Schedule, on or about the date(s) indicated on Line 5, the publisher(s) named on Line 4 (including any predecessors in interest), complied in all respects

with the requirements of the Copyright Act and received from the Register of Copyrights Certificates of Registration bearing the number(s) listed on Line 6.

25. For each work identified on the Schedule, on the date(s) listed on Line 7, Plaintiff BMI was (and still is) the licensor of the public performance rights in the musical composition identified on Line 2. For each work identified on the Schedule, on the date(s) listed on Line 7, the Plaintiff(s) listed on Line 4 was (and still is) the owner of the copyright in the respective musical composition listed on Line 2.

26. For each work identified on the Schedule, on the date(s) listed on Line 7, Defendants publicly performed and/or caused to be publicly performed at the Establishment the musical composition identified on Line 2 without a license or permission to do so. Thus, Defendants have committed copyright infringement.

27. The specific acts of copyright infringement alleged in the Complaint, as well as Defendants' entire course of conduct, have caused and are causing Plaintiffs great and incalculable damage. By continuing to provide unauthorized public performances of works in the BMI Repertoire at the Establishment, Defendants threaten to continue committing copyright infringement. Unless this Court restrains Defendants from committing further acts of copyright infringement, Plaintiffs will suffer irreparable injury for which they have no adequate remedy at law.

WHEREFORE, Plaintiffs pray that:

(I) Defendants, their agents, servants, employees, and all persons acting under their permission and authority, be enjoined and restrained from infringing, in any manner, the copyrighted musical compositions licensed by BMI, pursuant to 17 U.S.C. Section 502;

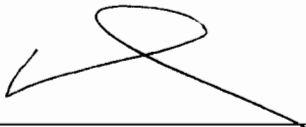
(II) Defendants be ordered to pay statutory damages, pursuant to 17 U.S.C. Section 504(c);

(III) Defendants be ordered to pay costs, including a reasonable attorney's fee, pursuant to 17 U.S.C. Section 505; and

(IV) Plaintiffs have such other and further relief as is just and equitable.

Dated: November 26, 2013

By: _____



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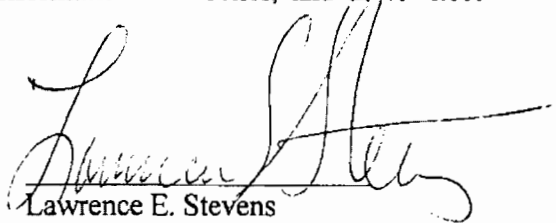
Attorney for Plaintiffs

VERIFICATION

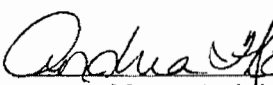
STATE OF TENNESSEE)
) ss.:
COUNTY OF DAVIDSON)

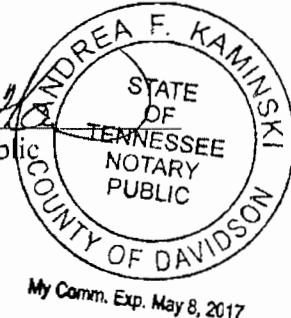
Lawrence E. Stevens, being duly sworn, deposes and says:

I am an Assistant Vice President, Licensing, for Plaintiff Broadcast Music, Inc. I have read the foregoing Verified Complaint and know the contents thereof; the same is true to my knowledge, except as to matters therein stated to be alleged upon information and belief, and as to those matters, I believe them to be true.


Lawrence E. Stevens

Sworn to before me this
19th day of November 2013.


Notary Public



Schedule

Line 1	Claim No.	1
Line 2	Musical Composition	Bitch
Line 3	Writer(s)	Mick Jagger; Keith Richard
Line 4	Publisher Plaintiff(s)	Abkco Music, Inc.
Line 5	Date(s) of Registration	8/9/71
Line 6	Registration No(s).	Ep 289675
Line 7	Date(s) of Infringement	10/5/2013
Line 8	Place of Infringement	Roadhouse Bar & Grill

Line 1	Claim No.	2
Line 2	Musical Composition	Brown Sugar
Line 3	Writer(s)	Mick Jagger; Keith Richard
Line 4	Publisher Plaintiff(s)	Abkco Music, Inc.
Line 5	Date(s) of Registration	2/23/71 8/9/71
Line 6	Registration No(s).	Eu 235987 Ep 289673
Line 7	Date(s) of Infringement	10/5/2013
Line 8	Place of Infringement	Roadhouse Bar & Grill

Line 1	Claim No.	3
Line 2	Musical Composition	Come As You Are
Line 3	Writer(s)	Kurt Cobain; Chris Novoselic; David Grohl
Line 4	Publisher Plaintiff(s)	EMI Virgin Songs, Inc.; The End Of Music, LLC dba The End of Music
Line 5	Date(s) of Registration	10/8/91
Line 6	Registration No(s).	PA 541-270
Line 7	Date(s) of Infringement	10/5/2013
Line 8	Place of Infringement	Roadhouse Bar & Grill

Line 1	Claim No.	4
Line 2	Musical Composition	Gimme Three Steps
Line 3	Writer(s)	Allen Collins; Ronnie Van Zant
Line 4	Publisher Plaintiff(s)	Songs of Universal, Inc.; EMI Virgin Songs, Inc. d/b/a EMI Longitude Music
Line 5	Date(s) of Registration	10/1/73 4/6/77
Line 6	Registration No(s).	Eu 448562 Ep 372687
Line 7	Date(s) of Infringement	10/6/2013
Line 8	Place of Infringement	Roadhouse Bar & Grill

Line 1	Claim No.	5
Line 2	Musical Composition	Hard To Handle
Line 3	Writer(s)	Alvertis Isbell; Allen Jones; Otis Redding
Line 4	Publisher Plaintiff(s)	Rondor Music International, Inc. d/b/a Irving Music
Line 5	Date(s) of Registration	6/13/68 12/13/68
Line 6	Registration No(s).	Eu 58360 Ep 254414
Line 7	Date(s) of Infringement	10/5/2013
Line 8	Place of Infringement	Roadhouse Bar & Grill

Line 1	Claim No.	6
Line 2	Musical Composition	Honky Tonk Women
Line 3	Writer(s)	Mick Jagger; Keith Richard
Line 4	Publisher Plaintiff(s)	Abkco Music, Inc.
Line 5	Date(s) of Registration	7/6/70 7/10/69
Line 6	Registration No(s).	Ep 274903 Eu 125715
Line 7	Date(s) of Infringement	10/6/2013
Line 8	Place of Infringement	Roadhouse Bar & Grill

Line 1	Claim No.	7
Line 2	Musical Composition	Hush
Line 3	Writer(s)	Joe South
Line 4	Publisher Plaintiff(s)	Sony/ATV Songs LLC
Line 5	Date(s) of Registration	7/31/67
Line 6	Registration No(s).	Eu 7444
Line 7	Date(s) of Infringement	10/6/2013
Line 8	Place of Infringement	Roadhouse Bar & Grill

Line 1	Claim No.	8
Line 2	Musical Composition	Magic Carpet Ride
Line 3	Writer(s)	John Kay; Rushton Moreve
Line 4	Publisher Plaintiff(s)	Songs of Universal, Inc; Philip H. Gillin, an individual d/b/a Kings Road Music
Line 5	Date(s) of Registration	10/21/68
Line 6	Registration No(s).	Eu 83717
Line 7	Date(s) of Infringement	10/5/2013
Line 8	Place of Infringement	Roadhouse Bar & Grill

Line 1	Claim No.	9
Line 2	Musical Composition	We're An American Band
Line 3	Writer(s)	Don Brewer
Line 4	Publisher Plaintiff(s)	Donald G. Brewer, an individual d/b/a Brew Music Company
Line 5	Date(s) of Registration	7/13/73
Line 6	Registration No(s).	Eu 418975
Line 7	Date(s) of Infringement	10/6/2013
Line 8	Place of Infringement	Roadhouse Bar & Grill

Line 1	Claim No.	10
Line 2	Musical Composition	Landing In London
Line 3	Writer(s)	Brad Arnold; Robert Harrell; Christopher Henderson; Matthew Roberts
Line 4	Publisher Plaintiff(s)	Songs of Universal, Inc.; Bradley Kirk Arnold, Robert Todd Harrell, Matthew Darick Roberts and Christopher Lee Henderson, a partnership d/b/a Escatawpa Songs
Line 5	Date(s) of Registration	3/10/05
Line 6	Registration No(s).	PA 1-270-160
Line 7	Date(s) of Infringement	10/6/2013
Line 8	Place of Infringement	Roadhouse Bar & Grill
