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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION**

**G & G CLOSED CIRCUIT EVENTS, LLC,**

**Case No. 3:14-cv-1884**

**Plaintiff,**

**COMPLAINT FOR DAMAGES**

**vs.**

**DESIGNATION: PROPERTY RIGHTS**

**JUAN C. AGUIRRE, INDIVIDUALLY AND D/B/A  
TAQUERIA LOS GALLOS, BEATRIZ ZARATE,  
INDIVIDUALLY AND D/B/A TAQUERIA LOS  
GALLOS, GRACIELA VALLES, INDIVIDUALLY  
AND D/B/A TAQUERIA LOS GALLOS, AND  
TAQUERIA LOS GALLOS, INC., AN UNKNOWN  
BUSINESS ENTITY, D/B/A TAQUERIA LOS  
GALLOS,**

**Defendants.**

**PLAINTIFF ALLEGES:**

**JURISDICTION**

1. Jurisdiction is founded on the existence of a question arising under particular statutes. This action is brought pursuant to several federal statutes, including the Communications Act of 1934, as amended, Title 47 U.S.C. 605, *et seq.*, and The Cable & Television Consumer Protection and Competition Act of 1992, as amended, Title 47 U.S. Section 553, *et seq.*

2. This Court has jurisdiction of the subject matter of this action pursuant to 28 U.S.C. Section 1331, which states that the district courts shall original jurisdiction of all civil actions arising under the Constitution, laws, or treaties, of the United States.

3. This Court has personal jurisdiction over the parties in this action as a result of the Defendants wrongful acts hereinafter complained of which violated the Plaintiff's rights as the exclusive commercial domestic distributor of the televised fight program hereinafter set forth at length. The

1 Defendants' wrongful acts consisted of the interception, publication, and tortious conversion of said  
2 property of Plaintiff within the control of the Plaintiff in the State of Indiana.

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4 **VENUE**

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6 4. Pursuant to Title 47 U.S.C. Section 605, venue is proper in the Northern District of Indiana  
7 because a substantial part of the events or omissions giving rise to the claim occurred in this District.

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9 **THE PARTIES**

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11 5. The Plaintiff, G & G Closed Circuit Events, LLC is, and at all relevant times mentioned was, a  
12 California corporation with its principal place of business located at 2380 South Bascom Avenue, Suite  
13 200, Campbell, California 95008.

14  
15 6. Plaintiff is informed and believes, and alleges thereon that defendant, Juan C. Aguirre, is an  
16 owner, and/or operator, and/or licensee, and/or permittee, and/or person in charge, and/or an individual  
17 with dominion, control, oversight and management of the commercial establishment doing business as  
18 Taqueria Los Gallos operating at 800 West Market Street, Logansport, Indiana 46947.

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20 7. Plaintiff is informed and believes, and alleges thereon that defendant, Taqueria Los Gallos,  
21 Inc., is an owner, and/or operator, and/or licensee, and/or permittee, and/or person in charge, and/or an  
22 individual with dominion, control, oversight and management of the commercial establishment doing  
23 business as Taqueria Los Gallos operating at 800 West Market Street, Logansport, Indiana 46947.

24 **COUNT I**

25 **(Violation of Title 47 U.S.C. Section 605)**

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27 8. Plaintiff G & G Closed Circuit Events, LLC, hereby incorporates by reference all of the  
28 allegations contained in paragraphs 1-7, inclusive, as though set forth herein at length.

1 9. By contract, Plaintiff G & G Closed Circuit Events, LLC, paid for and was thereafter granted  
2 the exclusive nationwide television distribution rights to "*Knockout Kings*": *Canelo Alvarez v. Josesito*  
3 *Lopez Championship Fight Program*, telecast nationwide which took place on Saturday, September  
4 15, 2012 (this included all under-card bouts and fight commentary encompassed in the television  
5 broadcast of the event, hereinafter referred to as the "Program").

6  
7 10. Pursuant to contract, Plaintiff G & G Closed Circuit Events, LLC, entered into subsequent  
8 sublicensing agreements with various commercial entities throughout North America, including  
9 entities within the State of Indiana, by which it granted these entities limited sublicensing rights,  
10 specifically the rights to publicly exhibit the Program to the patrons within their respective  
11 establishments (i.e., hotels, racetracks, casinos, bars, taverns, restaurants, social clubs, etc.)

12 11. As a commercial distributor of sporting events, including the Program, Plaintiff G & G Closed  
13 Circuit Events, LLC, expended substantial monies marketing, advertising, promoting, administering,  
14 and transmitting the Program to its customers, the aforementioned commercial entities.

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16 12. With full knowledge that the Program was not to be intercepted, received and exhibited by  
17 entities unauthorized to do so, each and every of the above named defendants and/or their agents,  
18 servants, workmen or employees did unlawfully publish, divulge and exhibit the Program at the time  
19 of its transmission at their Logansport, Indiana location (800 West Market Street, Logansport, Indiana  
20 46947). Said unauthorized interception, publication, exhibition and divulgence by each of the  
21 defendants was done willfully and for purposes of direct or indirect commercial advantage or private  
22 financial gain.

23 13. Title 47 U.S.C. Section 605, *et seq.*, prohibits the unauthorized publication or use of  
24 communications (such as the transmission for which Plaintiff G & G Closed Circuit Events, LLC, had  
25 the distribution rights thereto).

26  
27 14. By reason of the aforesaid mentioned conduct, the aforementioned defendants, and each of  
28 them, violated Title 47 U.S.C. Section 605, *et seq.*

1 15. By reason of the defendants' violation of Title 47 U.S.C. Section 605, *et seq.*, Plaintiff G & G  
2 Closed Circuit Events, LLC, has the private right of action pursuant to Title 47 U.S.C. Section 605.

3 16. As the result of the aforementioned defendants' violation of Title 47 U.S.C. Section 605, and  
4 pursuant to said Section 605, Plaintiff G & G Closed Circuit Events, LLC, is entitled to the following  
5 from each defendant:

- 6 (a) Statutory damages for each willful violation in an amount to  
7 \$100,000.00 pursuant to Title 47 U.S.C. 605(e)(3)(C)(ii), and also  
8  
9 (b) the recovery of full costs, including reasonable attorneys fees,  
10 pursuant to Title 47 U.S.C. Section 605(e)(3)(B)(iii).

11 **WHEREFORE, Plaintiff prays for judgment as set forth below.**

12  
13 **COUNT II**

14 **(Violation of Title 47 U.S.C. Section 553)**

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16 17. Plaintiff's hereby incorporates by reference all of the allegations contained in paragraphs 1-16,  
17 inclusive, as though set forth herein at length.

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19 18. The unauthorized interception, exhibition, publication, and divulgence of the Program by the  
20 above named defendants are prohibited by Title 47 U.S.C. Section 553 *et seq.*

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22 ///

23 19. By reason of the aforesaid mentioned conduct, the aforementioned defendants, and each of  
24 them, violated Title 47 U.S.C. Section 553, *et seq.*

25 20. By reason of the defendant's violation of Title 47 U.S.C. Section 553, *et seq.*, Plaintiff G & G  
26 Closed Circuit Events, LLC, has the private right of action pursuant to Title 47 U.S.C. Section 553.

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28 21. As the result of the aforementioned defendant's violation of Title 47 U.S.C. Section 553, and

1 pursuant to said Section 553, Plaintiff G & G Closed Circuit Events, LLC, is entitled to the following  
2 from each defendant:

- 3
- 4 (a) Statutory damages for each willful violation in an amount to  
5 \$50,000.00 pursuant to Title 47 U.S.C. 553 (b)(2) and also
- 6
- 7 (b) the recovery of full costs pursuant to Title 47 U.S.C. Section 553  
8 (c)(2)(C), and also
- 9
- 10 (c) and in the discretion of this Honorable Court, reasonable attorneys fees,  
11 pursuant to Title 47 U.S.C. Section 553 (c)(2)(C).

12 **WHEREFORE, Plaintiff prays for judgment as set forth below.**

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14 **COUNT III**

15 **(Conversion)**

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17 22. Plaintiff's hereby incorporates by reference all of the allegations contained in paragraphs 1-21,  
18 inclusive, as though set forth herein at length.

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20 23. By its acts as aforesaid in interception, exhibiting, publishing, and divulging the Program at the  
21 above-captioned address, the aforementioned defendants, tortuously obtained possession of the  
22 Program and wrongfully converted it to its own use and benefit.

23 24. The aforesaid acts of the defendants were willful, malicious, and intentionally designed to harm  
24 Plaintiff G & G Closed Circuit Events, LLC, and to subject said Plaintiff to economic distress.

25 25. Accordingly, Plaintiff G & G Closed Circuit Events, LLC, is entitled to both compensatory, as  
26 well  
27 as punitive damages, from aforementioned defendant as the result of the defendant's egregious conduct  
28 and conversion.

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**WHEREFORE, Plaintiff prays for judgment as set forth below.**

**As to the First Count:**

1. For statutory damages in the amount of \$100,000.00 against defendants, and each of them, and
2. For reasonable attorney fees pursuant to statute, and
3. For all costs of suit, including but not limited to filing fees, service of process fees, investigative costs, and
4. For such other and further relief as this Honorable Court may deem just and proper.

**As to the Second Count:**

1. For statutory damages in the amount of \$50,000.00 against defendants, and each of them, and;
2. For reasonable attorney fees as may be awarded in the Court's discretion pursuant to statute, and;
3. For all costs of suit, including but not limited to filing fees, service of process fees, investigative costs, and;
4. For such other and further relief as this Honorable Court may deem just and proper.

**As to the Third Count:**

1. For compensatory damages in an amount according to proof against defendants, and each of them and;
2. For reasonable attorney fees as may be awarded in the Court's discretion pursuant to statute, and;
3. For all costs of suit, including but not limited to filing fees, service of process fees, investigative costs, and;

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

Respectfully submitted,

Dated: September 11, 2014

/s/ Charlie W. Gordon  
**GREENE & COOPER LLP**  
By: Charlie W. Gordon  
Attorneys for Plaintiff  
G & G Closed Circuit Events, LLC

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