



5. Motion of Defendants EMI April Music, Inc., EMI Blackwood Music, Inc. and EMI Unart Catalog Music, Inc. to Strike or Dismiss Plaintiffs' Complaint (Docket No. 156);
6. Motion to Strike or Dismiss Plaintiffs' Complaint filed by Defendants listed in Exhibit A attached hereto (Docket No. 158);
7. Motion to Strike or Dismiss Plaintiffs' Complaint filed by Defendants listed in Exhibit A attached hereto (Docket No. 159);
8. The BMG Defendants' Alternative Motion to Sever (Docket No. 160);
9. Alternative Motion to Sever filed by Defendants Bad Boy Entertainment, Bad Boy Records, and Justin Combs Publishing (Docket No. 162);
10. The BMG Defendants' Alternative Motion to Dismiss Counts 481 and 482 of the Complaint for Failure to State a Claim (Docket No. 163);
11. Alternative Motion to Dismiss Counts 481 and 482 of the Complaint for Failure to State a Claim filed by Defendants Bad Boy Entertainment Inc. and Bad Boy Records (Docket No. 165);
12. DM Records, Inc.'s Motion to Strike or Dismiss Plaintiff's Complaint (Docket No. 170); and
13. Motion to Strike or Dismiss Plaintiffs' Complaint filed by Defendant McGuffin Music, Inc. (Docket No. 172).

Plaintiffs shall file a Response to the Motions in accordance with the deadlines established by Local Rule 8(b)(3). No reply brief shall be filed absent leave of Court.

The Clerk is directed to serve this Order on the Defendants who filed the above Motions, the Plaintiffs, and as directed in the Order (Docket No. 2) entered on May 8, 2001. The Clerk shall also post this Order on the Court's website (<http://www.tnmd.uscourts.gov/>).

IT IS SO ORDERED.

  
TODD J. CAMPBELL  
UNITED STATES DISTRICT JUDGE

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

**FILED**

U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TENN.

JUN 22 2001

DEPUTY CLERK

**BRIDGEPORT MUSIC, INC., SOUTHFIELD MUSIC,  
INC., WESTBOUND RECORDS, INC., and  
NINE RECORDS, INC.**

**Plaintiffs,**

**v.**

**11C MUSIC, et al.**

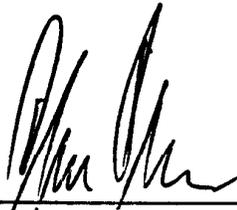
**Defendants.**

**No. 3:01-0412  
JURY DEMAND**

**Judge Campbell  
Magistrate Judge  
Brown**

**MOTION TO STRIKE OR DISMISS PLAINTIFFS' COMPLAINT**

Pursuant to Rules 8, 12(b)(2)-(5) and 12(f) of the Federal Rules of Civil Procedure, Defendant Warner/Chappell Music, Inc. (erroneously named in the Complaint as Warner-Chappell Music, Inc.) moves to strike or dismiss Plaintiffs' entire Complaint in this matter with prejudice, or, in the alternative, without prejudice. In support of this Motion, Defendant relies on the record in this case and the Memorandum in Support of Defendants' Motion to Strike or Dismiss Plaintiffs' Complaint filed on June 20, 2001, by certain Sony and AOL Time Warner Defendants and Defendant Justin Combs Publishing.



---

Jay S. Bowen  
John R. Jacobson  
Amy J. Everhart  
Chris L. Vlahos  
BOWEN RILEY WARNOCK & JACOBSON, PLC  
1906 West End Avenue  
Nashville, Tennessee 37203  
(615) 320-3700

Attorneys for Defendant Warner/Chappell Music, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via facsimile and U.S. Mail, postage prepaid, upon the following:

Richard S. Busch  
D'Lesli M. Davis  
KING & BALLOW  
1100 Union Street Plaza  
315 Union Street  
Nashville, Tennessee 37201

Joseph Della Maria  
ROTHCHILD, BARRY, & MYERS  
55 West Monroe Street, Suite 3900  
Chicago, Illinois 60603

This the 22<sup>nd</sup> day of June, 2001.



---

**FILED**   
U. S. DISTRICT COURT  
MIDDLE DISTRICT OF TENN.

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

JUN 25 2001

BY   
DEPUTY CLERK

BRIDGEPORT MUSIC, INC., *et al.*, )  
)  
Plaintiffs, )  
)  
v. )  
)  
11C MUSIC, *et al.*, )  
)  
Defendants. )

No. 3 01 0412  
JUDGE CAMPBELL  
MAGISTRATE JUDGE BROWN

**MOTION OF DEFENDANT BROADCAST MUSIC, INC.  
TO DISMISS PLAINTIFFS' CLAIMS PURSUANT TO  
FED. R. CIV. P. 12(b)(1) AND 12(b)(6) OR  
FOR SUMMARY JUDGMENT PURSUANT TO FED. R. CIV. P. 56  
AND PURSUANT TO THE FEDERAL ARBITRATION ACT**

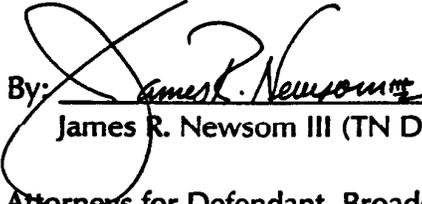
Comes now Defendant Broadcast Music, Inc. ("BMI"), by and through counsel, and moves that the Court dismiss the claims against it or summary judgment granted in favor of BMI in the above-styled proceeding pursuant to FED. R. CIV. P. 12(b) (1) and 12(b)(6) or FED. R. CIV. P. 56 on the basis that BMI had no prelitigation duty to escrow disputed royalties for the benefit of Bridgeport and no cognizable claim against BMI has been pleaded in the Complaint. Alternatively, the Bridgeport Agreement explicitly envisions submitting all "disputes of any kind, nature or description arising in connection with the terms and conditions of [the Bridgeport Agreement], or arising out of the performance thereof, or based upon an alleged breach thereof. . ." to arbitration in New York City. All of Plaintiffs' claims against BMI are subject to this broad arbitration clause. As a matter of law, this Court should dismiss the present action insofar as it pertains to BMI pursuant to FED. R. CIV. P. 12(b)(1) and

12(b)(6) (or 56) for lack of subject matter jurisdiction and for failure to state a claim against BMI upon which this Court has authority to grant relief.

BMI bases this Motion on the Affidavit of Judith M. Saffer, sworn to on June 19, 2001 and its memorandum of law in support of the Motion filed concurrently herewith.

Respectfully submitted,

HANOVER, WALSH, JALENAK & BLAIR, PLLC

By: 

James R. Newsom III (TN Disc. No. 6683)

Attorneys for Defendant, Broadcast Music, Inc.  
22 North Front Street, Fifth Floor  
Memphis, Tennessee 38103-2162  
(901) 526-0621

**Of Counsel:**

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Broadcast Music, Inc.  
320 West 57<sup>th</sup> Street  
New York, NY 10019  
(212) 830-2511

**Certificate of Service**

I hereby certify that a true and correct copy of the foregoing document has been mailed first class postage prepaid to

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45 Music Square, W  
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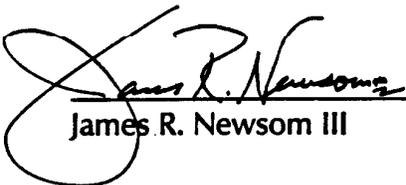
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Karen G. Kranbuehl, Esq.  
Field & Golan  
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Chicago, IL 60602

this 22<sup>nd</sup> day of June, 2001.

  
James R. Newsom III

IN THE UNITED STATES DISTRICT COURT  
 FOR THE MIDDLE DISTRICT OF TENNESSEE  
 NASHVILLE DIVISION

**FILED**  
 U.S. DISTRICT COURT  
 MIDDLE DISTRICT OF TENN  
 JUN 25 2001  
 BY [Signature]  
 DEPUTY CLERK

BRIDGEPORT MUSIC, INC., SOUTHFIELD MUSIC, INC., )  
 WESTBOUND RECORDS, INC., and NINE RECORDS, INC. )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 11C MUSIC, ET. AL. )  
 Defendants. )

No. 3:01-0412  
 JURY DEMAND  
 JUDGE  
 CAMPBELL

**DEFENDANTS' MOTION TO  
 STRIKE OR DISMISS PLAINTIFFS' COMPLAINT**

Defendants DreamWorks Records, LLC, Tommy Boy Music, T-Boy Music, LLC, T-Girl Music, LLC, and Chrysalis Music (the "DreamWorks," "Tommy Boy" and "Chrysalis" Defendants) move this Honorable Court, pursuant to Rule 8 of the Fed. R. Civ. P., for an order striking or dismissing Plaintiffs' Complaint because it is anything but a "short and plain statement of the claim." See Fed. R. Civ. P. 8(a). The grounds and supporting authority for the instant Motion are set out in the similar Motion and Supporting Memorandum of the BMG, Sony, Time Warner, and Palm Defendants, filed with this Court on June 20th, 2001 (the "BMG Motion"). The DreamWorks, Tommy Boy, and Chrysalis Defendants hereby join in the BMG Motion and incorporate all its provisions by reference in the instant Motion.

The DreamWorks, Tommy Boy and Chrysalis Defendants hereby respectfully request that their Motion be granted and that Plaintiffs' over-long and confusing Complaint be stricken or dismissed.

Respectfully Submitted,

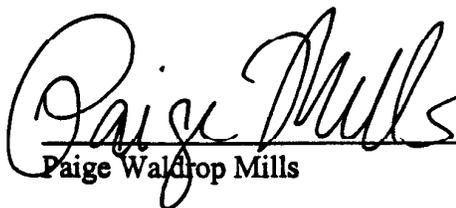


Paige Waldrop Mills  
Robin Mitchell Joyce  
WYATT, TARRANT & COMBS, LLP  
29 Music Square East  
Nashville, Tennessee 37203-4322  
615.251.6161

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of this Motion to Strike was served upon the following parties by U.S. mail, postage prepaid, this 25<sup>th</sup> day of June, 2001:

Richard S. Busch  
D'Lesli M. Davis  
King & Ballow  
1100 Union Street Plaza  
315 Union Street  
Nashville, TN 37201

  
Paige Waldrop Mills



2. In fact, Gotee properly obtained a Mechanical License from plaintiff Bridgeport Music, Inc., authorizing Gotee's use of "I Don't Know But It Sho Is Funky" in the song "I Got It Made."

3. Because Gotee's use of the composition in question was authorized by plaintiff Bridgeport, as a matter of law, Gotee is not liable for copyright infringement or negligence. As the prevailing party with respect to the Plaintiffs' claim of copyright infringement, Gotee is entitled to an award of attorneys' fees under 17 U.S.C. § 515.

4. No genuine questions of material fact exist and Gotee is entitled to judgment as a matter of law.

In support of this motion, Gotee relies on the declaration of Joey Elwood and a memorandum of law filed herewith.

Respectfully Submitted,

Gotee Records, Inc.



---

Robert L. Sullivan  
Loeb & Loeb  
45 Music Square West  
Nashville, Tennessee 3720  
(615) 749 8300

Counsel for Gotee Records, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via facsimile and U.S. Mail, postage prepaid, upon the following:

Richard S. Busch  
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1100 Union Street Plaza  
315 Union Street  
Nashville, Tennessee 37201

Joseph Della Maria  
ROTHCHILD, BARRY, & MYERS  
55 West Monroe Street, Suite 3900  
Chicago, Illinois 60603

This the 25 day of June, 2001.

  
\_\_\_\_\_

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**FILED**  
U. S. DISTRICT COURT  
MIDDLE DISTRICT OF TENN.

**JUN 25 2001**

BY  **DEPUTY CLERK**

**BRIDGEPORT MUSIC, INC., SOUTHFIELD  
MUSIC, INC., WESTBOUND RECORDS, INC.,  
and NINE RECORDS, INC.** )  
)  
)  
)  
**Plaintiffs,** )  
)  
**v.** )  
)  
**11C MUSIC, et al.** )  
)  
**Defendants.** )

**No. 3:01-0412  
JURY DEMAND  
  
Judge Campbell  
Magistrate Judge  
Brown**

**MOTION OF DEFENDANTS EMI APRIL MUSIC, INC.,  
EMI BLACKWOOD MUSIC, INC. AND EMI UNART CATALOG MUSIC, INC.  
TO STRIKE OR DISMISS PLAINTIFFS' COMPLAINT**

Defendants, EMI April Music, Inc, EMI Blackwood Music, Inc., and EMI Unart Catalog Music, Inc., (“Defendants”) move the Court pursuant to Rule 8 and Rule 12(f) of the Federal Rules of Civil Procedure to strike Plaintiffs’ entire Complaint and dismiss this action without prejudice. As grounds for this Motion, these Defendants would show to the Court that the Complaint fails to present “a short and plain statement” of the claims in accordance with Rule 8 of the Federal Rules of Civil Procedure. In support of its Motion, Defendants have filed a Memorandum of Law and Defendants also rely upon the Memoranda filed in Support of the Motion to Strike by the Sony and AOL-Time Warner related entities.

Respectfully submitted,



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(615) 749-8308 – facsimile  
email: rsullivan@loeb.com  
Attorney for EMI April Music, Inc.,  
EMI Blackwood Music, Inc. and  
EMI Unart Catalog Music, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via facsimile and U.S. Mail, postage prepaid, upon the following:

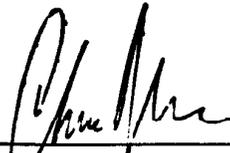
Richard S. Busch  
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Nashville, Tennessee 37201

Joseph Della Maria  
ROTHCHILD, BARRY, & MYERS  
55 West Monroe Street, Suite 3900  
Chicago, Illinois 60603

This the 25<sup>th</sup> day of June, 2001.







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Jay S. Bowen

John R. Jacobson

Amy J. Everhart

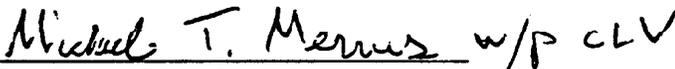
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Sandra A. Crawshaw

Michael T. Mervis

PROSKAUER ROSE LLP

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New York, New York 10036

(212) 969-3000

Attorneys for the BMG Defendants  
(see list attached as Exhibit A)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via facsimile and U.S. Mail, postage prepaid, upon the following:

**Richard S. Busch  
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Nashville, Tennessee 37201**

**Joseph Della Maria  
ROTHCHILD, BARRY, & MYERS  
55 West Monroe Street, Suite 3900  
Chicago, Illinois 60603**

This the 25<sup>th</sup> day of June, 2001.



---

JUN 25 2001

**EXHIBIT A**

BY \_\_\_\_\_  
DEPUTY CLERK

Defendants making the Motion to Strike or Dismiss Plaintiffs' Complaint include the following.

1. BMG Songs, Inc.;
2. Careers-BMG Music Publishing, Inc.;
3. The RCA Records Label, a Unit of BMG Entertainment (erroneously named in the Complaint as RCA Records Label, a Unit of BMG Entertainment, Inc.);
4. Arista Records, Inc. (erroneously named in the Complaint as Arista Records, Inc., a unit of BMG Entertainment North America, Inc.);
5. BMG Music d/b/a BMG Entertainment (a New York General Partnership) (erroneously named in the Complaint as BMG Entertainment, Inc.);
6. BMG Special Products, Inc. (erroneously named in the Complaint as BMG Special Products);  
and
7. LaFace Records, Inc.

JUN 25 2001

BY *Ar*  
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**BRIDGEPORT MUSIC, INC., SOUTHERN FIELD MUSIC, )  
INC., WESTBOUND RECORDS, INC., and )  
NINE RECORDS, INC. )**

**Plaintiffs, )**

**v. )**

**11C MUSIC, et al. )**

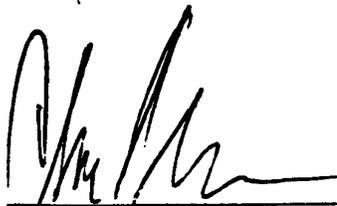
**Defendants. )**

**No. 3:01-0412  
JURY DEMAND**

**Judge Campbell  
Magistrate Judge  
Brown**

**MOTION TO STRIKE OR DISMISS PLAINTIFFS' COMPLAINT**

Pursuant to Rules 8, 12(b)(2)-(5) and 12(f) of the Federal Rules of Civil Procedure, the Defendants (a complete list of which is attached hereto as Exhibit A) (collectively "Defendants") move to strike or dismiss Plaintiffs' entire Complaint in this matter with prejudice, or, in the alternative, without prejudice. In support of this Motion, Defendants rely on the record in this case and the Memorandum in Support of Defendants' Motion to Strike or Dismiss Plaintiffs' Complaint filed on June 20, 2001, by certain Sony and AOL Time Warner Defendants and Defendant Justin Combs Publishing.



Jay S. Bowen

John R. Jacobson

Amy J. Everhart

Chris L. Vlahos

BOWEN RILEY WARNOCK & JACOBSON, PLC

1906 West End Avenue

Nashville, Tennessee 37203

(615) 320-3700

Attorneys for AOL Time Warner Defendants and Bad Boy  
Entertainment, Inc. and Bad Boy Records  
(see list attached as Exhibit A)

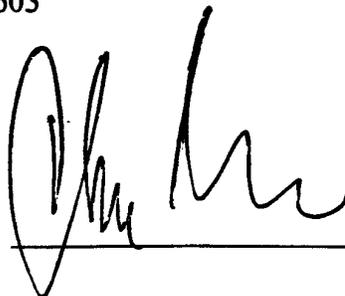
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Nashville, Tennessee 37201

Joseph Della Maria  
ROTHCHILD, BARRY, & MYERS  
55 West Monroe Street, Suite 3900  
Chicago, Illinois 60603

This the 25<sup>th</sup> day of June, 2001.



JUN 25 2001

**EXHIBIT A**

BY \_\_\_\_\_  
DEPUTY CLERK

Defendants making the Motion to Strike or Dismiss Plaintiffs' Complaint include the following:

1. Bad Boy Entertainment, Inc.
2. Bad Boy Records

AOL Time Warner Entities:

1. Warner Music Group Inc. (erroneously named in the Complaint as Warner Music Group, Inc.),
2. Warner-Tamerlane Publishing Corp.
3. WB Music Corp.



separate actions. This Motion is made in the alternative to the Motion of the Sony- and AOL Time Warner-related defendants' Motion to Strike the Complaint, in which the BMG Defendants have contemporaneously joined. The BMG Defendants submit herewith a Memorandum of Law in support of this alternative Motion to sever.

Dated: June 25, 2001

Respectfully submitted,



Jay S. Bowen

John R. Jacobson

Amy J. Everhart

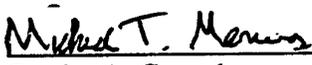
Chris L. Vlahos

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 v/p CLV

Sandra A. Crawshaw

Michael T. Mervis

PROSKAUER ROSE LLP

1585 Broadway

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(212) 969-3000

Attorneys for Defendants The RCA Records Label, a unit of BMG Entertainment, BMG Songs, Inc., Careers-BMG Music Publishing, Inc., BMG Music d/b/a BMG Entertainment (a New York General Partnership), BMG Special Products, Inc., Arista Records, Inc. and LaFace Records, Inc.

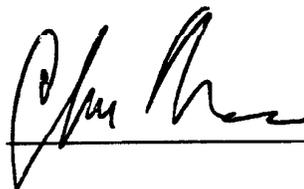
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55 West Monroe Street, Suite 3900  
Chicago, Illinois 60603

This the 25<sup>th</sup> day of June, 2001.



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**FILED** *Kn*  
U. S. DISTRICT COURT  
MIDDLE DISTRICT OF TENN.

JUN 25 2001

BY *Of*  
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

**BRIDGEPORT MUSIC, INC., SOUTHFIELD MUSIC, )  
INC., WESTBOUND RECORDS, INC., and )  
NINE RECORDS, INC. )**

**Plaintiffs, )**

**v. )**

**11C MUSIC, et al. )**

**Defendants. )**

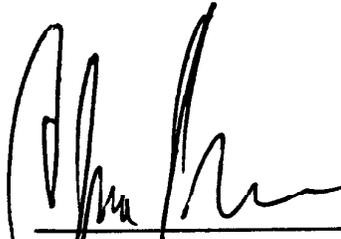
**No. 3:01-0412**

**JURY DEMAND**

**Judge Campbell  
Magistrate Judge  
Brown**

**ALTERNATIVE MOTION TO SEVER**

Pursuant to Rules 20 and 21 of the Federal Rules of Civil Procedure, Defendants Bad Boy Entertainment, Inc., Bad Boy Records and Justin Combs Publishing (collectively "Bad Boy Defendants") move for an order severing from Plaintiffs' Complaint each of the copyright infringement counts that have been asserted against one or more of the Bad Boy Defendants and directing that each of those counts, once severed, proceed as separate actions. Of the 486 counts in Plaintiffs' Complaint, only eight of them, Counts 28, 50, 64, 119, 168, 221, 286 and 364 have been asserted against one or more of the Bad Boy Defendants. In support of this Motion, Defendants rely on the record in this case and the Memorandum in Support of the BMG Defendants' Alternative Motion to Sever filed on June 25, 2001.



Jay S. Bowen

John R. Jacobson

Amy J. Everhart

Chris L. Vlahos

BOWEN RILEY WARNOCK & JACOBSON, PLC

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Attorneys for Defendants Bad Boy Entertainment, Inc.,  
Bad Boy Records, and Justin Combs Publishing

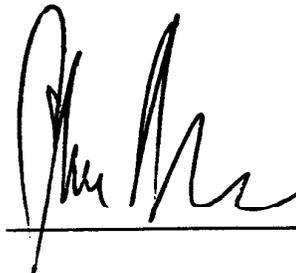
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Joseph Della Maria  
ROTHCHILD, BARRY, & MYERS  
55 West Monroe Street, Suite 3900  
Chicago, Illinois 60603

This the 25<sup>th</sup> day of June, 2001.





which relief can be granted.

This Motion is made in the alternative to the Motion of the Sony- and AOL Time Warner-related defendants to strike the Complaint, in which the above defendants have contemporaneously joined. The above defendants submit herewith a Memorandum of Law in support of this alternative Motion.

Respectfully submitted,



Jay S. Bowen

John R. Jacobson

Amy J. Everhart

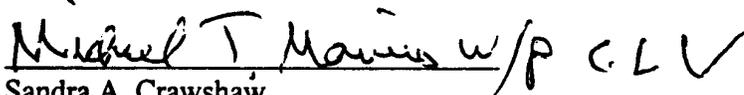
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Attorneys for Defendants The RCA Records Label, a unit of BMG Entertainment, BMG Songs, Inc., Careers-BMG Music Publishing, Inc., BMG Music d/b/a BMG Entertainment (a New York General Partnership), BMG Special Products, Inc., Arista Records, Inc. and LaFace Records, Inc.

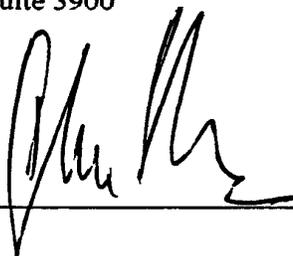
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Joseph Della Maria  
ROTHCHILD, BARRY, & MYERS  
55 West Monroe Street, Suite 3900  
Chicago, Illinois 60603

This the 25<sup>th</sup> day of June, 2001.



---





---

Jay S. Bowen  
John R. Jacobson  
Amy J. Everhart  
Chris L. Vlahos  
BOWEN RILEY WARNOCK & JACOBSON, PLC  
1906 West End Avenue  
Nashville, Tennessee 37203  
(615) 320-3700

Attorneys for Defendants Bad Boy Entertainment, Inc. and  
Bad Boy Records

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Joseph Della Maria  
ROTHCHILD, BARRY, & MYERS  
55 West Monroe Street, Suite 3900  
Chicago, Illinois 60603

This the 25<sup>th</sup> day of June, 2001.

IN THE UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE

**ORIGINAL**  
U.S. DISTRICT COURT  
MIDDLE DISTRICT OF TENN

JUN 26 2001 *sm*

BRIDGEPORT MUSIC, INC., )  
WESTBOUND RECORDS, INC., )  
AND NINE RECORDS, INC., )

BY *AK*  
DEPUTY CLERK

Plaintiffs, )

CIVIL ACTION FILE

vs. )

NO. 3:01-0412

11 C MUSIC; ET AL, )

JURY DEMAND

Defendants. )

JUDGE CAMPBELL

**DM RECORDS, INC.'S MOTION TO STRIKE**  
**OR DISMISS PLAINTIFF'S COMPLAINT**

COMES NOW, DM Records, Inc., defendant to this action, and pursuant to Federal Rules of Civil Procedure 8 and 12(f) moves this Honorable Court to strike plaintiff's complaint.

DM Records, Inc. respectfully shows this Court that the plaintiff's complaint fails to set forth a "short and plain statement" as required by Rule 8. Plaintiff's complaint, by failing to comply with Rule 8, is oppressive and places an incredible burden on DM Records, Inc., a small independent music label, by requiring it to retain counsel for purposes of analyzing a 900 page complaint and adequately protecting its interests. In support of its motion, defendant relies upon its brief in support and also relies upon the briefs filed in support of motions to strike filed by co-defendants, BMG, Time Warner, Sony and Haber Corporation.

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WHEREFORE, DM Records, Inc. prays that this motion be inquired into and granted.

Respectfully Submitted,

HALL, BOOTH, SMITH & SLOVER, P.C.



KARL M. BRAUN, ESQ.

Georgia Bar Number 078528

ATTORNEYS FOR DM RECORDS, INC.

230 Peachtree Street, N.W.  
Suite 2500  
Atlanta, Georgia 30303-1515  
(404) 954-5000  
Fax (404) 954-5020

**CERTIFICATE OF SERVICE**

I hereby certify that I have this day served a copy of the within and foregoing **DM RECORDS, INC.'S MOTION TO STRIKE OR DISMISS PLAINTIFF'S COMPLAINT** upon all parties to this matter by depositing a true copy of same in the U. S. Mail, proper postage prepaid, addressed to counsel of record as follows:

Richard S. Busch, Esq.  
King & Ballow  
1100 Union Street Plaza  
315 Union Street  
Nashville, TN 37201

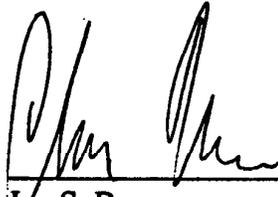
D'Lesli M. Davis, Esq.  
King & Ballow  
1100 Union Street Plaza  
315 Union Street  
Nashville, TN 37201

This 25th day of June, 2001

By:   
KARL M. BRAUN

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Attorneys for Defendant McGuffin Music Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served via facsimile and U.S. Mail, postage prepaid, upon the following:

Richard S. Busch

D'Lesli M. Davis

**KING & BALLOW**

1100 Union Street Plaza

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