

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SHANTE FRANKLIN P/K/A "CURREN\$Y" and JET  
LIFE RECORDINGS, LLC,

1:12-CV-01661

Plaintiff(s),

-against-

DD172, LLC/BLUROC, DAMON DASH, and ISLAND  
DEF JAM MUSIC GROUP, A DIV. OF UNIVERSAL  
MUSIC GROUP, RECORDINGS, INC.,  
UNIVERSAL MUSIC GROUP, RECORDINGS, INC., and  
APPLE, INC.

Defendant(s).

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DD172, LLC/BLUROC and DAMON DASH

Counterclaim Plaintiffs,

-against-

SHANTE FRANKLIN P/K/A "CURREN\$Y" and JET  
LIFE RECORDINGS, LLC,

Counterclaim Defendants.

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DD172, LLC/BLUROC and DAMON DASH

Third Party Plaintiffs,

-against-

MOUSA HAMDAN, NOVA PERRY, ESQ., JOIE MANDA,  
and WARNER BROTHERS RECORDS

Third Party Defendants.  
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**TO THE HONORABLE UNITED STATES DISTRICT JUDGE AND DEFENDANT:**

Plaintiffs hereby, move the Court for entry of default judgment against  
Defendants, DD172, LLC/BluRoc and Damon Dash (hereafter the "Dash

Defendants”) for copyright actual damages and profits in the sum total of Nine Hundred Thousand Dollars (\$900,000.00) and trademark statutory damages for Two Million Dollars (\$2,000,000.00) and post judgment interest calculated pursuant to 28 U.S.C. § 1961(a). Plaintiffs also seek reasonable attorneys’ fees of \$95,000.00.

By Notice of Motion for Default Judgment, the Memorandum in Support thereof, and the Declaration of Douglas K. Doneson, and exhibits attached thereto, Plaintiffs request that a default judgment be entered based on the points below:

1. The Dash Defendants are not infants or incompetent people or in the military or otherwise exempted under the Service Members Civil Relief Act.
2. The Dash Defendants have failed to respond to the Amended Complaint.
3. The Dash Defendants have failed to retain substitute counsel, in violation of a court order.
4. This Notice and Motion for Default Judgment, along with all supporting papers will be served on the Dash Defendants by no later than the date ordered by Judge Carter, Jr.
5. Plaintiffs elect actual damages and lost profits under the Copyright Act.
6. Plaintiffs elect statutory damages under the Lanham Act.
7. Plaintiffs are entitled to a judgment against the Dash Defendants based on violation of 17 U.S.C. § 501 *et seq.* (copyright infringement)
8. Plaintiffs are entitled to a judgment against the Dash Defendants based on violation of 15 U.S.C § 1117 *et seq.* (counterfeiting and trademark infringement).

9. Plaintiffs do not elect to proceed to judgment for damages on its remaining claims in the Action, namely tortious interference with contract or related common law claims.

10. The principal amount of the judgment sought against the Dash Defendants are actual damages and lost profits and statutory damages in the amount of Two Million Nine Hundred Thousand Dollars (\$2,900,000), as set forth in the Memorandum in Support thereof, supporting documents and exhibits, and as authorized by 17 U.S.C. § 504 and 15 U.S.C. § 1117(a).

11. Plaintiffs seek reasonable attorneys' fees incurred during this action in the amount of Ninety Five Thousand Dollars (\$95,000.00).

12. Plaintiffs further seek interest on the judgment calculated pursuant to 28 U.S.C. § 1961(a) and Attachment A, 3(B) of Judge Andrew Carter Jr.'s Individual Practices.

13. This Court may appropriately order a default judgment on the issue of damages against the Dash Defendants prior to the resolution of the entire action.

14. This motion is based on this Notice of Motion for Default Judgment, Memorandum in Support thereof, supporting Doneson declaration, and attached exhibits thereto, the pleadings, records and papers on file herein and such other materials as may be presented at or before the hearing.

Dated: 11-21-2014

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