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NOEMI DEL RIO

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

NOEMI DEL RIO,
an individual

Plaintiff,

vs.

VIRGIN PRODUCED, LLC; Delaware
Limited Liability Company;
VIRGIN PRODUCED 2.0, LLC; a
Delaware Limited Liability Company;
STUDIO 35K, LLC, a Limited Liability
Company

Defendants.

Case: 2:18-cv-01063-GW-SK

**~~PROPOSED~~ SECOND
AMENDED COMPLAINT FOR**

- 1. Copyright Infringement**
- 2. Equitable Accounting**
- 3. Breach of Contract in Fact
(Implied Contract)**

DEMAND FOR JURY TRIAL

Plaintiff Noemi Del Rio (“Ms. Del Rio” or “Plaintiff”) by and through her undersigned counsel, states as follows for her complaint against Defendants Virgin Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K LLC (collectively, the “Defendants”) and alleges as follows:

I. SUMMARY

1. This action arises out of Defendants’ willful infringement of Ms. Del Rio’s copyrighted sound recording, which Defendants incorporated into their flight

1 safety video without Ms. Del Rio's consent and without any compensation.

2 2. Ms. Del Rio is a professionally trained singer, actress, and assistant
3 director. In 2013, Ms. Del Rio created and recorded a highly original rap about
4 flight safety during an audition attended by representatives from Defendants Virgin
5 Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K, LLC ("Studio 35K").

6 3. Ms. Del Rio alone created the melody for her rap about flight safety.
7 After spending hours creating and rehearsing this rap during the audition, Ms. Del
8 Rio recorded it by singing it into a recording microphone. Ms. Del Rio recorded
9 this rap to showcase her vocal talents to Defendants Virgin Produced, LLC, Virgin
10 Produced 2.0, LLC, and Studio 35k, but she intended this rap to be a standalone
11 work.

12 4. Representatives from Defendants Virgin Produced, LLC, Virgin
13 Produced 2.0, LLC, and Studio 35K who were present at the audition led Ms. Del
14 Rio to believe that she would be paid for her rap if Defendants ever used it.
15 Specifically, Ms. Del Rio was led to believe that she would receive royalties each
16 time Defendants Virgin Produced, LLC, Virgin Produced 2.0, LLC, and Studio
17 35K used, distributed, or broadcasted her rap.

18 5. Ms. Del Rio left the audition without any compensation and without any
19 word from Defendants Virgin Produced, LLC, Virgin Produced 2.0, LLC, or
20 Studio 35K on whether her sound recording would be used. None of the
21 Defendants ever contacted Ms. Del Rio to ask for her permission to use her sound
22 recording or to incorporate it into their flight safety video. None of the Defendants
23 ever asked Ms. Del Rio to sign a contract. None of the Defendants ever paid Ms.
24 Del Rio for her time, labor, or talent in creating the sound recording.

25 6. Despite never asking Ms. Del Rio for her permission to use her sound
26 recording and never paying Ms. Del Rio for this recording or her time in creating
27 it, Defendants incorporated Ms. Del Rio's sound recording into their flight safety
28 video. In fact, Defendants made Ms. Del Rio's sound recording the *central part* of

1 their flight safety video. This flight safety video has been shown on thousands of
2 flights operated by Virgin America, Inc. since 2013 and thousands of flights
3 operated by Alaska Airlines, Inc., and Alaska Air Group, Inc. since 2017. The
4 flight safety video incorporating Ms. Del Rio's sound recording has become one of
5 the most widely-watched commercials for Defendants of all time.

6 7. Ms. Del Rio did not discover, until years later, that Defendants had
7 incorporated her sound recording into their flight safety video. Ms. Del Rio now
8 brings this lawsuit for copyright infringement, for an accounting, and for breach of
9 implied contract for Defendants' unauthorized distribution and use of Ms. Del
10 Rio's copyrighted sound recording.

11 **II. PARTIES**

12 8. Plaintiff Noemi Del Rio resides in Los Angeles and is an actress, singer,
13 and assistant director, who is known for her voice work in television and video
14 games.

15 9. On information and belief, Defendant Virgin Produced, LLC is a limited
16 liability company organized and existing under the laws of the State of Delaware
17 and has its principal place of business at 903 Colorado Ave, Santa Monica,
18 California.

19 10. On information and belief, Defendant Virgin Produced 2.0, LLC is a
20 limited liability company organized and existing under the laws of the State of
21 Delaware and has its principal place of business at 5619 DTC Parkway, Suite 800,
22 Greenwood Village, Colorado 80111.

23 11. On information and belief, Studio 35K is a limited liability company
24 organized and existing under the laws of the State of Delaware and has its principal
25 place of business in the County of Los Angeles, State of California.

26 **III. JURISDICTION AND VENUE**

27 12. Plaintiff has asserted a claim for copyright infringement under the
28 Copyright Act, 17 U.S.C. § 101 *et seq.* This Court has original subject matter

1 jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

2 13. This Court has supplemental jurisdiction over Plaintiff's pendent state
3 law claims pursuant to 28 U.S.C. § 1367 in that the state law claims are integrally
4 interrelated with Plaintiff's federal copyright claim and arise from a common
5 nucleus of operative facts such that the administration of Plaintiff's state law
6 claims with her federal claim furthers the interest of judicial economy.

7 14. This Court has personal jurisdiction over Defendants because they do
8 substantial business and sales in this District. Defendants have purposefully availed
9 themselves and directed their business at opportunities in this District. Moreover,
10 Defendants have committed tortious acts in this District against Plaintiff, who
11 resides and does business in this District.

12 15. Venue is proper in this District under 28 U.S.C. § 1391(b)(1).

13 **IV. FACTUAL ALLEGATIONS**

14 16. Plaintiff Noemi Del Rio is a voice-over actress and singer based in Los
15 Angeles. She has extensive training in dance, theatre, and voice starting at New
16 World School of the Arts in Miami, Florida and then continuing at Marymount
17 Manhattan College in New York. She has trained with, for example, Tony Greco,
18 Aaron Hagan, The Stella Adler Conservatory and more. Ms. Del Rio has been seen
19 in national commercials for clients like Verizon and Time Warner and has
20 recorded national voiceover work for PBS and Marvel. She was most notably part
21 of the Broadway Tony award-winning cast of Lin-Manuel Miranda's *In The*
22 *Heights*. Other production credits include: *Knives and Other Sharp Objects* in her
23 first lead role (The Public Theatre), *Carmen* (La Jolla Playhouse), and *Lysistrata*
24 *Jones* (Dallas Theater Center). She also starred in episodes of Law and Order:
25 SVU, Harry's Law, and Torchwood. Her dance training has led her to dance for
26 various recording artists, which include: Shakira, Thalia, Cassie, and more. Ms.
27 Del Rio began her career dancing at Madison Square Garden for the New York
28 Knicks. She currently works in production on NBC's Chicago Fire and is a front-

1 line singer for international cover band Live 61.

2 17. In 2013, Plaintiff was asked by a friend, Todrick Hall, to meet him in a
3 recording studio in Los Angeles for an audition. When Plaintiff arrived, Plaintiff
4 was surprised to see representatives from Defendants Virgin Produced, LLC,
5 Virgin Produced 2.0, LLC, and Studio 35K. Plaintiff was never told that any work
6 she created during that audition would be used by any of the Defendants without
7 her consent or any compensation.

8 **A. Ms. Del Rio Created a Highly Original Sound Recording**
9 **While at an Audition Attended by**
10 **Defendants Virgin Produced, LLC and Studio 35K**

11 18. At the audition, Ms. Del Rio was asked to step into the recording booth
12 and read about two pages of dialogue that included the Federal Aviation
13 Administration (“FAA”) regulations for airline safety. While she was in the
14 recording booth, Ms. Del Rio, third parties, and representatives from Defendants
15 Virgin Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K. made various
16 edits to the FAA dialogue. Ms. Del Rio suggested taking the FAA dialogue in a
17 different direction and made edits that transformed what would have been a fairly
18 dry reading of FAA regulations into a much more creative performance.

19 19. Next, someone at the audition pitched the idea of a rap sung in the voice
20 of a young child. Ms. Del Rio said that she could create and sing a rap that
21 mimicked a young girl’s voice. Ms. Del Rio then spent the next few hours creating,
22 rehearsing, and recording this rap.

23 20. Ms. Del Rio alone created the original melody of the rap heard in
24 Defendants’ flight safety video. The originality of the melody of Ms. Del Rio’s rap
25 is demonstrated by the highly distinctive pitch and rhythm. Ms. Del Rio sang this
26 melody in an unusually high pitch to imitate the voice of a young girl. However,
27 Ms. Del Rio also lowered her pitch at specific intervals to punctuate sentences and
28 to draw attention key points in her rap. Specifically, Ms. Del Rio lowered her pitch

1 to emphasize the following words, highlighted in *bold italics*:

2 “Yo, yo! Then you’re bopping your head to the *rap scene*.

3 And the eyes are glued to the *flat screen*.

4 If the cabin pressure’s *changing*, you know that we won’t be leaving you
5 *hanging*.

6 *Pull your mask down first; don’t worry oxygen flows,*

7 *Tighten the straps and fasteners on your mouth and your nose.*

8 If you’re traveling with someone like *a child for instance,*

9 Put your mask on first before you offer *assistance!*”

10 21. The rhythm of Ms. Del Rio’s rap is also distinctive. Ms. Del Rio slowed
11 down the tempo of her rhythm at the middle of the rap to emphasize the
12 instructions for putting on an oxygen mask, which is most important part of the
13 rap. Ms. Del Rio also varied the rhythm in the second to last line of the rap, which
14 talks about traveling with a child.

15 22. Ms. Del Rio’s upbeat rhythm and high pitch give the rap a catchy,
16 memorable melody while the portions of slower tempo and lower pitch allow the
17 listener to focus on the key elements of the rap’s message. The overall effect of
18 Ms. Del Rio’s rap is to convey an important message about a serious subject—
19 flight safety—in a way that is highly entertaining and even comical.

20 23. Ms. Del Rio recorded the rap she created by singing it into a recording
21 microphone during the audition. The sound recording was fixed in a tangible
22 medium under the authority of Ms. Del Rio, who provided guidance on how her
23 rap should be recorded. Ms. Del Rio’s intent when recording her rap was to create
24 a sound recording as a standalone work.

25 24. At no point during the audition did anyone inform Plaintiff that her
26 vocals would be used commercially or on the actual in-flight safety video for
27 Defendants’ flights. Normally, to land a major singing or voiceover role on a large
28 production like Defendants’ safety video, a singer like Plaintiff would have to

1 audition for the part, her agent would negotiate the terms of the deal, and there
2 would be multiple contracts to sign. But none of that happened.

3 25. Instead, representatives from Defendants Virgin Produced, LLC, Virgin
4 Produced 2.0, LLC, and Studio 35K stated that Ms. Del Rio would be notified if
5 they decided to use her sound recording. Representatives from Defendants Virgin
6 Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K also indicated that Ms.
7 Del Rio's compensation for the sound recording, if used, would take the form of
8 royalties for each time the sound recording was broadcasted.

9 **B. Years After Creating Her Sound Recording, Ms. Del Rio Learned**
10 **that Defendants Had Incorporated It Into Their Flight Safety Video**

11 26. Defendants' flight safety video now has over 13 million views on
12 YouTube, *available at*: <https://www.youtube.com/watch?v=DtyfiPIHsIg>.

13 27. The most distinctive, original, and creative part of the entire video is Ms.
14 Del Rio's "little girl's rap" (1:36 to 2:00 of the video), which is sung *solely* by Ms.
15 Del Rio.

16 28. Despite the fact that Ms. Del Rio's rap is a central part of the flight safety
17 video that has been played tens of millions of times to Defendants' customers and
18 potential customers, Ms. Del Rio has never been compensated for her role in it.

19 29. Ms. Del Rio never signed a contract or release with any of the
20 Defendants, Mr. Hall, or any other third party. Ms. Del Rio never gave anyone
21 permission to commercially broadcast and use her sound recording without
22 compensation.

23 30. Plaintiff has a copyright registration for the sound recording of her "little
24 girl rap," is U.S. Copyright registration number SR0000813644. The copyright
25 covers the sound recording, which is comprised of the sung melody and rhythm for
26 the rap, but not the underlying musical composition or the lyrics.

27 31. On October 15, 2017, after having learned that her sound recording was
28 used on Defendants' flight safety video, Plaintiff contacted Defendants in writing,

1 described how much of the video was hers, and formally requested her rightful
2 compensation.

3 32. Since 2006, Ms. Del Rio has been a working member of Screen Actors
4 Guild – American Federation of Television and Radio Artists (“SAG-AFTRA”)
5 and must be paid the SAG-AFTRA royalty rate and residuals for any work she
6 does on commercial projects such as this one.

7 33. On November 14, 2017, Mr. Allen Huang, the Deputy General Counsel
8 at Defendant Virgin America Inc., responded to Plaintiff and dismissed her
9 request. Despite admitting never to paying Plaintiff, Defendants claimed that they
10 had purchased the rights to her sound recording by paying an unrelated third-party,
11 Mr. Todrick Hall. Plaintiff, however, has no contract with Mr. Hall and has never
12 assigned any rights to him. Thus, it would be impossible for Defendants to license
13 or otherwise acquire Plaintiff’s copyrighted sound recording from Mr. Hall.

14 34. Defendants owe Ms. Del Rio compensation in the form of copyright
15 infringement fees for their unauthorized incorporation of Ms. Del Rio’s sound
16 recording into their in-flight safety video. Defendants have infringed Ms. Del Rio’s
17 copyright in her sound recording for years without any compensation.

18 35. Specifically, Defendants Virgin Produced, LLC, Virgin Produced 2.0,
19 LLC, and Studio 35K have infringed Ms. Del Rio’s copyright by unlawfully
20 incorporating her sound recording into their flight safety video, which has been
21 broadcast on thousands of Virgin America and Alaskan Airlines flights since the
22 fall of 2013.

23 36. In the alternative, in the event that Court finds that Defendants Virgin
24 Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K are joint authors of the
25 sound recording with Ms. Del Rio, Defendants owe Ms. Del Rio a portion of their
26 profits from their use of the sound recording in their in-flight safety video, which
27 has become one of Defendants’ most popular commercial advertisements of all
28 time.

1 37. Plaintiff also seeks damages from Defendants Virgin Produced, LLC,
2 Virgin Produced 2.0, LLC, and Studio 35K for breaching their recurring
3 obligation, required by the parties' implied-in-fact contract, to pay royalties for
4 every broadcast of Plaintiff's sound recording. As Plaintiff has previously alleged
5 above, the use of Plaintiff's copyrighted materials in the Advertisement, e.g.,
6 YouTube, for each of the Defendants, has caused Plaintiff damages as alleged
7 herein.

8 **FIRST CAUSE OF ACTION**

9 **(Federal Copyright Infringement, 17 U.S.C. § 501)**

10 **(Against All Defendants)**

11 38. Plaintiff repeats and re-alleges each and every allegation above as if fully
12 set forth herein.

13 39. Plaintiff owns the copyright in the sound recording of her "little girl rap,"
14 U.S. Copyright registration number SR0000813644. Ms. Del Rio is the sole author
15 of the sound recording and this sound recording was fixed in a tangible medium by
16 or under Ms. Del Rio's authority.

17 40. At all relevant times, Ms. Del Rio has owned all applicable rights, titles,
18 and interests to her copyrighted sound recording.

19 41. Ms. Del Rio has complied in all respected with Title 17 of the United
20 States code and has applied for the exclusive rights and privileges in and to the
21 above referenced copyright and is awaiting from the Register of Copyrights the
22 appropriate certificates of registration.

23 42. Defendants have widely distributed, used, and displayed the infringing
24 flight safety video to untold millions of people by using the infringing video on
25 their flights, on their websites and social media sites, including YouTube where the
26 video has over 13 million views
27 (<https://www.youtube.com/watch?v=DtyfiPIHsIg>).

28 43. Defendants have infringed and continue to infringe Ms. Del Rio's

1 copyrighted sound recording by copying, using and distributing that work within
2 the flight safety video without the consent of Ms. Del Rio and in disregard of her
3 intellectual property rights.

4 44. Defendants' use, reproduction, and distribution of Ms. Del Rio's sound
5 recording has been and is without authorization and without Ms. Del Rio's
6 consent.

7 45. Defendants' actions demonstrate an intentional, willful, and malicious
8 intent to infringe upon Plaintiff's copyright.

9 46. Defendants have realized unjust profits, unjust enrichment, gains and
10 advantages as a proximate result of their infringement in an amount not yet to be
11 determined.

12 47. As a direct and proximate result of the Defendants' willful copyright
13 infringement, Plaintiff has suffered actual damages. Plaintiff is entitled to her
14 actual damages as well as any gains, profits, and advantages obtained by the
15 Defendants as a result of its acts of infringement and their use and publication of
16 the copied materials, 17 U.S.C. § 504(b). Plaintiff is also entitled to attorneys' fees
17 and full costs of suit pursuant to 17 U.S.C. § 505.

18 **SECOND CAUSE OF ACTION**

19 **(Equitable Accounting)**

20 **(Against All Defendants)**

21 48. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1-
22 37 as if fully set forth herein.

23 49. Plaintiff pleads this cause of action for an equitable accounting in the
24 alternative to Plaintiff's claim for copyright infringement. Plaintiff seeks an
25 accounting in the event that the Court finds that the copyrighted sound recording of
26 the "little girl's rap" is a joint work, created by Plaintiff and Defendants Virgin
27 Produced, LLC, Virgin Produced 2.0, LLC, and/or Studio 35K within the meaning
28 of 17 U.S.C. § 201(a).

1 50. In the event that the Court finds that the sound recording is a joint work,
2 created by Plaintiff and Defendants Virgin Produced, LLC, Virgin Produced 2.0,
3 LLC, and/or Studio 35K, Plaintiff is entitled to an accounting for use of the sound
4 recording by these Defendants and their profits therefrom, pursuant to 17 U.S.C.
5 §§ 101 and 201(a).

6 51. By virtue of Plaintiff's status as a joint owner of the sound recording,
7 Defendants Virgin Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K
8 have a continuing fiduciary duty to Plaintiff to account for any and all income
9 derived from the exploitation of the copyrighted work. This duty requires
10 Defendants Virgin Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K to
11 disclose to Plaintiff all income that they have collected from their exploitation of
12 the sound recording and to pay Plaintiff her share of the profits from the sound
13 recording.

14 52. Since October 2017, Plaintiff has demanded that Defendants Virgin
15 Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K account for profits
16 arising from their exploitation of the copyrighted sound recording, but Defendants
17 have failed and refused, and continue to fail and refuse an accounting or pay
18 Plaintiff her share of the profits.

19 53. The amount of compensation due to Plaintiff is unknown and cannot be
20 determined without an accounting of the profits that Defendants Virgin Produced,
21 LLC, Virgin Produced 2.0, LLC, and Studio 35K have made from the copyrighted
22 sound recording.

23 54. Defendants are in the best position to know the true and correct amount
24 of profits derived from the exploitation of the copyrighted sound recording because
25 the books and records necessary to make such a determination are in the
26 possession, custody, and control of Defendants.

27 55. The facts and accounts presented are so complex that adequate relief
28 cannot be obtained at law. An investigation of the accounts of Defendants Virgin

1 Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K is necessary to
2 ascertain their profits from the exploitation of the copyrighted sound recording and
3 to establish the value of Plaintiff's interest.

4 56. Equitable considerations warrant an accounting of the profits of
5 Defendants Virgin Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K
6 from their dissemination, distribution, and use of the copyrighted sound recording,
7 as Plaintiff has never been provided any compensation for her contributions to this
8 copyrighted work.

9 57. Plaintiff therefore seeks an Order from this Court that Defendants Virgin
10 Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K render an accounting
11 to Plaintiff of the amounts owed, as well as a judgment against of Defendants
12 Virgin Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K for a sum to be
13 determined in the accounting, with prejudgment and post-judgment interest, as
14 allowed by law.

15 **THIRD CAUSE OF ACTION**

16 **(Implied Contract, Cal. Civ. Code § 1621)**

17 **(Against All Defendants)**

18 58. Plaintiff repeats and re-alleges each and every allegation above as if fully
19 set forth herein.

20 59. Defendants Virgin Produced, LLC, Virgin Produced 2.0, LLC, and
21 Studio 35K, through their acts and conduct at Plaintiff's audition, intentionally led
22 Plaintiff to believe that, if her copyrighted work were to be used, then Plaintiff
23 would receive compensation in the form of recurring royalties every time that
24 Defendants disseminated, distributed, or otherwise used her sound recording.

25 60. Based on the foregoing implied-in-fact contract, Defendants Virgin
26 Produced, LLC, Virgin Produced 2.0, LLC, and Studio 35K owe Plaintiff royalties
27 for every time that Defendants broadcast their in-flight safety video, which uses
28 Plaintiff's sound recording. The safety video is not just an advertisement for Virgin

1 America, but it also showcases the work of each of the other Defendants, and
2 constitutes an advertisement for each and every one of them.

3 61. The obligation of Defendants Virgin Produced, LLC, Virgin Produced
4 2.0, LLC, and Studio 35K to pay Plaintiff royalties for their distribution and use of
5 Plaintiff's sound recording is a recurring one, which Defendants have continued to
6 breach since broadcasting their in-flight safety video in the fall of 2013.

7 62. Under California law, Ms. Del Rio's continuing right to receive royalties
8 for Defendants' broadcast of her sound recording creates a divisible contract, with
9 each breach of that right separately actionable and subject to its own limitations
10 period.

11 63. Plaintiff therefore seeks damages from Defendants Virgin Produced,
12 LLC, Virgin Produced 2.0, LLC, and Studio 35K for each breach of their
13 obligation to pay royalties for every broadcast of Plaintiff's copyrighted sound
14 recording. These damages are based on the use of Plaintiff's copyrighted materials
15 in each of the Defendants' advertisement.

16
17 **PRAYER FOR RELIEF**

18 WHEREFORE, Plaintiff Noemi Del Rio respectfully requests that this Court enter
19 judgment against Defendants for the following relief:

- 20 a. Permanent injunctive relief against all Defendants and their parents,
21 subsidiaries, affiliated companies, and their respective officers, directors,
22 employees, and agents from using Plaintiff's copyright;
- 23 b. An accounting of, and disgorgement of, any and all profits derived by the
24 Defendants, trebled, by virtue of the Defendants' infringing and illegal acts,
25 in an amount to be determined at trial;
- 26 c. Prejudgment interest, the full costs of this action and witness fees, and the
27 Plaintiff's attorneys' fees, pursuant to 15 U.S.C. §§ 504 and 505;
- 28

- 1 d. Punitive, enhanced, and exemplary damages for the Defendants' acts of
- 2 willful infringement;
- 3 e. For any and all actual damages sustained by Plaintiff, trebled for willful
- 4 infringement, in an amount to be determined at trial;
- 5 f. For an order that the Defendants be held jointly and severally liable;
- 6 g. Other economic and consequential damages in an amount to be determined
- 7 at trial;
- 8 h. For all of the Defendants' profits and unjust enrichment derived from their
- 9 infringement of Plaintiff's copyright;
- 10 i. an Order from this Court that of Defendants Virgin Produced, LLC, Virgin
- 11 Produced 2.0, LLC, and Studio 35K render an accounting to Plaintiff of the
- 12 amounts owed, as well as a judgment against Defendants Virgin Produced,
- 13 LLC, Virgin Produced 2.0, LLC, and Studio 35K for a sum to be determined
- 14 in the accounting, with prejudgment and post-judgment interest, as allowed
- 15 by law;
- 16 j. Damages from Defendants Virgin Produced, LLC, Virgin Produced 2.0,
- 17 LLC, and Studio 35K for their breaches of the parties' implied contract
- 18 within the applicable statute of limitations period, which required them to
- 19 pay royalties for every broadcast of Plaintiff's sound recording;
- 20 k. For any other relief as the Court deems proper.

21 Respectfully submitted,

22 Dated: July 5, 2019

23 By: /s/ Stephen McArthur
24 Stephen Charles McArthur
25 Attorneys for Plaintiff, Noemi Del Rio
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1 **DEMAND FOR JURY TRIAL**

2
3 Plaintiff hereby demands a jury trial pursuant to Rule 38 of the Federal
4 Rules of Civil Procedure as to all issues in this lawsuit.

5
6 By: /s/ Stephen McArthur

7 Stephen Charles McArthur
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Dated: July 5, 2019