

UNITED STATES Eastern District of
 VIRGINIA RICHMOND Division

11/14/16

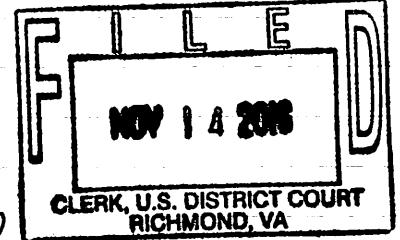
CASE 3:16cv756

Plaintiff George YARID

Vs

Defendants STON BRENNAN

Et
 William MARKLAND



CASE Law and More Discovery

Dear Honorable Judge GIBNEY

I spent better half of day at the University of Richmond TC law library to comb through some case law. In regards to my intellectual property. I have two cases proving rights for copyright owners and against fair use. In docket number case 16-1309 TCA Television Corp Vs McCollum, this was about copyright infringement suit. Plaintiffs challenged the district courts determination that defendants verbatim use of portions of Abbott and Costello's iconic comedy routine "who's on first." In recent Broadway play Hand Of God, qualified as a non infringing fair use. The courts concluded that the defendants ~~with~~ entitlement to a fair use defense was not so clearly established on the face of the amended complaint and its incorporated exhibits as to support dismissal. In the case, defendants verbatim use of the routine was not transformative and defendants failed to persuasively justify their routines. Defendant use of some dozens routines variations of who's on first, was

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excessive in relation to any dramatic purpose and the plaintiffs alleged an active secondary market for the work. Plaintiff TCA television won and material removed. An Cease and desist was granted.

In the United States court of the Central District of California. Case Number 733 Supp. 2nd 1144. Henley VS DeVore. Popular singer and Performer Don Henley sued Charles DeVore, for using his music in a political video to lampoon president O'Barra and Nancy Pelosi as well as Barbara Boxer used on Youtube. Defendant Charles DeVore who was a candidate for us Senate and a member of DeVore's Campaign staff recorded versions of the two songs in this attack. Changing the lyrics and editing the video. "Boys of Summer" and "All she wants to do is Dance". After unsuccessful attempts to stop defendant from using alleged parodies involving the DMCA take down notice of plaintiffs work. Henley sued for copyright infringement in the courts of usage of "Boys of Summer" and "All she wants to do is Dance" was later proven that there was NO Fair USE!!

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FIT
WILLIAM MARLAND

Regarding the hope of November campaign usage of the songs for campaign contributions showed no fair use in the case and Henley's body of work was not authorized for the campaign for Devore any permission or authorized usage. Don Henley won damages and reedited versions were removed.

Now going back to my work, the defendant has made reference to making profits by taking my work to film festivals and making ad revenue on you-tube for my videos in which I own. I strongly request the courts to make comparisons and start the process of this particular case to be heard. I hope that I have given comparisons in these two cases and have brought merit and legitimacy for this case to be tried in the district of Virginia.

Thanks for your cooperation and consideration in this trying matter.

George Alexander Yard
George Alexander YARD

Certificate of Service

I hereby certified that
I have mailed a copy of
the foregoing to the following
on 11/14/2016

Ston Brenman

William Markland

George J. [Signature]

George J. [Signature]

11/14/17

George YARD

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

George YARD

Plaintiff(s),

Shan Brennan
William Mark Land

Defendant(s).

Civil Action Number: 3:16cv756

LOCAL RULE 83.1(M) CERTIFICATION

I declare under penalty of perjury that:

No attorney has prepared, or assisted in the preparation of CASE LAW & DISCOVERY
(Title of Document)

George YARD
Name of Pro Se Party (Print or Type)

[Signature]
Signature of Pro Se Party

Executed on: 11/14/17 (Date)

OR

The following attorney(s) prepared or assisted me in preparation of _____
(Title of Document)

(Name of Attorney)

(Address of Attorney)

(Telephone Number of Attorney)
Prepared, or assisted in the preparation of, this document

(Name of Pro Se Party (Print or Type)

Signature of Pro Se Party

Executed on: _____ (Date)