

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

STUART STOUT, an individual; SHELBY STOUT, an individual; JONAH HIRSCH, an individual; and MFWH PRODUCTIONS, LLC, a North Carolina limited liability company,

Plaintiffs,

vs.

ALCON ENTERTAINMENT, LLC, a Delaware limited liability company; ALCON MEDIA GROUP, LLC, a Delaware limited liability company; ANDREW KOSOVE, an individual; BRODERICK JOHNSON, an individual; WALDEN MEDIA, LLC, a Delaware limited liability company and STEVEN WEGNER, an individual,

Defendants.

FILED

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

2020 JUN 25 A 10:50

MECKLENBURG CO., N.C. Case No. 2019CV-6417

BY _____

**NOTICE OF DESIGNATION OF
ACTION AS A MANDATORY
COMPLEX BUSINESS CASE UNDER
N.C. GEN. STAT. § 7A-45-4.**

Pursuant to N.C.G.S. § 7A-45.4, Alcon Entertainment, LLC, Alcon Media Group, LLC (collectively “Alcon Corporate Defendants”), Andrew Kosove, an individual, and Broderick Johnson, an individual (collectively, “Alcon Defendants”) hereby seek to designate the above-captioned action as a mandatory complex business case. In good faith and based on information reasonably available, Alcon Defendants, through their counsel, hereby certify that this action meets the criteria for designation as a mandatory complex business case pursuant to N.C.G.S. § 7A-45.4(a), and should be adjudicated in the Business Court:

- X (5) Disputes involving the ownership, use, licensing, lease, installation, or performance of intellectual property, including computer software, software applications, information technology and systems, data and data security, pharmaceuticals, biotechnology products, and bioscience technologies.

This action falls within the ambit of N.C. Gen. Stat. § 7A-45.4(a)(5) because:

1. The subject matter of this action involves the production of a Screenplay (“Hope’s Wish”) whereupon Plaintiff MFWH Productions, LLC (“MFWH”) has previously stated: (1) the Screenplay was prepared for MFWH as a work-made-for-hire under US copyright laws, (2) MFWH is the sole owner and author of such Screenplay, and (3) MFWH has obtained all rights in and to the book titled *Hope’s Wish*, and the life story rights of Stuart and Shelby Stout necessary to produce and exploit the Screenplay.

2. The Complaint references chain of title documents (“COT documents”) provided by Plaintiff MFWH to Alcon Corporate Defendants. The purpose of COT documents is to demonstrate “clean title” to the Screenplay and these documents specifically involve the ownership, use, licensing, and performance of intellectual property.

3. Alcon Defendants will argue and present as a defense to Plaintiffs’ causes of action, among other things, the significant and material issues with the COT documents provided by Plaintiff MFWH to Alcon Corporate Defendants.

4. A copy of the Pleadings is attached as Appendix A for the convenience of the Court.
This the 22 day of June, 2020.

[Signature Block on following page]

Respectfully submitted,



Chase C. Keibler, NC Bar No. 55831

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Attorney for Defendants

*Alcon Entertainment, LLC, Alcon Media Group,
LLC, Andrew Kosove, and Broderick Johnson*

June 22, 2020

Charlotte, North Carolina

APPENDIX A