

# UNOFFICIAL COPY

11/15/93

CERTIFIED COPY (Rev. 6/2/85)

## United States District Court Northern District of Illinois

Eastern Division

I, H. Stuart Cunningham, Clerk of the United States District Court for the Northern District of Illinois, do hereby attest and certify that the annexed 1 document is a full, true, and correct copy of the original(s) on file in my office and in my legal custody.

DEPT. OF RECORDING \$31.00  
13686 TRAH 8705 03/10/93 16:0100  
6876 4 \* - 93 - 182037  
COOK COUNTY RECORDER

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the seal of the aforesaid Court at Chicago, Illinois on 11/15/93.

H. STUART CUNNINGHAM

CLERK

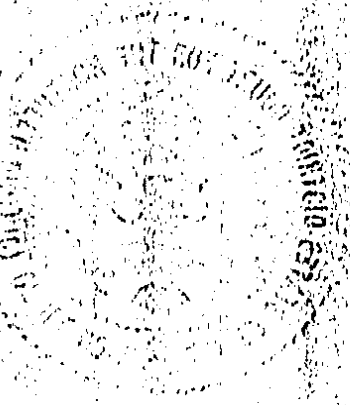
By: [Signature]

Deputy Clerk

93182037

UNOFFICIAL COPY

Property of Cook County Clerk's Office



DR

Box 196

# UNOFFICIAL COPY

93182037

Sent for Microfilming

Minute Order Form (rev. 12/93)

MAR 2 - 1993

UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF ILLINOIS

Filed with or Magistrate Judge	Harry D. LeLanweber	Sitting Judge or Other Than Assigned Judge	
Case Number	92 G 2227	Date	March 2, 1993
Case Title	Columbia Pictures Industries, et al vs. Charles Winton, et al		

(In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd-party plaintiff, and (b) state briefly the nature of the motion being presented.)

**MOTION:**

**DOCKET ENTRY:**

(1)		Filed motion of [use listing in "MOTION" box above]
(2)		Brief in support of motion due _____
(3)		Answer brief to motion due _____ Reply to answer brief due _____
(4)	<input type="checkbox"/>	Setting on _____ set for _____ at _____
(5)	<input type="checkbox"/>	Status hearing <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> re-set for _____ at _____
(6)	<input type="checkbox"/>	Pretrial conf. <input type="checkbox"/> held <input type="checkbox"/> continued to <input type="checkbox"/> set for <input type="checkbox"/> re-set for _____ at _____
(7)	<input type="checkbox"/>	Trial <input type="checkbox"/> set for <input type="checkbox"/> re-set for _____ at _____
(8)	<input type="checkbox"/>	<input type="checkbox"/> Bench Trial <input type="checkbox"/> Jury Trial <input type="checkbox"/> Hearing hold and continued to _____ at _____
(9)	<input type="checkbox"/>	This case is dismissed <input type="checkbox"/> without <input type="checkbox"/> with prejudice and without costs <input type="checkbox"/> by agreement <input type="checkbox"/> pursuant to <input type="checkbox"/> FRCP 4(j) (failure to serve) <input type="checkbox"/> General Rule 21 (want of prosecution) <input type="checkbox"/> FRCP 41(a)(1) <input type="checkbox"/> FRCP 41(a)(2)
(10)	<input checked="" type="checkbox"/>	[Other docket entry] Status hearing stricken. Enter agreed judgment order in favor of plaintiffs' and against defendants Eunice Winton and Chatham Park Video, Inc. for the total amount of \$77,000.00 in statutory damages and attorneys' fees and costs. DEPT-01 RECORDING 03/10/93 16:01:00 156888 TRN 8705 \$6576 # 4-93-182037 COOK COUNTY RECORDER
(11)	<input checked="" type="checkbox"/>	[For further detail see <input type="checkbox"/> order on the reverse of <input checked="" type="checkbox"/> order attached to the original minute order form.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input checked="" type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	ED-5 RECEIVED FOR DOCKETING 93 MAR -2 PM 2: 11 Date/time received in central Clark's Office	24 MF MAR 2 - 1993 MAR 2 - 1993	number of notices date docketed docketing dpty. initials date mailed notice mailing dpty. initials	Document #  <div style="font-size: 2em; font-weight: bold;">33</div>
---	--	---------------------------------------	--	--

courtroom deputy's initials

UNOFFICIAL COPY

Property of Cook County Clerk's Office

DOCKETED

7309-9201

MAR 2 1993

MAR 2 1993

Filed in THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

COLUMBIA PICTURES INDUSTRIES, INC.; )  
MGM-PATHE COMMUNICATIONS CO.; )  
PARAMOUNT PICTURES CORPORATION; )  
TWENTIETH CENTURY FOX FILM CORPORATION; )  
UNIVERSAL CITY STUDIOS, INC.; )  
THE WALT DISNEY COMPANY; )  
WARNER BROS. INC.; )  
BEST FILM & VIDEO CORPORATION; )  
FOX VIDEO, INC.; )  
LIVE HOME VIDEO (LIVE AMERICA INC.) )  
MAGNUM ENTERTAINMENT INC.; )  
MEXCINEMA VIDEO CORP.; )  
MILLION DOLLAR VIDEO CORP.; )  
RCA/COLUMBIA PICTURES HOME VIDEO; )  
REPUBLIC PICTURES CORPORATION; )

plaintiffs, )

No. 92 C 2227

v. )

Judge Leinenweber

CHARLES WINSTON and EUNICE WINSTON, )  
individually, and CHATHAM PARK VIDEO, INC., )  
an Illinois corporation, )

defendants. )

AGREED JUDGMENT ORDER

This cause having come before the Court by agreement of the parties, and the Court being fully advised in the premises,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED, as follows:

1. That defendants, Eunice Winston and Chatham Park Video, Inc., their agents, employees, servants, or anyone acting by, through, or on behalf of them, are permanently enjoined from this date forward from in any manner doing any of the following acts, except in strict accordance with written authorization issued by the plaintiff owning the copyright interest at issue:

93182037

UNOFFICIAL COPY

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

(a) duplicating, manufacturing, distributing, selling, renting, exchanging, trading, or lending any original or master copies, preview copies, video masters, videocassettes, or other transcription or recording of motion pictures, the copyrights or distribution rights to which are owned or co-owned by any plaintiff herein, or which bear any copyright notice, trademark, or logo that identifies any plaintiff, or from which a plaintiff's copyrighted work may in any manner, or by any method, be reproduced in whole or in part;

(b) offering to do any of the acts identified in subparagraph (a) above.

2. That the defendants, Eunice Winston and Chatham Park Video, Inc. are permanently enjoined from this date forward from:

(a) in any manner infringing, or contributing to or participating in the infringement by others of, any of the copyrights in plaintiffs' motion pictures, and/or from acting in concert with, aiding, or abetting others to infringe any of said copyrights in any way; and

(b) using the titles of motion pictures in which any plaintiff owns exclusive rights under copyright, or trademarks, trade names, or logos of plaintiffs in connection with unauthorized videocassettes in a manner that may cause confusion regarding the source of said videocassettes, or in any manner that may otherwise cause confusion, mistake, or deception in connection with the distribution, advertising, promotion and/or sale of videocassettes of motion pictures in which plaintiffs own exclusive rights under copyright.

3. That judgment is entered in favor of the following plaintiffs and against defendants Eunice Winston and Chatham Park Video, Inc. for the total amount of \$77,000.00 in statutory damages and attorneys' fees and costs, which amount represents the total of the following amounts:

UNOFFICIAL COPY

Property of Cook County Clerk's Office



# UNOFFICIAL COPY

- (a) Columbia Pictures Industries, Inc.: \$5,500.00 in statutory damages and \$5,000.00 in attorneys' fees and costs.
- (b) MGM-Pathé Communications Co.: \$7,000.00 in statutory damages and \$5,000.00 in attorneys' fees and costs.
- (c) Paramount Pictures Corporation: \$9,000.00 in statutory damages and \$5,000.00 in attorneys' fees and costs.
- (d) Universal City Studios, Inc.: \$11,500.00 in statutory damages and \$5,000.00 in attorneys' fees and costs.
- (e) Warner Bros., Inc.: \$11,000.00 in statutory damages and \$5,000.00 in attorneys' fees and costs.
- (f) The Walt Disney Company, Inc.: \$6,000.00 in statutory damages and \$5,000.00 in attorneys' fees and costs.
- (g) RCA/Columbia Pictures Home Video: \$6,000.00 in statutory damages and \$5,000.00 in attorneys' fees and costs.
- (h) Twentieth Century Fox Film Corp.: \$6,000.00 in statutory damages and \$5,000.00 in attorneys' fees and costs.
- (i) Fox Home Video: \$5,000.00 in statutory damages and \$5,000.00 in attorneys' fees and costs.
- (j) LIVE Home Video (LIVE America, Inc.): \$3,000.00 in statutory damages and \$5,000.00 in attorneys' fees and costs.
- (k) Republic Pictures Corp.: \$2,000.00 in statutory damages and \$5,000.00 in attorneys' fees and costs.

UNOFFICIAL COPY

Property of Cook County Clerk's Office

# UNOFFICIAL COPY

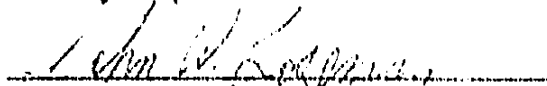
4. That with respect to that portion of the judgment in the amount of \$5,000.00 in attorneys' fees and costs, the above plaintiffs in whose favor such judgment has been entered shall be entitled to one recovery only as to all such plaintiffs, and that amount of \$5,000.00 may be divided and apportioned among said plaintiffs as they see fit.

5. That a representative of plaintiffs, within sixty days from the date of entry of this Order, may examine the inventory of videocassettes maintained on the premises of Chatham Park Video and remove, without any payment or other credit, all illegal or unauthorized copies of motion pictures, the copyright or distribution rights to which are owned by any plaintiff.

6. That with respect to any videocassettes or equipment seized by the U.S. Marshal from the premises of Chatham Park Video or from defendants' flea market location, such videocassettes and equipment are forfeited to plaintiffs, to be disposed of or otherwise handled as plaintiffs see fit. Such forfeiture shall be in addition to the amount of the judgment entered herein, and defendant is not allowed credit against said judgment for the amount of the fair market value, if any, of such videocassettes and equipment.

Agreed to in form and substance:

Attorney for plaintiffs:


  
John W. Loseman  
Of Counsel:  
Defrees & Fiske  
200 South Michigan Avenue, Suite 1100  
Chicago, IL 60604  
(312) 372-4000

Date:

MAR 2 1993



Attorney for defendants:

  
Robert D. Rotman  
Of Counsel:  
Rotman, Medansky & Elovitz, Ltd.  
180 North LaSalle Street, Suite 2101  
Chicago, IL 60601  
(312) 236-2202

Enter:



Honorable Hurry D. Leinenweber  
United States District Court

93182037