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SHANNAN LYNETTE WYNN and PASTOR LESTER  
EUGENE BARRIE

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

SHANNAN LYNETTE WYNN, an individual; PASTOR LESTER EUGENE BARRIE, an individual,

Plaintiffs,

-vs-

OPRAH G. WINFREY, an individual; HARPO PRODUCTIONS, an Illinois corporation; OWN: OPRAH WINFREY NETWORK, LLC, a Delaware corporation; LIONSGATE ENTERTAINMENT CORPORATION, a Canadian corporation; ABC, INC. dba DISNEY-ABC TELEVISION GROUP, a New York corporation; CRAIG WRIGHT, an individual; AYO DAVIS, an individual; and DOES 1 through 10 inclusive,

Defendants.

Case No.

**COMPLAINT FOR:**

- (1) COPYRIGHT INFRINGEMENT;**
- (2) BREACH OF IMPLIED-IN-FACT CONTRACT (Idea Theft);**
- (3) BREACH OF WRITTEN CONTRACT**

**JURY TRIAL DEMAND**

1 Plaintiffs SHANNAN LYNETTE WYNN and PASTOR LESTER EUGENE  
2 BARRIE, and each of them, complain and allege as follows:

3 **INTRODUCTION**

4 1. Hollywood has been the subject of extreme scrutiny due to revelations  
5 of what has been an undisclosed, decades-long history of abuse, sexual harassment  
6 and discrimination by those in power. On a different front, and just as pervasive,  
7 has been the flagrant pilfering of the creative; specifically, the victimization of the  
8 hard-working, dedicated writers, authors and creators whose toil and artistic works  
9 have been stolen, misattributed and exploited by the unscrupulous and untouchable  
10 titans and high-status players of the entertainment industry. Creative theft, in  
11 Hollywood, has become a cottage industry.

12 2. Enter Defendants Oprah Winfrey, Harpo Productions, OWN, ABC,  
13 Lionsgate Entertainment, Ayo Davis and Craig Wright, who surreptitiously and with  
14 brazen temerity, stole Plaintiffs' work and ripped from them what took years to  
15 create and develop. Under the ostensible protection of a non-disclosure agreement,  
16 Plaintiffs placed trust and confidence in Defendants when submitting their ideas and  
17 treatment, entitled *Justice & Glory*, for consideration and compensation. Defendants  
18 accepted Plaintiffs' submission with this understanding, and even lured Plaintiffs  
19 into providing additional ideas and supplemental versions of the treatment. Shortly  
20 after, however, and without explanation, Defendants abruptly advised they were  
21 rejecting Plaintiffs' property. Years later, Plaintiffs saw their work produced and  
22 exploited by Defendants under a different name: *Greenleaf*.

23 3. Defendants' actions were not only blatant, but arrogant as they didn't  
24 even seek to hide the theft; they used the same character names, and copied verbatim  
25 unique and novel storylines, themes, subplots and the overall tone of the show. They  
26 even named their antagonist after Plaintiff Pastor Barrie (Pastor Basie in *Greenleaf*.)  
27 Defendant Winfrey, herself, claimed credit for conceiving the show in various press  
28 reports, stating the idea was birthed while having a side conversation with Defendant

1 | Wright. (*7 Secrets About Oprah's Greenleaf*, ABC News, April 21, 2016; *Oprah*  
2 | *Winfrey's megachurch series Greenleaf takes faith really seriously*, Los Angeles  
3 | Times, April 21, 2016.) However, such proclamations of the show's origin were  
4 | false, as it was not "birthed" through Defendants, but rather conceived and  
5 | misappropriated from Plaintiffs' treatment and ideas. The actions of the Defendants,  
6 | and each of them, have been nothing less than egregious and deplorable. Not only  
7 | have Plaintiffs been deprived of any compensation, acknowledgment or credit, but  
8 | their opportunity to create their own show, and give life to their unique vision, has  
9 | been shattered and forever destroyed. Plaintiffs seek redress.

#### 10 | **JURISDICTION AND VENUE**

11 | 4. Jurisdiction is based on federal question pursuant to 28 U.S.C. §§ 1331  
12 | and 1338(a) arising from the federal court's original jurisdiction for claims arising  
13 | under the 1976 Copyright Act, and supplemental subject matter jurisdiction over  
14 | Plaintiff's state law claims pursuant to 28 U.S.C. §1367(a).

15 | 5. This Court has specific personal jurisdiction over each of the  
16 | Defendants as each either resides in this state, has incorporated in this state, has its  
17 | principal place of business in this state, has purposefully committed, within the state,  
18 | the acts from which these claims arise, and/or has committed tortious acts outside  
19 | California, knowing and intending that such acts would cause injury within the state.  
20 | The Court also has general personal jurisdiction over Defendants, as each conducts  
21 | continuous, systematic, and routine business within the state of California and the  
22 | County of Los Angeles.

23 | 6. Venue is proper in the United States District Court for the Central  
24 | District of California pursuant to 28 U.S.C. §§ 1391(b), 1391(c), 1391(d) and 1400.

#### 25 | **PARTIES**

26 | 7. Plaintiff SHANNAN LYNETTE WYNN ("Plaintiff Wynn") is an  
27 | individual who, at all relevant times herein, has resided in the County of Los  
28 |

1 Angeles, State of California. Plaintiff Wynn has been a writer for nearly ten (10)  
2 years and is a producer and director as well.

3 8. Plaintiff PASTOR LESTER EUGENE BARRIE (“Plaintiff Barrie”) is  
4 an individual who, at all relevant times herein, has resided in the County of Los  
5 Angeles, State of California. Plaintiff Barrie has been a pastor for approximately  
6 eleven (11) years and a licensed minister for thirty-one (31) years.

7 9. Defendant OPRAH G. WINFREY (“Defendant Winfrey”), based on  
8 information and belief, is an individual who, at all relevant times herein, has resided  
9 in the County of Santa Barbara, State of California. Plaintiff Winfrey is a well-  
10 known entertainment media name, with a long history of entertainment production,  
11 performance and distribution. She is an executive producer and co-star of  
12 Defendants’ *Greenleaf*, her network (Defendant OWN) is distributing the show, and  
13 her production company (Defendant Harpo) is credited on the show.

14 10. Defendant HARPO PRODUCTIONS, INC. (“Defendant Harpo”) is an  
15 Illinois corporation which, at all relevant times herein, was licensed and does  
16 business in the County of Los Angeles, State of California. Defendant Harpo was  
17 founded by and is owned, in whole or in part, by CEO Defendant Winfrey, and is  
18 credited as a production company for *Greenleaf*.

19 11. Defendant OWN: OPRAH WINFREY NETWORK, LLC (“Defendant  
20 OWN”), is a Delaware limited liability company which, at all relevant times herein,  
21 was licensed and does business in the County of Los Angeles, State of California.  
22 Defendant OWN is co-owned by Defendant Harpo and distributes *Greenleaf*.

23 12. Defendant LIONSGATE ENTERTAINMENT CORPORATION  
24 (“Defendant Lionsgate”) is an American-Canadian corporation, originally formed in  
25 Vancouver, Canada, and currently publicly traded on the NYSE, and at all relevant  
26 times herein, has had offices and done business in the County of Los Angeles, State  
27 of California. Defendant Lionsgate produces *Greenleaf*.

1 13. Defendant ABC, INC. dba DISNEY-ABC TELEVISION GROUP  
2 (“Defendant ABC”) is a New York corporation which, at all relevant times herein,  
3 was licensed and does business in the County of Los Angeles, State of California.

4 14. Defendant CRAIG WRIGHT (“Defendant Wright”) is an individual  
5 who, at all relevant times herein, has resided in the County of Los Angeles, State of  
6 California. Defendant is credited as the writer, creator and executive producer of  
7 Defendants’ *Greenleaf*. Defendant Wright is also the writer, creator and producer of  
8 Defendant ABC’s *Dirty, Sexy, Money*, which was referenced in Plaintiffs’ treatment.

9 15. Defendant AYO DAVIS (“Defendant Davis”) is an individual who, at  
10 all relevant times herein, has resided in the County of Los Angeles, State of  
11 California. Defendant Davis, based on information and belief, is an executive vice  
12 president and current head of Talent and Casting for ABC Entertainment and ABC  
13 Studios, both divisions of Defendant ABC. She has worked for Defendant ABC for  
14 the past thirteen (13) years and was an executive at the network at all relevant times  
15 herein.

16 16. At all times mentioned herein, Plaintiffs believe and thereon allege that  
17 other fictitious defendants, not previously identified by name but designated as Does  
18 1 through 10, may be liable or responsible in whole or in part for the allegations  
19 contained herein. Once the true names and capacities of these defendants are  
20 ascertained, Plaintiffs will seek leave to amend this Complaint and substitute said  
21 true names and capacities.

22 17. Plaintiffs are informed and believe and thereon allege that each of the  
23 defendants named herein as Does 1 through 10, inclusive, is intentionally,  
24 negligently or otherwise legally responsible in some manner, either vicariously or  
25 by virtue of his, her or its agents, representatives, servants or employees, for the acts  
26 and occurrences herein referred to, and has proximately caused injury or damages  
27 thereby to Plaintiffs as a result of their conduct hereinafter described.  
28

1 18. Plaintiffs are informed and believe and thereon allege that at all times  
2 herein mentioned, the Defendants, and each of them, were the agents, partners, alter  
3 egos, representatives, joint venturers and/or employees of each other, and at all times  
4 were acting within the scope and course of said agency, partnership, joint venture,  
5 representation, alter ego relationship and/or employment, and with full knowledge  
6 and consent of each other. In so doing, the Defendants, and each of them, acted  
7 within the scope of such relationship or ratified the acts of the others, and is jointly  
8 and severally liable as such. Plaintiffs further believe and allege that Defendants,  
9 and each of them, co-conspired with the other, aided and abetted the other, and/or  
10 are the alter egos of the other, such that a unity of interest and ownership exists  
11 between and among Defendants, and that such interests have become intertwined  
12 and non-separable.

### 13 **FACTUAL BACKGROUND**

#### 14 **I. Plaintiffs' Treatment "*Justice & Glory.*"**

15 19. Here's the pitch: a television drama that focuses on a powerful African-  
16 American family dynasty and their sprawling mega-church in the South, where  
17 devotion to God is superseded only by an unapologetic world of wealth, death and  
18 sin. The cast of characters include the elder pastor and patriarch of the family, who  
19 has built the church into an empire, which sits on a sprawling and impressive multi-  
20 acreage property that houses the family. His jet-setter lifestyle, high status and  
21 power are dogged by a past of financial improprieties, suspicious deaths, and other  
22 dark secrets. The pastor-patriarch has cheated on his wife, the matriarch of the  
23 family, and is at odds with his son. The pastor-patriarch has a daughter named  
24 "Grace," who is better suited to follow in her father's footsteps as preacher than his  
25 son. She is very bright, headstrong, and knows the Bible from cover to cover. Grace  
26 is sleeping with a senior staffer at the ministry and has a relationship with a  
27 nemesis/antagonist of her father. She has returned from a long absence to resume  
28 her place in the church and to an often strained relationship with her father.

1           20.    Then there is the gay son, constantly tormented with having to deal with  
2 his homosexuality against the backdrop of a deeply religious, anti-gay congregation.  
3 Add the matriarch of the family who was instrumental in building the church dynasty  
4 and is the backbone of the pastor-patriarch; yet, the workings of the church have  
5 made her angry, bitter and at odds with other members in the family. In fact, she  
6 becomes estranged from her husband, the pastor-patriarch, because of his infidelity.  
7 Moreover, let's add another female character to the family who is sweet and  
8 inspirational to the pastor-patriarch, and innocent and naïve as to the true workings  
9 of the church. The show will start with the death of a long-standing church member.  
10 Additional subplots shall include: (1) a nemesis to the patriarch who wants to bring  
11 down the ministry as he suspects the patriarch of covering up the suspicious death  
12 of a family member, (2) a senate investigation into church misdeeds, (3) a family  
13 rivalry over who shall succeed the patriarch as pastor, and (4) the patriarch's constant  
14 battle to keep secret his financial improprieties and misdeeds in order to protect the  
15 church. Who would be good to develop and produce the show? How about the  
16 creator of "*Dirty Sexy Money*" (*i.e.*, Defendant Craig Wright)?

17           21.    Sound like the pitch for the show *Greenleaf*? No, this was the pitch and  
18 treatment for the show *Justice & Glory*, created in June, 2012, by Plaintiffs, which  
19 was submitted to Defendants, and each of them, initially through Defendants ABC  
20 and OWN. Defendant ABC signed a non-disclosure agreement promising not to  
21 reveal the show to any other third parties, and lured Plaintiffs to submit treatment  
22 after treatment, idea after idea, upon the understanding and agreement that they  
23 would be kept confidential, and that Plaintiffs would be paid for the use of their  
24 ideas. Defendant OWN accepted the materials with a similar understanding that  
25 should any of the ideas or materials be used, Plaintiffs would be compensated, and  
26 went as far as to set up an initial meeting after reviewing the materials. Defendants,  
27 and each of them, as representatives, agents and/or affiliates of each other, accepted  
28 Plaintiffs' submission upon the understanding that Plaintiffs would be compensated

1 | if their property was used, and are so interconnected and intertwined with respect to  
2 | the development, production and distribution of Plaintiff's show, that each was  
3 | acutely aware of this understanding.

4 | **II. Access.**

5 | 22. Plaintiffs<sup>1</sup> registered their treatment *Justice & Glory* with the U.S.  
6 | Copyright Office on or about August 1, 2012 (registration number TXu 1-822-335),  
7 | as well as with the WGA on or about June 23, 2012 (registration number 1590411).  
8 | Two additional versions of Plaintiffs' treatment were also registered with the U.S.  
9 | Copyright Office (application nos. 1-6487792671 and 1-6487792777)<sup>2</sup>.

10 | 23. Access to Defendants, and each of them, can be demonstrated a number  
11 | of ways. First, Plaintiffs, by and through Plaintiff Wynn's then literary agent, Mr.  
12 | Ty Cameron, submitted Plaintiffs' *Justice & Glory* materials and ideas to Defendant  
13 | OWN in the Fall of 2014 for consideration and compensation. Discussions  
14 | sufficiently progressed to where an official in-person meeting with various  
15 | producers at Defendant OWN was set up, although OWN cancelled the meeting at  
16 | the last moment (after it had received and considered Plaintiffs' submission of  
17 | *Justice & Glory*).

18 | 24. Second, Plaintiffs submitted their treatment and concept materials for  
19 | *Justice & Glory* to Defendant ABC, through Nate Reeves and Defendant Ayo Davis,  
20 |

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21 | <sup>1</sup> Plaintiff Barrie's name was mistakenly not included in the copyright registration, and a  
22 | supplementary registration was received on March 12, 2018 which added his name to the earlier  
23 | registration (registration number TX 8-501-267.) Pursuant to the United States Copyright Office,  
24 | Circular 8, Supplemental Registration, mistakenly failing to include a co-author, can be later  
25 | rectified by supplementary registration, which relates back to the original registration.

26 | <sup>2</sup> Different versions of the 2012 registered treatment were prepared and submitted to Defendants  
27 | at the relevant times set forth herein, but were not registered at the time because each incorporated  
28 | the basic and core elements of the registered version. Notwithstanding, and in an abundance of  
caution, Plaintiffs have registered these different versions separately to ensure any and all creative  
components that may not have been specifically included in the 2012 registration are protected.  
Plaintiffs reserve the right and hereby allege that each version of the treatment properly comprise  
and fall under the original treatment registered on August 1, 2012 for purposes of Plaintiffs' right  
to elect attorneys' fees and statutory damages as a remedy.



1 on or about July, 2012<sup>3</sup>. Defendant Davis was an executive in talent and casting for  
2 ABC Entertainment and ABC Studios at the time and has since been promoted to  
3 Head of Talent and Casting for ABC Entertainment and ABC Studios. Prior to  
4 Plaintiffs' submission, Defendant Davis, on behalf of Defendant ABC, executed a  
5 non-disclosure agreement with Plaintiffs, and was similarly aware that these  
6 materials were being submitted for consideration and compensation (Exhibit A).  
7 Thereafter, Defendant Davis corresponded with Plaintiffs as an authorized  
8 representative and on behalf of Defendant ABC. (Exhibit B.) Defendants Davis and  
9 ABC extensively discussed with Plaintiffs their ideas and concepts for the  
10 prospective television production of *Justice & Glory*, and induced Plaintiffs to  
11 provide additional materials and more creative elements. Discussions ensued  
12 regarding how the project was in the vein of one of Defendant ABC's other shows,  
13 *Dirty Sexy Money*, which was indicated on Plaintiffs' treatment. Along these lines,  
14 Defendant Davis stated she knew the writer, producer and creator of *Dirty Sexy*  
15 *Money* (Defendant Wright), and suggested he would be perfect to develop and  
16 produce the show. However, before any other steps were taken, and quite suddenly,  
17 discussions of the show ceased, and Plaintiffs were advised Defendant ABC wasn't  
18 interested. Notwithstanding, and based on information and belief, Plaintiffs believe  
19 the materials were, in fact, sent to Defendant Wright by Defendant Davis on behalf  
20 of Defendant ABC.

21 25. Moreover, it has been widely publicized that Defendant Winfrey and  
22 Defendant Wright had specific conversations about the show and its inception, thus  
23 evidencing direct access between these Defendants. (*7 Secrets About Oprah's*  
24 *Greenleaf*, ABC News, April 21, 2016; *Oprah Winfrey's megachurch series*  
25 *Greenleaf takes faith really seriously*, *Los Angeles Times*, April 21, 2016.)

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26  
27 <sup>3</sup> Initially, Plaintiffs sent the treatment materials to producer Efur Flowers (efuru20@gmail.com),  
28 who had similarly signed a non-disclosure agreement. Ms. Flowers suggested Defendant ABC  
may be interested in Plaintiff's television show *Justice & Glory*, and put Plaintiffs into contact  
with Defendant ABC, acting as an initial conduit between the two as evidenced in Exhibit B.

1           26. Further, Defendant Davis hired Jonathan Bluman to join ABC  
2 Entertainment when she was promoted to Head of Casting. Mr. Bluman was a  
3 former agent at WME, the agency that, on information and belief, had represented  
4 both Defendant Winfrey and Defendant Wright. Based on information and belief,  
5 Mr. Bluman (while at WME) was central in negotiating the deal with Defendant  
6 Lionsgate to produce *Greenleaf*. Thus, the close proximity in the working  
7 relationship between Bluman and Defendant Davis, as well as his relationship with  
8 both Defendants Winfrey and Wright, suggests a reasonable likelihood that Bluman  
9 was aware of Plaintiff's arrangement, and through his negotiations with Lionsgate,  
10 suggests Lionsgate was as well.

11           27. In sum, (1) the materials were directly submitted to Defendant OWN  
12 (which evidences direct access to, and a reasonable opportunity to view the materials  
13 by, Defendant Harpo Productions and Defendant Winfrey), (2) the materials were  
14 directly submitted to Defendant ABC, who employed Defendant Wright (i.e.  
15 through Defendant ABC's *Dirty Sexy Money*); (3) Defendant Davis at Defendant  
16 ABC specifically suggested that Defendant Wright would be "perfect" for Plaintiffs'  
17 show (Defendant Wright is the writer, creator and producer of Defendants'  
18 *Greenleaf*); (4) Plaintiff's treatment for *Justice & Glory* specifically mentioned  
19 Defendant Wright's show *Dirty Sexy Money* as a comparison show, further  
20 evidencing an intent to try and engage Defendant Wright; (5) it has been widely  
21 reported that Defendant Wright and Defendant Winfrey specifically discussed the  
22 conception of *Greenleaf*, thus evidencing a direct connection between these  
23 defendants, as well as a direct connection to Defendant Harpo and Defendant OWN  
24 (via Defendant Winfrey); (6) Jonathan Bluman is believed to have brokered the deal  
25 between Defendant OWN and Defendant Lionsgate to produce the show, and was a  
26 former WME agent believed to represent both Defendants Wright and Winfrey,  
27 evidencing direct access to Defendant Lionsgate.

1 28. During Plaintiffs' discussions with Defendant Davis on behalf of  
2 Defendant ABC, Ms. Davis advised Plaintiffs that if her network (Defendant ABC)  
3 wasn't interested, it could help identify and pass along the property to other potential  
4 third parties who may be interested (i.e. Defendant Wright and/or others). Through  
5 such representations, Plaintiffs entrusted their materials to Defendant ABC and were  
6 led to believe that Defendant ABC was either going to acquire their property for its  
7 own purposes, or was accepting Plaintiffs' material on behalf of third parties to  
8 whom it would pass along, with Plaintiffs' consent, and under either scenario, would  
9 lead to compensation to Plaintiffs. Each Defendant who received the materials was  
10 aware that compensation was necessary if the materials were used. Moreover, each  
11 Defendant is so closely connected with and inextricably linked to the other as to  
12 demonstrate direct involvement by all Defendants in the unlawful acquisition, theft,  
13 production and distribution of Plaintiffs' *Justice & Glory*. In fact, *Greenleaf* could  
14 not have happened without the involvement of this panoply of Defendants.

15 **III. Defendants' Usage Of Plaintiffs' *Justice & Glory* And The Substantial**  
16 **Similarities Between The Two Shows.**

17 29. The concept and story-line of both shows is very novel and unique,  
18 never before created for television or cinema. As set forth below, any professed  
19 "coincidence" of independent creation is ludicrous, at best.

20 **A. Setting.**

21 30. The setting of Defendants' *Greenleaf* is identical to that of Plaintiffs'  
22 *Justice & Glory*. Both shows are dramas that take place in the South and center  
23 around a powerful, African-American family dynasty and their sprawling mega-  
24 church. The families of both shows live together in a mansion-style home sitting on  
25 a large plot of land, have private jets and live an affluent lifestyle. Their lives all  
26 center around the mega-church activities and people affiliated with the church in one  
27 aspect or another. Allies and enemies of the family are among the many prominent  
28 and influential church members. The backdrop of family life is a constant effort to

1 internally cover-up and deal with the sins of the family as they externally worship  
2 and preach religion and devotion to God. The sins are the same (i.e. infidelity,  
3 connection to suspicious deaths, subject of criminal investigations, use of influence  
4 to get out of trouble, among others). Both shows start with the sudden death of a  
5 long-standing church member. Both shows are dramas made for nighttime network  
6 television.

7 **B. Characters.**

8 **1. Ensemble Cast.**

9 31. The overall, principle cast between the two shows is virtually identical.  
10 The main characters' names are all biblical (*Justice & Glory* - Zoe Grace, Luke,  
11 Roman, Timothy, Thomas, and Victory; *Greenleaf* - Grace, James, Jacob, Faith  
12 Isaiah, Aaron, Thomas, Noah and Charity), and both shows have the following  
13 characters: (1) an African-American, pastor-patriarch who is the leader of the family  
14 and church; (2) a powerful matriarch who has become bitter towards a member of  
15 her family; (3) a daughter named Grace, who: (4) has been gone for a while and  
16 returns to the family/church, (5) has a relationship with a nemesis/antagonist of her  
17 father, and (6) is sleeping with a senior member of the Church staff; (7) a closeted,  
18 gay son/son-in-law; (8) a rivalry between siblings for positions in the church and  
19 acceptance from the patriarch father; (9) a nemesis who wants to take the ministry  
20 down and suspects the patriarch of covering up the death of the nemesis's family  
21 member; (10) a family member who cheats on his spouse with a church employee;  
22 (11) a Senate investigation of the pastor-patriarch ; (12) a family member who is a  
23 gospel singer in the church choir; (13) family members with drug problems; (14)  
24 bishops who are guilty of financial improprieties; (15) Pastor-partriarchs being  
25 investigated for financial improprieties; (16) pastor-patriarchs who cheat on their  
26 wife/matriarch; (17) pastor-patriarchs who are at odds with their son; and (18)  
27 fathers who demean and have disdain for their gay sons.  
28

## 2. Individual Characters.

### a) African-American, Pastor-Patriarch, Family/Mega-Church Leader.

32. The character of Pastor James Greenleaf in Defendants' *Greenleaf* is virtually identical to Bishop Luke Barrington in Plaintiffs' *Justice & Glory*. Both are African-American patriarchs of their families, generational preachers and leaders of the church. Each has built their church into an empire and amassed great wealth. Each has a private jet, dresses immaculately and wields power in the community. Each is highly charismatic and has preached, or currently preaches, on television. They are both being investigated by the Senate, and both have a nemesis who wants to bring them down and suspects them of covering up a suspicious death. For example, in Defendants' *Greenleaf*, Bishop Skanks wants to bring down Bishop Greenleaf for his involvement in the death of Bishop Skanks' father, who was employed by the church, during a church fire years' back. In Plaintiffs' *Justice & Glory*, Senator Deeds wants to bring down Bishop Barrington and suspects him of being involved in the death of Senator Deeds' mother who was a member of the church congregation. Both *Greenleaf's* Bishop Greenleaf and *Justice & Glory's* Bishop Barrington have daughters' named Grace, who have returned to the church after an absence, and who are the natural choice to succeed the patriarch and lead the congregation. Both of these pastor-patriarchs proclaim themselves as flawed, yet act as if they are truly above the law. Both use their influence and power to get out of legal predicaments and/or otherwise subvert legal channels. Both quote scripture as they argue with their nemesis or otherwise try to justify their sinful actions. Both have cheated on their wife, the Matriarch. Both are at odds with their son (*Greenleaf's* Jacob and *Justice & Glory's* Roman).

### b) Daughter Grace.

33. The character of Grace Greenleaf in Defendants' *Greenleaf* and Zoe Grace in Plaintiffs' *Justice & Glory* are extremely similar, as well. Both characters are very bright, headstrong, worship their father, know scripture from cover to cover,

1 and are well-suited to follow in their father's footsteps as lead Pastor. In addition,  
2 both characters have affairs with leading staffers/church advisors (in Defendants'  
3 *Greenleaf*, Grace has an affair with the engaged head of security, Noah, and in  
4 Plaintiffs' *Justice & Glory*, Zoe Grace has an affair with Alexander Bridges, a senior  
5 advisor/deacon in the church). In addition, both characters have relationships with  
6 men who pose a potential threat to the church (*i.e.*, in Defendants' *Greenleaf*, Grace  
7 is having a relationship with Darius Nash, an investigative reporter helping to  
8 investigate sexual abuse by a highly-placed church member, and in Plaintiffs' *Justice*  
9 *& Glory*, Zoe Grace is having an affair with Senator Deeds.) In addition, the Grace  
10 character in both shows left the church for a significant period and then returned to  
11 take her place in the church. Both characters in each show are next in line to lead  
12 the church in ministry.

13 34. In addition, Grace Greenleaf (Defendants' *Greenleaf*) also has  
14 characteristics that Defendants took from other characters in Plaintiffs' *Justice &*  
15 *Glory*. For example, both Grace Greenleaf in *Greenleaf*, and Roman Barrington in  
16 Plaintiffs' *Justice & Glory* hold family secrets that, if exposed, could endanger the  
17 patriarch and/or the ministry. Moreover, Grace Greenleaf and the matriarch of the  
18 Greenleaf family, Lady Mae, have a very antagonistic relationship, much like the  
19 relationship between Whitney Barrington and matriarch Victory Barrington in  
20 Plaintiffs' *Justice & Glory*.

21 **c) Matriarch.**

22 35. The matriarch characters in both works are extremely similar. Lady  
23 Mae Greenleaf in Defendants' *Greenleaf* and Victory Barrington in Plaintiffs'  
24 *Justice & Glory* are both the female leaders of the family, extremely headstrong and  
25 powerful. Both have been instrumental in working with their husbands in building  
26 up the ministry to the level of mega-church and constitute the backbone to their  
27 husbands' success and abilities. In addition, each woman either is or becomes  
28 estranged from the Patriarch. Further, each matriarch has become bitter towards

1 other family members (in Defendants' *Greenleaf*, Lady Mae is bitter and angry with  
2 her daughter Grace for having left, only to return to endanger the future of the  
3 church, while in Plaintiffs' *Justice & Glory*, Victory Barrington has become bitter  
4 and angry at Whitney Barrington for displacing her as first lady of the church and  
5 Bishop Barrington's wife). Both women, more so than all the other characters,  
6 epitomize the "hell hath no fury like a woman scorned" description, and are the most  
7 bitter and angry of the characters.

8 **d) Homosexual Son.**

9 36. Both shows have closeted gay characters who are either a son or son-  
10 in-law of the pastor-patriarch. In Defendants' *Greenleaf*, Kevin (married to Bishop  
11 Greenleaf's daughter, Charity), is homosexual and keeps it from the congregation  
12 and the family early on in the show, and then eventually discloses it to his wife. In  
13 Plaintiffs' *Justice & Glory*, Roman Barrington (Bishop Barrington's son) is  
14 homosexual and keeps it from the congregation and his family, until he eventually  
15 discloses it to his father. Both characters are constantly battling with their sexuality  
16 against the backdrop of a devoutly religious and anti-gay community.

17 **e) Charity Greenleaf.**

18 37. The character of Charity Greenleaf in Defendants' *Greenleaf* is a  
19 combination of characteristics of Whitney Barrington and Victory Barrington in  
20 Plaintiffs' *Justice & Glory*. Much like Whitney Barrington, Charity Greenleaf is  
21 sweet, intelligent and somewhat more naïve than the other family members, having  
22 been left out of family dealings. Also, like Whitney Barrington, Charity Greenleaf  
23 is the one who softens the patriarch and whose sweet, innocent nature he adores. In  
24 addition, the Charity Greenleaf character also takes from Plaintiff's *Justice & Glory*  
25 character Victory Barrington, in that both are or were lead singers in the church choir  
26 and Victory Barrington is a nationally recognized R&B Gospel singer (a goal to  
27 which Charity aspires).

28

1                                   **f) Jacob Greenleaf.**

2           38. Defendants' *Greenleaf* character Jacob is a combination of characters  
3 from Plaintiffs' *Justice & Glory*. Much like *Justice & Glory's* Bishop Barrington,  
4 Jacob Greenleaf cheated on his wife with a church staffer. Much like Roman  
5 Barrington in Plaintiffs' *Justice & Glory*, Jacob has a strained relationship with his  
6 father, is rebellious, yet fights for his father's approval. Much like Zoe Grace of  
7 *Justice & Glory*, Jacob is felt by his father to be unfit to succeed as pastor, and both  
8 struggle with infidelity that could bring down the ministry.

9                                   **g) Pastor Basie Skanks.**

10           39. First, the play on names between Plaintiff Pastor Barrie and *Greenleaf's*  
11 Pastor Basie does not go unnoticed. *Greenleaf's* antagonist Pastor Basie Skanks is  
12 very similar to *Justice & Glory's* antagonist Senator Thomas Deeds. Both  
13 characters: are driven to succeed in their chosen careers; are the nemesis of the  
14 pastor-patriarch of the family; have loved ones in whose deaths they believe the  
15 patriarch was involved; and are set on bringing the pastor-patriarch down. In  
16 addition, Pastor Skanks of *Greenleaf* exhibits the sinful qualities found in the earlier  
17 years of Bishop Barrington's past, where Pastor Skanks is stealing money from his  
18 church and associating with a sinister crowd.

19                                   **h) Zora Greenleaf.**

20           40. Bishop Greenleaf's granddaughter Zora in Defendants' *Greenleaf*  
21 incorporates many of the qualities of Zoe Grace in Plaintiffs' *Justice & Glory*. Both  
22 women are sexually active, use drugs and represent a rebellious, less than moral  
23 attitude.

24                                   **i) Sophia Greenleaf.**

25           41. Bishop Greenleaf's other granddaughter in *Greenleaf*, Sophia, takes  
26 many of the qualities of Whitney Barrington in *Justice & Glory*. Both women are  
27 more moral than others in their family and serve as the inspiration for another family  
28 member (*i.e.*, Sophia for her mother Grace in *Greenleaf*, and Whitney for her



1 husband Bishop Barrington in *Justice & Glory*). Sophia softens her mother  
 2 (*Greenleaf*) as Whitney softens her husband (*Justice & Glory*) while the  
 3 mother/husband constantly deal with the dark side of the church, each serving as  
 4 their light in the unending darkness.

5 **C. Dialogue.**

6 42. There is no specific dialogue in Plaintiffs' *Justice & Glory* as it is a  
 7 treatment and not a teleplay. However, the verbiage in the treatment is very similar  
 8 to verbiage used in the marketing aspects of Defendants' *Greenleaf*:

9 *Justice & Glory*: "Made for nighttime network television, *Justice &*  
 10 *Glory* gets inside the private lives of the Barrington's lavish and  
 11 unapologetic world, where wealth, religion, and sin plague this first  
 12 family of ministry."

13 *Greenleaf*: "The original drama series *Greenleaf* ... takes viewers into  
 14 the unscrupulous world of the Greenleaf family and their sprawling  
 15 Memphis megachurch, where scandalous secrets and lies are as  
 16 numerous as the faithful.

<http://www.oprah.com/app/greenleaf.html#ixzz59fBbgm13>,

17 43. Also, additional marketing comparisons:

18 *Justice & Glory*: "Every member of the Barrington family and circle  
 19 of influence seem to be juggling the demands of power, greed, love,  
 20 and envy to protect the family's empire at all cost! The real war  
 21 between all of them is one of an internal struggle of faith and flesh."

22 *Greenleaf*: "Born of the church, the Greenleaf family love and care for  
 23 each other, but beneath the surface lies a den of iniquity—greed,  
 24 adultery, sibling rivalry and conflicting values—that threatens to tear  
 25 apart the very core of their faith that holds them together."

<http://www.oprah.com/app/greenleaf.html#ixzz59fBbgm13>,

26 **D. Themes.**

27 44. The general, overall themes of *Greenleaf* and *Justice & Glory* are  
 28 identical: The challenges of a powerful, African-American family dynasty and their  
 sprawling mega-church in the South in the battle between an unapologetic world of

1 wealth, suspicious death and sin of the family's private lives and their external  
 2 façade of morality, religion and God in the Church. In addition, both shows  
 3 incorporate the exact same themes, including but not limited to: abuse of power,  
 4 betrayal, bible, capitalism, coming of age, conspiracy, crime, death, darkness and  
 5 lightness, destruction of beauty, family-blessing or curse, consequences of the sins  
 6 of the past, evils of humanity, God, good versus evil, greed, infidelity, loss of  
 7 innocence, jealousy, power and corruption, revenge, morality, religion and salvation.

8 **E. Plot Points/Sequence of Events.**

9 45. The plot points in both Defendants' *Greenleaf* and Plaintiffs' *Justice &*  
 10 *Glory* are substantially similar, and in some instances identical. Both shows have  
 11 the following plot lines:

- 12 i. The shows start out with the death of a long-standing church member;
- 13 ii. Major characters cheat on their wives with church staff (*Greenleaf's*  
 14 Jacob – *Justice & Glory's* Bishop Barrington);
- 15 iii. Both churches are the subject of a Senate investigation;
- 16 iv. A daughter Grace who has been gone from the church for many years  
 17 and returns to take her place;
- 18 v. A daughter Grace who is next in line to lead the church as pastor;
- 19 vi. A daughter Grace who is sleeping with an upper level employee of the  
 20 Church;
- 21 vii. A daughter Grace who is in a relationship with a nemesis/antagonist of  
 22 the church;
- 23 viii. A gay son/son-in-law of the pastor-patriarch who is constantly battling  
 24 with his sexuality against the backdrop of the deeply religious, anti-gay  
 25 sentiment of a southern, black church (*Greenleaf's* Kevin – *Justice &*  
 26 *Glory's* Roman);
- 27 ix. A gay son/son-in-law who keeps his sexuality to himself, but eventually  
 28 discloses it;

- 1 x. A patriarch-pastor who leads a jetsetting, affluent lifestyle;
- 2 xi. Children who have a strained relationship with their father (*Greenleaf's*
- 3 *Jacob/Grace – Justice & Glory's Zoe Grace*);
- 4 xii. Children who are vying for approval from their father, the pastor-
- 5 patriarch (*Greenleaf's Jacob/Grace – Justice & Glory's Zoe Grace*);
- 6 xiii. A nemesis who is seeking to take down the pastor-patriarch for his
- 7 involvement in the death of a family member (*Greenleaf's Pastor Skanks*
- 8 *– Justice & Glory's Senator Deeds*);
- 9 xiv. Children/family members that are into drugs (*Greenleaf's Zora, Mavis*
- 10 *and Henry – Justice & Glory's Zoe Grace*);
- 11 xv. Fathers who have serious issues with the thought of gay sons
- 12 (*Greenleaf's Bishop Lionel Jeffries regarding his gay son Aaron – Justice*
- 13 *& Glory's Bishop Barrington*);
- 14 xvi. Pastor-patriarchs who get out of legal issues through their power and
- 15 influence (*Greenleaf's Bishop Greenleaf – Justice & Glory's Bishop*
- 16 *Barrington*);
- 17 xvii. Pastor-patriarchs who cheat on their wife/matriarch.
- 18 xviii. Pastor-patriarchs who are at odds with their son.

19 **F. Mood/Pace.**

20 46. The mood of the two shows are identical. The stories are dramas,

21 written for adults, and are very serious with little to no comic relief. The shows deal

22 with very serious issues of death, including death by suicide, drugs/alcohol, anti-gay

23 sentiment, disillusionment, infidelity, and the constant effort to deal with family

24 tragedy, rivalries, resentment and love, as well as to promote religious ideals and

25 God. The paces of the shows are similar as they take place from day to day as the

26 characters deal with their demons and issues (there are not significant lapses in time

27 or fast-forwarding years ahead). Both shows often reference past events that become

28 the focus of dealing with present, day-to-day issues.

### **G. Sequence of Events.**

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2  
3  
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47. The sequence of major events are substantially similar between the two shows. Both shows start with the mysterious death of a Church member. In addition, although Plaintiff's work is in the form of a treatment and not developed into a multi-season, episodic television show, each of the episodes of Defendants' *Greenleaf* follow the very same plot points, themes, mood, pace and character relationships set forth in Plaintiffs' *Justice & Glory*. Quite simply, without *Justice & Glory*, *Greenleaf* could not exist.

### **H. Comparison by Episode.**

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11  
12  
13  
48. Following is an episodic listing of the plot lines, characters and occurrences in *Greenleaf* that mirror and/or otherwise flow directly from the characters, plot lines, themes, events and/or story-lines set forth in Plaintiff's *Justice & Glory*, season 1:

#### **Episode 1 "A Time to Heal"**

- 14  
15  
16  
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18  
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24
- i. The Drama centers on a mega church in the South.
  - ii. A Character named Grace is introduced
  - iii. Grace returns from a long absence from the church scene.
  - iv. Grace is a preacher
  - v. Grace is the daughter of a Bishop/Pastor
  - vi. Grace's past affair with member of Bishop's inner circle revealed (Noah).
  - vii. Bishop/Pastor also has a son who is a preacher
  - viii. Senator investigation into financial improprieties is mentioned.
  - ix. Suspicious death is revealed.
  - x. An affair with the church secretary is revealed.

#### **Episode 2 "The Baptism"**

- 25  
26  
27  
28
- i. Bishop/Pastor's son Jacob takes on more responsibilities at the church as a result of his sister Grace's return in an effort to please and vie for his father's affection and approval.

- 1 ii. An affair with the church secretary unfolds.
- 2 iii. Bishop/Pastor refuses a senator's inquiries into the church's finances
- 3 fueling their conflict.
- 4 iv. Homosexual attractions of Bishop's son/son-in-law hinted.

5 **Episode 3 We Shall Seem Him as He Is"**

- 6 i. Homosexual attractions of Bishop's son/son-in-law hinted.
- 7 ii. Marriage adversely affected by affair with church secretary.
- 8 iii. Senator ups the pressure in his inquiry into church finances.
- 9 iv. Bishop's ownership of private jet revealed.
- 10 v. Homosexual attractions of Bishop's son/son-in-law unfolds.
- 11 vi. Cover up of events from Bishop's past hinted.

12 **Episode 4 "Behind Closed Doors"**

- 13 i. Bishop's political involvement and connections revealed when the mayor
- 14 calls in a favor.
- 15 ii. Bishop's son and wife attend couple's counseling to deal with affair with
- 16 church secretary.
- 17 iii. Grace has attraction spark with head of Bishop's (father's) chief of
- 18 security.
- 19 iv. Affair with church secretary is front and center.
- 20 v. As part of a growing investigation the church is audited.
- 21 vi. Bishop mixes politics with religion when granting favor for the mayor.
- 22 vii. Bishop buys NEWER model private jet.

23 **Episode 5 "Meaningful Survival"**

- 24 i. Affair with church secretary pushes marriage to its limits.
- 25 ii. Son/Son-in-law explores his same-sex attractions.
- 26 iii. Bishop covering up past crimes is hinted.
- 27 iv. Same-sex desires of Bishop's son/in-law continue to grow.
- 28 v. Bishop is at odds with his son, Jacob.

1 **Episode 6 “Good Morning Calvary”**

- 2 i. The Bishop appoints daughter Grace to preach on Sunday in his absence.  
3 ii. Bishop’s son Jacob tries to arrange a TV deal for the church hoping to  
4 impress his father.  
5 iii. Bishop and wife at odds over which sibling should be more involved in  
6 preaching.  
7 iv. Bishop still at odds with Jacob.  
8 v. Bishop’s ministry was once on tv revealed.  
9 vi. Sister Grace has to step up to replace brother Jacob in church duties.  
10 vii. Same sex desires of Bishop’s son/in-law continue to grow.

11 **Episode 7 “One Train May Hide Another”**

- 12 i. Son Jacob seeks help from uncle with plan to impress Bishop with return  
13 to tv ministry.  
14 ii. IRS audit of church finances lingers.  
15 iii. It is suggested that Grace’s new position in the church be permanent.  
16 iv. Bishop’s financial corruption is revealed.

17 **Episode 8 “The Whole Book”**

- 18 i. Bishop’s wife Lady Mae is suspicious of relationship between daughter  
19 Grace and Noah (Church security);  
20 ii. Affair between Grace and Noah begins to loom.  
21 iii. In effort to impress Father, son Jacob presents his plan for TV ministry.  
22 iv. Bishop has a dark secret hinted.  
23 v. Personal vendetta against the Bishop by cross-town pastor is hinted.  
24 vi. Church audit takes center stage.  
25 vii. Bishop’s involvement in past death is suggested.  
26 viii. Sparks of attraction between daughter Grace and church security Noah.

27 **Episode 9 “The Broken Road”**  
28

- 1 i. Wife Kerissa confronts her husband Jacob about obvious affair with
- 2 church secretary Alexa.
- 3 ii. Son-in-law Kevin's gay fantasies are revealed.
- 4 iii. Church security Noah has his engagement with fiancé destroyed due to
- 5 affair with Bishop's daughter Grace.

6 **Episode 10 "March to the Sea"**

- 7 i. Daughter Grace thwarts Uncle Mac's attempt to blackmail the Bishop.
- 8 ii. Wife Kerissa blows husband Jacob's affair with church secretary out into
- 9 the open to the entire family.
- 10 iii. Secrets from Bishop/Pastor's past begin to threaten present.

11 **Episode 11 "Men Like Trees Walking"**

- 12 i. The church is surrounded by scandal.
- 13 ii. A gospel artist in the family is revealed.
- 14 iii. Homosexual attractions continue to unfold.
- 15 iv. Despite being out in the open the affair between son Jacob and church
- 16 secretary continues.
- 17 v. The personal vendetta against the Bishop picks up steam.

18 **Episode 12 "Veni, Vidi, Vici"**

- 19 i. It is suggested that the personal vendetta of cross town pastor against Bishop
- 20 Greenleaf now involves pitting son Jacob against his father.
- 21 ii. Adrian a male associate of Bishop's son/in law Kevin senses mutual
- 22 attraction.
- 23 iii. Bishop's son-in-law Kevin finally shares his feelings sexuality struggles
- 24 with wife Charity.
- 25 iv. Affair between Bishop's daughter Grace and Church Security Noah
- 26 continues now that engagement has ended.
- 27 v. Uncle Mac has a secret that seems to control Bishop Greenleaf.
- 28

1 **Episode 13 “What Are You Doing Here”**

- 2 i. Pastor Basie, who has personal vendetta against Bishop Greenleaf, wants  
3 Son Jacob to run a new community center that will be built near his own  
4 father’s church.  
5 ii. The idea that daughter Grace should succeed Father instead of Son Jacob  
6 seems to be validated.  
7 iii. Affair between daughter Grace and Church security lingers.  
8 iv. Bishop’s dark secret is revealed. He is responsible for the death of an  
9 innocent man.

10 **FIRST CLAIM FOR RELIEF**

11 **(Copyright Infringement)**

12 **(As Against All Defendants and Does 1-10)**

13 49. Plaintiffs reallege and incorporate by reference each and every  
14 allegation contained in paragraphs 1 through 48 as though fully set forth herein.

15 50. Plaintiffs are the legal and beneficial owner of the United States  
16 copyright for the treatment *Justice & Glory*, which was registered with the United  
17 States Copyright Office on August 1, 2012 (registration number TXu-1-822-335).  
18 In addition, a supplemental registration adding Plaintiff Pastor Barrie’s name to the  
19 original registration was effected on March 12, 2018 (TXu 8-501-267), and  
20 additional versions of Plaintiffs’ *Justice & Glory’s* treatment (Justice and Glory 2;  
21 Justice and Glory 3) were registered with the United States Copyright Office as well  
22 (application nos. 1-6487792671 and 1-6487792777). In addition, the work was  
23 registered with the Writer’s Guild of America on June 23, 2012 (registration number  
24 1590411.)

25 51. Defendants, and each of them, have directly, contributorily and/or  
26 vicariously infringed upon Plaintiff’s copyright through their copying, reproduction,  
27 distribution, performance, display, publication, creation, broadcast, selling,  
28



1 licensing and other exploitation of Plaintiff's copyrighted materials through their  
2 incorporation of it in the show *Greenleaf*. Moreover, Defendants, and each of them,  
3 continue to copy, display, distribute, reproduce, perform, publish, create, broadcast,  
4 sell, license and exploit said work, infringing upon Plaintiff's intellectual property  
5 rights, to this day.

6 52. Defendants' infringement has allowed them to collect profits directly  
7 from the unauthorized usage and incorporation of Plaintiffs' treatment and  
8 corresponding intellectual property. In addition, Defendants' actions have prevented  
9 Plaintiffs from exploiting their own work and copyrighted material as Defendants'  
10 have completely monopolized and arrogated Plaintiffs' material as their own leaving  
11 no marketplace to which they could do so independently.

12 53. Defendants, and each of them, have done so willfully, intentionally or,  
13 at the very least, recklessly, in disregard of Plaintiffs' rights. Defendants, and each  
14 of them, were specifically aware that the property emanated from Plaintiffs, or yet  
15 acted in reckless disregard of discovering same, when they used the treatment and  
16 related materials to create, produce and exploit their own television show, *Greenleaf*.

17 54. As a result of Defendants' infringement of Plaintiffs' copyright,  
18 Plaintiffs are entitled to an election of damages in the form of either (1) actual  
19 damages and any profits of Defendants or, in the alternative, (2) statutory damages,  
20 including attorneys' fees, to the extent that said infringement is found to have  
21 occurred from pre-infringement registered materials.

22 55. In addition, monetary relief is not adequate to address fully the  
23 irreparable injury that Defendants' illegal actions have caused and will continue to  
24 cause Plaintiff if not enjoined. Plaintiffs are therefore entitled to preliminary and  
25 permanent injunctive relief to stop Defendants' ongoing infringement of Plaintiff's  
26 copyright.

**SECOND CLAIM FOR RELIEF**

**(Breach of Implied-In-Fact Contract)**

**(As Against Defendants Winfrey, Harpo, OWN, Lionsgate, ABC, Inc. and Wright, and Does 1-10)**

56. Plaintiffs reallege and incorporate by reference each and every allegation contained in paragraphs 1 through 55 as though fully set forth herein.

57. Plaintiffs and Defendants entered into an implied-in-fact contract, based on their conduct as alleged above, whereby Plaintiffs submitted and disclosed ideas and materials for the show *Justice & Glory* to Defendants for sale, *i.e.* in consideration for Defendants’ obligation to pay Plaintiffs if Defendants or their affiliates used any of those ideas or materials in a television show or otherwise. Plaintiffs reasonably expected to be compensated for such use of any of their ideas or materials; and Defendants voluntarily accepted Plaintiffs’ offer and disclosures, and even requested additional ideas and materials, knowing the conditions on which they were made, *i.e.* that any use of any of Plaintiffs’ ideas or materials in any television show, entertainment property or otherwise, whether by Defendants or their affiliates, carried with it an obligation to, *inter alia*, compensate Plaintiffs for such use.

58. Plaintiffs conveyed, and Defendants accepted, Plaintiffs’ ideas and materials for *Justice & Glory* with an understanding of the custom and practice in the entertainment industry of providing ideas and materials to producers, networks and studios in exchange for compensation if such ideas or materials are used.

59. Defendants’ conduct implied, and led Plaintiffs reasonably to believe, that Defendants would compensate Plaintiffs for their ideas and materials for the show *Justice & Glory* if Defendants or their affiliates used any of Plaintiffs’ ideas or materials in any television show, entertainment property or otherwise. By virtue of Defendants’ acceptance and utilization of Plaintiffs’ ideas and materials for *Justice & Glory*, an agreement was implied in fact to compensate Plaintiffs.

1 60. Plaintiffs have performed all conditions, covenants, and promises  
2 required to be performed on its part in accordance with its implied-in-fact contract  
3 with Defendants.

4 61. Defendants used Plaintiffs' ideas and materials in the show *Greenleaf*,  
5 and such ideas and materials provided substantial value to Defendants. However,  
6 Defendants have not compensated Plaintiffs for the use of such ideas and materials.  
7 Accordingly, Defendants have breached, and continue to breach, their implied-in-  
8 fact contract with Plaintiffs.

9 62. As an actual and proximate result of Defendants' material breaches of  
10 the implied-in-fact contract, Plaintiffs have suffered, and will continue to suffer,  
11 damages in an amount to be proved at trial.

12 **THIRD CLAIM FOR RELIEF**

13 **(Breach of Written Contract)**

14 **(As Against Defendant ABC, Inc. and Does 1-10)**

15 63. Plaintiffs reallege and incorporate by reference each allegation  
16 contained in paragraphs 1 through 62 as though fully set forth herein.

17 64. Plaintiffs entered into a written contract titled "Confidentiality  
18 Agreement" with Defendant ABC, by and through its agent Defendant Ayo Davis,  
19 whereby Defendant ABC specifically agreed that it would not disclose the *Justice &*  
20 *Glory* treatment, including related research and development, to anyone, so as to  
21 protect Plaintiffs' right to compensation should such be disseminated and used. In  
22 exchange for Defendant's execution of the agreement and promise not to disclose,  
23 Plaintiffs submitted their materials to Defendant.

24 65. Despite Plaintiffs having performed, Defendants breached the  
25 agreement by disclosing the *Justice & Glory* treatment and related materials to third  
26 parties, without Plaintiffs' consent, resulting in the usage of Plaintiffs' materials  
27 without compensation to Plaintiffs.

28

1 66. As an actual and proximate result of Defendants’ material breach of the  
2 written contract, Plaintiffs have suffered, and will continue to suffer, damages in an  
3 amount to be proved at trial.

4 **PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff prays for relief as follows:

6 1. Actual, general and compensatory damages for breach of implied-in-  
7 fact contract and breach of written contract, according to proof;

8 2. Actual damages and/or disgorgement of profits under 17 U.S.C. Section  
9 504(b) or, in the alternative, statutory damages under 17 U.S.C. Section 504(c) in  
10 the amount of \$150,000 for each act of infringement;

11 3. A permanent injunction preventing defendants’ and each of their  
12 agents, employees, licensees, partners, officers, attorneys, assigns, and any other  
13 person/entity working in concert or participation with defendants, from further  
14 distributing, marketing, selling, copying, publishing, licensing, broadcasting and/or  
15 participating in the infringement of Plaintiff’s rights protected by the Copyright Act  
16 pursuant to Plaintiffs’ copyright infringement claim (first claim for relief herein);

17 4. Prejudgment interest at the maximum legal rate;

18 5. Reasonable attorneys’ fees under 17 U.S.C. 505, 15 U.S.C. 1117, any  
19 other applicable statute and/or as otherwise permitted by law;

20 6. Cost of suit;

21 7. All other further relief as the Court may deem appropriate in the  
22 interests of justice.

23 DATED: April 16, 2018

THE LOVELL FIRM, P.C.

24 BY: Tre Lovell  
25 TRE LOVELL  
26 Attorneys for Plaintiffs SHANNAN  
27 LYNETTE WYNN and PASTOR  
28 LESTER EUGENE BARRIE

**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demand a jury trial for all matters so triable.

DATED: April 16, 2018

THE LOVELL FIRM, P.C.

BY: Tre Lovell

TRE LOVELL

Attorneys for Plaintiffs SHANNAN  
LYNETTE WYNN and PASTOR  
LESTER EUGENE BARRIE

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