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8 Attorneys for Plaintiff
9 CARLTON RIDENHOUR pka CHUCK D.

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IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

15

CARLTON RIDENHOUR, an individual,

Case No.

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Plaintiff,

COMPLAINT FOR DECLARATORY
RELIEF RE OWNERSHIP OF
COPYRIGHTS, FRAUD and
CONVERSION

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vs.

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MICHAEL CLOSTER, an individual;
REACH GLOBAL, INC., a Delaware
corporation; and DOES 1 through 10,

DEMAND FOR JURY TRIAL

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Defendants.

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Plaintiff CARLTON RIDENHOUR (“RIDENHOUR”), for his complaint against
MICHAEL CLOSTER (“CLOSTER”), REACH GLOBAL, INC. (“REACH GLOBAL”) and DOES 1 through 10, hereby alleges:

INTRODUCTION

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2 1. RIDENHOUR brings this action to obtain a judicial declaration from this
3 court that will undo the fraudulent scheme by which CLOSTER and REACH GLOBAL
4 used false registrations with the United States Copyright Office to fraudulently obtain
5 ownership interests in valuable musical compositions (the “Stolen Compositions”) written
6 in whole or part by RIDENHOUR and award RIDENHOUR the damages he has suffered.
7 The titles of the Stolen Compositions and their respective copyright registration numbers
8 are set forth on Exhibit A hereto and incorporated herein by this reference.

PARTIES

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10 2. RIDENHOUR is a world renown performer, recording artist, musician,
11 author and record producer professionally known as “Chuck D.” RIDENHOUR is the
12 founder, principal member and intellectual force behind the hip hop group known as
13 Public Enemy, a member of the Rock & Roll Hall of Fame. RIDENHOUR wrote and or
14 co-wrote most of the Public Enemy hit songs and has created an extensive and valuable
15 catalog of musical compositions. RIDENHOUR is also a founding member of supergroup
16 Prophets of Rage which he founded with members of Rage Against the Machine and
17 Cypress Hill.

18 3. RIDENHOUR is an individual resident of the County of Ventura, State of
19 California.

20 4. CLOSTER is an individual resident of the State of Virginia who regularly
21 conducts business in this District.

22 5. REACH GLOBAL is a Delaware corporation which regularly conducts
23 business in the State of California. REACH GLOBAL is wholly owned by REACH
24 MUSIC PUBLISHING, INC., (“REACH MUSIC”) which in turn is wholly owned by
25 CLOSTER. CLOSTER owns 100% of the shares of REACH MUSIC and holds all
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1 officer positions in both REACH GLOBAL and REACH MUSIC, i.e., president,
2 secretary, vice president and treasurer.

3 6. REACH MUSIC and CLOSTER maintain an office in Burbank, California
4 from which they conduct business.

5 7. The true names and capacities of the Defendants sued as DOES 1 through
6 10, whether individual, corporate, associate or otherwise, are unknown to RIDENHOUR
7 who therefore sues such Defendants by fictitious names. RIDENHOUR is informed and
8 believes and thereupon alleges that each of the Defendants designated as a fictitiously
9 named Defendant is in some manner responsible for the wrongful acts complained of
10 herein. If and when RIDENHOUR ascertains the true names and capacities of DOES 1
11 through 10, RIDENHOUR will amend this Complaint to state their true names and
12 capacities.

13 8. RIDENHOUR is informed and believes and thereupon alleges that at all
14 relevant times each of the Defendants was the agent and employee of each other
15 Defendant and acted within the course and scope of their respective agency and/or
16 employment in the performance of the wrongful acts alleged herein.

17 JURISDICTION AND VENUE

18 9. The subject matter jurisdiction of this Court is invoked pursuant to 28 USC
19 1331 because it involves ownership of copyright under 17 USC 101, et seq.

20 10. Subject matter jurisdiction is also invoked under 28 USC 2201 because it
21 seeks declaratory relief with regard to the ownership of copyrights.

22 11. The state causes of action are included under the Court's pendant
23 jurisdiction because they arise from the same facts and involve the same parties.

24 12. Venue is proper in this District because RIDENHOUR is a resident of this
25 District and CLOSTER and REACH GLOBAL regularly conduct business here.

FACTS

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2 13. In or about October of 2001, CLOSTER, knowing that RIDENHOUR
3 had reacquired a partial interest in the musical compositions that he had written or co-
4 written while under contract to Def Jam Recordings, Inc (“Def Jam”), proposed to
5 RIDENHOUR that they form a music publishing company that would administer
6 RIDENHOUR’s interest in the musical compositions he had reacquired from Def Jam
7 (the “Def Jam Compositions”). The music publishing company would also administer
8 musical compositions for other artists that RIDENHOUR would introduce. At the time
9 RIDENHOUR had no prior experience with music publishing or administration and
10 trusted CLOSTER to do what he promised.

11 14. CLOSTER established Terrordome Music Publishing, LLC (“Terrordome”),
12 a New York limited liability company. Under the contracts CLOSTER created,
13 Terrordome took ownership of the copyrights to the Def Jam Compositions and ultimately
14 all musical compositions written in whole or in part by RIDENHOUR through December
15 31, 2012. Further, CLOSTER organized the membership interests in Terrordome so that
16 upon formation REACH GLOBAL acquired a 34% interest in Terrordome and
17 RIDENHOUR’s company, Bring The Noize Music, Inc., (“BTNM”) (formed for
18 RIDENHOUR by CLOSTER) acquired only a 50% interest. This despite the fact that
19 CLOSTER contributed \$500 in capital and BTNM contributed \$500 plus the Def Jam
20 Compositions. In 2010, CLOSTER arranged for REACH GLOBAL and RIDENHOUR
21 to purchase the membership interest of the third member (who had also contributed \$500
22 of initial capital) so that since 2010, the memberships interests have been 42% REACH
23 GLOBAL and 58% BTNM. REACH GLOBAL also receives 10% of the gross from
24 publishing and licensing deals as the administrator of Terrordome.

25 15. RIDENHOUR did not discover that Terrordome had acquired ownership of
26 the copyrights to his musical compositions, rather than functioning solely as an

1 administrator, until February of 2019 when RIDENHOUR's current advisors were able to
2 review the documents CLOSTER had used to create and organize Terrordome.

3 16. The Stolen Compositions were all written by RIDENHOUR after
4 December 31, 2012. Accordingly, even under the documents and contracts created by
5 CLOSTER (the validity of which RIDENHOUR does not concede) Terrordome, and
6 therefore REACH GLOBAL, has no claim to and is not entitled to any interest in, the
7 copyrights in the Stolen Compositions.

8 17. With full knowledge that he had no right to do so, after December 31, 2012,
9 CLOSTER, without authority or permission from RIDENHOUR, registered the
10 copyrights in the Stolen Compositions in the name of Terrordome with the United States
11 Copyright Office, falsely claiming and certifying that Terrordome had acquired the right
12 to do so by written agreement. The effect is that REACH GLOBAL, by virtue of its 42%
13 interest in Terrordome, now reaps the illicit profits of which RIDENHOUR has been
14 deprived. REACH GLOBAL is also able to profit from the administration of the Stolen
15 Compositions for the entire term of the copyrights.

16 FIRST CAUSE OF ACTION
17 (For Declaratory Relief Against All Defendants)

18 18. RIDENHOUR repeats and incorporates by reference the allegations
19 contained in Paragraphs 1 through 17 above as though fully set forth.

20 19. There exists a justiciable controversy between the parties in that CLOSTER
21 and REACH GLOBAL have asserted the right to ownership of 42% of the Stolen
22 Compositions by virtue of REACH GLOBAL's 42% membership interest in Terrordome.

23 20. The interests of the parties are adverse because REACH GLOBAL and
24 RIDENHOUR each assert a right to the Stolen Copyrights and RIDENHOUR asserts that
25 he owns 100% of his interest in the Stolen Compositions.

1 29. The acts undertaken by CLOSTER and REACH GLOBAL were done with
2 malicious intent toward RIDENHOUR and RIDENHOUR is therefore entitled to
3 exemplary damages in an amount sufficient to deter similar future conduct.

4 THIRD CAUSE OF ACTION
5 (For Conversion Against All Defendants)

6 30. RIDENHOUR repeats and incorporates by reference the allegations
7 contained in Paragraphs 1 through 17, 19 through 22 and 24 through 29, as though fully
8 set forth.

9 31. REACH GLOBAL and CLOSTER have unlawfully converted to
10 themselves RIDENHOUR's interests in the Stolen Compositions.

11 32. As a direct and proximate result of the wrongful conversion, RIDENHOUR
12 has suffered damages in an amount to be established, including lost revenue from the
13 exploitation of his interests in the Stolen Compositions.

14 33. The acts undertaken by CLOSTER and REACH GLOBAL were done with
15 malicious intent toward RIDENHOUR and RIDENHOUR is therefore entitled to
16 exemplary damages in an amount sufficient to deter such further and/or future conduct.

17 WHEREFORE Plaintiff prays for relief as follows:

18 1. For a judicial declaration that RIDENHOUR has the sole right to the
19 copyright in his interests in the 28 Stolen Compositions;

20 2. For an order that REACH GLOBAL, as the Managing Member of
21 Terrordome, cancel the registrations of the 28 Stolen Compositions forthwith;

22 3. For an order directing REACH GLOBAL and CLOSTER to account for,
23 and pay to, RIDENHOUR all sums earned from their wrongful registration and
24 exploitation of the 28 Stolen Compoaitions;

25 4. For compensatory damages in an amount according to proof;

1 5. For exemplary damages in an amount sufficient to deter similar future
2 conduct; and

3 6. For costs of suit herein.

4 Dated: October 15, 2019
LAW OFFICES OF ROBERT S. BESSER

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6 By: s/ Robert S. Besser
ROBERT S. BESSER
7 Attorneys for Plaintiff
CARLTON RIDENHOUR

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DEMAND FOR JURY TRIAL

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Plaintiff CARLTON RIDENHOUR hereby demands a jury trial on all issues
15 herein triable by a jury.

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Dated: October 15, 2019
LAW OFFICES OF ROBERT S. BESSER

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By: s/ Robert S. Besser
ROBERT S. BESSER

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EXHIBIT A

	<u>Song Title</u>	<u>Copyright Registration Number</u>
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3	1. Counteroffensive	PAu003907610
4	2. Fired A Shot	PAu003907616
5	3. Hail to the Chief	PAu003907611
6	4. Hands Up	PAu003908517
7	5. Legalize Me	PAu003907608
8	6. Living on the 110	PAu003907609
9	7. Radical Eyes	PAu003907604
10	8. Smashit	PAu003908515
11	9. Strength in Numbers	PAu003907614
12	10. Take Me Higher	PAu003907613
13	11. Unfuck the World	PA0002106932
14	12. Who Owns Who	PA003907618
15	13. Black America Again	PA0002068907
16	14. Prophets of Rage	PA0002058720
17	15. Shut Em Down	PA0002048218
18	16. Party's Over	PA0002058725
19	17. Black America Again	PA0002077281
20	18. Corplantationopoly	PA0002086802
21	19. Earthizen	PA0002086762
22	20. Give Peace a Damn	PA0002086871
23	21. Honky Tonk Rules	PA0002087332
24	22. Lost in Space Music	PA0002086878
25	23. Man Plans God Laughs	PA0002087378
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EXHIBIT A
(Cont'd)

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| 24. | Me to We | PA0002086870 |
| 25. | No Sympathy From the Devil | PA0002086734 |
| 26. | Praise the Loud | PA0002086876 |
| 27. | Those Who Know Know Who | PA0002086873 |
| 28. | Brain | PA0001928733 |