| SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK | Index No: 110219-07 |
|---------------------------------------------------------------------------------------------------------|--------------------------------|
| DALENA DUBOIS, | |
| | Plaintiff, |
| -against- | |
| MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, | |
| | Defendants. |
| | ç |
| SUMMONS and VERIFIED C | |
| CERTIFICATION pursuant to 130-1.1 of the Rules of the Chief | Subsection (c) of Section |
| STEPHEN G. KENNED Attorney for Plaintiff 305 Broadway - Suite 500 New York, New York 100 (212) 227-2235 | \ |
| | TUL 2 5 2007. |
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK
Tiles
DALENA DUBOIS,

Plaintiff Plain

Filed 7.25-07 Index No: 110219-07

Plaintiff designates New York County as the place of trial

- against -

SUMMONS

MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, AND CARAII FAYE CHARNOW, The basis of venue is Plaintiff's residence at the time of the incidents at at 101 West 126th Street New York, New York 10027

Defendants.

To the above named Defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve
a copy of your answer on the plaintiff's attorney within 20 days after the service of this summons,
exclusive of the day of service of this summons, or within 30 days after service of this summons is
complete if this summons is not personally delivered to you within the State of New York.

In case of your failure to answer this summons, a judgment by default will be taken against you for the relief demanded in the complaint, together with the costs of this action.

Dated: New York, New York July 3, 2007

> NEW YORK COUNTY CLERK'S OFFICE

> > JUL 2 5 2007

NOT COMPARED WITH COPY FILE STEPHEN G./KENNEDY\

Attorney for Plaintiff 305 Broadway - Suite 500 New York, New York 10007 (212) 227-2235 TO: MICHAEL (Mike) MARTIN 4565 Alamo Street Simi Valley, CA 93063

> GREGORI CHAD PETREE 8726 Haskell Avenue North Hills, CA 91343

JEREMY DAWSON 3654 Colonial Avenue Los Andeles, CA 90066

CARAH FAYE CHARNOW
%
MICHAEL (Mike) MARTIN
4565 Alamo Street
Simi Valley, CA 93063

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK
DALENA DUBOIS,
Index No: //02/9-07

Plaintiff,

- against -

VERIFIED COMPLAINT

MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, AND CARAH FAYE CHARNOW, NEW YORK COUNTY CLERK'S OFFICE

TOUL 2 5 2007

Defendants.

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Plaintiff by her attorney, STEPHEN G. KENNEDY, ESQ., as and for her Verified Complaint, respectfully alleges, upon information and belief:

- The Plaintiff, DALENA DUBOIS, at all times herein mentioned, is a natural
 person who at the time of the incident resided in County, State of New York for a continuous
 period of two (2) or more years at 101 West 126th Street, New York, New York 10027.
- That the defendant MICHAEL (MIKE) MARTIN is a natural person who at the time of the incident, upon information and belief, resided in an unknown county in the State of California.
- That the defendant GREGORI CHAD PETREE is a natural person who at the time of the incident, upon information and belief, resided in an unknown county in the State of California.
- That the defendant JEREMY DAWSON is a natural person who at the time of the incident, upon information and belief, resided in an unknown county in the State of

California.

 That the defendant CARAH FAYE CHARNOW, is a natural person who at the time of the incident, upon information and belief, resided in an unknown county in the State of California.

AS AND FOR A FIRST CAUSE OF ACTION AGAINST DEFENDANT MICHAEL (MIKE) MARTIN

- That on or about December 2005, January 2006 and through June 2007, the defendant MICHAEL (MIKE) MARTIN, did engage in an intentional and negligent course of action against the Plaintiff.
- That the defendant MICHAEL (MIKE) MARTIN did systematically harass, alarm, and annoy the plaintiff herein, including but not limited to abuse of process and false allagations.
- That as a result of the negligent actions of the defendant and the consequences thereof, the Plaintiff did suffer great emotional and mental distress.
- That as a result of the negligent actions of the defendant and the consequences thereof, the Plaintiff did suffer great financial losses.
- That but for the negligent actions of the defendant MICHAEL (MIKE)
 MARTIN, the Plaintiff would not have suffered the above mentioned damages.
- That as a result of the actions of the defendant MICHAEL (MIKE)
 MARTIN, the Plaintiff has suffered damages in excess of the jurisdiction of all lower courts.

AS AND FOR A SECOND CAUSE OF ACTION AGAINST THE DEFENDANT GREGORI CHAD PETREE

- Plaintiff repeats and realleges each and every allegation contained in paragraphs number 1 through 11, inclusive, as if more fully set forth herein.
- 13. That on or about December 2005, January 2006 and through June 2007, the defendant, GREGORI CHAD PETREE, did engage in an intentional and negligent course of action against the Plaintiff.
- That the defendant, GREGORI CHAD PETREE, did systematically harass, alarm, and annoy the plaintiff herein.
- 15. That as a result of the negligent actions of the defendant and the consequences thereof, the Plaintiff did suffer great emotional and mental distress.
- 16. That as a result of the negligent actions of the defendant and the consequences thereof, the Plaintiff did suffer great financial losses.
- That but for the negligent actions of the defendant, GREGORI CHAD
 PETREE, the Plaintiff would not have suffered the above mentioned damages.
- 18. That as a result of the actions of the defendant, GREGORI CHAD

 PETREE, the Plaintiff has suffered damages in excess of the jurisdiction of all lower courts.

AS AND FOR A THIRD CAUSE OF ACTION AGAINST THE DEFENDANT JEREMY DAWSON

- Plaintiff repeats and realleges each and every allegation contained in paragraphs number 1 through 18 inclusive, as if more fully set forth herein.
 - 20. That on or about December 2005, January 2006 and through June

2007, the defendant JEREMY DAWSON, did engage in an intentional and negligent course of action against the Plaintiff.

- That the defendant JEREMY DAWSON did systematically harass,
 alarm, and annoy the plaintiff herein.
- 22. That as a result of the negligent actions of the defendant and the consequences thereof, the Plaintiff did suffer great emotional and mental distress.
- 23. That as a result of the negligent actions of the defendant and the consequences thereof, the Plaintiff did suffer great financial losses.
- 24. That but for the negligent actions of the defendant JEREMY DAWSON, the Plaintiff would not have suffered the above mentioned damages.
- 25. That as a result of the actions of the defendant JEREMY DAWSON, the Plaintiff has suffered damages in excess of the jurisdiction of all lower courts.

AS AND FOR A FOURTH CAUSE OF ACTION AGAINST THE DEFENDANTS

- Plaintiff repeats and realleges each and every allegation contained in paragraphs number 1 through 25, inclusive, as if more fully set forth herein.
- 27. That upon information and belief, on or about December 2005, January 2006 and through June 2007, and constantly thereafter, the Defendants MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW, did enter into a conspiracy together to systematically, harass, alarm and annoy the Plaintiff.
- 28. That the Defendants, on or about December 2005, January 2006 and through June 2007, did implement their conspiracy against the plaintiff, by commencing a course of action,

including but not limited to, harassment, sexual harassment, threats, false allegations, abuse of process, stalking, and general annoyance.

- 29. That as a result of the actions of the Defendants in conspiring against the Plaintiff, the plaintiff did suffer financial loss, and extreme emotional and mental suffering.
- 30. That but for the negligent actions of the Defendants, the Plaintiff would not have suffered the above mentioned damages.
- 31. That as a result of the actions of the Defendants, the Plaintiff has suffered damages in excess of the jurisdiction of all lower courts.

AS AND FOR A FIFTH CAUSE OF ACTION AGAINST THE DEFENDANTS

- 32. Plaintiff repeats and realleges each and every allegation contained in paragraphs number 1 through 31 inclusive, as if more fully set forth herein.
- PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW, did enter into a conspiracy with each other and others currently unknown to the Plaintiff, to steal the plaintiff's intellectual property, including, but not limited to, selected music, beats, lyrics, production style, and techniques.
- 34. Upon information and belief, all of the above was done intentional, malicious, willful, wanton, and wrongful, with the intent to deny the plaintiff any income, receivables or profit to continue her operation.
- 35. Upon information and belief, all of the above was done with the intent to put the plaintiff out of business, unjustly enrich themselves, negligently harass, annoy, menace, and

threaten, and for other nefarious reasons.

- 36. That in furtherance of the conspiracy, the defendants did harbor and convert the plaintiff's property, including but not limited to: selected music, beats, lyrics, production style, and techniques.
- 37. That in furtherance of the conspiracy, the defendants did intentionally and negligently harass, annoy, menace, threaten the Plaintiff, and interfere with the Plaintiff music production, reputation, and goodwill.
- 38. That as a result of the actions and conspiracy of the defendants, the plaintiff has been damaged in the sum in excess of the jurisdiction of all lower courts.
- 39. Additionally, as a result of the intentional, malicious, willful, grossly negligent, wanton and wrongful actions and conspiracy of the defendants, MICHAEL (MIKE)
 MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, and and CARAH FAYE
 CHARNOW, the plaintiff seeks punitive damages in the sum of Ten Million (\$10,000,000.00)
 Dollars.

AS AND FOR A SIXTH CAUSE OF ACTION AGAINST THE DEFENDANTS

- Plaintiff repeats and realleges each and every allegation contained in paragraphs number 1 through 39, inclusive, as if more fully set forth herein.
- 41. That the actions of the defendants, MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW, in converting the selected music, beats, lyrics, production style, and techniques and profits of the plaintiff, as well as, the Plaintiff's music production, reputation, and goodwill constitutes deceptive business

practices under New York State General Business Law Section 349.

- 42. That the defendants, MICHAEL (MIKE) MARTIN, GREGORI

 CHAD PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW's, deceptive acts
 and business practices are of a recurring nature and have caused and will continue to cause injury
 to the public at large.
- 43. That the defendant MICHAEL (MIKE) MARTIN, GREGORI

 CHAD PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW's deceptive acts
 and business practices are of a recurring nature and have caused and will continue to cause injury
 to the plaintiff DALENA DUBOIS.
 - 44. That the plaintiff has no adequate remedy at law.
- 45. Plaintiff further seeks an Order Restraining the defendants from continuing their Deceptive Business Practices Against the plaintiff.
- 46 That the Plaintiff seeks damages in an unspecified amount but greater than the jurisdictional limits of all lower courts and not less than the sum of Twenty-Five Million (\$25,000,000,00) Dollars.
- 47. That as a result of the defendant's wrongful, willful acts, and deceptive acts, the plaintiff is entitled to punitive damages in the sum of FIFTEEN MILLION (\$15,000,000,00).

 DOLLARS, in addition to Attorney fees.

AS AND FOR A SEVENTH CAUSE OF ACTION AGAINST THE DEFENDANTS

48. Plaintiff repeats and realleges each and every allegation contained in paragraphs number 1 through 47, inclusive, as if more fully set forth herein.

- 49. That the defendants, MICHAEL (MIKE) MARTIN, GREGORI

 CHAD PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW, did convert for their own personal use the selected music, beats, lyrics, production style, and techniques of the plaintiff DALENA DUBOIS, without the plaintiff's consent and or knowledge.
- That the defendants, MICHAEL (MIKE) MARTIN, GREGORI

 CHAD PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW, did convert for their own personal use the selected music, beats, lyrics, production style, and techniques of the plaintiff DALENA DUBOIS, without compensation to the plaintiff.
- That the defendants' conversion was done willfully, wantonly maliciously, negligently, and wrongly.
 - 52. That the conversion is of a continuing nature and is currently still going on.
- 53. That as a result of the defendants' actions, said defendants, MICHAEL (MIKE)

 MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, and CARAH FAYE

 CHARNOW, were unjustly enriched with the use and value of the plaintiff's selected music,

 beats, lyrics, production style, and techniques, and profits.
- 54. That the plaintiffs have been damaged and continues to be damaged by the action of the defendants MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW.
- 55. That the plaintiffs seek to restrain the further use of the plaintiff's selected music, beats, lyrics, production style, and techniques, and by the defendants MICHAEL (MIKE)

 MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, and CARAH FAYE

 CHARNOW, and or their agents, employees, assigns or successors in interest.
 - 56. That the plaintiff seeks damages in a sum to be ascertained in the future but at a

value of no less than Twenty-Five Million (\$25,000,000.00) Dollars.

57. That as a result of the intentional, malicious, willful, wanton, negligent and wrongful actions of the defendants, MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW, the plaintiff seeks punitive damages in the sum of Tcn Million (\$10,000,000.00) Dollars.

WHEREFORE, the plaintiff respectfully demands:

- a. Judgment on the First Cause of Action, awarding damages in excess of the jurisdiction of all lower courts:
- b. Judgment on the Second Cause of Action awarding damages in excess of the jurisdiction of all lower courts:
- c. Judgment on the Third Cause of Action awarding damages in excess of the jurisdiction of all lower courts:
- Judgment on the Fourth Cause of Action awarding damages in excess of the jurisdiction of all lower courts.
- c. Judgment on the Fifth Cause of Action awarding damages in excess of the jurisdiction of all lower courts: and Punitive damages in a sum in excess of the jurisdiction of all lower courts and not less than Ten (10) Million Dollars against the defendants, MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW:
- f. Judgment on the Sixth Cause of Action granting a Restraining Order and awarding damages in excess of the jurisdiction of all lower courts but not less than the sum of Twenty-Five Million (\$25,000,000.00) Dollars, and Punitive Damages

in the sum of Ten Million (\$10,000,000.00) Dollars against defendants

MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY

DAWSON, and CARAH FAYE CHARNOW:

- g. Judgment on the Seventh Cause of Action granting a Restraining Order and awarding damages in excess of the jurisdiction of all lower courts but not less than the sum of Twenty-Five Million (\$25,000,000.00) Dollars, and Punitive Damages in the sum of Ten Million (\$10,000,000.00) Dollars against defendants

 MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW:
- interest, the costs and disbursements of this action, attorney fees, together with such other and further relief as to this Court seems just and proper.

Dated: New York, New York July 3, 2007

STEPHEN G KENNED

| SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK | Index No: 1/02/9 /2007 |
|--------------------------------------------------------------|----------------------------|
| DALENA DUBOIS, | 1,000 |
| Plaintiff, | |
| - against - | INDIVIDUAL VERIFICATION |

MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, and CARAH FAYE CHARNOW,

STATE OF NEW YORK)

COUNTY OF NEW YORK)

DALENA DUBOIS, being duly sworn, deposes and says:

That I am the plaintiff in the within action.

I have read the foregoing Complaint and know the contents thereof and the same is true to the best of my knowledge, except as to those matters herein stated to be alleged upon information and belief and that as to those matters, I believe them to be true.

DALENA DUBOIS

Sworn to before me this 3 day of July 5, 2007

MOTARY/PUBLIC

STEPHEN GEORGE KENNEDY Natary Public, State of New York No. 02KE5007301 Qualified in New York County Commission Expires March 19,2008

| SUPREME COURT OF THE STATE OF NEW YORK | ORK Index No: |
|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| DALENA DUBOIS, | |
| | Plaintiff, |
| -against- | |
| MICHAEL (MIKE) MARTIN, GREGORI CHA PETREE, JEREMY DAWSON, and CARAII F CHARNOW, | |
| | Defendants. |
| | |
| SUMMONS and VERIFIE | D COMPLAINT |
| | |
| CERTIFICATION pursuant 130-1.1 of the Rules of the C | to Subsection (c) of Section hief Administrator of the Courts. |
| STEPHEN G. KENT Attorney for Plaintiff 305 Broadway - Suite New York, New York | 500 |

(212) 227-2235

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RECEIPT
NEW YORK COUNTY CLERK
60 CONTRE STREET
NEW YORK RY 10007
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COMPLETE THIS STUB

Endorse This INDEX NUMBER ON All Papers and advise your adversary of the number assigned. Sec. 202.5, Uniform Rules Of Trial Courts DO NOT DETACH

Title of Action or Proceeding to be TYPED or PRINTED by experiment SUPREME COURT, NEW YORK COUNTY

Michael (mke) Martin, Et 41

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LAW OFFICES OF STEPHEN G. KENNEDY 305 Broadway, Suite 800 New York, NY 10007 Phone: 917 442-4181

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

DELANA DUBOIS,

Index No.: 110219/07

Plaintiff,

- against -

MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON AND CARAH FAYE CHARNOW.

STIPULATION EXTENDING TIME TO RESPOND TO COMPLAINT

Defendants.

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff, DELANA DUBOIS, by her attorney, Stephen G. Kennedy, and Defendants, MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON and CARAH FAYE CHARNOW, by their attorneys, Pryor Cashman LLP, that the time for Defendants to answer, move or otherwise plead with respect to the Complaint be and the same hereby is extended to October 19, 2007.

Dated: New York, New York September 4, 2007

STEPHEN G. KENNEDY, ESQ.

Attorneys for Flaintiff

By:

Stephen G. Kennedy, Esq. 305 Broadway - Suite 500 New York, New York 10007

(212) 227-2235

PRYOR CASHMAN LLP

Attorneys for Defendants

By:

Donald S. Zakarin, Esq. 410 Park Avenue-

New York, New York 10022

(212) 421-4100

NEW YORK COUNTY CLERK'S OFFICE

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INDEX NO: 110219 2007 NEW YORK COUNTY CLERK
PURCHASE: 07252007 CIVIL INDEX MINUTE BOOK INQUIRY

PLAINTIFF NAME: DUBOIS OALENA DEFENDANT NAME: MARTIN MICHAEL ATTORNEY: UNKNOWN 305 BROADWAY, STE 5

NEW YORK, N.Y.

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SUMMONS AND VERIFIED COMPLAINT

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STIPULATION

PAGE - 1

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SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF NEW YORK

DALENA DUBOIS,

Plaintiff

Plaintiff designates New York County as the place of trial

- against -

SUMMONS

The basis of venue is Plaintiff's residence at the time of the incidents at at 101 West 126th Street New York, New York 10027

MICHAEL (MIKE) MARTIN, GREGORI CHAD PETREE, JEREMY DAWSON, AND CARALL FAYE CHARNOW,

Defendants.

To the above named Defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer on the plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service of this summons, or within 30 days after service of this summons is complete if this summons is not personally delivered to you within the State of New York.

In case of your failure to answer this summons, a judgment by default will be taken against you for the relief demanded in the complaint, together with the costs of this action.

Dated: New York, New York July 3, 2007

> NEW YORK COUNTY CLERK'S OFFICE

> > TOUC 2 5 2007

NOT COMPARED WITH COPY FILE STEPHEN G. KENNEDY ESC

Attorney for Plaintiff

305 Broadway - Suite 500 New York, New York 10007

(212) 227-2235

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