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CLERK OF DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
LOS ANGELES

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

REBECCA ECKLER, an individual,  
Plaintiff,

vs.

NBC UNIVERSAL, INC., a Delaware corporation; UNIVERSAL STUDIOS, INC., a Delaware corporation; UNIVERSAL CITY STUDIOS LLLP, L.P., a Delaware limited partnership; UNIVERSAL CITY STUDIOS PRODUCTIONS LLLP, L.P., a Delaware limited partnership; JUDD APATOW, an individual; and DOES 1 through 50, inclusive,

Defendants.

Case No.

07-07-07  
FMC (JCA)  
**COMPLAINT FOR COPYRIGHT INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

Rebecca Eckler ("Plaintiff"), by and through her undersigned counsel, files this Complaint against NBC Universal, Inc., Universal Studios, Inc., Universal City Studios LLLP L.P., Universal City Studios Productions LLLP, L.P. (hereinafter collectively "Universal") and Judd Apatow (collectively along with Universal, "Defendants") and alleges as follows:

COPY

1 **PARTIES, JURISDICTION AND VENUE**

2 1. Plaintiff is, and at all times mentioned herein was, an individual residing  
3 and doing business in the County of Los Angeles, State of California.

4 2. Defendant NBC Universal, Inc. is, and at all times herein mentioned was,  
5 a corporation organized and existing under the laws of the State of Delaware, doing  
6 business in the County of Los Angeles, State of California.

7 3. Defendant Universal Studios, Inc. is, and at all times mentioned herein  
8 was, a corporation organized and existing under the laws of the State of Delaware,  
9 doing business in the County of Los Angeles, State of California.

10 4. Defendant Universal City Studios LLLP, L.P. is, and at all times herein  
11 mentioned was, a corporation organized and existing under the laws of the State of  
12 Delaware, doing business in the County of Los Angeles, State of California.

13 5. Defendant Universal City Studios Productions LLLP, L.P. is, and at all  
14 times herein mentioned was, a corporation organized and existing under the laws of the  
15 State of Delaware, doing business in the County of Los Angeles, State of California.

16 6. Defendant Judd Apatow is, and at all times mentioned herein was, an  
17 individual residing and doing business in the County of Los Angeles, State of  
18 California.

19 7. Plaintiff does not know the true names and capacities of defendants sued  
20 herein as DOES 1 through 50, inclusive, and therefore sues these defendants by such  
21 fictitious names. Plaintiff will amend this Complaint to allege their true names and  
22 capacities when the same are ascertained. Each of the fictitiously named defendants is  
23 in some manner interested in the relief sought herein. For convenience, each reference  
24 herein to "Defendant" shall also refer to the DOE defendants and each of them.

25 8. Plaintiff alleges on information and belief that at all times mentioned  
26 herein, each of the Defendants was and now is the agent, servant, employee,  
27 representative and/or alter ego of each of the other Defendants, and in doing the things  
28

1 hereinafter mentioned, was acting within the scope of his/her authority as such agent,  
2 servant, employee, representative and/or alter ego, with the permission and consent of  
3 the remaining defendants, that each defendant is liable through the actions of the others  
4 and that each has individual liability as well.

5 9. The Court has subject matter jurisdiction over this action pursuant to 28  
6 U.S.C. §§ 1331, 1332 and 1338.

7 10. Venue is proper pursuant to 28 U.S.C. § 1391(b) because Plaintiff's  
8 claims arose in this District.

9 **FIRST CAUSE OF ACTION FOR COPYRIGHT INFRINGEMENT**

10 **(Against All Defendants)**

11 11. Plaintiff re-alleges and incorporates by reference each of the allegations  
12 contained in paragraphs 1 through 9, above.

13 12. In or around 2004, Plaintiff wrote an original book entitled "Knocked Up  
14 – Confessions of a Hip Mother-to-be", which was granted copyright protection and  
15 distributed in Canada that same year (the "Novel"). The Novel was thereafter  
16 published and distributed in the United States in or around early 2005.

17 13. The Novel contains a large amount of material wholly original with  
18 Plaintiff, and is copyrightable subject matter under the laws of the United States.

19 14. Plaintiff complied in all respects with all copyright laws, and secured the  
20 exclusive rights and privileges in and to the copyright of the Novel.

21 15. Since 2004, Plaintiff has been and still is the sole proprietor of all rights,  
22 title, and interest in and to the copyright in the Novel.

23 16. After 2004, defendant Apatow authored a screenplay for a feature motion  
24 picture entitled "Knocked Up" for, and at the behest of, defendant Universal (the  
25 "Infringing Script"). Plaintiff is informed and believes, and based thereon alleges, that  
26 defendant Apatow wrote the Infringing Script at the behest and with the support of  
27 defendant Universal.

1        17. The Infringing Script is based on, and incorporates substantial portions of  
2 the copyrighted material from the Novel, without Plaintiff's authorization or consent.

3        18. Plaintiff is informed and believes, and based thereon alleges, that a feature  
4 film based on the Infringing Script is currently in production with defendant Universal  
5 (the "Infringing Film").

6        19. Plaintiff has notified Defendants that they have infringed Plaintiff's  
7 copyright, but Defendants have refused to cease their acts of infringement and cease  
8 and desist from producing and distributing the Infringing Film.

9        20. By reason of Defendants' infringement and threatened infringement,  
10 Plaintiff has sustained and will continue to sustain substantial injury, loss and damage  
11 to her ownership rights in the copyrighted Novel.

12        21. Further irreparable harm to Plaintiff is imminent as a result of  
13 Defendants' conduct, and Plaintiff is without an adequate remedy at law. Plaintiff is  
14 entitled to an injunction restraining Defendants, and all persons or entities acting in  
15 concert with them from engaging in further such acts of copyright infringement.

16        22. Plaintiff is further entitled to recover from Defendants the damages  
17 sustained by Plaintiff as a result of Defendants' acts of copyright infringement.  
18 Plaintiff is at present unable to ascertain the full extent of the monetary damage she has  
19 suffered by reason of Defendants' acts of copyright infringement, but Plaintiff is  
20 informed and believes, and based thereon alleges, that she has sustained such damage  
21 in an amount exceeding the jurisdictional minimum of this Court and the applicable  
22 copyright statutes.

23        23. Plaintiff is further entitled to recover from Defendants any gains, profits  
24 and advantages they have obtained as a result of their acts of copyright infringement.  
25 Plaintiff is at present unable to ascertain the full extent of the gains, profits and  
26 advantages Defendants have obtained by reason of their acts of copyright  
27 infringement, but Plaintiff is informed and believes, and based thereon alleges, that  
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1 Defendants have obtained such gains, profits and advantages in an amount exceeding  
2 the jurisdictional minimum of this Court and the applicable copyright statutes.

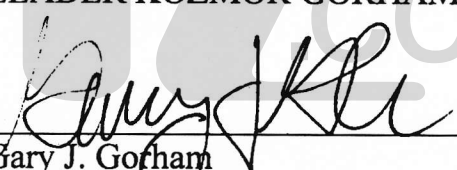
3 **PRAYER FOR RELIEF**

4 WHEREFORE, Plaintiff prays for judgment against Defendants as follows:

- 5 1. For a temporary restraining order, preliminary and permanent injunction  
6 enjoining and restraining Defendants and all persons acting in concert with them from  
7 producing or distributing the Infringing Film, and otherwise using the Infringing Script  
8 or any other materials that infringe Plaintiff's copyrights, and to deliver to the Court  
9 for destruction or other reasonable disposition all copies of all such materials and  
10 means for producing same in Defendants' possession or control;
- 11 2. For actual damages and Defendants' profits in an amount to be  
12 determined at trial, plus interest;
- 13 3. For reasonable attorneys' fees and costs; and
- 14 4. For such other and further relief as the Court deems just and proper.

15 DATED: January 2, 2007

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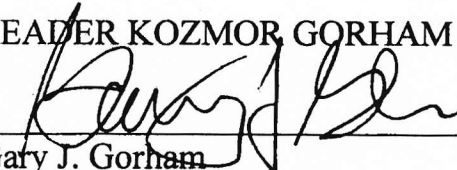
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18 Gary J. Gorham  
19 Attorneys for Plaintiff  
20 REBECCA ECKLER

21 **DEMAND FOR JURY TRIAL**

22 Plaintiff Rebecca Eckler hereby demands a trial by jury of all claims and issues  
23 triable by a jury.

24 DATED: January 2, 2007

25 LEADER KOZMOR GORHAM LLP

26   
27 Gary J. Gorham  
28 Attorneys for Plaintiff  
REBECCA ECKLER