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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

4C4 MEDIA, LLC,

Plaintiff

v.

MARK HAEFELI; MARK HAEFELI  
PRODUCTIONS, INC.; JOHN DOES 1-10  
(name being fictitious for individuals whose  
identities are currently unknown); and ABC  
ENTITIES 1-10 (names being fictitious for  
corporate or other legal entities whose  
identities currently remain unknown),

Defendants.

Civil Action No.:

**CERTIFICATION OF  
ROBERT S. GREGORY**

I, Robert S. Gregory, being duly sworn, upon this oath according to law, deposes and says:

1. I am a member of Cove, LLC ("Cove"), which is an owner/member of 4C4 Media, LLC (hereinafter referred to as "4C4" or "Company"), and I am the Cove member responsible for the day to day activities of 4C4. I am also an attorney-at-law of the State of New York. I am thoroughly familiar with the facts and circumstances of this action.

2. On or around July 21, 2016, Mark Haefeli ("Mr. Haefeli") and Cove established 4C4. Mr. Haefeli was 4C4's Creative Director, and his responsibilities included, but were not

limited to, seeking opportunities for 4C4 to provide video production services to third parties, and to develop new projects to be produced and owned by 4C4.

3. From October 2016 until Mr. Haefeli's resignation from 4C4 on February 27, 2019, Mr. Haefeli's work for 4C4 consisted almost exclusively of developing, producing and directing a feature length documentary with the working title "A Billion Dollar Power Station" which documents a recording studio in New York City named the "Power Station" (the "Work" or the "Film").

4. Written agreements between the Company and Mr. Haefeli, including, but not limited to the Exclusive License and Assignment Agreement ("IP Assignment") identified all work performed by Mr. Haefeli, including the Film, as a "work made for hire" with ownership vesting exclusively in 4C4. A copy of the IP Assignment is attached hereto as Exhibit "A". Moreover, Mr. Haefeli and the Company entered into agreements, including but not limited to the IP Assignment, the Offer Letter, the Unit Forfeiture Agreement and the Company's Operating Agreement, that identified certain pre-existing work which were assigned to the Company as "Contributed Works," with ownership having vested in 4C4.

5. The IP Assignment provided, in pertinent part: "[Mr. Haefeli] and all his predecessor entities, including, but not limited to MHP Productions, LLC, Mark Haefeli Productions, LLC, CenterSeat, LLC, Second Coming Productions, LLC, and White Light Productions, Inc. [...] exclusively license/assign to [4C4], all of his right, title, and interest in, to and, under said Contributed Work and Future Work."

6. Among his responsibilities, Mr. Haefeli was the primary representative of the Company in connection with all negotiations with those individuals being interviewed for the Film, including, but not limited to, Ian Hunter ("Mr. Hunter"), Max Weinberg ("Mr. Weinberg"),

Charles Granata (“Mr. Granata”), Warren Zanes (“Mr. Zanes”) and others (the “Interview Subjects”).

7. In addition, Mr. Haefeli was primarily responsible for soliciting interest from potential distributors of the Film and opening discussions with them, including, but not limited to, representatives of Abramorama, Red Hawk Films, Submarine Entertainment, Eagle Rock Entertainment (collectively, the “Potential Distributors”).

8. For time relevant hereto, Mr. Haefeli received monthly guaranteed payments as consideration for his services. These payments were reflected in the of K-1s provided by the Company to Mr. Haefeli for the years 2016, 2017, and 2018.

9. Beginning in February 2019, Mr. Haefeli posted several negative comments on social media about a former vendor of 4C4. The result of those comments was an action filed in the Superior Court of New Jersey, Essex County, Docket No. ESX-C-045-19 for, *inter alia*, defamation and enforcement of a contractual non-disparagement obligation (the “Essex County Action”). Mr. Haefeli, along with 4C4, and other participants in 4C4 (whether by way of legal representation, active performance of services or indirect ownership - including the undersigned) were also named in the Essex County Action.

10. Notwithstanding repeated efforts by the Company to seek an amicable resolution with both Mr. Haefeli and the plaintiff in the Essex County Action, Mr. Haefeli never materially engaged in those efforts and the Essex County Action remains active.

11. Mr. Haefeli resigned as an officer and relinquished his member interest in 4C4 on February 27, 2019.

12. Thereafter, the Company repeatedly attempted to engage with Mr. Haefeli, through his counsel, to seek an amicable resolution of the dispute between him and the Company.

13. After his resignation, Mr. Haefeli adopted an increasingly adversarial posture toward 4C4 and the members of Cove.

14. Commencing on or about April 8, 2019, Mr. Haefeli began to publish social media comments, and communicated by text messages and email, negative comments about the Company and the others involved with the Company, which *inter alia* derogated the Company's rightful ownership of the Film, as set forth at length below.

15. Consistent with its ownership rights in the Film, the Company proceeded to secure copyright registrations. Specifically, on March 29, 2019, Plaintiff filed a copyright application with the United States Copyright Office on the then current version of the Film. On April 17, 2019, Plaintiff filed a second expedited copyright application with the United States Copyright Office on the then current version of the Film.

16. On or about April 1, 2019 and April 29, 2019, the United States Copyright Office issued the Company Certificates of Copyright Registration for the Film, Copyright Registration Nos. Pau 3-962-880 and Pau 3-962-815, with the effective dates April 1, 2019 and April 28, 2019 respectively, listing 4C4 as the copyright owner. A copy of the Certificates of Registration are attached as Exhibit "B".

#### **The Essex County Action**

17. On or about September 7, 2018, the Company entered into an agreement with East Main Media, LLC ("East Main") for post-production services on the Film. East Main provided editing and other services to the Company until it terminated its relationship with the Company on January 5, 2019.

18. As part of the termination, on or about January 18, 2019 (and under what with the benefit of hindsight were peculiar circumstances), the Company entered into a Settlement and

Mutual General Release Agreement (the "Settlement Agreement"). Mr. Haefeli, and the undersigned, were also signatories to the Settlement Agreement.

19. The Settlement Agreement included mutual obligations of non-disparagement.

20. Beginning on February 19, 2019 through February 20, 2019, Mr. Haefeli allegedly posted comments on social media about East Main, and East Main's owner Brian Brodeur ("Mr. Brodeur"), via the social media platforms Twitter and Facebook.

21. On February 19, 2019, 8:37 AM, Mr. Haefeli tweeted:

I strongly suggest that you return my informational media which I copied into your Basecamp program. Also, Google Doc script. None of this information is yours. It is my informational property, you thief and incompetent. Brian, I am the wrong guy to cross. Mark Haefeli. [Exhibit C.]

22. On or around February 19, 2019, 8:27 AM, Mr. Haefeli tweeted:

Do not ever work with this low end company. They can't do anything other than three camera PBS shoots and local town tourism videos. Many people have been screwed by Brodeur's bullshit. He is currently holding all, of my information media. #Fraud [Exhibit C.]

23. On or around February 19, 2019, 8:27 AM, Mr. Haefeli tweeted:

Complete frauds these pretenders. There are countless individuals who Brodeur has screwed ...stay away [Exhibit C.]

24. On or around February 19, 2019, 11:27 AM, Mr. Haefeli tweeted:

Just a bull shit company of incompetence. Brodeur is a talentless thief with lots of people coming after him. He's at best a local chamber of commerce video guy. Never has done anything of merit. I hired him for a high end project and was about as creative as an ant farm. #fraud [Exhibit C.]

25. On or around February 19, 2019, 11:27 AM, Mr. Haefeli tweeted:

This company is so low end it is laughable. Amazing how someone as talentless As[sic]<sup>1</sup> Brodeur is, is still doing any business, if you want to call local chamber of commerce videos work? Don't go near there. He's also a con man, liar and phony. #punkfraud [Exhibit C.]

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<sup>1</sup> Not all spelling and grammatical errors in the Haefeli communications are noted as such.

26. On or around February 19, 2019, 11:27 AM, Mr. Haefeli tweeted:  
Piece of shit company @EastMainMedia [Exhibit C.]
27. On or around February 19, 2019, 11:27 AM, Mr. Haefeli tweeted:  
Such bull shit and scam. Do t [sic] fall for this carnival barkers bull shit.  
[Exhibit C.]
28. On or around February 19, 2019, 11:27 AM, Mr. Haefeli tweeted:  
Brodeur is a phony and these podcasts are bullshit. No one listens or cares. He is  
talentless piece of shit that fucked with the wrong guy. #fraud you will regret  
theday you met me scumbag. [Exhibit C.]
29. On or around February 19, 2019, 11:27 AM, Mr. Haefeli tweeted:  
@EastMainMedia piece of shot company. Brodeur is a liar, heat and incompetent.  
He will be brought Right down to his knees. #fraud#lawsuit [Exhibit C.]
30. On or around February 19, 2019, Mr. Haefeli posted on Facebook:  
Mark Haefeli A complete bullshit company; Brodeur has fucked his last client.  
Erased my intellectual property and script notesfor [sic] a 2 hour documentary!  
Should have known that this pretend production company could not handle  
anything as high end as a "real" documentary! Amateurs at best. cheats and  
incompetents at worst. [Exhibit C.]
31. On or around February 19, 2019, Mr. Haefeli posted on Facebook:  
This is a complete bullshit company. They cant [sic] do anything except local  
community travelogues and three camera PBS shoots that my 14 year can edit.  
Many former clients have been screwed by Brodeur the phony. (He is a con man),  
But I will be the last Promise!#pieceofshit [Exhibit C.]
32. On or around February 19, 2019, 11:27 AM, Mr. Haefeli tweeted:  
Hey Steve ...let's get together soon so I can fill you in on Brodeur and what a scum  
bag he is. Suggest you find another vendor because his ship is about to be sunk.  
You will not want to be associated with him when this gets out. [Exhibit C.]
33. On or around February 19, 2019, 11:27 AM, Mr. Haefeli tweeted:  
Hey Steve, just a heads up to get away from this fraud as soon as possible. We are  
filing a major law suit against this clown that will bankrupt his business and put

him out of his house!:) he's fucked with the wrong guy this time. @EastMainMedia [Exhibit C.]

34. On or around February 25, 2019, two days before Mr. Haefeli resigned from 4C4, Mr. Haefeli engaged Corey Florin (“Mr. Florin”), on behalf of 4C4, to provide post-production film editing services for the Film, and thereafter instructed 4C4 to compensate Mr. Florin for his services.

35. On February 27, 2019, 4C4 suspended Mr. Haefeli for a period of two weeks pending further investigation of the circumstances surrounding the Essex County Action.

36. As part of the terms of his suspension, Mr. Haefeli was prohibited from acting in any way on behalf of 4C4 or holding himself out in any way as an authorized representative of 4C4.

#### **Initial Threats of Copyright Infringement**

37. While previously discussed, the terms of Mr. Haefeli’s suspension were communicated to him in writing on February 27, 2019, at 10:46 AM. Not long after, Mr. Haefeli responded.

38. On February 27, 2019, at 1:45 PM, Mr. Haefeli sent an email to a representative of 4C4 stating, in part:

***“The power station project is mine. I will not stop working on it.”*** [Exhibit D (emphasis added).]

39. Also, on February 27, 2019, at 1:59 PM, Mr. Haefeli sent an email to a representative of 4C4 stating:

***“I am not longer a partner. I withdrawal immediately. And I’m taking everything that is mine and was mine.”*** [Exhibit D (emphasis added).]

40. Also, on February 27, 2019 at 2:09 PM, Mr. Haefeli sent an email to a representative of 4C4 stating:

“I have officially resigned from foresee for MEDIA and I am no longer a part of that company. I also immediately will establish mark haefeli productions or MH P3 on all my signature pages at all of my emails to reinforce that I’m fucking done.” [Exhibit D.]

41. Also, on February 27, 2019 at 10:02 PM, Mr. Haefeli sent another email to a representative of 4C4 stating:

“I have resigned and neither one of you would even know where to start to creat[sic] anything except bullshit. I will be up your asses with some serious litigation New York style.if yuh[sic] don’t already, you will be so sorry you ever met me. I have fried bigger fish then you[.]” . [Exhibit D.]

42. At some time after February 27, 2019, Mr. Haefeli contacted Mr. Florin, and falsely represented that he continued to be a representative of 4C4 and requested, and obtained, a copy of the Film and all ancillary materials.

43. At some time after February 27, 2019, Mr. Haefeli “redirected” [www.4c4media.com](http://www.4c4media.com) to a website or websites under the control of Mr. Haefeli.

44. At some time after February 27, 2019, upon information and belief (and the application of logic) Mr. Haefeli contacted Mr. Florin and, unbeknownst to 4C4, directed Mr. Florin to remove the Company’s name from the Film, and place a copyright notice in the Film naming Mr. Haefeli as the copyright owner.

45. On Friday, March 1, 2019 at 9:39 AM, Mr. Haefeli sent an email stating: “Trust me, he will never get that film. ***It is my film.***” [Exhibit D (emphasis added).]

46. On or around March 5, 2019, 4C4 and Mr. Florin entered into an agreement governing Mr. Florin’s post-production film editing services, past and future, which included a “work for hire” provision (the “Florin Post-Production Agreement”) and paid Mr. Florin as requested and required.

47. On Thursday, March 7, 2019 at 10:24 PM, Haefeli sent an email stating:



I ACTUALLY HAD MY EDITOR SIGN IN A FEW WEEKS AGO USING MY LOG IN. SAME INFO. HE WAS REVIEWING SEVERAL SPECIFIC "EXCLUSIVE" CLIPS FROM VARIOUS ARTISTS THAT I ISOLATED FOR USAGE IN MY RECENT PROJECT " A BILLION DOLLAR POWER STATION". I THINK WE TALKED ABOUT THIS DOCUMENTARY SEVERAL YEARS AGO. FUNNY HOW HE HAD NO PROBLEM...:)

WE HAD BEEN INCORPORATING A NUMBER OF CLIPS INTO THE DOCUMENTARY UNTILL THE WRONGFUL "EMPLOYEE TERMINATION" FILING WAS ISSUED TO ME. **THEY ARE TRYING TO TAKE THE "POWER STATION" DOC . . .** [Exhibit D (emphasis added).]

48. On Saturday, March 9, 2019 at 1:13 PM, Mr. Haefeli sent an e-mail 4C4's counsel stating, in part:

Also the Power Station film was a project originally developed and produced by Tony Bongiovi and Mark Haefeli beginning in 2014, well before 4c4media. ***This was meant to be and always was a separate project and is not mentioned in any agreement as a partnership entity except in an attempt to partner 4c4 with Tony Bongiovi's company BPST.*** That deal is now null and void as far as Bongiovi is concerned and me as well. [Exhibit D (emphasis added).]

49. On or around March 16, 2019, Mr. Haefeli posted the following on Twitter:



[Exhibit D.]

50. On April 8, 2019, the Company communicated with Mr. Florin concerning payment for post-production services.

51. At this time, the Company, instructed Mr. Florin to not provide Mr. Haefeli with access to any of the assets associated with the Film.

52. On April 9, 2019 4C4 informed Mr. Florin via e-mail that:

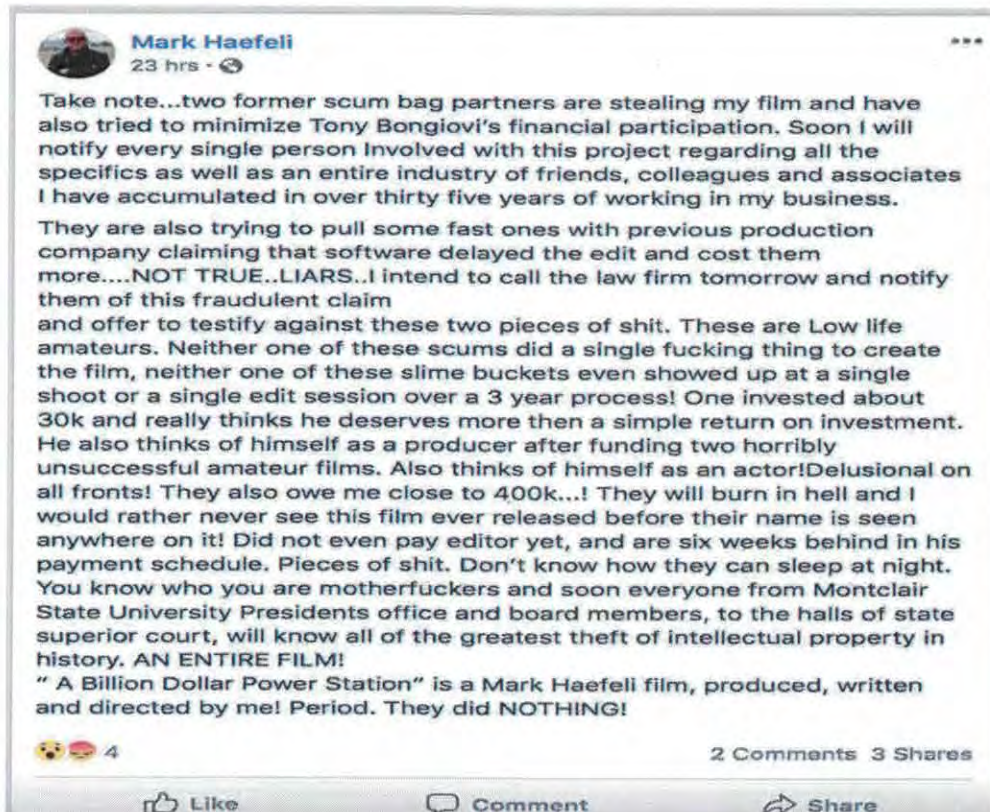
Finally, so there are no further issues, nothing in your possession related to the project is to be made available to anyone else for download or copying. ***For clarity, the film and all related materials are 4C4's property, not Mark's or anyone else's.*** [Exhibit D (emphasis added).]

**Continuing False Assertions of Copyright Ownership**

53. Beginning on and around April 9, 2019, Mr. Haefeli began posting and circulating false, defamatory and damaging comments regarding 4C4 and its officers, representatives, and members and others merely associated with it.

54. Since that time, Mr. Haefeli has repeatedly held himself out as the rightful owner of the Film and has continuously threatened to infringe the Company's copyright rights in the Film.

55. On or around April 10, 2019, Mr. Haefeli posted the following on Facebook:



[Exhibit D.]

56. On or around April 10, 2019, Mr. Haefeli posted the following on the @powerstationdoc Twitter account, *which is owned and run exclusively by Mr. Haefeli*:



[Exhibit D.]

57. On April 11, 2019 at 8:28 PM, Haefeli sent a text message to a representative of Plaintiff stating:

... when it come to this film.... I am willing to flush eight years of my life down the toilet to make sure that neither one of you ever sees a dime. I am willing to do that you chicken shIt. I will fall on he the grenade to fuck you the way you have fucked Me...And you two run to my lawyer with all your little bits and pieces of truth that I post...**oh well be good live pretty soon! On the internet ...**  
**BTW...what would make you think I don't have a drive you fool! You're a bit slow on the draw.**

[Exhibit D (emphasis added).]

58. On April 12, 2019 at 9:27AM, Mr. Haefeli sent an e-mail stating, in part:

***You may know by now but robert has stolen my film, literally...*** So he is now in possession of seven years of my life claiming he owns this! I am sure you can not imagine how anyone could do such a thing..., please note that the film credits Mark Haefeli as producer and director and there is no mention of 4C4media anywhere on the film. The last credit roll is the copyright which reads Mark Haefeli Productions 2019 and I do not think you want to mess with some ones copywritten material....***BTW...I have a copy of the drive as well. Had the project cloned about two weeks ago...***

[Exhibit D (emphasis added).]

59. Mr. Haefeli knowingly induced Mr. Florin to breach Mr. Florin's obligations under the Florin Post-Production Agreement by holding himself out as a duly authorized representative of the Company and requesting and receiving from Mr. Florin a copy of the Film and other assets in his possession.

60. On April 12, 2019 at 9:43 AM, Mr. Haefeli sent an e-mail stating in part: "By the way I asked Corey two weeks ago, to make me a precautionary back up. This was well before you started your legal bullying routine." [Exhibit D.]

61. On April 13, 2019 at 9:49AM, Mr. Haefeli posted the following on his Facebook account:



[Exhibit D.]

62. Shortly thereafter, at 10:18 AM, Mr. Haefeli posted the following on his Facebook account:



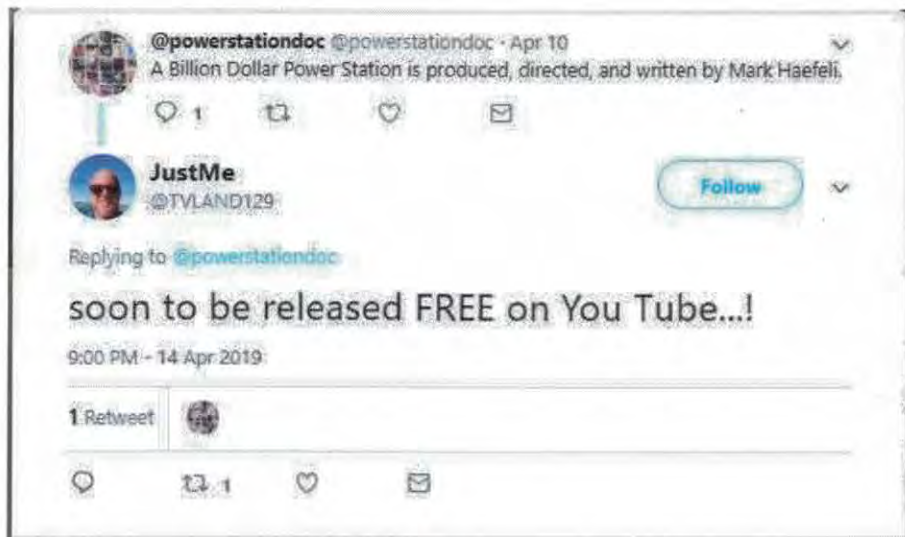
[Exhibit D.]

63. Shortly thereafter, on April 13, 2019, at 1:25 PM, Mr. Haefeli sent the following text message stating, in part:

*Until this film is given back to me, and I'm not talking about the drive, I am taking about exclusive ownership*, because as you know, I already have a copy of the drive, and you will have to spend tens of thousands of dollars to start over on the edit but won't even have enough material to do another edit! You can't afford it and god knows you can't raise money.

*BTW, I have already started working with another editor late last week soon as I got the drive from Corey. We continue to make changes and alterations to finalize this so it will pass QC.* .... I did tell you I would do anything I had to do to get this film done. I am relentless. [Exhibit D (emphasis added).]

64. On or around April 14, 2019, at 9:00 PM, Mr. Haefeli posted the following on Twitter:



[Exhibit D.]

65. In a final effort to avoid Court intervention, on April 25, 2019, Plaintiff sent a Notice and Demand Letter to Defendants' counsel demanding that Mr. Haefeli, through his counsel, that Mr. Haefeli withdraw all threats to copy, disseminate, edit, abridge, enhance and otherwise infringe Plaintiff's copyright in the Film.

66. Despite having sent the Notice and Demand Letter to Defendant's counsel on April 25, 2019, Mr. Haefeli has continued to infringe Plaintiff's copyright rights. Most recently, on or about April 29, 2019, at 9:39 pm, Mr. Haefeli posted on Facebook that he launched a website, [www.powerstationfilm.com](http://www.powerstationfilm.com).

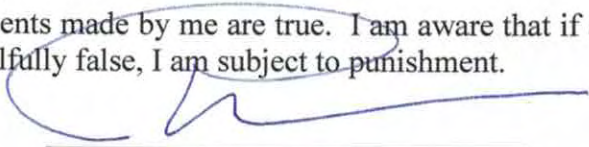


[Exhibit D.]

67. On or about that same day, Mr. Haefeli launched [www.powerstationfilm.com](http://www.powerstationfilm.com) and proclaimed, "A Billion Dollar Power Station" - *A Mark Haefeli Film*".

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 5/6/19

A handwritten signature in blue ink, appearing to read "Robert S. Gregory", is written over a horizontal line. The signature is stylized and somewhat cursive.

*Robert S. Gregory*

# **EXHIBIT A**



## EXCLUSIVE LICENSE AND ASSIGNMENT AGREEMENT

This Exclusive License and Assignment Agreement (this "Agreement") is entered into as of July 21, 2014 by and between 4C4 Media, LLC, a Delaware limited liability company (the "Licensee," and with respect to Future Works as defined hereinafter, "Assignee" and/or the "Company"), and Mark Haefeli and all his predecessor entities, including but not limited to MHP Productions, LLC, Mark Haefeli Productions, LLC, CenterSeat, LLC, Second Coming Productions, Inc. and White Light Productions, Inc. and (collectively the "Licensor," and with respect to future Works as defined hereinafter, "Assignor" and/or the "Contractor" at times. With MHP Productions, LLC, Mark Haefeli Productions, LLC, CenterSeat, LLC and Second Coming Productions, Inc. and White Light Productions, Inc. collectively the "Predecessor Entities").

WHEREAS, the Licensor is the owner of certain rights in and to certain creative materials and the intellectual property rights associated therewith as more fully described hereinafter ("Contributed Work").

WHEREAS, the Assignor will, subsequent to the effective date of this Agreement, create certain creative materials and the intellectual property rights associated therewith as more fully described hereinafter ("Future Work").

WHEREAS, in connection with the formation of the Company and the issuance of Founder's Units to the Licensor, the Licensee/Assignee is desirous of acquiring, and the Licensor/Assignor has agreed to exclusively license/assign to Licensee/Assignee, all of his right, title and interest in, to and under said Contributed Work and Future Work (collectively "Work").

NOW THEREFORE, TO ALL WHOM IT MAY CONCERN, be it known that for good and valuable consideration, the receipt of which is hereby acknowledged, the Licensor/Assignor hereby grants and conveys to Licensee/Assignee a full and exclusive license in and to said Contributed Work and assigns said Future Work.

1. Licensor/Assignor, the sole and exclusive owner and creator of the Works, hereby:
  - a. for all purposes (including under the Copyright laws of the United States and throughout the world), in perpetuity (but in any event for not less than the period of copyright and any renewals, restorations and extensions thereof) and throughout the universe,
  - b. grants an irrevocable, perpetual, worldwide, transferable, sublicenseable, royalty free full and exclusive right and license in and to said Contributed Work in all territories worldwide, including the United States and all foreign countries, and throughout the universe, and
  - c. sells, assigns, transfers, grants and conveys to Assignee the full and exclusive right, title and interest in and to said Future Work,
  - d. including but not limited to all of the following:
    - i. from the moment of their creation, at every stage of their development, production, or completion, free of any liens, claims, encumbrances, limitations or restrictions of Licensor or anyone claiming by or through Licensor,
    - ii. All right, title and interest in and to the Work and the Results and Proceeds of the Work hereunder, all Future Work of which shall be a

"work made for hire" for Company prepared within the scope of Contractor's engagement hereunder as a work specially ordered or commissioned,

- iii. All right, title and interest in and to anything derived or created from the Work and all materials upon which the Work are based, including, but not limited to, the copyrights in and to the Work and such underlying materials and any renewals, restorations and extensions of such copyrights and all moral rights of authors with respect thereto,
  - iv. All distribution (including, without limitation, communication and making available), exhibition, exploitation, broadcast, cablecast, webcast, transmission, transcoding, allied, ancillary and/or subsidiary rights with respect to the Work and/or the results and Proceeds in any and all media, whether now or hereafter known, including, without limitation, theatrical, non-theatrical, pay-per-view, home entertainment formats (including, without limitation, video cassettes, DVDs, Blu-ray discs, and other formats), electronic sell-through, all forms of television (including pay, free, network, syndication, cable, satellite, digital and Internet), video-on-demand, and all forms of digital distribution and/or transmission (including, without limitation, online, wireless), and all forms of public or private communication or other form of point-to-point dissemination to an identifiable location or party, and
  - v. All other tangible and intangible rights of any nature relating to, and all proceeds and benefits of any nature derived from, the Work and/or the Results and Proceeds, as defined below.
- e. Without limiting the foregoing, in the event that any of the Work or the other Results and Proceeds are not deemed to be a "work made for hire" for Company, Contractor hereby irrevocably assigns to Company (or if any applicable law prohibits or limits such assignment, Contractor hereby irrevocably exclusively licenses to Company) all right, title and interest in and to such Work and other Results and Proceeds (including all copyrights therein and thereto and all renewals, restorations and extensions thereof), and all rights to exploit the same throughout the universe, in perpetuity (but in any event for not less than the period of copyright and any renewals, restorations and extensions thereof), in any and all media, whether now known or hereafter devised.
- f. Contractor, on Contractor's behalf and on behalf of Contractor's personnel, and their respective successors and assigns, hereby waives any so-called "moral rights of authors" and "droit moral" rights (and any similar or analogous rights under the applicable laws of any country of the world) which Contractor may have in connection with the Work or any of the results and proceeds of the Work, and to the extent such waiver is unenforceable, Contractor hereby covenants and agrees on Contractor's behalf, and on behalf of Contractor's Authorized Personnel and their respective successors and assigns, not to bring any claim, suit or other legal proceeding against Company or any of its affiliates, or any of their

respective successors, assigns or licensees claiming that such "moral rights" or "droit moral" rights have been violated.

- g. Contractor further hereby irrevocably assigns to Company (or if any applicable law prohibits or limits such assignment, Contractor hereby irrevocably exclusively licenses to Company), in perpetuity (but in any event for not less than the period of copyright and any renewals and extensions thereof) throughout the universe, all rights, if any, of Contractor and/or Contractor's personnel to authorize, prohibit and/or control the renting, lending, fixation, reproduction, importation and/or other exploitation of the Work in any media and/or by means now known or hereafter devised as may be conferred upon Contractor under applicable laws, regulations or directives, including, without limitation, any so-called "**Rental and Lending Rights**" pursuant to any European Union ("EU") directives and/or enabling or implementing legislation, laws or regulations enacted by the member nations of the EU.
- h. As used herein, "**Results and Proceeds**" shall mean all results and proceeds of Contractor's engagement and Work provided under this Agreement or otherwise relating to the Work or prepared at Company's direction (including ideas, concepts and/or other materials which may not subject to copyright protection with respect to any of the foregoing, and the right to make such uses thereof and/or changes therein and/or uses thereof as Company shall from time to time determine in its sole discretion, with no obligation to Contractor or any other person.

2. Ownership of Physical Materials. All property or material created, purchased or otherwise acquired by Contractor, or furnished by Company to Contractor, by reason of Company's engagement of Contractor hereunder, other than Contractor's accounting records and invoices, shall be, as and when such property comes into existence, the property of Company and shall not be destroyed or disposed of in any manner without Company's prior written approval. Contractor shall:

- a. Take reasonable care of all such property and materials,
- b. Provide Company with a written itemization thereof, and
- c. Deliver such properties and materials to Company simultaneously with the delivery of the Work, or earlier at the direction of Company.

3. Licensor/Assignor hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment and sale or any way interfere with the full use and enjoyment of the Work.

4. Licensor/Assignor further covenants that Licensee/Assignee will, upon its request, be provided promptly with all pertinent facts and documents relating to the Work as may be known and accessible to Licensor/Assignor, and Licensor/Assignor will testify as to the same in any litigation or proceeding related thereto and will promptly execute and deliver to Licensee/Assignee or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, defend and enforce the Intellectual Property rights associated with the Work which may be necessary or desirable to carry out the purposes hereof.

5. The license rights granted herein, shall revert to Haefeli (or its designee) in the event of the following:

- a. Failure of Cove to "Vest" as set forth in "Vesting of Rights," as those terms are used in that certain "Term Sheet" entered into between Licensor/Assignor and Cove, LLC;
- b. the bankruptcy, insolvency, dissolution or wind-up of 4C4 Media, LLC;
- c. 4C4 Media, LLC being materially inactive and/or dormant for a period of five (5) years.
- d. In the event none of the events set forth in a. through c. occurs, the exclusive "license" granted hereunder, shall, without further action, convert and thereafter be construed as terms of "assignment," vesting company with all right, title and interest in and to the Work and all other intellectual property encompassed hereunder.


IN WITNESS WHEREOF, each of the parties has executed this Agreement as of the day and year first above written.

**4C4 Media, LLC**

By: 

Name: Robert Gregory

Title: Chief Financial Officer

  
Name: Mark Haefeli, individually, and as  
authorized representative of the Predecessor  
Entities

**Exhibit A**

The Contributed Works

[Insert inventory list]

82673948\IV-1

# **EXHIBIT B**



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.



*Kary A. Lynch*

United States Register of Copyrights and Director

Registration Number

**PAu 3-962-815**

Effective Date of Registration:

April 23, 2019

**Title**

Title of Work: A Billion Dollar Power Station

**Completion/Publication**

Year of Completion: 2018

**Author**

- Author: 4C4 Media, LLC
- Author Created: entire motion picture
- Work made for hire: Yes
- Citizen of: United States
- Domiciled in: United States

**Copyright Claimant**

Copyright Claimant: 4C4 Media, LLC  
550 West Main Street, Boonton, NJ, 07005 United States

**Limitation of copyright claim**

Material excluded from this claim: preexisting footage, preexisting photograph(s), preexisting music, copyright case #1-7464991671

Previous registration and year: PAu003962880, 2019

New material included in claim: all other cinematographic material, additional new footage, revisions/additions to script

**Rights and Permissions**

Organization Name: The McHattie Law Firm  
Address: 550 West Main Street  
Boonton, NJ 07005 United States

**Certification**



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.



*Kay A. Leahy*

United States Register of Copyrights and Director

Registration Number

**PAu 3-962-880**

Effective Date of Registration:

April 01, 2019

**Title**

Title of Work: A Billion Dollar Power Station

**Completion/Publication**

Year of Completion: 2018

**Author**

- Author: 4c4 Media, LLC
- Author Created: entire motion picture
- Work made for hire: Yes
- Domiciled in: United States

**Copyright Claimant**

Copyright Claimant: 4c4 Media, LLC  
550 West Main Street, Boonton, NJ, 07005, United States

**Limitation of copyright claim**

Material excluded from this claim: preexisting footage, preexisting photograph(s), preexisting music

New material included in claim: all other cinematographic material, additional new footage, production as a motion picture

**Rights and Permissions**

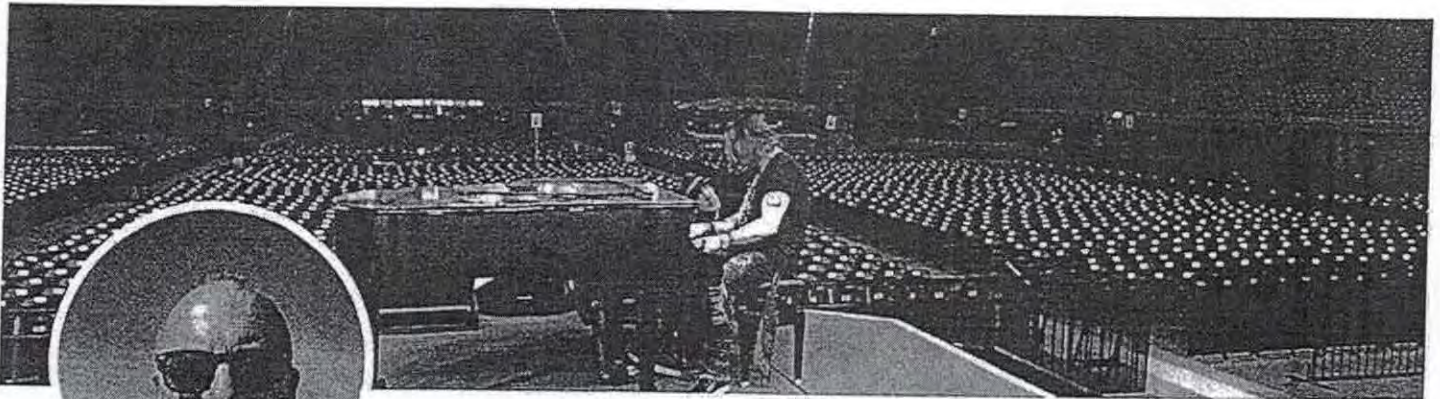
Organization Name: McHattie Law Firm  
Address: 550 West Main Street  
Boonton, NJ 07005 United States

**Certification**

Name: Christopher J. McHattie  
Date: March 29, 2019



# **EXHIBIT C**



Tweets 6,897 Following 585 Followers 140 Likes 523 Lists 4

Follow

JustMe

@TVLAND129

Producer/Director of Many Years

new jersey

Joined April 2009

1,088 Photos and videos



Tweets Tweets & replies Media

JustMe Retweeted



JustMe @TVLAND129 · 9h

Brodeur is a phony and these podcasts are bullshit. No one listens or cares. He is talentless piece of shit that fucked with the wrong guy. #fraud you will regret the day you met me scumbag.



East Main Media @EastMainMedia

New #Podcast Episode: CD & Website designer, Jack Frisch, continues sharing stories with host @brian\_brodeur including meeting legendary Weather Report bassist Jaco Pastorius on a NYC basketball court...

1 retweet 1 reply



JustMe @TVLAND129 · 9h

Such bullshit and scam. Do t fall for this carnival barkers bullshit.



East Main Media @EastMainMedia

The future is bright! Check out our video press release announcing @TAPintoTV Learn more: ow.ly/7jdy30npq1T

0:57

1 retweet



JustMe @TVLAND129 · 9h

Piece of shit company. @EastMainMedia



East Main Media @EastMainMedia

Great episode of One-on-One with @SteveAcubato featuring #LocationProduction and #editing by #EastMainMedia from the @NJE Convention in #AtlanticCity airing this weekend on @njtv, ...

1 retweet



JustMe @TVLAND129 · 9h

Hey Steve, just a heads up to get away from this fraud as soon as possible. We are

@EastMainMedia



**Steve Adubato, PhD @SteveAdubato**  
Tune in to #1on1 Sunday at 11am on @njtv as I go on-location for part 2 of our special from the 2018 @NJEA Convention! I'll be sitting down w/ @SeanMSpiller + Ed Richardson of #NJEA, NJ Teacher of the Year Jennifer...



**JustMe @TVLAND129 · 9h**  
This company is so low end it is laughable. Amazing how someone as talentless as Brodeur is, is still doing any business, if you want to call local chamber of commerce videos work? Don't go near there. He's also a con man, liar and phony. #punkfraud



**East Main Media @EastMainMedia**  
By day, @Ammiratad is a mild-mannered #videoeditor ~ Head of #PostProduction for @EastMainMedia to be more specific ~ but by night, Dave sings lead in the award-winning #barbershop quartet @GimmeFour, an...



**JustMe @TVLAND129 · 9h**  
Hey Steve...let's get together soon so I can fill you in on Brodeur and what a scum bag he is. Suggest you find another vendor because his ship is about to be sunk. You will not want to be associated with him when this gets out.



**Steve Adubato, PhD @SteveAdubato**  
During my State Of Affairs #SoANJ interview with US Senator & Presidential Candidate @CoryBooker we discussed Political Discourse: "It's almost like this thin, narrow band of folks with bigoted ideals feel this..."



**JustMe @TVLAND129 · 9h**  
Just a bull shit company of incompetence. Brodeur is a talentless thief with lots of people coming after him. He's at best a local chamber of commerce video guy. Never has done anything of merit. I hired him for a high end project and was about as creative as an ant farm. #fraud

**TAPintoTV @TAPintoTV**

Ever wonder about the origins of #ValentinesDay? #TAPintoTV shares some history about the annual celebration of love: [ow.ly/xUgS50ImkOb](https://ow.ly/xUgS50ImkOb)  
#Valentines #AncientRome #ValentinesDay2019 #History #Origins #HappyValentinesDay #StValentine #Love #HappyValentinesDay2019 ...



**JustMe @TVLAND129 · 22h**  
complete frauds these pretenders. There are countless individuals who Brodeur has screwed....stay away.

**Great Mustachio @DWSchoner**

I can't say it how excited I am to be back producing projects again. Feels amazing.



**JustMe @TVLAND129 · 22h**  
Do not ever work with this low end company. They can't do anything other than three camera PBS shoots and local town tourism videos. Many people have been screwed by Brodeur's bullshit. He currently is holding all, of my informational media. #Fraud

1



**JustMe @TVLAND129 · 22h**  
I strongly suggest that you return my informational media which I copied into your Basecamp program. Also, Google Doc script. None of this information is yours. It is my informational property, you thief and incompetent. Brian, I am the wrong guy to cross. Mark Haefeli

**TAPintoTV @TAPintoTV**

Ever wonder about the origins of #ValentinesDay? #TAPintoTV shares some history about the annual celebration of love: [ow.ly/xUgS50ImkOb](http://ow.ly/xUgS50ImkOb)  
#Valentines #AncientRome #ValentinesDay2019 #History #Origins #HappyValentinesDay #StValentine #Love #HappyValentinesDay2019 ...



**JustMe @TVLAND129 · Feb 18**  
Go coach Sara and Nittany Lions! @MountieSB @SHUSoftball



**Big Ten Softball @B1Gsoftball**

A salute to our #B1GSoftball programs for their second win in the four-year history of the #ACCB1G Softball Challenge, winning this year by a 23-13 score! [bit.ly/2GsvzAa](http://bit.ly/2GsvzAa)



**JustMe @TVLAND129 · Feb 17**  
You go girl...@MountieSB @SHUSoftball

**Coach\_Haefeli @CoachHaefeli**  
Duke, Duke, Duke

1

JustMe Retweeted



**JustMe @TVLAND129 · Jan 25**  
@4C4Media Announces 2019 Developmnet Projects

- 1) "Phil Ramone, The Music Man" (pictured below)
- 2) " The Vegas Job" Biggest con in music history
- 3) "Archives of a Generation" Over twenty years of exclusive music performances, interview and never before released materials.



Verizon

7:48 AM

97%

All

Mentions

you



JustMe @TVLAND129 · 7h

@EastMainMedia piece of shot company. Brodeur is a liar, heat and incompetent. He will be brought Right down to his knees. #fraud #lawsuit

TAPintoTV @TAPintoTV

@Acura VP & GM Jon Ikeda spoke to @TAPintoTV about the company's Protoype and GTD racing cars competing at the @Rolex24Hours at @DISupdates race this weekend. #Rolex24 #IMSA @imsa @NYAutoShow #daytona @jpmontoya Watch more videos and sign-up for enews: ow.ly/qBBO30nsSe3



All

Mentions



JustMe @TVLAND129 · 7h

Hey Steve, just a heads up to get away from this fraud as soon as possible. We are filing a major law suit against this clown that will bankrupt his business and put him out of his house!:) he's fucked with the wrong guy this time. @EastMainMedia

Steve Aduato, PhD @Ste...

Tune in to #1on1 Sunday at 11am on @njtv as I go on-location for part 2 of our special from the 2018 @NJEA Convention! I'll be sitting down w/ @SeanMSpiller + Ed Richardson of #NJEA, NJ Teacher of the Year Jennifer Skomial @njstoy2019 + Global Conversation Cata Dave Ellis.



**EAST MAIN MEDIA** +

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195 People Reached

34 Engagements

Best Post

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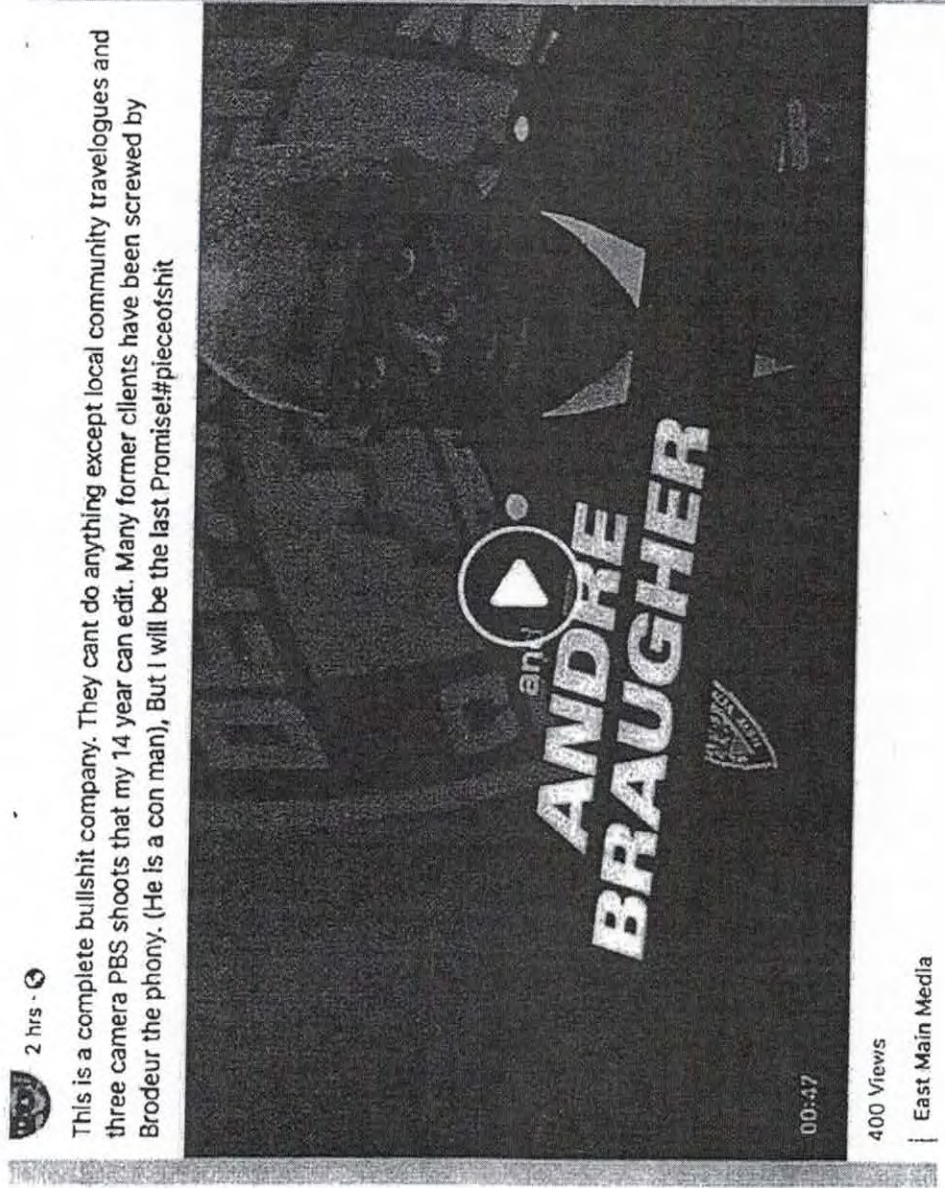
Like Comment Share Hootlet

Most Relevant

Write a comment...

Mark Haefell A complete bulshite company; Brodner has fucked his last client. Eased my intellectual property and script notator a 2 hour documentary! Should have known that this pretend production company could not handle anything as high end as a "real" documentary! Amateurs at best, cheats and incompetents at worst.

Like · Reply · Message · 2h



2 hrs · 🌐

This is a complete bullshit company. They cant do anything except local community travelogues and three camera PBS shoots that my 14 year can edit. Many former clients have been screwed by Brodeur the phony. (He is a con man), But I will be the last Promise!#pieceofshit

anv

# ANDRE BRAUGHER

00:47

400 Views

East Main Media



# **EXHIBIT D**

From: Mark Haefeli <mark@4c4media.com>  
Sent: Wednesday, February 27, 2019 1:45 PM  
To: Chris McHattie <cmchattie@mchattielaw.com>  
Cc: Robert Gregory <robert@4c4media.com>; Michael Gattoni <mgattoni@mchattielaw.com>  
Subject: Re: 4C4 Media, LLC

This was all settled yesterday and for whatever reason yuh decided that was good enough for everyone was not good enough for you.

I am hereby resigning from 4c4 and will hire an attorney to see that all contract stipulations are adhered to.

The power station project is mine. I will not stop working on it.

Also....DO NOT SEND ANY INVOICES FOR THE Michael Jackson project. When I get the check I will pay back Robert as he extended the money obligation.

The judge basically told me that the matter was settled and that all I had to say was I would not do it again. I had every right to sign that document as CEO of 4C4 media.

My opinion for settlement was not taken into consideration nor was I ever asked. Who the fuck do you think you and Robert are now ask me.

As of today., all archives belong to me as stipulated in our project as is the Power Station Project. File a suit you fucking liar.

Mark Haefeli  
212 334 2164 office  
917 502 1096 mobile

---

From: Mark Haefeli <mark@4c4media.com>  
Sent: Wednesday, February 27, 2019 1:59 PM  
To: Chris McHattie <cmchattie@mchattielaw.com>  
Cc: Robert Gregory <robert@4c4media.com>; Michael Gattoni <mgattoni@mchattielaw.com>  
Subject: Re: 4C4 Media, LLC

Guess what..I am suspending the both of you. You did not even ask My position on the judges settlement offer. I was all in favor for it...clean and simple and he bent over backwards to get the case settled. I don't give a fuck about you. Both lawyers and Robert were all in favor of the agreement as was I. Then you called and rejected the settlement. Who the fuck are you to outweigh two board members, plus two lawyers opinions.

You want a war...I'll give you one and don't you fucking ever tell me how to handle my social media posts....and fuck you again. You were sent all passwords and sign in two years ago and they are im the same drawer as that bullshit party and marketing campaign you were going to produce! My entire company, what was, is now hopelessly lost because of your false promises and bullshit.

I am not longer a partner. I withdrawal immediately. And I'm taking everything that is mine and was mine. You, Chris, have done nothing for power Station or 4c4 for that matter.

My next post on Twitter with be today, when I get home about resigning and no longer part of your scam

Brooke was right.

Mark Haefeli  
212 334 2164 office

917 502 1096 mobile

---

**From:** Mark Haefeli <mark@4c4media.com>  
**Sent:** Wednesday, February 27, 2019 2:09 PM  
**To:** Chris McHattie <cmchattie@mchattielaw.com>  
**Cc:** Robert Gregory <robert@4c4media.com>; Michael Gattoni <mgattoni@mchattielaw.com>  
**Subject:** Re: 4C4 Media, LLC

I will also let Curcio know, today, that I have resigned as well. All 4c4 media related social media, including Facebook, You Tube, Twitter and more, will be immediately taken down. I will also send out a constant contact mailer tomorrow to all my cClients industry associates and others that I have officially resigned from foresee for MEDIA and I am no longer a part of that company. I also immediately will establish mark haefeli productions or MH P3 on all my signature pages at all of my emails to reinforce that I'm fucking done.

Mark Haefeli  
212 334 2164 office  
917 502 1096 mobile

---

**From:** Mark Haefeli <mark@4c4media.com>  
**Sent:** Wednesday, February 27, 2019 10:02 PM  
**To:** cmchattie@mchattielaw.com; Robert Gregory <robert@cove.ie>  
**Subject:** Facebook

You better get my image, my proprietary work, and likeness down from that Facebook sight. Right now you are misrepresenting that bullshit company 4C4 media..by having my work UO there. I have resigned and neither one of you would even know where to start to creat anything except bullshit. I will be up your asses with some serious litigation New York style.if yuh don't already, you will be so sorry you ever met me. I have fried bigger fish then you

Mark Haefeli  
212 334 2164 office  
917 502 1096 mobile

---

**From:** mhaefeli@markhaefeliprod.com <mhaefeli@markhaefeliprod.com>  
**Sent:** Friday, March 1, 2019 9:39 AM  
**To:** Chris McHattie <cmchattie@mchattielaw.com>  
**Cc:** Robert Gregory <robert@cove.ie>  
**Subject:** Re: 4C4

I get it and he would not know what to do with it (the film) anyway. I do have access to some pretty big guns that would be in my corner if push really comes to shove regarding anyone including Brodeur. I will not hesitate. Trust me, he will never get that film. It is my film.

Also I was in the room during the entire conference call. There was no request for anyone else's opinion coming from you. I am not paying a dime either way. And perhaps not disparaging and I never said that either. But you did say "Tell Mr. Curcio that I am not going anywhere." I don't believe that was disparaging, but don't really know. However it does sound like something I might say.

Do what you think is right. Just do not speak on my behalf or involve me in anyway. I will extend the same courtesy. I have no problem with the restraining order. If Brodeur wants to come after me, so be it. Mr. Curcio's head will swim! He had no idea what he was talking about the other day regarding technical issues and if I could unnerve him, as I did, wait until you see how trampled underfoot he'll be, by the firm I will retain. I will make that decision on Tuesday after my lunch date.

Mark Haefeli  
Creative Director/Founder



92 Elm Street  
Montclair, NJ 07042  
917 502 1096

<http://www.markhaefeliprod.com>



---

**From:** mark haefeli <mhaefeli@markhaefeliprod.com>  
**Sent:** Thursday, March 7, 2019 10:24 PM  
**To:** Ben Vaughn <benvonnyc@gmail.com>  
**Cc:** Robert Gregory <robert@cove.ie>; Chris McHattie <cmchattie@mchattielaw.com>; dsabourin@rabnerbaumgart.com  
**Subject:** Re: BOX

I ACTUALLY HAD MY EDITOR SIGN IN A FEW WEEKS AGO USING MY LOG IN. SAME INFO. HE WAS REVIEWING SEVERAL SPECIFIC "EXCLUSIVE" CLIPS FROM VARIOUS ARTISTS THAT I ISOLATED FOR USAGE IN MY RECENT PROJECT " A BILLION DOLLAR POWER STATION". I THINK WE TALKED ABOUT THIS DOCUMENTARY SEVERAL YEARS AGO. FUNNY HOW HE HAD NO PROBLEM...:)

WE HAD BEEN INCORPORATING A NUMBER OF CLIPS INTO THE DOCUMENTARY UNTILL THE WRONGFUL " EMPLOYEE TERMINATION" FILING WAS ISSUED TO ME. THEY ARE TRYING TO TAKE THE "POWER STATION" DOC I HAVE BEEN WORKING ON FOR SIX YEARS.

AGAIN, SORRY I GOT YOU INVOLVED AND THAT YOU GOT BURNED. ALSO, I WILL MAKE SURE YOU GET WHATS OWED. AS YOU'VE KNOWN ME AND WORKED WITH ME FOR NEARLY TWENTY YEARS, I AM A MAN OF MY WORD.

Thanks Ben...you're a good man. And again, sorry you are taken advantage of.

---

**From:** "mhaefeli@markhaefeliprod.com" <mhaefeli@markhaefeliprod.com>  
**Date:** March 9, 2019 at 1:13:59 PM EST

**To:** Michael Gattoni <[mgattoni@mchattielaw.com](mailto:mgattoni@mchattielaw.com)>, <[dsabourin@rabnerbaumgart.com](mailto:dsabourin@rabnerbaumgart.com)>  
**Subject:** Brooke Sullivan

Can you please send Dennis the partnership agreement in which Brooke Sullivan is designated as a share holder in Cove. LLC as it relates to 4C4 media, as it was and as it remains, which includes all original corporate agreements, ( which has been previously requested and not delivered until her name was allegedly removed from all documents. If you don't produce them, Brooke has copies and is willing to cooperate in the delivery of all related materials, notes, etc. , which would also include the original partnership agreement and any and all agreements that she signed during the formation including banking information.

She has told me that she was sent a document requesting her resignation and participation after she quit working for McHattie. She never signed the document and still considers herself a participant in all things Cove as they relate to mark haefli productions.

Also the Power Station film was a project originally developed and produced by Tony Bongiovi and Mark Haefeli beginning in 2014, well before 4c4media. This was meant to be and always was a separate project and is not mentioned in any agreement as a partnership entity except in an attempt to partner 4c4 with Tony Bongiovi's company BPST. That deal is now null and void as far as Bongiovi is concerned and me as well.

Also any money that was part of my stipend never came from a 4C4 media checking account. There was never a corporate credit card and some expenditures were paid for from private credit card accounts. My stipend was drawn from a private checking account and never meant to be a contribution to anything involving the film. This was meant to off-set my living expenses so I could advance the agenda of 4c4 media as a production company, defined as "work for hire" and the creating of content produced from our archive. However this was impossible since they never contributed any development money to fund any work! Whatever money was paid to any entities was paid by private checking accounts or private credit cards, Even that was minimal. Any money regarding 4c4 expenditure was made from

Private funding sources is partners, Not even Cove, but Cove officers. Despite the terms of agreement, not a nickel was attempted to be raised and Cove never wrote a single PPM as there was no attempt at private funding.

. I spent a significant amount of my personal money, resources, and years of sweat equity equivalent to well over \$300,000 that has all been accounted for in records and line item responsibilities as well as bank records.

Neither of the former partners did a single thing as far as the creation of the film is concerned or the development. No one ever showed up at a meeting, a shoot or an edit. Nothing and no corporate money went to expenditures that were accrued.

Plus as we know, not a single milestone in the initial terms of agreement were ever met by Cove and there is no evidence to prove otherwise. Their allegations are false with regard to my alleged resignation. No formal process was ever requested, or implemented.

I look forward to receiving the requested documents as well as the financial ledgers, corporate bank records, tax returns and any other financial information and additional records as they relate to 4c4media and COVE.

Mark  
Mark Haefeli  
212 334 2164 office  
917 502 1096 mobile

---

**From:** Robert Gregory  
**Sent:** Tuesday, April 9, 2019 10:12 AM  
**To:** Corey Florin <coreyflorin11@gmail.com>  
**Subject:** RE: Invoice 031919 - Video Editing

Corey:

Thanks for your reply and for your explanation of what you've done to date. Just so we are on the same page, I am again attaching a copy of the agreement you have with 4C4.

We want to make clear that our agreement with you contains no due dates for payments, nor does it provide that payments of invoices are due upon receipt. Strictly speaking, the payments we are to make are in consideration of the obligations in the Agreement, including the delivery of the back up at the conclusion of the project, so by the plain language of the contract we are not obligated to pay anything else until the back-up is delivered. Given our understanding that this was a 4 to 5 week project, that makes complete sense as it was to have concluded in a few weeks, and our assumption was that we would settle up upon delivery, which also reflects our understanding that Mark had negotiated what would have been an extremely brief deferral of the final payment until completion.

I have to admit to being more than a bit surprised that we are now at 8 weeks *without a completed project*. You and I should have a conversation about this and I may need specifics for our dispute with the previous post-production house.

In our email exchange on March 5, I specifically requested that you "copy me on all correspondence on the Project going forward." This was required to ensure that I could be kept in the loop and avoid the current situation – where we are now at 8 weeks and counting, when we originally only expected 4 to 5 weeks' of work. The agreement itself anticipates that additional weeks after the first 4 would be subject to request by 4C4 – meaning that my approval, as the signatory on the agreement - was required.

Moreover, I am unclear about the anticipated level of effort for the remaining work, and when it will be completed. I want to make certain that there is a budget for this and that we are not caught short.

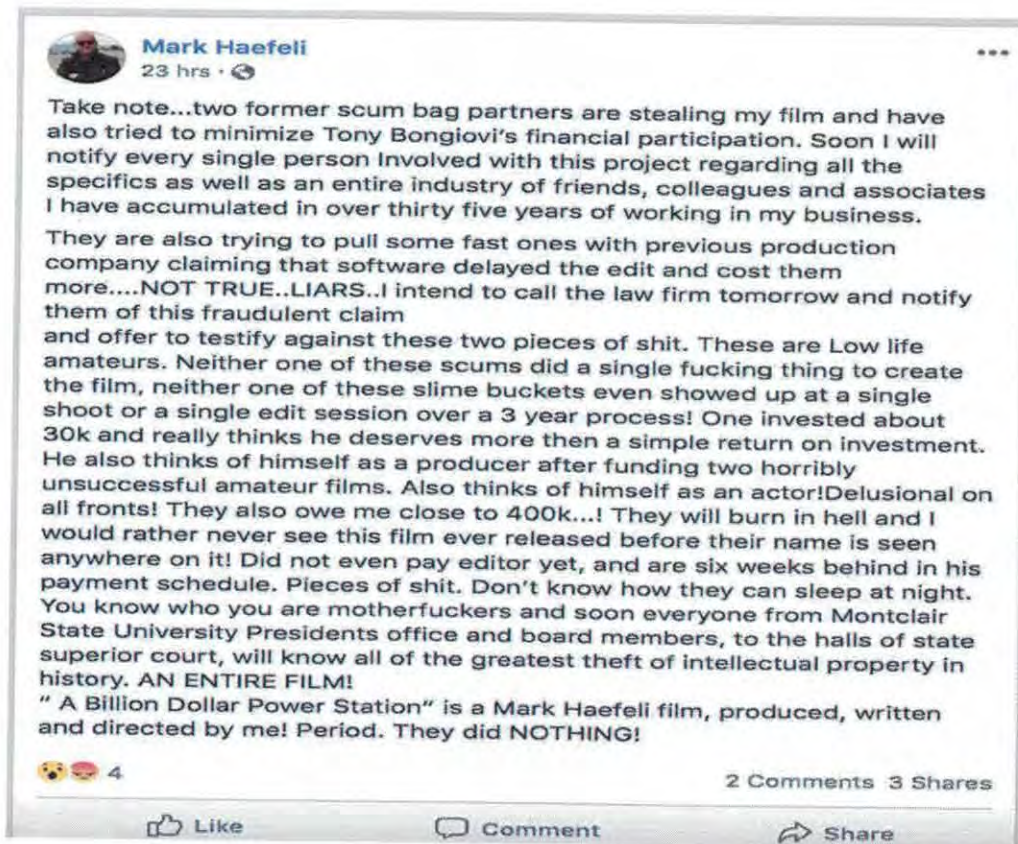
I don't mean to be argumentative, but I do want to make it clear that this is a business transaction, with a written agreement, and we do have reasonable concerns. That said, no one is out to stiff you. I will authorize payment for the two weeks outstanding immediately.

Further, we need a clear timeline and budget for the remaining effort (which needs to be appropriate and manageable on this end).

Finally, so there are no further issues, nothing in your possession related to the project is to be made available to anyone else for download or copying. For clarity, the film and all related materials are 4C4's property, not Mark's or anyone else's.

Thanks,  
Robert

---



Text Message From Mark Haefeli to Robert Gregory

Date: Thursday 4/11 Time: 8:28PM

He hates you and did. I thing ever since you stared your candy ass bullshit. As young as he may be...he saw right through you...and you ask him.."if he said anything to me about you..." you are one sick mother fucker...I bet your son, dad and wife would have been so impressed to hear you and watch you action as the psychotic that you are. He laughs at you...laughs at you...and hates you for what you have done. Not just to me butx to him and everyone Connected to this project...really think anyone is going to but this from you two jerkoffs! What do you think Stephen Weber will think...how about Paul Schafer? No k e will want to talk to either one of you cheats especially a network or a distributor...even Tony's fiend would walk from this project...they all want to talk to the producer and director and you have no idea what either does! You fool. I will never ever do anything with either one of you low life scum bag frauds... when it come to this film.... I am willing to flush eight years of my life down the toilet to make

sure that neither one of you ever sees a dime. I am willing to do that you chicken sh!t. I will fall on he the grenade to fuck you the way you have fucked Me!

You know I was going to get a clone before the other day, but I didn't because I didn't really think you had it in you...but you fooled me, and the ironic thing is that I actually knew you would steal whatever you had too steal in your panic and I was right...how does it go...fool me once shame on me! Your fucked Robert and that jerk is making some big mistakes as are you.

I will never stop for the rest of your life! Trust me.

And you two run to my lawyer with all your little bits and pieces of truth that I post...oh well be good live pretty soon! On the internet ...

BTW...what would make you think I don't have a drive you fool! You're a bit slow on the draw.

---

From: mhaefeli@markhaefeliprod.com <mhaefeli@markhaefeliprod.com>

Sent: Friday, April 12, 2019 9:27 AM

To: Dan Simon <manhattanfilmworks@gmail.com>; dsabourin@rabnerbaumgart.com

Cc: Robert Gregory <robert@cove.ie>; coreyflorin11@gmail.com

Subject: Power Station

Dear Dan:

You may know by now but Robert has stolen my film, literally, and showed up at my editors studio yesterday to demand all drives. He bullied him with legal threats to do so.

As you are aware I'm sure, I have been developing and working on this project for nearly seven years, well before the unfortunate mistake I made by partnering with him and McHattie.

Can you imagine a person who did absolutely nothing ( which he did nothing to create, conceive, or develop the project) or anyone for that matter, show up one day at an independent editors place of business and demand that your film and all of its assets be turned over to him. Well this is exactly what he did.

So he is now in possession of seven years of my life claiming he owns this! I am sure you can not imagine how anyone could do such a thing! It is disgusting and appallingly shameful.

Since this is now turned into some very serious and heavy litigation, I am suggesting you do not get involved at this point and stay far away from even opening up the drive for him. I know you are the only person Robert can turn to with any editing ability or knowledge.

If you have seen any of what he has at this point, please note that the film credits Mark Haefeli as producer and director and there is no mention of 4C4media anywhere on the film. The last credit roll is the copyright which reads Mark Haefeli Productions 2019 and I do not think you want to mess with some ones copywritten material.

Also, if there are any changing of the credits, as you know, it will show on the time line that a copy-written work has been tampered with by an unauthorized individual.

Just wanted to warn you of these potential consequences because my guess is that due to Robert's lack of shame, he would not have been very forthcoming on this issue completely being aware of what you would think of such a person who would stoop so low.

BTW...I have a copy of the drive as well. Had the project cloned about two weeks ago and nothing has really been done since.

Hope all is well and moving forward for you. I am sorry involve you with this, but I don't like it when innocent people are taken advantage of.

All the best,  
Mark



Mark Haefeli  
212 334 2164 office  
917 502 1096 mobile

---

From: mhaefeli@markhaefeliprod.com <mhaefeli@markhaefeliprod.com>  
Sent: Friday, April 12, 2019 9:43 AM  
To: Dan Simon <manhattanfilmworks@gmail.com>; dsabourin@rabnerbaumgart.com  
Cc: Robert Gregory <robert@cove.ie>; coreyflorin11@gmail.com  
Subject: Re: Power Station

Robert:

By the way I asked Corey two weeks ago, to make me a precautionary back up. This was well before you started your legal bullying routine.

So this is not his fault that he made me drive, which would be a typical cautionary measure on these types of projects. ( not that you would even know)

I requested the clone and he did what any other editor would do.

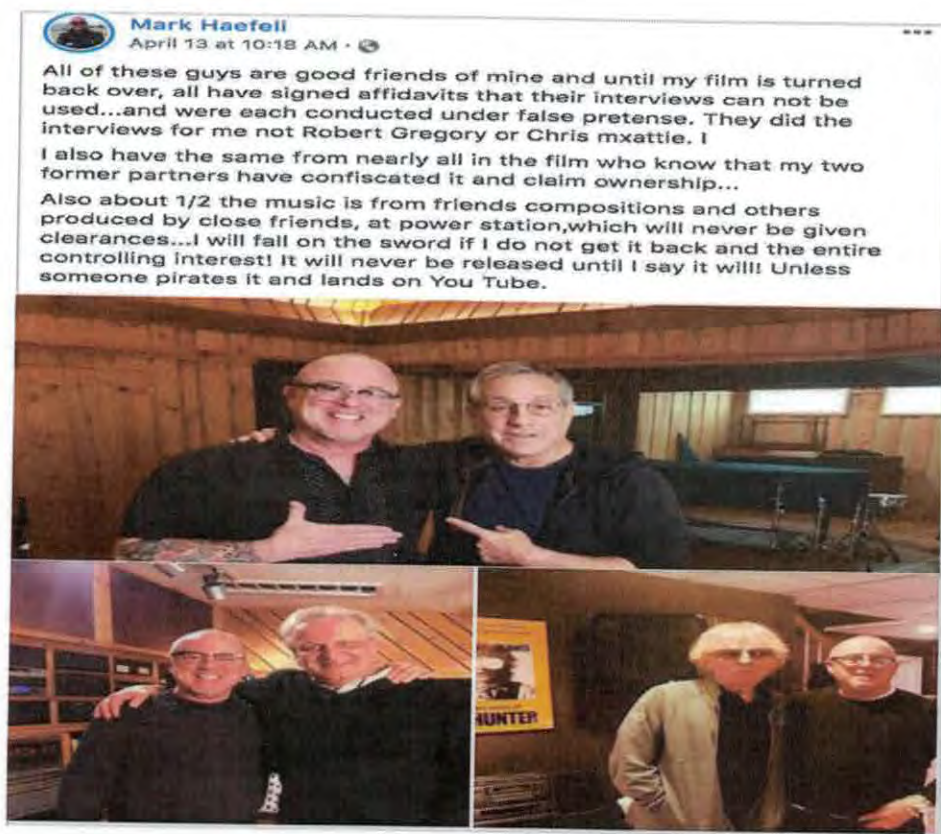
From your first dealings with Corey you also falsely represented yourself by not telling him you had terminated me from 4C4media seven weeks ago pretending that all was well in your land of OZ and sending misrepresented emails that falsely alluded to all being well between us while you had already terminated me!

Not to mention the fact that you knew he never had a lawyer look at the contract you forced on him! I am suggesting to Corey that he immediately return all assets to you via mail and not do anymore work on this project, as it might be directed by you, without becoming part of this legal entanglement. Your behavior and cross examination of Corey yesterday was a disgrace. You should be ashamed of yourself, but people like you have no shame.

Mark Haefeli  
212 334 2164 office  
917 502 1096 mobile

---





Text Message from Mark Haefeli to Robert Gregory  
Date: Saturday 4/13 Time: 1:25PM

How are you today. I am sure it occurred to you after you confiscated my film, that everyone in that movie is a friend of mine except but a very few.. even Nile has seen clips and really liked where it was going. All of the other friends or colleagues are either musicians or music producers. They hate false claims of creativity and fight for their publishing rights to not be plagiarized. They all get creative ownership and intellectual property and not the bullshit that the your partner claims to practice. Most have already, and the balance will all be returning a document of denial regarding their participation due to false pretense. They did not do these interviews for you or your partner! They did them for me.

I have been a pretty close friend of Max Weinberg for about 25 years now! He has already told me, on the phone, that he is out! (Document forthcoming)

He was in my wedding party when I married Tricia and we celebrated at Mayfair Farms!

Same goes for about 40% of the music which is original or produced by friends both in and out of power station!

You are just digging yourself a deeper and deeper hole. Until this film is given back to me, and I'm not talking about the drive, I am taking about exclusive ownership, because as you know, I already have a copy of the drive, and you will have to spend tens of thousands of dollars to start over on the edit but won't even have enough material to do another edit! You can't afford it and god knows you can't raise money.

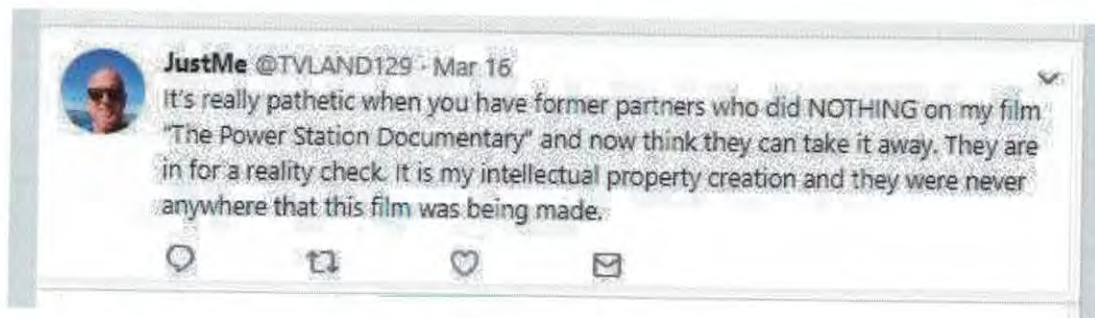
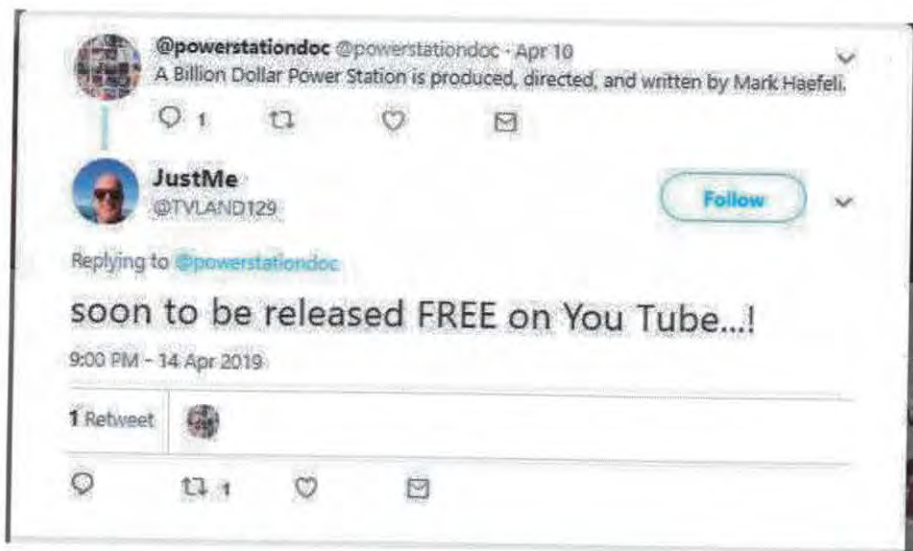
BTW, I have already started working with another editor late last week soon as I got the drive from Corey. We continue to make changes and alterations to finalize this so it will pass QC. FYI,,,I have also sold my house in Cape Cod, closing May 15th and I'll have lots of money to edit and to cover legal and court costs. This was the primary purpose behind me selling it. I did tell you I would do anything I had to do to get this film done. I am relentless.

Get out while you have a chance or this could really go up in flames for you . I am willing to give you a decent return on the few dollars you actually put out which were paid directly to sources that had something do with the film, IE: Corey, etc. it will probably be more then the 20% piece of Coves 50% that the clown carved out for you!

I am a fair man unlike you and the clown who have shown true colors.

Already people in the industry know what you two thieves have done!

Think about it and I'd be glad to talk to you off the record at a location of your choice.



Power Station New York "A Billion Dollar Power Station" A Music Documentary  
Public group

About  
Discussion  
Members  
Events  
Videos  
Photos

Search this group

Mark Hasko  
Apr 29 at 9:26 PM  
PowerStationNY.com

WELCOME TO  
A Billion Dollar "Power Station" is the story of the  
STOCK MARKET... See More

LOCATION  
New York, New York

CREATE NEW GROUPS  
Groups make it easier than  
ever to share with friends,  
family and community. [Create Group](#)

RECENT GROUPS  
See All



THE MCHATTIE LAW FIRM, LLC  
Christopher J. McHattie, Esq.  
(Bar No. 035251987)  
550 West Main Street  
Boonton, New Jersey 07005  
Telephone: 973-402-5505  
Facsimile: 973-400-4110  
*Attorneys for Plaintiff, 4C4 Media, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

4C4 MEDIA, LLC,

Plaintiff

v.

MARK HAEFELI; MARK HAEFELI  
PRODUCTIONS, INC.; JOHN DOES 1-10  
(name being fictitious for individuals whose  
identities are currently unknown); and ABC  
ENTITIES 1-10 (names being fictitious for  
corporate or other legal entities whose  
identities currently remain unknown),

Defendants.

Civil Action No.: 2:19-CV-12288-SDW-SCM

**SECOND CERTIFICATION OF  
ROBERT S. GREGORY**

I, Robert S. Gregory, being duly sworn, upon this oath according to law, depose and say:

1. I am a member of Cove, LLC ("Cove"), which is the owner/member of 4C4 Media, LLC (hereinafter referred to as "Plaintiff" or "4C4" or "Company"), and I am the Cove member responsible for the day to day activities of 4C4. As such, I am thoroughly familiar with the facts and circumstances of this action. I am also an attorney-at-law admitted to the bar of the State of New York. I respectfully submit this Certification in support of 4C4's request for relief.

2. On May 6, 2019, Plaintiff filed an Order to Show Cause and an application for a Temporary Restraining Order with this Court.

3. In support of its application for relief, Plaintiff submitted numerous examples of social media posts and other communications demonstrating Defendants' attempts to claim ownership in the film, with the current working title, "A Billion Dollar Power Station" (the "Film"), certain abbreviated versions of the Film, and the source materials for the Film, in which Plaintiff has a US Copyright.

4. On May 8, 2019, the Court entered the Temporary Restraining Order. (See Exhibit "A.")

5. In relevant part, the Court's Temporary Restraining Order provided:

Defendants are temporarily enjoined and restrained from

...

d. engaging in any other acts which puts a cloud on the ownership, development or distribution of: (a) the film, or (b) any alternate, abbreviated or reconstituted version of the Film or the Film's outtakes and unused source materials, including, but not limited to, ***Defendants holding themselves out as the owner of the Film.***

(See Exhibit "A." Emphasis Added.)

6. The Plaintiff's Order to Show Cause was set down for hearing before this Court on May 15, 2019 at 11AM.

7. On May 9, 2019, Defendants' counsel submitted correspondence with the Court acknowledging receipt on May 8, 2019 of Plaintiff's documents by hand delivery and by electronic delivery.

8. Plaintiff was able to identify numerous social media accounts and streaming media sites that Defendants controlled and used. A list of the sites used by Defendants that included posts which violated, and/or threatened to continue to violate, the Plaintiff's rights is attached hereto as Exhibit "B".

9. Pending the hearing, Plaintiff continued to check periodically to determine if Defendants had made any attempts to comply with the Court's Order by removing claims of ownership of the Plaintiff's copyrighted materials, including claims of copyright in Mark Haefeli ("Mr. Haefeli") or his production company Mark Haefeli Productions ("MHP"), from their social media posts. No apparent movement was made by the Defendants to do so, and in fact, additional offending social media posts were discovered, and brought to the Court's attention in Plaintiff's Supplemental Letter Brief filed on May 14, 2019.

10. In light of the lack of movement by Defendants to comply, Plaintiff undertook affirmative action to remedy the ongoing infringement of its rights by Defendants by filing notices in accordance with the Digital Millennium Copyright Act of 1998 ("DMCA") that the video content being displayed by Defendants through its social media posts constituted unauthorized use of Plaintiff's copyrighted material, and directing that this content be taken down (each a "DMCA Take-Down Notice"). For example, on May 10, 2019, 4C4, by and through its counsel The McHattie Law Firm, LLC, sent Vimeo a DMCA Take Down Notice "requesting that [Vimeo] immediately cease to provide access to copyrighted material" namely, the trailer of the Film. (*See* Exhibit "C").

11. On May 14, 2019, Defendants posted a trailer for the Film on YouTube, again claiming copyright in the Film. (*See* Exhibit "D").

12. At the May 15, 2019 hearing before the Court, counsel for Defendants, Dennis Sabourin, Esq., again acknowledged service of Plaintiff's motion papers.

13. At the hearing Plaintiff's counsel, Christopher J. McHattie, referred to the ongoing violations of the Court's order by Defendants and expressed concern that the order was not being observed. Specifically, referring to Mr. Haefeli's posts, he suggested Mr. Haefeli

would be appealing the Court's Order to "Facebook." While he did not correctly identify the social media organization to which Mr. Haefeli would appeal, Mr. McHattie was apparently prescient.

14. On May 15, 2019, the Court *inter alia* extended the Temporary Restraining Order entered on May 8, 2019. Attached hereto as Exhibit "E" is a true and correct copy of the May 15, 2019 Order.

15. On May 15, 2019 at 6:45 PM Mr. Haefeli was personally served with the Plaintiff's papers (including the Court's original Temporary Restraining Order). Attached hereto as Exhibit "F" is a true and correct copy of the Affidavit of Service.

16. On May 15, 2019, at 7:18 PM Mr. Haefeli filed a DMCA counter-notification with Vimeo claiming that Vimeo had improperly removed Plaintiff's copyrighted material in response to Plaintiff's DCMA Take-Down Notice. Specifically, and as set forth in the Notice from "Vimeo," setting forth Mr. Haefeli's "appeal":

**Hello,**

In accordance with the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512(g)(2)(B), we hereby inform you that ***Vimeo has received a DMCA counter-notification claiming that the material originally located at <https://vimeo.com/281348595> has been erroneously removed from Vimeo in response to your DMCA takedown notice.***

***The DMCA counter-notification was filed by Vimeo user mark b. haefeli and is reproduced below.*** In accordance with the DMCA, Vimeo will restore the Material in ten (10) business days unless Vimeo receives notice that an action seeking a court order to restrain this user from the alleged infringing activity has been filed.

Vimeo reserves all rights.

Notice ID: 7886

**Name: mark b. haefeli**

**Organization: Mark Haefeli Productions**

**Address: 92 ELM STREET**

**MONTCLAIR, NJ 07042**

**Telephone: 9175021096**

**Email: [Mhaefeli@mhp3.com](mailto:Mhaefeli@mhp3.com)**



Video: <https://vimeo.com/281348595>

Description: Power Station; When Worlds Collide Trailer

**This is a TRT: 6:30 trailer that I produced, directed and wrote. This is a Mark Haefeli Productions copyright as the opening and closing of the film (also on Vimeo), clearly states. 4C4Media has no web site or functioning emails<sup>1</sup>. No party who filed this claim had any part on the development, creation, or distribution of this film trailer.**

Music selections are legally cleared under "fair usage", so each song is pertinently relevant and non-gratutious<sup>2</sup>

Comments:

Signature: mark haefeli

Submitted: Wednesday, May 15, 2019 At 7:18 PM

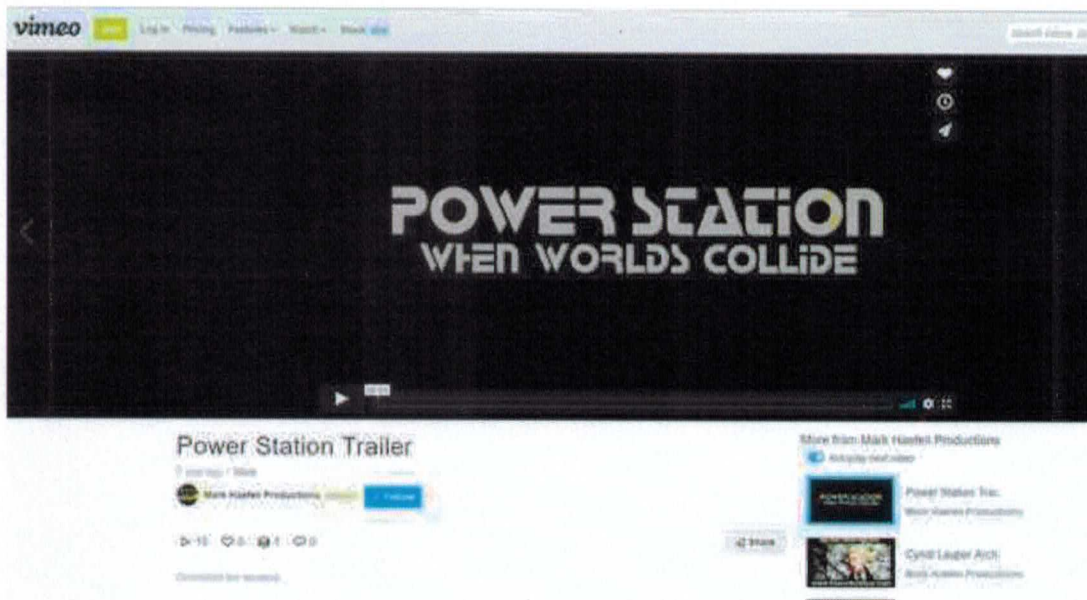
*Sincerely,  
Vimeo Inc.*

(See Exhibit "C", Emphasis Added). The trailer referred to in Mr. Haefeli's submission bears the title "Power Station: When Worlds Collide," a previous working title for the Film, and represents Plaintiff's copyrighted materials. Furthermore, on or about February 27, 2019, Mr. Haefeli disabled 4C4's access to the company email server of which Mr. Haefeli was the administrator. He has since repeatedly refused to transfer administrative access to the company, or to assist in any way in Plaintiff's attempts to effect the same with the hosting provider. Mr. Haefeli's reference to "[m]usic selections are legally cleared under 'fair usage'" refers to advice received from 4C4 Media's copyright counsel, Donaldson + Callif, LLP. The Trailer remains up on Vimeo:

---

<sup>1</sup> The Court will recall in Plaintiff's original submission it was noted that Mr. Haefeli wrongfully converted the [www.4cmedia.com](http://www.4cmedia.com) website, redirected it to a site controlled by Mr. Haefeli. First Gregory Certification ¶ 43.

<sup>2</sup> This is a legally false statement and it is "black letter law" that a collection of individual "clips" of fair use materials becomes a separately copyrightable work. *Feist Publications, Inc. v. Rural Telephone Service Co.*, 499 U.S. 340 (1991) Specifically, a collection of either fair use materials, or even public domain materials, is eligible for copyright protection as a compilation and/or derivative work.



(Id.)

17. A lawyer representing Tony Bongiovi, the creator of the Power Station Recording Studio that is the subject of the Film, has provided Plaintiff with notice that Warner Music Group Rights Management (“Warner”), has notified Mr. Haefeli that material in the trailer he has posted for the Film is being used without its authorization. Plaintiff is not in control of the social media sites currently being used by Mr. Haefeli to promote his claims of ownership in the Film. Were Plaintiff to receive a similar notice tomorrow, it could not remedy the situation without further legal action against Mr. Haefeli.

18. Since the May 15 hearing, Plaintiff has continued to monitor social media accounts for Mr. Haefeli, and his production company, as well as accounts Mr. Haefeli created to promote the Film over which the Plaintiff has no control. Attached are examples of posts, including posts previously mentioned in Plaintiff’s filings that, as of May 17, 2019, remain up and viewable by others. (See Exhibit “G”).

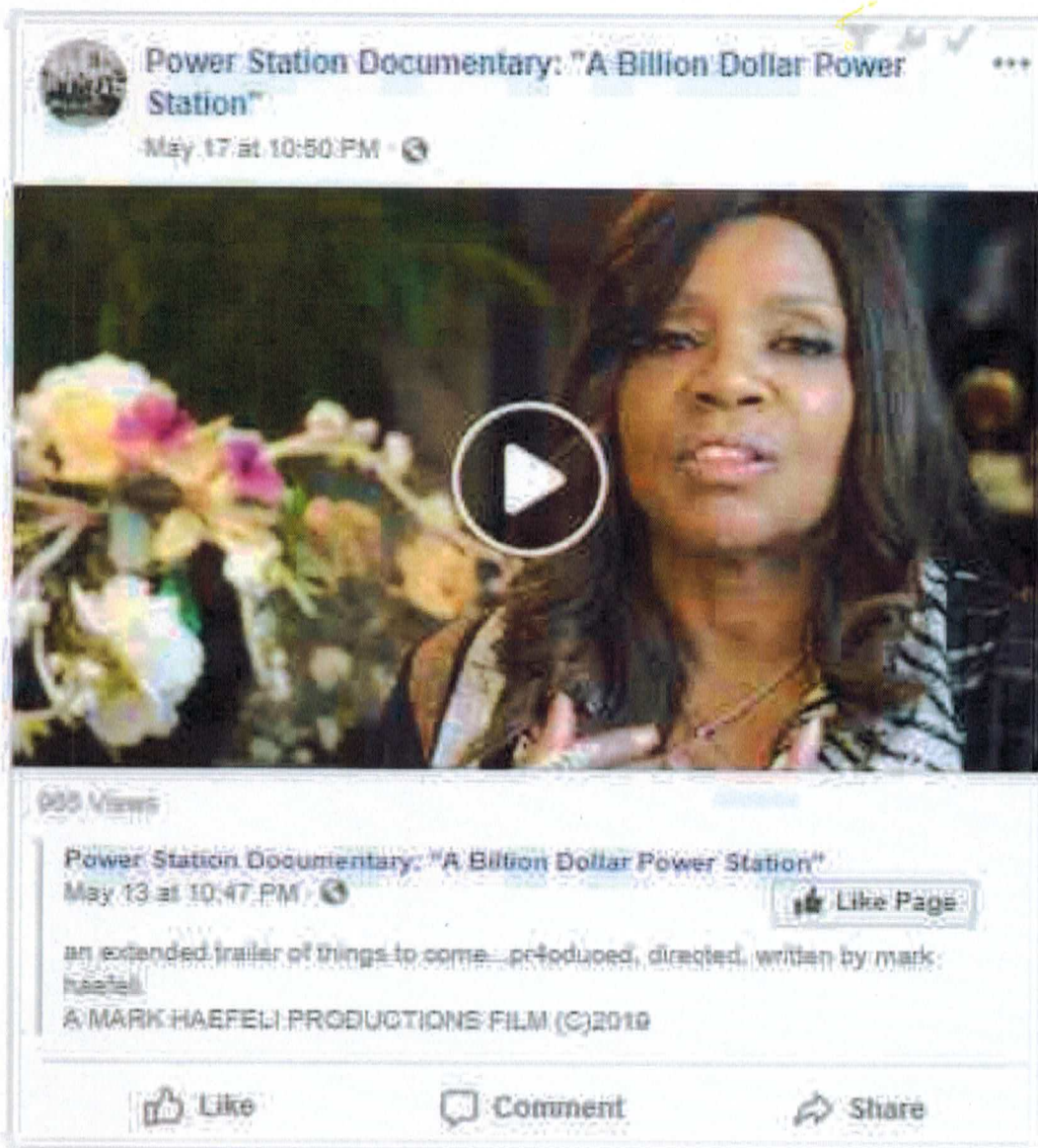
19. In its prior submissions to the Court, Plaintiff included other social media posts associated with Mr. Haefeli’s personal Facebook account as further evidence of his unauthorized

use of Plaintiff's copyrighted materials. Plaintiff has attempted to verify whether Mr. Haefeli has complied with the Court's Temporary Restraining Order by removing these posts from his Facebook page, but Mr. Haefeli has apparently changed his privacy settings and Plaintiff is effectively blocked from viewing these posts and confirming Mr. Haefeli's compliance with the Temporary Restraining Order.

20. Notwithstanding Mr. Haefeli's barring Plaintiff from monitoring his activity with respect to his personal social media accounts, he continues to use certain public accounts that incorporate the name of the Film to promote his claims to ownership of Plaintiff's copyrighted materials. These include a Facebook page captioned: "PowerStation Doc: Power Station New York 'A Billion Dollar Power Station' A Music Documentary"

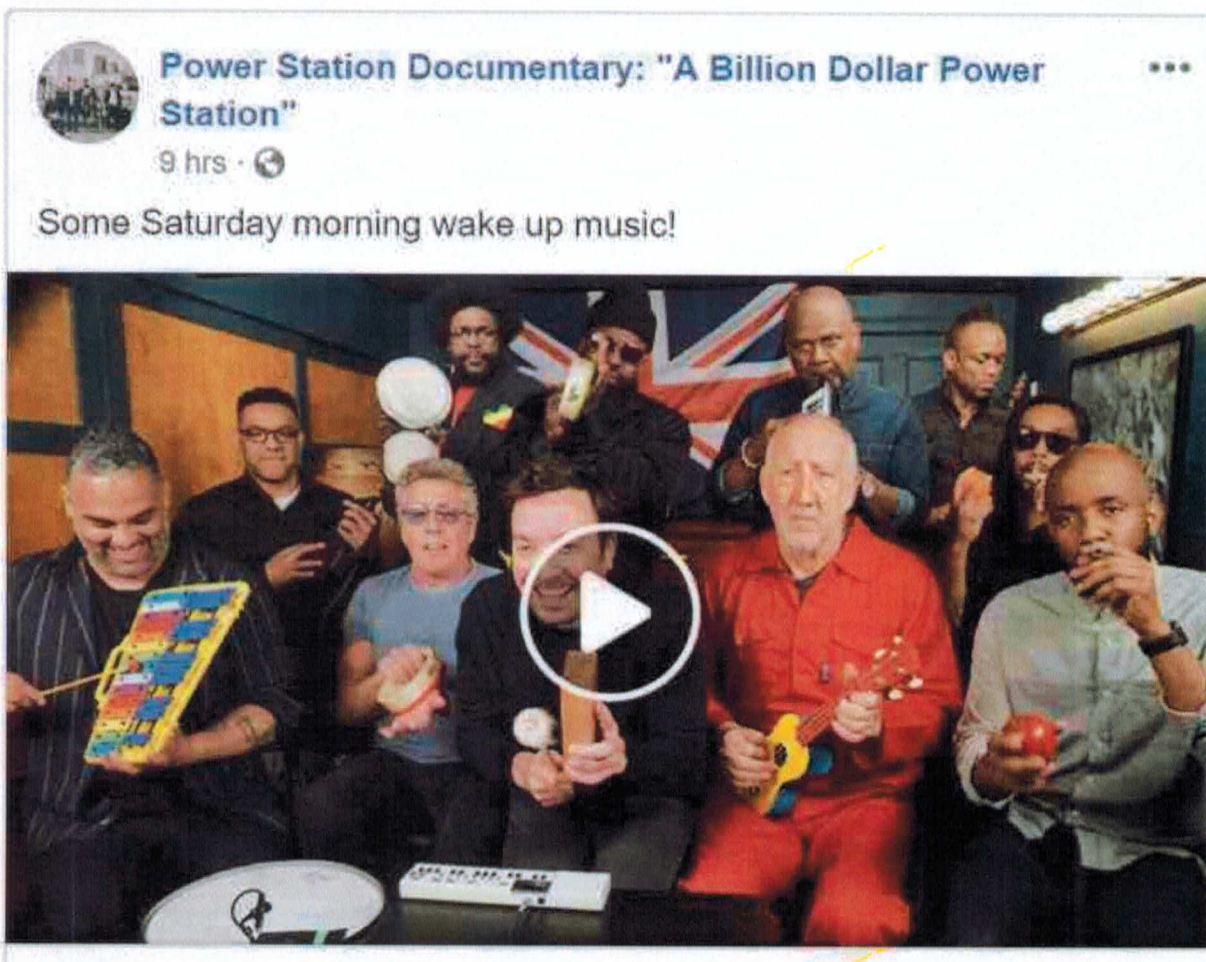
<https://www.facebook.com/groups/powerstationstudio>), and a Twitter Account for "PowerStation Doc" (<https://twitter.com/powerstationdoc>)

21. On May 17, 2019, at 10:50 PM, Defendants re-posted video content using Plaintiff's copyrighted materials, including an interview with Gloria Gaynor:

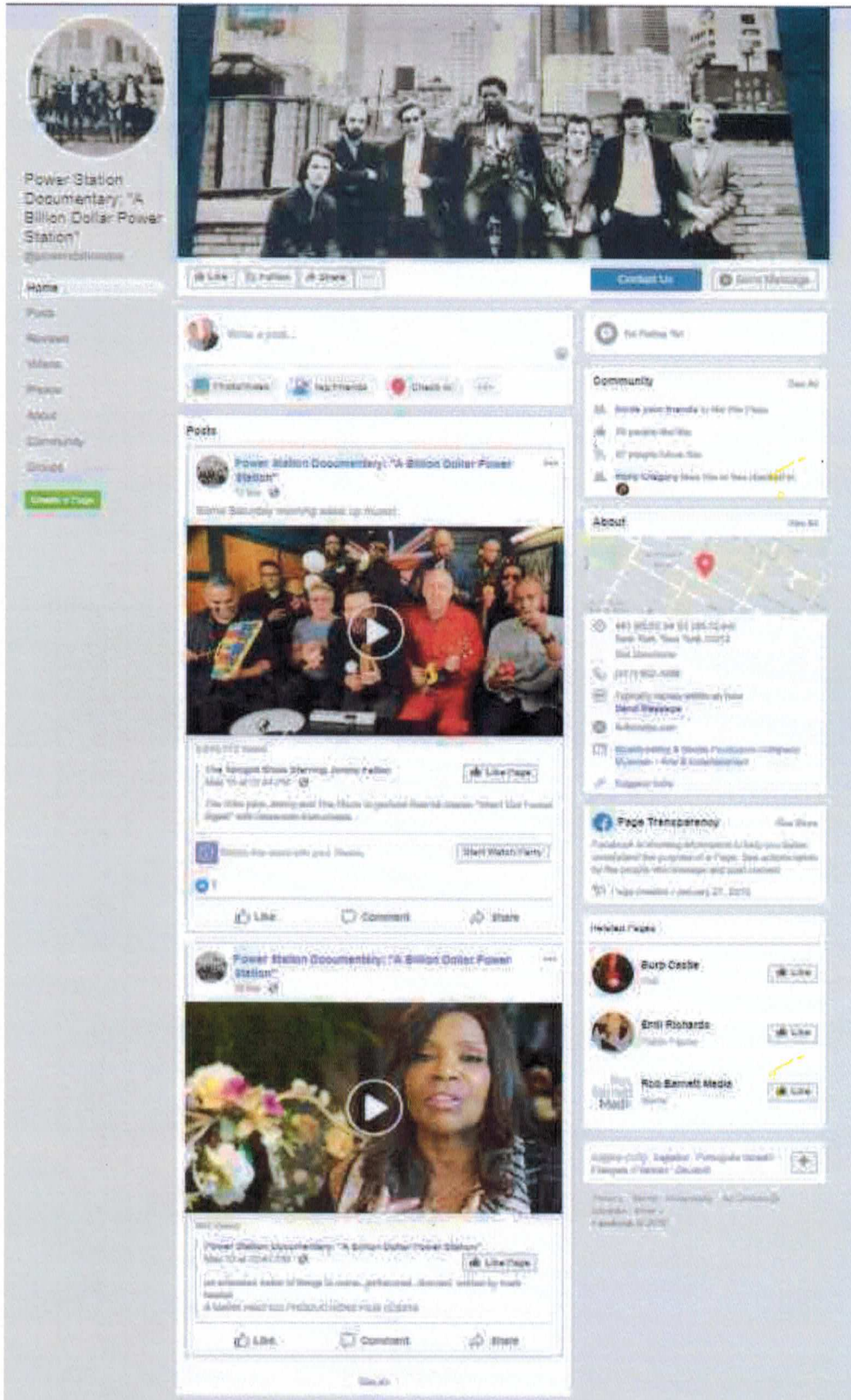


It should be noted that the content has received **965 views**. This post takes the viewer to Mr. Haefeli's Facebook page for the Film (including his prominently displayed erroneous copyright notice) (See Exhibit "H").

22. On May 18, 2019, Mr. Haefeli created a new post that violated the Court's Order. <https://www.facebook.com/powerstationdoc/?rc=p>



This seemingly innocuous post is all the more insidious, as it purports to promote a performance by members of the rock band The Who on the NBC television show "The Tonight show starring Jimmy Fallon", presumably without the permission of the owner of the rights to this content. However, the video appears under the Power Station Documentary caption, and when clicked on the link takes the viewer to Mr. Haefeli's Facebook page for the Film (including his prominently displayed erroneous copyright notice):



(See Exhibit "H.")

23. These latest posts demonstrate that Defendants continue to pursue a disinformation campaign designed to promote their claims of ownership of the Film and Plaintiff's other copyrighted materials.

24. In the weeks following Mr. Haefeli's resignation from the Company, he attempted to bait me into an argument, and otherwise bully and antagonize me, on numerous occasions, in particular through text messages to my phone. I never responded. However, his communications provide us with an insight into and a demonstration of his mindset. One such text communication, which I received on my phone on April 11, at 8:28 PM, sums up his "scorched earth" approach to this dispute:

I am willing to flush eight years of my life down the toilet to make sure that neither of you ever sees a dime. I am willing to do that you chicken shit I will fall on he [sic] grenade to fuck you the way you have fucked me!

It appears that Mr. Haefeli is prepared to ignore the admonitions of the Court and risk sanctions for contempt in order to prove his point.

I hereby declare under penalty of perjury that the foregoing statements are true and correct pursuant to 28 U.S.C. § 1746.

  
Robert S. Gregory

# EXHIBIT A



THE MCHATTIE LAW FIRM, LLC  
Christopher J. McHattie, Esq.  
(Bar No. 035251987)  
550 West Main Street  
Boonton, New Jersey 07005  
Telephone: 973-402-5505  
Facsimile: 973-400-4110  
*Attorneys for Plaintiff, 4C4 Media, LLC*

U.S. DISTRICT COURT  
DISTRICT OF NEW JERSEY  
RECEIVED

2019 MAY - 1 A 9:32

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

4C4 MEDIA, LLC,

Plaintiff,

v.

MARK HAEFELI; MARK HAEFELI  
PRODUCTIONS, INC.; JOHN DOES 1-10  
(name being fictitious for individuals whose  
identities are currently unknown); and ABC  
ENTITIES 1-10 (names being fictitious for  
corporate or other legal entities whose  
identities currently remain unknown),

Defendants.

Civil Action No.

**ORDER TO SHOW CAUSE FOR A  
TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

**THIS MATTER** having been brought before the Court by Plaintiff, through its counsel, by Order to Show Cause, on Notice to the Defendants via counsel, seeking a temporary restraining order and preliminary injunction pursuant to Federal Rule of Civil Procedure 65 and L.Cv.R.65.1, and upon the Complaint, Certification of Robert S. Gregory and Memorandum of Law submitted herewith, the Court having determined that good and sufficient reasons exist to proceed by way of Order to Show Cause, and for good cause shown;

IT IS on this 8<sup>th</sup> day of May, 2019,

**ORDERED** that the Defendants appear and show cause on the 15<sup>th</sup> day of May, 2019, before the United States District Court for the District of New Jersey,

Hon. Susan D. Wigenton, USPJ, at the Martin Luther King Jr. US Courthouse, located at NEWARK, New Jersey 07101, at 11 o'clock in the fore noon, or as soon thereafter as counsel can be heard, why an Order should not be entered:

1. Temporarily Restraining Defendants from editing, altering, reproducing, distributing, or otherwise publicly displaying: (a) the film, with the working name "A Billion Dollar Power Station" (the "Film"), or (b) any adulterated, alternate, abbreviated or reconstituted copy of the Film or the Film's outtakes and unused source materials, including one that lists Defendants as the copyright owner (or otherwise attributes ownership to Defendant);

2. Temporarily Restraining Defendants from offering for sale, selling, marketing or promoting: (a) the Film, or (b) any adulterated, alternate, abbreviated or reconstituted copy of the Film or the Film's outtakes and unused source materials, including one that lists Defendants as the copyright owner (or otherwise attributes ownership to Defendant);

3. Temporarily Restraining Defendants from creating derivative works derived from: (a) the Film, or (b) any adulterated, alternate, abbreviated or reconstituted copy of the Film or the Film's outtakes and unused source materials, including, but not limited to, one that lists Defendants as the copyright owner (or otherwise attributes ownership to Defendant);

4. Temporarily Restraining Defendants from engaging in acts of interferences with Plaintiff's marketing and selling of: (a) the Film, or (b) any alternate, abbreviated or reconstituted version of the Film or the Film's outtakes and unused source materials, including, but not limited to, interfering with Plaintiff's work with existing or prospective vendors for the Film; and

5. Temporarily Restraining Defendants from engaging in any other acts which put a cloud on the ownership, development or distribution of: (a) the Film, or (b) any alternate,

abbreviated or reconstituted version of the Film or the Film's outtakes and unused source materials, including, but not limited to, Defendants holding themselves out as the owner of the Film.

And it is further **ORDERED** that:

1. Pending further hearing on this Order to Show Cause, Defendants are temporarily enjoined and restrained from:

- a. editing, altering, reproducing, distributing, or otherwise publicly displaying: (i) the Film, or (ii) any adulterated, alternate, abbreviated or reconstituted copy of the Film or the Film's outtakes and unused source materials, including one that lists Defendants as the copyright owner (or otherwise attributes ownership to Defendant);
- b. offering for sale, selling, marketing or promoting: (i) the Film or (ii) any adulterated, alternate, abbreviated or reconstituted copy of the Film or the Film's outtakes and unused source materials, including one that lists Defendants as the copyright owner (or otherwise attributes ownership to Defendant);
- c. creating derivative works derived from: (i) the Film or (ii) any adulterated, alternate, abbreviated or reconstituted copy of the Film or the Film's outtakes and unused source materials, including one that lists Defendants as the copyright owner (or otherwise attributes ownership to Defendant);
- d. engaging in acts of interferences with Plaintiff's marketing and selling of: (i) the Film, or (ii) any alternate, abbreviated or reconstituted version of the Film or the Film's outtakes and unused source materials, including, but not limited

to, interfering with Plaintiff's work with existing or prospective vendors for the Film; and

- e. engaging in any other acts which puts a cloud on the ownership, development or distribution of: (a) the Film, or (b) any alternate, abbreviated or reconstituted version of the Film or the Film's outtakes and unused source materials, including, but not limited to, Defendants holding themselves out as the owner of the Film.

2. A copy of this Order to Show Cause, and to the extent not already served, a copy of the Complaint, Certification of Robert S. Gregory and Memorandum of Law submitted in support of this application, together with a summons, shall be served upon the Defendants personally within 3 days of the date hereof, in accordance with FRCP 4.

3. The Plaintiff must file with the Court its proof of service of the pleadings on the Defendants no later than three (3) days before the return date.

4. Defendants shall file and serve a written response to this Order to Show Cause and proof of service by Mon., May 13, 2019, <sup>at 4 PM.</sup> You must send a courtesy copy of your opposition papers directly to Judge Wigenton, whose address is: 50 Walnut St., Courthouse 5C, New Jersey \_\_\_\_\_.

5. The Plaintiff must file and serve any written reply to the Defendants' opposition to the Order to Show Cause by Tues, May 14, 2019, <sup>at 4 PM.</sup> A courtesy copy of the reply papers must be sent directly to the chambers of Judge Wigenton.

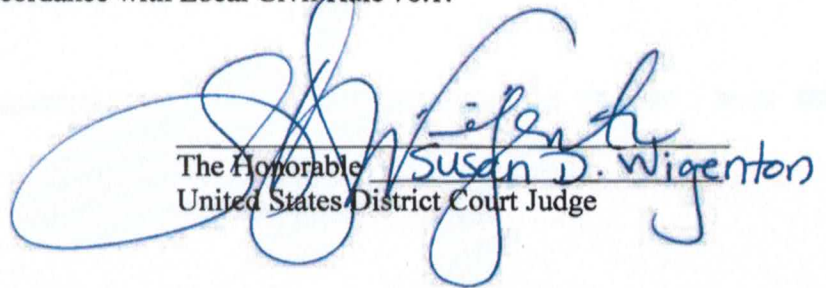
6. If the Defendants do not file and serve opposition to this Order to Show Cause, the application will be decided on the papers on the return date and relief may be granted by default,

provided that the Plaintiff files a proof of service and a proposed form of Order at least three (3) days prior to the return date.

7. If the Plaintiff has not already done so, a proposed form of Order addressing the relief sought on the return date (along with a self-addressed return envelope with return address and postage) must be submitted to the Court no later than three (3) days before the return date.

8. The Court will notify the parties whether it will entertain argument on the return date of the Order to Show Cause in accordance with Local Civil Rule 78.1.

**SO ORDERED.**



The Honorable Susan D. Wigenton  
United States District Court Judge

# EXHIBIT B

### Facebook

Personal: Mark Haefeli

<https://www.facebook.com/haefelimark>

PowerStation Doc: Power Station New York "A Billion Dollar Power Station" A Music Documentary

<https://www.facebook.com/groups/powerstationstudio>

### Twitter

Personal: <https://twitter.com/TVLAND129>

MHP: <https://twitter.com/markhaefeliprod>

PowerStation Doc: <https://twitter.com/powerstationdoc>

### Instagram

Personal: MHP3 <https://www.instagram.com/haef13/>

PowerStation Doc: <https://www.instagram.com/powerstationdoc/>

### Vimeo

<https://vimeo.com/markhaefeli>

### YouTube

Mark Haefeli: <https://www.youtube.com/channel/UC1nJkkDFpZLO8NhOEUm7-vA>

MHP3: <https://www.youtube.com/user/mhp3>

### Other links with trailer

<http://www.kicktraq.com/projects/powerstation/power-station-when-forces-collide/>

<https://filmfreeway.com/markhaefeli>

<https://filmfreeway.com/ABillionDollarPowerStation148>

<http://www.kicktraq.com/projects/powerstation/power-station-when-forces-collide/>

### Flickr

<https://www.flickr.com/photos/markhaefeliprod/>

# EXHIBIT C



THE MCHATTIE LAW FIRM, LLC  
550 WEST MAIN STREET  
BOONTON, NEW JERSEY 07005  
(v) 973.402.5505  
(f) 973.400.4110

# McHattie

ATTORNEYS AT LAW

CHRISTOPHER J. MCHATTIE, ESQ.  
*cmchattie@mchattielaw.com*

With Attorneys Admitted to Practice in New Jersey, New York, Florida, Pennsylvania, California & USPTO

May 10, 2019

**Via email only**

Vimeo, Inc.  
Attn: Legal Dept. – Copyright Agent  
555 West 18th Street  
New York, New York 10011

**Re: DMCA TAKEDOWN NOTICE**

Attn: Legal Dept. – Copyright Agent

This is a notice in accordance with the Digital Millennium Copyright Act of 1998 (DMCA) requesting that you immediately cease to provide access to copyrighted material. I wish to report an instance of Copyright Infringement, whereby the infringing material appears on a Vimeo account.

Pursuant to 17 USC 512 (c)(3)(A), this communication serves as a statement that:

1. The McHattie Law Firm is legal counsel to 4C4 Media, LLC;
2. 4C4 Media, LLC is the exclusive rights holder for A Billion Dollar Power Station, Copyright Registration Numbers, PAu003962880 and PAu003962815;
3. The infringing material, which rightfully belongs to 4C4 Media, LLC, is located on the following Vimeo Account: Mark Haefeli Productions at the following URL: <https://vimeo.com/281348595>;
4. I have good faith belief that the use of this material in such a fashion is not authorized by the copyright holder, the copyright holder's agent or applicable law;
5. Under penalty of perjury in a United States court of law, I certify that the information contained in this notification is accurate, and that I am authorized to act on behalf of the holder of the exclusive rights to the material in question;
6. My contact information is: [cmchattie@mchattielaw.com](mailto:cmchattie@mchattielaw.com); 973-402-5505  
McHattie Law Firm: 550 West Main Street, Boonton, NJ 07005

I hereby request that you remove or disable access to this material as it appears on your service in as expedient a fashion as possible. Thank you.

Very truly yours,

*s/ Christopher J. McHattie, Esq.*  
CHRISTOPHER J. MCHATTIE, ESQ.

**From:** [rights=vimeo.com@relay.vimeo.com](mailto:rights=vimeo.com@relay.vimeo.com) <[rights=vimeo.com@relay.vimeo.com](mailto:rights=vimeo.com@relay.vimeo.com)> **On Behalf Of** Vimeo  
**Sent:** Wednesday, May 15, 2019 7:40 PM  
**To:**  
**Subject:** DMCA Counter-notification for Vimeo video <https://vimeo.com/281348595>



**Hello,**

In accordance with the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512(g)(2)(B), we hereby inform you that Vimeo has received a DMCA counter-notification claiming that the material originally located at <https://vimeo.com/281348595> has been erroneously removed from Vimeo in response to your DMCA takedown notice.

The DMCA counter-notification was filed by Vimeo user mark b. haefeli and is reproduced below. In accordance with the DMCA, Vimeo will restore the Material in ten (10) business days unless Vimeo receives notice that an action seeking a court order to restrain this user from the alleged infringing activity has been filed.

Vimeo reserves all rights.

Notice ID: 7886  
Name: mark b. haefeli  
Organization: Mark Haefeli Productions  
Address: 92 ELM STREET  
MONTCLAIR, NJ 07042  
Telephone: 9175021096  
Email: [Mhaefeli@mhp3.com](mailto:Mhaefeli@mhp3.com)  
Video: <https://vimeo.com/281348595>  
Description: Power Station; When Worlds Collide Trailer

This is a TRT: 6:30 trailer that I produced, directed and wrote. This is a Mark Haefeli Productions copyright as the opening and closing of the film (also on Vimeo), clearly states. 4C4Media has no web site or functioning emails. No party who filed this claim had any part on the development, creation, or distribution of this film trailer.

Music selections are legally cleared under "fair usage", so each song is pertinently relevant and non-gratuitous

Comments:

Signature: mark haefeli

Submitted: Wednesday, May 15, 2019 At 7:18 PM

*Sincerely,*  
*Vimeo Inc.*



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**From:** rights=vimeo.com@relay.vimeo.com <rights=vimeo.com@relay.vimeo.com> **On Behalf Of** Vimeo  
**Sent:** Wednesday, May 15, 2019 7:40 PM  
**To:**  
**Subject:** DMCA Counter-notification for Vimeo video <https://vimeo.com/239133995>



**Hello,**

In accordance with the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512(g)(2)(B), we hereby inform you that Vimeo has received a DMCA counter-notification claiming that the material originally located at <https://vimeo.com/239133995> has been erroneously removed from Vimeo in response to your DMCA takedown notice.

The DMCA counter-notification was filed by Vimeo user Mark Haefeli and is reproduced below. In accordance with the DMCA, Vimeo will restore the Material in ten (10) business days unless Vimeo receives notice that an action seeking a court order to restrain this user from the alleged infringing activity has been filed.

Vimeo reserves all rights.

Notice ID: 7887

Name: Mark Haefeli

Organization: Mark Haefeli Productions

Address: 92 Elm Street

Montclair, NJ 07042

Telephone: 9175021096

Email: [Mhaefeli@mhp3.com](mailto:Mhaefeli@mhp3.com)

Video: <https://vimeo.com/239133995>

Description: Power Station Trailer; This is a Mark Haefeli Productions, produced, written and directed trailer for my documentary feature; "A Billion Dollar Power Station:" The copyright is clearly slated at beginning and end of film. (C)MarkHaefeliProductions2019. 4c4Media did nothing to develop or create.

4C4 is an LLC with no web site & no active email account! Music has been legally cleared under Fair Usage Standards and is appropriately relevant to the film. There are no gratuitous usages of music.

Comments:

Signature: mark haefeli

Submitted: Wednesday, May 15, 2019 At 7:26 PM

*Sincerely,*

*Vimeo Inc.*



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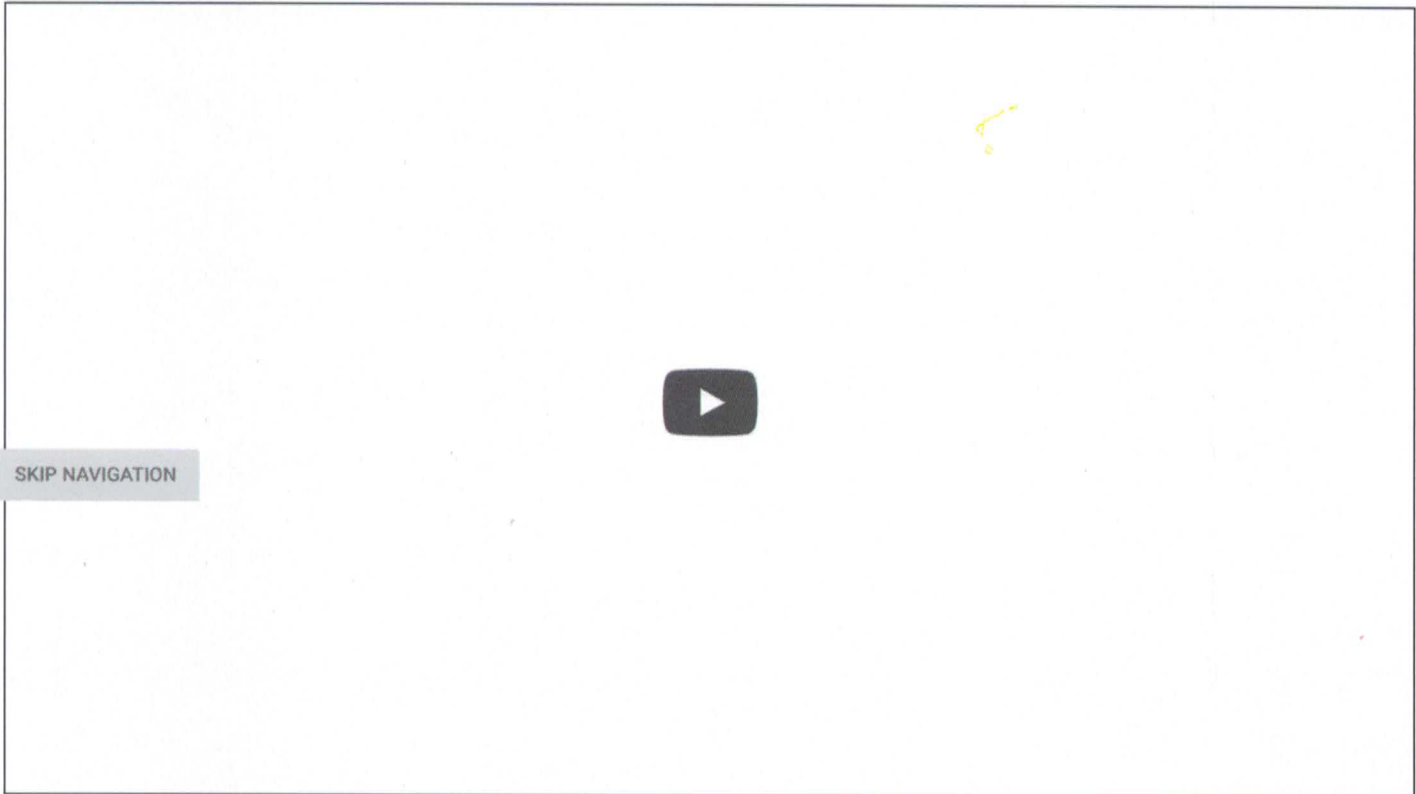
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[Terms](#) | [Privacy Policy](#)

# EXHIBIT D



power station trailer



SKIP NAVIGATION

Chat Replay is disabled for this Premiere.

### Power Station Trailer

14 views

0 0 SHARE SAVE ...



**Mark Haefeli**

Premiered May 14, 2019

SUBSCRIBE 61

Copyright Mark Haefeli Productions 2019. Produced, Directed, and Written by Mark Haefeli

SHOW MORE

### Up next

AUTOPLAY



**Ragnarok**

YouTube Movies

Free with Ads

1:35:28



**Freddie Mercury: The King of Queen**

YouTube Movies

Documentary · 2018

Free with Ads

1:27:42



**The Assassins**

YouTube Movies

World Cinema · 2013

Free with Ads

1:47:15



**The Wrath of Vajra**

YouTube logo, search bar containing "power station trailer", and navigation icons (camera, grid, share, bell, profile).



**Reign of Assassins**  
YouTube Movies  
Action & Adventure  
Free with Ads



**Fly Me to the Moon**  
YouTube Movies  
Family · 2008  
Free with Ads



**Tucker: The Man and His Dream**  
YouTube Movies  
Drama · 1988  
Free with Ads



**Diana: The Royal Truth**  
YouTube Movies  
Documentary · 2017  
Free with Ads



**Swelter**  
YouTube Movies  
Action & Adventure · 2014  
Free with Ads



**Special ID**  
YouTube Movies  
Action & Adventure · 2014  
Free with Ads



**Masters Of The Universe**  
YouTube Movies  
Thriller  
Free with Ads

**Shadow Dancer**  
YouTube Movies  
Independent · 2013  
Free with Ads

**Medina High School Morning Announcements 5-16-19 (Seniors Last Day)**  
MHSTV - Medina High School  
208 views  
New

**James Charles Loses Almost 2 Million Subscribers Amid Tati Westbrook Feud**  
Entertainment Tonight  
1.1M views  
New

**Last Chance Harvey**  
YouTube Movies  
Romance · 2008  
Free with Ads

**Ip Man: The Final Fight**  
YouTube Movies  
Action & Adventure · 2013  
Free with Ads

**Big Man Japan**  
YouTube Movies  
Comedy · 2009  
Free with Ads



# EXHIBIT E

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

4C4 MEDIA, LLC,  
  
Plaintiff,  
  
v.  
  
MARK HAEFELI, MARK HAEFELI  
PRODUCTIONS, INC., JOHN DOES 1-  
10, ABC ENTITIES 1-10,  
  
Defendants.

Civil Action No. 19-12288 (SDW) (SCM)

**ORDER**

May 15, 2019

**THIS MATTER** having come before the Court by way of 4C4 Media, LLC’s (“Plaintiff”) Order to Show Cause seeking a temporary restraining order and a preliminary injunction against Defendants Mark Haefeli and Mark Haefeli Productions, Inc. (collectively, “Defendants”), and this Court having ordered the parties to appear for a show-cause hearing on May 15, 2019,

For the reasons set forth on the record,

**IT IS, on this 15th day of May, 2019,**

**ORDERED** that the hearing is adjourned to May 29, 2019 at 2:30 p.m.; and it is further

**ORDERED** that Defendants’ opposition to the Order to Show Cause is due on May 20, 2019 and Plaintiff’s reply brief is due on May 24, 2019; and it is further

**ORDERED** that defense counsel’s request to file opposition on May 16, 2019 and to adjourn today’s hearing to May 20, 2019 (ECF No. 6) is **DENIED as moot**; and it is further

**ORDERED** that Plaintiff’s Motion for a Preliminary Injunction (ECF No. 7), which was filed on May 14, 2019, is **DENIED as moot** because it is a supplemental brief rather than a new motion.

**SO ORDERED.**

/s/ Susan D. Wigenton  
**Hon. Susan D. Wigenton**  
**United States District Judge**

Orig: Clerk  
cc: Steven C. Mannion, U.S.M.J.  
Parties

# EXHIBIT F



UNITED STATES DISTRICT COURT, DISTRICT OF NEW JERSEY

Plaintiff  
4C4 MEDIA LLC,

vs

Defendant  
MARK HAEFELI, ET AL.,

DOCKET NO. 2:19-CV-12288-SDW

**AFFIDAVIT OF SERVICE**  
(for use by Private Service)

Person to be served: MARK HAEFELI

Cost of Service pursuant to R4:4-30

Address:  
92 ELM ST.  
MONTCLAIR NJ 07042

\$ \_\_\_\_\_

Attorney:  
THE MCHATTIE LAW FIRM  
550 WEST MAIN ST.  
BOONTON NJ 07042

Papers Served:  
ORDER TO SHOW CAUSE FOR TEMPORARY RESTRAINING AND PRELIMINARY INJUNCTION; SUMMONS IN A CIVIL CASE; CIVIL COVER SHEET; COMPLAINT WITH EXHIBITS; CERTIFICATE OF SERVICE

Service Data:

Served Successfully  Not Served \_\_\_\_\_ Date: 5/15/19 Time: 6:45pm Attempts: \_\_\_\_\_

Delivered a copy to him/her personally \_\_\_\_\_ Name of Person Served and relationship/title

\_\_\_\_\_ Left a copy with a competent household member over 14 years of age residing therein at place of abode. MARK HAEFELI

\_\_\_\_\_ Left a copy with a person authorized to accept service, e.g. managing agent, registered agent, etc. Personally

Description of Person Accepting Service:  
Age: 60 Height: 5'10 Weight: 190 Hair: bald Sex: male Race: Cauc

Military Status: ( ) Refused (  ) No ( ) Yes Branch: \_\_\_\_\_

Marital Status: (  ) Refused ( ) Not Married ( ) Married

- Non-Served:
- ( ) Defendant is unknown at the address furnished by the attorney
  - ( ) All reasonable inquiries suggest defendant moved to an undetermined address
  - ( ) No such street in municipality
  - ( ) No response on: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_
  - \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_
  - \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_

( ) Other: \_\_\_\_\_ Comments or Remarks \_\_\_\_\_

Subscribed and Sworn to me this  
16 day of May 2019

I, CHRIS AIVALIOTIS, was at time of service a competent adult not having a direct interest in the litigation. I declare under penalty of perjury that the foregoing is true and correct.

Melissa Giambattista  
Notary Signature  
MELISSA GIAMBATTISTA  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires 9/17/2019

Chris Aivaliotis  
Signature of Process Server  
5/16/19  
Date

Work Order No. 452124  
File No. 3363004

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

4C4 MEDIA ,LLC,,  
Plaintiff

V.

SUMMONS IN A CIVIL CASE

MARK HAEFELI, ET AL.,  
Defendant

CASE  
NUMBER: 2:19-CV-12288-SDW-SCM

TO: (Name and address of Defendant):

Mark Haefeli  
92 Elm Street  
Montclair, NJ 07042

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

The McHattie Law Firm  
550 West Main Street  
Boonton, NJ 07005

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

s/ WILLIAM T. WALSH

CLERK



ISSUED ON 2019-05-09 16:32:39, Clerk  
USDC NJD

# EXHIBIT G

**Power Station New York "A Billion Dollar Power Station" A Music Documentary**

Public group

- About
- Discussion
- Members
- Events
- Videos
- Photos

Search this group



[+ Join Group](#) [... More](#) Join this group to post and comment.

Shortcuts

- Castle Age

RECENT ACTIVITY

**Mark Haefeli** shared a post.  
May 12 at 11:55 PM



**NEW SESSIONS**—John Lennon (L.) talks it over musically with Atlantic record bandleader King Curtis at a session at the Record Plant studio in New York City where the famed singer-composer was putting together an album on the Apple label to be released in September. Curtis dubbed in several saxophone solos that Lennon felt would be appropriate to give his music "more soul."

**Steve Isaacson** Friends of Record Plant Studios NYC  
May 12 at 8:26 PM

5 Seen by 23

[Like](#) [Share](#)

OLDER

**Mark Haefeli** shared a link.  
May 11 at 10:52 PM



YOUTUBE.COM

**The Space Within Us - (Part 1) - Magical Mystery Tour/Flaming Pie**

Paul McCartney - Magical Mystery Tour & Flaming Pie

Seen by 38

DESCRIPTION

A Billion Dollar Power Station is the story of the place where B... [See More](#)

GROUP TYPE

General

LOCATION



CREATE NEW GROUPS

Groups make it easier than ever to share with friends, family and teammates.

[Create Group](#)

RECENT GROUP PHOTOS

[See All](#)



Suggested Groups

[See All](#)



**What is this? Antique, vintage, and unusual item...**

166,500 members

[+ Join Group](#)



**I love cat** Chat (20)



Power Station New York "A Billion Dollar Power Station" A Music Documentary

Public group

About

Discussion

Members

Events

Videos

Photos

Search this group

Shortcuts

Castle Age

**Mark Haefeli**  
May 11 at 10:33 PM

This content isn't available right now

When this happens, it's usually because the owner only shared it with a small group of people, changed who can see it or it's been deleted.

1 Seen by 38

Like Share

**Mark Haefeli** shared a link.  
May 11 at 3:48 PM

Idiot partners tried taking down my copy written materials. They continue to make complete jackasses out of themselves and are so lame that they had no idea that this was released publicly on all forms of social media, about 18 months ago after a Power Station event! So these fools, who claim to have worked so hard on this project... ..did not Even know this existed!!!! Such freaking liars and making bigger fools of themselves Witt every move! BTW..neither one did anythi... [See More](#)

**JustMe on Twitter**  
TWITTER.COM

"Idiot ex-partners tried taking this down and have no clue that this was released publicly, on all social media, 18 months ago! That's just how involved they weren't! #morons not to mention

3 Seen by 41

Like Share

**Mark Haefeli**  
May 10 at 10:07 PM

This film is copywritten by [Mark Haefeli](#)...directed, produced and written by [Mark Haefeli](#) How shameful, these twin liars.

This content isn't available right now

When this happens, it's usually because the owner only shared it with a small group of people, changed who can see it or it's been deleted.

10 5 Shares Seen by 45

Like Share

**Mark Haefeli** recommended a group.  
January 20

and it started at Media Sound when Bob Walters and Tony Bongiovi left to pursue their dream.

**Mediasound Studios NYC**

Public group  
450 Members

5 2 Comments Seen by 52

[+ Join Group](#)

**Motown & More**  
79,500 members [+ Join Group](#)

**Funnies**  
448,033 members [+ Join Group](#)

**Disney World Junkies**  
285,140 members [+ Join Group](#)

English (US) · Español · Português (Brasil) · Français (France) · Deutsch [+](#)

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**Power Station New York "A Billion Dollar Power Station" A Music Documentary**

Public group

- About
- Discussion
- Members
- Events
- Videos
- Photos

Search this group

Shortcuts

- Castle Age

**Rick Slater** Both great studios to grow up in.  
Like · 1w

**Andrew Felluss** lived at 309 while GA at RT.. what a trip walking around Midtown now  
Like · 1w

**Mark Haefeli**  
May 6 at 11:24 AM

An incredible talent and an even nicer guy!

**This content isn't available right now**  
When this happens, it's usually because the owner only shared it with a small group of people, changed who can see it or it's been deleted.

7 2 Comments Seen by 49

Like Share

**Matt Hurwitz** Wow, Mark! Awesome.  
Like · 1w

**Claudine Oborn** Just as you say Mark!..."Now you're talking!"...but hey, then again!, you always make sense, especially with your fine judgment of character, don't you Mark!  
Like · 1w

**Mark Haefeli**  
May 6 at 11:23 AM

Randy Brecker

**This content isn't available right now**  
When this happens, it's usually because the owner only shared it with a small group of people, changed who can see it or it's been deleted.

3 Seen by 49

Like Share

**Mark Haefeli**  
May 6 at 11:21 AM

**This content isn't available right now**  
When this happens, it's usually because the owner only shared it with a small group of people, changed who can see it or it's been deleted.

3 Seen by 49

Like Share

**Mark Haefeli**  
May 6 at 11:20 AM

**This content isn't available right now**  
When this happens, it's usually because the owner only shared it with a small group of people, changed who can see it or it's been deleted.

6 Seen by 49

Chat (20)

**Power Station New York "A Billion Dollar Power Station" A Music Documentary**

Public group

- About
- Discussion**
- Members
- Events
- Videos
- Photos

Search this group

**Mark Haefeli**  
April 29 at 9:39 PM  
PowerStationFilm.com



1 Like 3 Shares Seen by 50

Like Share

**Mark Haefeli** shared a link.  
April 8



MONTCLAIRLOCAL.NEWS  
**Montclair Softball: Late rally falls just short in 13-11 MHS loss to Bloomfield - Montclair Local News**

Seen by 50

Like Share

**Mark Haefeli**  
March 31

Needs to be in rock hall not just singing at the induction ceremony! As a solo act and as a member of Mott The Hoople..a #powerstationdoc featured artist.



# Power Station New York "A Billion Dollar Power Station" A Music Documentary

Public group

About

Discussion

Members

Events

Videos

Photos



1 Share Seen by 50

Search this group

Like

Share

### Shortcuts

Castle Age

Placeholder for a post, showing a profile picture and a blurred image area.

Older Posts

Chat (20)





Tweets 25 Following 81 Followers 4 Likes 13

Follow

### @powerstationdoc

@powerstationdoc

Producer/Director of "A Billion Dollar Power Station" a musical documentary of the most prolific recording studio in the world. Directed/Produced Excellence

[markhaefeliprod.com](http://markhaefeliprod.com)

Joined January 2019

Tweet to @powerstationdoc

#### Photos and videos



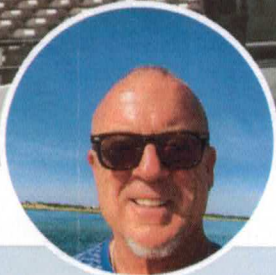
#### Tweets Tweets & replies Media

- @powerstationdoc** @powerstationdoc · May 9  
Check out Power Station Trailer...now on Facebook and Twitter!
- @powerstationdoc Retweeted  
**JustMe** @TVLAND129 · Apr 14  
Replying to @powerstationdoc  
soon to be released FREE on You Tube...!
- @powerstationdoc** @powerstationdoc · Apr 9  
A Billion Dollar Power Station is produced, directed, and written by Mark Haefeli.
- @powerstationdoc Retweeted  
**@powerstationdoc** @powerstationdoc · Mar 15  
Watch for my new film "The Power Station Documentary" produced by MHMarkHaefeliMedia!

**@powerstationdoc** @powerstationdoc  
@ThePowerStationDoc
- @powerstationdoc** @powerstationdoc · Mar 15  
@ThePowerStationDoc
- @powerstationdoc Retweeted  
**Alice Haefeli** @alicehaef90 · Mar 14  
Happy Pi Day! This one time in high school our math teacher said we weren't allowed to have a Pi party and one of my classmates worked at Dominos so he brought tons of pizza and we had a Pi party anyway and there was nothing the teacher could do about it. #PiDay
- @powerstationdoc** @powerstationdoc · Mar 9  
Interesting horizons above the mountains!
- @powerstationdoc** @powerstationdoc · Mar 6  
Rocking the Rock!

JustMe (@TVLAND129) | Twitter

Home Moments Notifications Messages Search Twitter Tweet



Tweets 6,968 Following 586 Followers 138 Likes 559 Lists 4 Follow

JustMe

@TVLAND129

Producer/Director of Many Years

new jersey

Joined April 2009

Tweet to

Message

1,100 Photos and videos



Tweets Tweets & replies Media



JustMe @TVLAND129 · May 14

Doesn't this guy get it! Don't they ever learn. Whitehead is a now forgotten dreamer who thought he could play with the big boys...they have no idea how good even the worst NBA player is. Myles is not even in the top 20 college guards!

Jerry Carino @NJHoopsHaven

Despite seemingly strong performances, Myles Powell does not advance to the NBA Combine. Probably puts a big dent in his draft prospects although he'll still have individual team workouts. twitter.com/DraftExpress/s...



JustMe @TVLAND129 · May 14

Not on my watch little boy! Not on my watch at all! Pathetic Mama's Boy.



The View @TheView

Beto O'Rourke on criticisms of his 'Vanity Fair' "born to be in it" remark: "I was attempting to say that I felt my calling was in public service — no one is born to be President of the United States of America."...



JustMe @TVLAND129 · May 14

Does Robert ever do anything that he doesn't regret or change! Pathetic mama's boy.



JustMe @TVLAND129 · May 14

studio.youtube.com/video/2J9ICSL7...

JustMe @TVLAND129

Power Station Trailer Sneak Preview  
A Mark Haefeli Film  
produced, directed and written by Mark Haefeli



JustMe @TVLAND129 · May 14

Power Station Trailer Sneak Preview  
A Mark Haefeli Film  
produced, directed and written by Mark Haefeli





JustMe @TVLAND129 · May 12 The Best Mother Ever! To The Best Child Ever! Happy Mother's Day. [instagram.com/p/BxYj\\_K7HMy1/...](https://www.instagram.com/p/BxYj_K7HMy1/)

JustMe @TVLAND129 · May 11 @Sgt\_Lonely [facebook.com/1039905234/pos...](https://www.facebook.com/1039905234/pos...)

JustMe Retweeted JustMe @TVLAND129 · May 11 Idiot ex-partners tried taking this down and have no clue that this was released publicly, on all social media, 18 months ago! That's just how involved they weren't! #morons not to mention that I directed, produced and wrote it...and yes...shot it as well

JustMe @TVLAND129 · May 8 who do we recognize?



JustMe @TVLAND129 · May 2 The Maestro...Phil Ramone In studio A [instagram.com/p/Bw\\_KATpHFIE/...](https://www.instagram.com/p/Bw_KATpHFIE/)

JustMe @TVLAND129 · Apr 26 softball [youtu.be/gLtFibL-z0k](https://youtu.be/gLtFibL-z0k) via @YouTube @MontclairSoftball. For Sara Haefeli in high school, it either hit the fence or went over the fence! Not a single ball has gone over any fence this season.Sara had 12 HRs senior year. All hit over fences!

JustMe @TVLAND129 · Apr 14 Boy thrown from Mall of America balcony fighting for his life; suspect had history

# EXHIBIT H





Power Station  
Documentary: "A  
Billion Dollar Power  
Station"  
@powerstationdoc

- Home
- Posts
- Reviews
- Videos
- Photos
- About
- Community
- Groups

Create a Page



Like Follow Share

Contact Us

Send Message

Write a post...

Photo/Video Tag Friends Check in

Posts

Power Station Documentary: "A Billion Dollar Power Station"  
11 hrs · 🌐

Some Saturday morning wake up music!



3,540,713 Views

The Tonight Show Starring Jimmy Fallon

Like Page

May 15 at 11:44 PM · 🌐

The Who joins Jimmy and The Roots to perform their hit classic, "Won't Get Fooled Again" with classroom instruments.

Watch this video with your friends

Start Watch Party

1

Like Comment Share

Power Station Documentary: "A Billion Dollar Power Station"  
18 hrs · 🌐



982 Views

Power Station Documentary: "A Billion Dollar Power Station"

Like Page

May 13 at 10:47 PM · 🌐

an extended take of things to come... produced, directed, written by mark haspel.

A MARK HASPEL PRODUCTIONS FILM (C)2019

Like Comment Share

See All

No Rating Yet

Community

See All

Invite your friends to like this Page

59 people like this

91 people follow this

Holly Gregory likes this or has checked in

About

See All



441 WEST 54 ST (26.72 mi)  
New York, New York 10012

Get Directions

(917) 502-1098

Typically replies within an hour

Send Message

4to4media.com

Broadcasting & Media Production Company  
Musician · Arts & Entertainment

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Facebook is showing information to help you better understand the purpose of a Page. See who is liking this by the people who manage and post content.

Page created · January 21, 2019

Related Pages

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Emil Riphardo Public Figure Like

Rob Barnett Media Media Like

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THE MCHATTIE LAW FIRM, LLC  
Christopher J. McHattie, Esq.  
(Bar No. 035251987)  
550 West Main Street  
Boonton, New Jersey 07005  
Telephone: 973-402-5505  
Facsimile: 973-400-4110  
*Attorneys for Plaintiff, 4C4 Media, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

4C4 MEDIA, LLC,

Plaintiff

v.

MARK HAEFELI; MARK HAEFELI  
PRODUCTIONS, INC.; JOHN DOES 1-10  
(name being fictitious for individuals whose  
identities are currently unknown); and ABC  
ENTITIES 1-10 (names being fictitious for  
corporate or other legal entities whose  
identities currently remain unknown),

Defendants.

Civil Action No.: 2:19-CV-12288-SDW-SCM

**THIRD CERTIFICATION OF  
ROBERT S. GREGORY**

I, Robert S. Gregory, being duly sworn, upon his oath according to law, deposes and says:

1. I am a member of Cove, LLC (“Cove”), which is the owner/member of 4C4 Media, LLC (hereinafter referred to as “Plaintiff” or “4C4” or “Company”), and I am the Cove member responsible for the day to day activities of 4C4. As such, I am thoroughly familiar with the facts and circumstances of this action. I am also an attorney-at-law admitted to the bar of the State of New York. I respectfully submit this Certification in further support of Plaintiff’s Motion for Temporary Restraining Order and Preliminary Injunction, dated May 6, 2019 (the “Motion”).

2. In their response to Plaintiff's Motion, Defendants have challenged the validity of the underlying agreements between the Company and Defendant Mark Haefeli ("Mr. Haefeli"), including (a) the Company's Operating Agreement dated as of July 21, 2016, (b) the Exclusive License and Assignment Agreement dated July 21, 2016, (the "IP License Agreement") and (c) the Term Sheet ("Term Sheet") dated as of June 17, 2016, on the grounds that Mr. Haefeli was not properly represented by counsel.

3. On or about May 2016, Brooke Sullivan ("Ms. Sullivan"), at the time a member of Cove and an officer of that company, and also an employee of the McHattie Law Firm (the "Firm"), introduced Mr. Haefeli to the other members of Cove – Mr. McHattie and myself. Thereafter, Mr. Haefeli, Mr. McHattie, Ms. Sullivan and I participated in several discussions around starting a venture to develop digital video and film programming utilizing an archive of material in Mr. Haefeli's possession composed of interviews, musical performances and other rare material that Mr. Haefeli had compiled over many years as a producer and director of video and film content for music industry clients (the "Archive"). Mr. McHattie, as a principal in Cove, and as the potential legal counsel for the business to be formed, participated in these conversations and offered his take on the intellectual property issues related to the proposed exploitation of the Archive. During these conversations, Mr. McHattie specifically stated that he was not providing legal advice to any of the foregoing individuals with respect to these issues, but was only discussing the possibilities with respect to the proposed exploitation of the Archive in the context of the new entity to be formed. In these conversations Mr. Haefeli discussed the fact that in virtually all of the cases involving production of the material in the archive, he never signed any written agreement concerning his work as an employee or independent contractor subject to a "work for hire" or signed away any intellectual property rights in what he was creating for others.

The notions that no contracts existed was a significant inducement for the principles of Cove to consider the possibilities related to future commercial exploitation of the material in the archive.

4. On or about July 5, 2016, Mr. Haefeli signed a Retainer and Waiver of Conflict Agreement with the Firm in his capacity as a member, Officer, a Manager and a Founder's Board designee in the new limited liability company to be called 4C4 Media, LLC, along with Ms. Sullivan and the undersigned, who were at the time officers of Cove, the other anticipated member of 4C4. The contemplated representation covered matters related to the "new business, 4C4 Media, LLC, including but not limited to, formation of the entity, acquisition of assets (the Archive), attracting investments, the development and production of future works, interests and the like."

5. On July 5, 2016, at basically the same time as all the other corporate formation documents and Mr. Haefeli's agreement with the Company were being prepared, Mr. Haefeli, Ms. Sullivan and I signed a Retainer and Waiver of Conflict Agreement ("Waiver of Conflict"), with the Firm.

6. Mr. McHattie repeatedly instructed Mr. Haefeli, and myself for that matter, to obtain independent legal advice. This was done in person, via email<sup>1</sup> and via the Waiver of Conflict signed by Mr. Haefeli. The Retainer and Waiver of Conflict Agreement recites a detailed disclosure regarding conflicts, and includes a strongly worded admonition that each party "seek the advice of independent counsel of your own choice regarding this written consent". Further, the Waiver of Conflict provides: "if a dispute should arise in the future [the Firm] will be permitted to continue to represent Robert Gregory, Christopher McHattie, Brooke Sullivan and/or Cove . . . providing no non-waivable conflict of interest exists..."

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<sup>1</sup> Emails dated June 7, 2016, June 14, 2016 and July 28, 2016, include, as an example: "Mark, Hate to do this, but have you or have you at least thought about bouncing this off an attorney?"

7. In fact, I have asked and been informed the Firm has never represented either Mr. Haefeli or Ms. Sullivan individually, and their execution of the Retainer and Waiver of Conflict was in their respective roles as Officers and/or Managers and in the case of Mr. Haefeli, also as a Member. Again, the McHattie Law firm has never represented either Mr. Haefeli or Ms. Sullivan as individuals.

8. Ms. Sullivan is no longer a member of Cove. She ceased her involvement with Cove on December 31, 2017, and was removed as an officer of 4C4 on April 12, 2018.

9. On more than one occasion at the time of the formation of the Company, the parties discussed the documents that the Firm had prepared. On those occasions, when we met in person, prior to the execution of any of the documents, Mr. McHattie yet again underscored the importance of all of us, including Mr. Haefeli, having the papers reviewed by his own counsel.

10. Ultimately, on or around July 21, 2016, Mr. Haefeli and Cove, LLC formed 4C4 for the purpose of exploiting the Archive.

11. On the day the documents were finalized, Mr. Haefeli, Mr. McHattie, Ms. Sullivan and I met in person in a conference room at the offices of the Firm. Mr. McHattie again stated in my presence that it was advisable for Mr. Haefeli to seek independent legal advice. Mr. Haefeli's response was that he felt it was unnecessary.

12. As part of the formation of the Company, Cove, LLC and Mr. Haefeli signed the Company's Operating Agreement (the "Operating Agreement") as the sole members. (See Mark Haefeli Certification ("Haefeli Cert.") Ex. "A.").

13. The Operating Agreement provides "that each Founder shall have the right to designate one Member to the Board" provided, however, that "in the event a Founder becomes a

Breaching Service Provider, such Founder shall no longer have the right to designate a Board Member pursuant to this Section 3.1(c).” (See Haefeli Cert. Ex. “A.” at 3.1(c)).

14. Mr. Haefeli and Cove were each a “Founder” and were, as such, allowed to designate one representative each on the Board of Managers of the Company.

15. Mr. Haefeli’s board designee was himself.

16. I was the board designee for Cove.

17. In addition, in order to ensure that all of the rights needed to support the Company’s anticipated exploitation of the Archive were secured, Mr. Haefeli signed the following documents: the Unit Forfeiture Agreement dated July 21, 2016 (the “Unit Forfeiture Agreement”) (See Ex. “A.”) and the Letter Agreement dated August 31, 2016 (the “Letter Agreement”) (See Ex. “B.”).

18. Cove, LLC also signed the Unit Forfeiture Agreement.

19. The Letter Agreement provides that the grant of member interests to Mr. Haefeli was conditioned on and in consideration of his “ongoing active participation in the day to day operation of 4C4 Media.” (See Ex. “B.”)

20. The Unit Forfeiture Agreement provided for a vesting schedule with respect to Mr. Haefeli’s grant of member interests that would be relevant in the event that Mr. Haefeli was terminated by the Company due to his being declared a “Breaching Service Provider”. Specifically, the Unit Forfeiture Agreement provides, in relevant part:

2.1 Immediately upon the Termination Date, the Member shall forfeit, and have no further right, title interest or claim in or to any of the Acquired Units which as of the Termination Date are “Unvested Units” as defined below in Section 2.2 below.

(See Ex. “B” at ¶ 2.1.)

21. Under the Unit Forfeiture Agreement, the vesting schedule to be applied provides, in part, as follows:

2.2 Unvested Units. For purposes of this Agreement, “Unvested Units” means the Acquired Units which, as of the Termination Date, are designated “Unvested Units pursuant to this Section 2 [...] The term “Unvested Units” shall initially mean 75% of the total number of Acquired Units; provided, that on each of the first three anniversaries of the date hereof, 25% of the total number of Acquired Units shall cease to be Unvested Units ....

(See *id.* at ¶ 2.2.)

22. The Unit Forfeiture Agreement, the operative agreement regarding a “Breaching Service Provider,” provides that in the event of Company determination that a member is “a Breaching Service Provider, the Company shall have the option to purchase all of the Vested Units” at the time of the Termination Date for the fair market value as further provided by the terms of the Operating Agreement.

23. The term “Breaching Service Provider” is defined in the Operating Agreement as follows:

“Breaching Service Provider” shall mean any Service Provider who, as determined in good faith by vote or consent of a majority of the Board (excluding for this purpose the vote or consent of the potentially Breaching Service Provider or his designee if such person is a member of (or has a designee to) the Board), is deemed to have breached the Performance Requirements applicable to such Member, following notice thereof and, if any such breach is capable of being cured, a reasonable opportunity (as determined by such Board vote) to cure such breach.

(See Haefeli Cert. Ex. “A” at ¶ 1.1.)

24. The Term Sheet, Letter Agreement, and the IP License Agreement Mr. Haefeli signed included provisions assigning all rights in the work performed by Mr. Haefeli while he was an officer and member of 4C4 to the Company. (See Haefeli Cert. Exs. “B” and “C” at ¶1.c.; see Ex. “B.”) This included work developed or derived from pre-existing intellectual property including the Archive) that resulted in any tangible work product – referred to as “Results and Proceeds” – from Mr. Haefeli’s efforts. (See *id.*)

25. The Term Sheet also included the following language with respect to the pre-existing intellectual property (including the Archive):

Notwithstanding the foregoing, if a work embodying, derived from or related to any rights in the Contributed Work has been reduced and or transformed into copyrightable form, the rights to that work will remain in [4C4], after a termination, and the proceeds, if any, derived from such rights shall be distributed to Cove and its beneficial owners consistent with their ownership interests (“Ongoing [4C4] Rights”) (*See* Haefeli Cert. Ex. “B.”)

26. Mr. Haefeli was to devote his full attention to the development of strategies of the exploitation of the Archive, including the conceptualization and realization of media properties that could be created and exploited by the Company, as well as new content ideas that might be developed by 4C4 or brought to it by third parties. Part of the understanding between Mr. Haefeli and the Company included Mr. Haefeli’s continuing to pursue opportunities for work with third parties on behalf of 4C4. Mr. Haefeli was to use the industry relationships he had developed over many years to pursue such third party opportunities, but, because he was going to spend much of his time on the new business, and because of the fact that developing properties takes time, all parties involved understood that it might take a while to generate profit for the members of 4C4.

27. The parties agreed that Mr. Haefeli would receive guaranteed payments as consideration for his services to the Company, including his work on Company projects, such as the Film. In addition, the Letter Agreement provided that Mr. Haefeli would be able to retain additional amounts earned by the Company through his efforts, in connection with his efforts of paying work he generated with third parties, up to the amount of income he had historically been earning prior to joining the Company. In pertinent part, the IP Assignment Agreement reads:

2. Compensation. You shall be compensated consistent with your historic annual compensation (excluding bonuses, profit and tax distributions); it being the intent of the parties that you and all Service Providers shall be compensated out of the gross profits of the Company.



(See Haefeli Cert. Ex. "C.")

28. Over the next nearly thirty-one (31) months, from the time of formation of the Company until Mr. Haefeli's notification of his resignation on February 27, 2019, Mr. Haefeli was paid approximately \$150,000. (See Ex. "C.") During that period, Mr. Haefeli secured only a handful of engagements with third parties. Almost all, if not all, of the money from these engagements was paid directly to Mr. Haefeli by these third parties, with the Company's assent or ex post facto acquiescence, or was directed through 4C4 and ultimately paid to Mr. Haefeli as part of his guaranteed compensation.

29. The Company was run on a very informal basis, with day to day business decisions being made primarily by Mr. Haefeli and me. Formal meetings of the Members were typically not held or noticed. Periodically Mr. McHattie, Mr. Haefeli and myself – together with Ms. Sullivan until she was no longer involved in Cove and 4C4 – would meet to discuss progress on the Company's initiatives, including, but not limited to securing new business from third parties, the strategy for exploitation of the Archive and progress on the Film. These meetings were typically "noticed" by an email or phone call.

30. The vast majority of Mr. Haefeli's time spent on the Company's business focused on the development of new projects. One such project related to an idea for a documentary film involving Tony Bongiovi ("Mr. Bongiovi") and the legendary recording studio he had founded in NY – the Power Station (the "Film"). In October of 2016, 4C4 embarked on a project to develop the Film, something which was nothing more than a "pitch" when Mr. Haefeli joined 4C4, and Mr. Haefeli spent much of his time working on this project for the Company.

31. Over the next several months, I participated in meetings, worked together with Mr. Haefeli on numerous drafts of the treatment and supporting pitch materials, budgets, and revenue

projections for the Film. When Mr. Bongiovi informed Mr. Haefeli and I that investors appeared interested in the Film, we formalized the pitch documents describing the project and The Firm prepared a draft of formal offering documents, that included detailed descriptions of the project, the proposed use of proceeds, and other salient information. I was involved in extensively revising the treatment for the Film, and composing related documents describing the business and creative aspects of the opportunity.

32. It eventually became apparent that the investor Mr. Bongiovi had identified for the Film would not materialize. The Company decided to move forward to assemble the material needed to develop and produce the Film, including, but not limited to, interviews with the appropriate individuals who could tell the Power Station story, background footage of New York and the Power Station studio itself. As the project developed iterative versions of the treatment describing the overall story arc and ultimately a script for the Film were created. I periodically participated in reviewing drafts and consulting with Mr. Haefeli concerning the arc of the Film as it was taking shape.

33. The Film increasingly became the nearly exclusive focus of Mr. Haefeli's efforts, though a few other projects were in development, including a documentary based on the internet music fraud perpetrated by Pixelon, and one about the legendary music producer Phil Ramone. I participated in development of these project ideas and attended meetings and phone conferences with representatives Mr. Ramone's family to discuss the possibility of doing the documentary about him.

34. As a result, other than occasional phone calls or meetings for status updates on the progress of the Film, there was no need for formal meetings of the Members.

35. On February 22, 2019, Mr. Haefeli was sued by Aciem, LLC, a former vendor of the Company, and Brian Brodeur, Aciem's principal, for per se defamation and violation of a contractual obligation of non-disparagement (the "State Court Action"). The specific complained of conduct included allegedly defamatory social media posts on Mr. Haefeli's personal accounts. The complaint in the State Court Action is attached hereto as Exhibit "D." The Company was also sued, and Mr. McHattie and I were also named as individual defendants in the suit (Id.).

36. The Operating Agreement provides "Special meetings of the Board shall be held on the call of the Chairman (as herein defined) or any one Manager upon at least two days (if the meeting is to be held in person) or one (1) day (if the meeting is to be held by telephone communications or video conference) oral or written notice to the Managers, or upon such shorter notice as may be approved by all of the Managers. Any Manager may waive such notice as to himself." (See Haefeli Cert. Ex. "A." at 3.1(d)).

37. The Company noticed an Emergency Meeting of the Members for February 25, 2019, at 2:00 PM, which notice was delivered to Mr. Haefeli by e-mail and accepted and acknowledged by Mr. Haefeli. (See Ex. "E.") Mr. Haefeli, together with Mr. McHattie participated via a conference call. I also participated as an observer in the meeting.

38. At the meeting, Mr. Haefeli was suspended for the conduct alleged in the State Court Action, and for his failure to take all actions necessary to mitigate the Company's exposure by taking down the social media posts complained of. (See Ex. "F.") The rationale for this action was in part in order to demonstrate to the Court that the Company was taking the allegations of the complaint in the State Court Action seriously, that it was investigating the same, and that it considered the allegations, if true, to be beyond the scope of Mr. Haefeli's authority as an officer and business representative of the Company, and a breach of his fiduciary duties to the Company.

39. The Resolution embodying that meeting provided, in pertinent part:

NOW THEREFORE, it is resolved that:

1. Mark Haefeli is suspended, for a period of two weeks, pending further investigation from (a) in any way holding himself out as an authorized representative of the Company; (b) acting on the Company's behalf; and (c) **any role in the decision making of the Company, including as a member of the Board of Managers**; and
2. Robert S. Gregory shall assume the role of Manager of the Company.

(See Ex. "F.")

At the time, Mr. Haefeli agreed to the foregoing in the context of the State Court Action.

40. Mr. McHattie and I both asked Mr. Haefeli to retain legal counsel to represent his interests as an individual defendant in the State Court Action. (See Ex. "G.")

41. On February 26, 2019 the parties appeared at a hearing on an Order To Show Cause for a temporary restraining order and preliminary injunction in the State Court Action. Mr. Haefeli represented himself *pro se*.

42. At the hearing, Mr. Haefeli, as *pro se*, admitted on the record to posting the offending material, and declared that it was done entirely on his personal initiative, without the knowledge or involvement of the Company or the other individual defendants. The Court asked that all defendants agree to the entry of the restraining order on consent. Mr. McHattie did not agree to do so, unless it was in the context of a settlement of the entire dispute. Plaintiff's counsel did not agree to entertain a settlement discussion, and the Court entered its order over the protest of the Company, Mr. McHattie and myself.

43. On February 27, 2019, Mr. McHattie, as the representative of Cove, the other member in 4C4, sent a notification to Mr. Haefeli again asking Mr. Haefeli to retain legal counsel and memorializing the action taken at the February 25 meeting. (See Haefeli Cert. Ex. "D.")

44. Thereafter, Mr. Haefeli repeatedly and openly declared that he resigned from the Company. One such communication was directed to the Court in the State Court Action, and was

copied on all parties, including the plaintiffs' counsel. (For all emails/posts in which Mr. Haefeli declares he resigns, please see Ex. "H.")

45. Mr. Haefeli thereafter undertook several actions that can only be described as an attempt to punish the Company – by disabling the Company's access to its email server and redirecting the Company's URL [www.4c4media.com](http://www.4c4media.com) to his company's web page.

46. Thereafter, and after Mr. Haefeli had been suspended and then resigned, Plaintiff learned that on February 28, 2019 he presented himself at the Lakeland Bank branch in Little Falls, NJ and withdrew, without authorization, three thousand three hundred dollars (\$3,300.00). At the time, the Company declined to pursue charges against Mr. Haefeli for this fraud, preferring instead not to escalate the situation, still hoping for an amicable resolution.

47. 4C4 and myself repeatedly implored Mr. Haefeli to seek an attorney as communication was otherwise impossible given the ethical constraints imposed by the pending action.

48. Thereafter, on March 1, 2019, Mr. McHattie, as counsel for the Company, sent Mr. Haefeli the following email, notifying Mr. Haefeli of his breaches:

Respectfully, Bob and I have done nothing but try and solve these problems in a business like fashion, based on the facts as they existed, the contracts that were in place and the realities of situations. It's time you started dealing with things "in a business like fashion, based on the facts as they exist, the contracts that are in place and the realities of situation." . . .

I'd suggest seeing if Eastman [an attorney Mr. Haefeli indicated might be representing him] can do a conference call with us **ASAP** . . . As I understand it, after your resignation, you appeared at Lakeland Bank, held yourself out falsely as a representative of 4C4, and emptied the bank account. . . .

With respect to acting like a business person, you've had over a week's notice, and have to date, done nothing constructive to try and solve this problem. Getting a lawyer to talk with us (even just you) seems like a small price to pay for you to get a better "understanding" of what's going on.

PS, "push has come to shove," they are after you, we keep trying to get through to you that this action has only just started, and depending upon what you do, will take years to resolve.

*PPS, the reason I sent your Assignment is that the Film is 4C4's; the breach of contract action against Aciem/Brodeur is 4C4's; the attorneys are 4C4's; the editor is 4C4's; the copyright is 4C4's; Tony Bongiovi's deal is with 4C4 – this is not a “click your heels” situation and that all goes away.*

...

49. On March 1, 2019, I received the following email message from Mr. Haefeli in response to the above:

**From:** "[mhaefeli@markhaefeliprod.com](mailto:mhaefeli@markhaefeliprod.com)" <[mhaefeli@markhaefeliprod.com](mailto:mhaefeli@markhaefeliprod.com)>

**Date:** March 1, 2019 at 1:35:17 PM EST

**To:** Robert Gregory <[robert.gregory@imgtgroup.com](mailto:robert.gregory@imgtgroup.com)>

**Subject:** You

Robert:

I do apologize to you profusely. I talked to you two months ago that I no longer wanted to be associated with Chris and that we needed to restructure the company for me to go forward. I didn't want to deal with him then and I do not want to now..

He talks out of both sides of his mouth trying to lay the blame on me for this situation as you did as well. Had he immediately taken seriously what I noted at the diner with which was..." we need to make sure that we get the assets back especially Basecamp" none of us would be where we are. He is the reason why everyone is spending money on attorneys. His lack of aggression is what's at fault here.

Not even aggression, but making sure any efforts to retrieve the material included "all basecamp notes and uploads". I spent three weeks trying to make that clear and instigate action. Not until I wrote my posts did anyone take any action in this direction. I hope you know that I do not want to see our relationship end like this. It's too typical and I think not only did we work well together, but we got to understand each other, warts and all. You have always been there and I will always appreciate that.

No one will ever get that film from me. If we end up going our separate ways I would make sure you get your investment in the film back with interest. I would much rather continue down the road we have laid path too, but I can not and will not do it with Chris on any any level.

I will cooperate on all levels through this process. I most likely will not retain an attorney. I will represent myself and follow guru [sic] lead. I will not obstruct in any way. And I was not going to kiss my kurgahe [sic] payment for all this bullshit that began and ends with Chris. If you want to file fraud charges, I can't stop you.

Sincerely.

Mark

Mark Haefeli

212 334 2164 office

917 502 1096 mobile

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50. In amplification of the foregoing, Mr. Haefeli, from February 27 through March 1, *inter alia* committed the following breaches of his obligations as set forward in his termination letter:

. . . declared his resignation from the Company, . . . demonstrated his disregard for his responsibilities as a Service Provider, an Officer, a Manager, and a Member of the Company, . . . admit[ed] in open Court, at hearing in the Pending Action, that the social media posts that gave rise to the Pending Action against the Company and others were . . . his, . . . fail[ed] and refus[ed] to (i) take down the alleged defamatory social media posts . . . fail[ed] to provide all Usernames/Passwords for 4C4 Media, LLC accounts . . . terminat[ed] the Company's access to its email server; . . . convert[ed] and redirect[ed] the company's website URL to his exclusive use in connection with "Mark Haefeli Productions;" . . . sen[t] an email communication to representatives of the Company on 2/27/19 at 2:09 PM stating: "I will also send out a constant contact mailer tomorrow to all my clClients [sic] industry associates and others that I have officially resigned from foresee for MEDIA [sic] and I am no longer a part of that company. I also immediately will establish mark haefeli productions or MH P3 on all my signature pages at all of my emails to reinforce that I'm fucking done." and . . . sen[t] an email communication on 2/27/19 at 3:10 PM to the Court and opposing counsel stating: "I have resigned from 4C4Media effective this morning. I will no longer [sic] associated with them in any capacity going forward" . . . undert[ook] other actions demonstrating his disregard for his responsibilities as a service provider to the Company . . . and breach[ed] his responsibilities and fiduciary duties to the Company in his role as an officer and Manager; and. . .

51. Over the course of the next few days, Mr. McHattie and I again attempted to convince Mr. Haefeli that he needed to seek legal advice, in that he did not fully appreciate the implications of the hearing, the order in the State Court Action, or the ongoing legal exposure that he had subjected himself and the other defendants to in that action. (*See Ex. "G."*)

52. I repeatedly encouraged Mr. Haefeli to seek out an attorney because he tried multiple times to engage with me personally, and I felt uncomfortable under the circumstances dealing with him without another lawyer representing him in the conversation. (*Id.*)

53. The Operating Agreement provides:

Meetings of the Board. . . . Special meetings of the Board shall be held on the call of . . . any one Manager upon at least two days (if the meeting is to be held in person) or one (1) day (if the meeting is to be held by telephone communications or video conference) oral or written notice to the Managers

[then entitled to participate], or upon such shorter notice as may be approved by all of the Managers. Any Manager may waive such notice as to himself. A record shall be maintained by the Secretary of the Company of each meeting of the Board.

\* \* \*

Actions Without a Meeting. *Notwithstanding any provision contained in this Agreement, any action of the Board may be taken by written consent without a meeting.* Any such action taken by the Board without a meeting shall be effective only if the consent or consents are in writing, set forth the action so taken, and are signed by a Majority of the Board.

(See Haefeli Cert. Ex. "A.")

54. Thereafter, on March 1, 2019 the duly constituted Board held a meeting in which the Board found the following:

WHEREAS, the Board, and the non-voting participant the Cove, LLC Board, represented by Christopher McHattie, have determined based upon the evidence known to the Company, that it is beyond reasonable debate, Mr. Haefeli is a "Breaching Service Provider" as that term is defined in Section 1.1. of the Operating Agreement; and

WHEREAS, the Board, and the non-voting participant the Cove, LLC Board, represented by Christopher McHattie, have determined based upon the foregoing, that it is beyond reasonable debate, that Mark Haefeli willfully, intentionally and grossly negligently, undertook the conduct described in direct contravention of the agreements Mr. Haefeli has with the Company, the Company's organizational documents and the reasonable instructions of the Company to Mr. Haefeli, leaving the Company with no alternative but to separate itself, permanently, in any and all respects, from Mr. Haefeli; and

WHEREAS, the Member Cove, LLC, represented by its Board (Christopher McHattie, attending), which is a holder of the Majority in Interest of the member units in the Company, is empowered under Section 4.1(d) of the Operating Agreement to remove Mr. Haefeli permanently as an officer and Manager of the Company; and

WHEREAS, pursuant to the Unit Forfeiture Agreement dated July 21, 2016 (the "Unit Forfeiture Agreement") by and between the Company and Mr. Haefeli (the "Unit Forfeiture Agreement"), Mr. Haefeli has forfeited the unvested portion of his grant of 50,000 units of Member interest, determined under the Vesting Schedule set forth therein to be 12,500 Units; and

WHEREAS, pursuant to the Unit Forfeiture Agreement, as a result of the forfeiture of the unvested portion of the 50,000 units initially granted to Mr. Haefeli, he currently holds 37,500 units of the Company (the "Interest") and



WHEREAS, under the Unit Forfeiture Agreement the Company has a right to purchase the vested portion of the Interest at "Fair Market Value" as determined by the Board; and

WHEREAS, under the Operating Agreement, "Fair Market Value" for Units in the Company is defined as "the purchase price which a willing buyer having all relevant knowledge would pay a willing seller for such asset or Units in an arm's-length transaction, as determined in good faith by the Board based on such factors as the Board, in the exercise of its reasonable business judgment, considers relevant" and

WHEREAS, the Board and the non-voting participant the Cove, LLC Board have determined that it is in the best interest of the Company to undertake the process of determining the Fair Market Value of Mr. Haefeli's Interest and to take all such other actions as may be necessary to separate itself, permanently, and in any and all respects, from Mr. Haefeli;

Now, therefore, in consideration of the foregoing, be it hereby  
RESOLVED:

1. Mark Haefeli's resignation as a Service Provider is accepted; and
2. Mark Haefeli's resignation as a Board Member is accepted; and
3. Mark Haefeli's resignation as a Member, to the extent permitted by law and the Company's documents, is accepted; and
4. The Board has determined that it is in the best interest of the Company to undertake the process of determining the Fair Market Value of Mr. Haefeli's shares and to take all such other actions as may be necessary to separate itself, permanently, and in any and all respects, from Mr. Haefeli, and he therefore is permanently suspended from in any way holding himself out as an authorized representative of the Company or acting in any way on the Company's behalf; and
5. The Company shall retain Thomas Lenney, and such succeeding counsel as determined it discretion, to represent its interests in the Pending Action; and
6. The Company shall continue to utilize the McHattie Law Firm, in consultation with Mr. Lenney, to represent its interests in the Pending Action and hereby waives any conflict of interests that may result as a result of the McHattie Law Firm's concurrent representation of Robert S. Gregory and Christopher J. McHattie as set forth in that certain Waiver of Conflict Agreement (attached hereto as Exhibit "B"); and

7. The Company shall indemnify and hold Mr. Gregory and Mr. McHattie, as the Cove representative, harmless from and against any loss resulting from Mr. Haefeli's actions as aforesaid; and
8. The Company shall otherwise undertake any all action necessary and appropriate to protect its interests and preserve the value of the Company; and
9. The Company shall otherwise undertake any and all action necessary and appropriate to separate itself from Mr. Haefeli in a way least disruptive to the interests of all involved.

(See Ex. "I.")

55. The agenda for the meeting was to address Mr. Haefeli's resignation, to take action with respect to his continued breaches and memorialize Mr. Haefeli's clear status as a "Breaching Service Provider" under the Operating Agreement and the Unit Forfeiture Agreement.

56. On or around March 4, 2019, Mr. Haefeli retained Dennis H. Sabourin ("Mr. Sabourin") as counsel.

57. The Company notified him on March 4, 2019 through Mr. Sabourin that he was a "Breaching Service Provider" as determined by the Company's Board Managers (the "Haefeli Termination Letter"). (See Ex. "J.") In the cover letter to Mr. Sabourin, the following was set forth: "...To that end, please see the attached additional correspondence, which we ask you to convey to your client..."

58. As set forth in the Haefeli Termination Letter, Mr. Haefeli was declared a "Breaching Service Provider" as a result inter alia of the following actions:

- a. defaming and disparaging a 4C4 Media vendor;
- b. defaming and disparaging a 4C4 Media vendor contrary to a signed Settlement and Release Agreement;
- c. failing and refusing, despite repeated requests, pleas and demands, to remove and "take down" those defamatory "posts;"
- d. withdrawing, without cause, from your continuing obligation to provide services to the Company;
- e. disabling the 4c4media.com email;

- f. disabling, redirecting and converting the [www.4c4media.com](http://www.4c4media.com) website url to your own use; and
- g. otherwise failing to perform material obligations under the Letter Agreement,

(See Ex. "J.") The references to the disparagement of a vendor refer to the allegations of the State Court Action.

59. At the time of the Board's determination that Mr. Haefeli was a Breaching Service Provider, the Board considered the tenor and extent of Mr. Haefeli's actions as beyond the pale and incapable of cure. (See Ex. "I.")

60. Nevertheless, on or about March 4, 2019, I participated in a conference call that included Mr. Sabourin, Mr. McHattie and Michael V. Gattoni ("Mr. Gattoni") of the Firm discussing the position of the Company vis a vis his client and underscoring our desire to seek a resolution of the escalating dispute with Mr. Haefeli. Mr. Haefeli's conduct was discussed.

61. Thereafter, on March 6, 2019, Mr. Haefeli reached out to me via e-mail and acknowledged receipt of the Haefeli Termination Letter.

**From:** Mark Haefeli <mark@4c4media.com>

**Sent:** Wednesday, March 6, 2019 5:11 PM

**To:** Robert Gregory <robert@cove.ie>

**Cc:** mhaefeli@markhaefeliprod.com

**Subject:** Re: You

Did you use the word "amicable"? I just received a termination letter. Is that an amicable way to settle things?

Thanks.

Mark Haefeli

212 334 2164 office

917 502 1096 mobile

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(See Ex. "K.")

62. In the meantime, counsel for Plaintiff reached out to Mr. Sabourin on March 5, 6 and 7 via multiple and emails and telephone calls in hopes of discussing the matter and taking the appropriate steps from a corporate perspective. Throughout the month of March, Plaintiff tried to

reach Mr. Sabourin by telephone, through email, and by certified mail. After threatening a “ethics” filing, Mr. Sabourin finally responded, curtly, confirming he continued to represent Mr. Haefeli, but there was no offer to meet or talk, no request to convene a meeting of the Board or Members, nothing along those lines. Thereafter, and despite further entreaties from Plaintiff’s counsel, Mr. Sabourin was not heard from. (See Exhibit “L.”)

63. I replied to Mr. Haefeli’s email from March 6, 2019 at 5:11p.m., copying his attorney Mr. Sabourin, as follows:

**From:** Robert Gregory  
**Sent:** Wednesday, March 6, 2019 6:18 PM  
**To:** Mark Haefeli <mark@4c4media.com>  
**Cc:** mhaefeli@markhaefeliprod.com; dsabourin@rabnerbaumgart.com; Chris McHattie (cmchattie@mchattielaw.com) <cmchattie@mchattielaw.com>; Michael Gattoni <mgattoni@mchattielaw.com>  
**Subject:** RE: You

Mark:

Please speak to your lawyer, Mr. Sabourin as soon as you can.

This is part of an overall strategy to limit the damage to the Company, preserve its counterclaim against Brodeur, and, we hope, save the Film.

I’m sure Mr. Sabourin will help you understand the magnitude of the situation and the potentially ruinous consequences we are all facing here. There is a way forward, but it is not going to be easy.

Robert

---

**From:** mhaefeli@markhaefeliprod.com <mhaefeli@markhaefeliprod.com>  
**Sent:** Wednesday, March 6, 2019 8:31 PM  
**To:** Robert Gregory <robert@cove.ie>  
**Subject:** Re: You

Ok...I’ll follow your lead. He has not really explained any overall strategy.

Mark Haefeli

212 334 2164 office

917 502 1096 mobile

---

**From:** Robert Gregory <robert@cove.ie>  
**Sent:** Wednesday, March 6, 2019 9:03 PM  
**To:** mhaefeli@markhaefeliprod.com  
**Cc:** Dennis Sabourin <dsabourin@rabnerbaumgart.com>; Christopher McHattie <cmchattie@mchattielaw.com>  
**Subject:** Re: You

No!!!  
Follow your lawyer's lead. PLEASE.  
Sent from my iPhone.

Confidentiality Notice: This e-mail, and any attachments thereto, are solely for the use of the intended recipient, and may contain information of a confidential and proprietary nature. If the reader of this message is not the intended recipient - whether as addressed or as reasonably should be surmised by the reader - you are hereby notified that any dissemination, distribution, or copying of this electronic mail or any attachment is strictly prohibited. If you have received this message in error, please do not print, copy, retransmit, disseminate or otherwise use the information contained herein or attached hereto. Please notify the sender immediately by replying to this electronic mail at the sender's address listed above. After notifying the sender please delete the message and its attachments. Thank you.

---

(See Ex. "M.")

64. As set forth in my Certification dated May 6, 2019 (hereinafter the "First Gregory Cert.") on March 7, 2019, Mr. Haefeli acknowledged actual notice of the Haefeli Termination Letter, stating the following in an email with another former vendor of 4C4, an exchange that he copied me and Mr. McHattie on:

I ACTUALLY HAD MY EDITOR SIGN IN A FEW WEEKS AGO USING MY LOG IN. SAME INFO. HE WAS REVIEWING SEVERAL SPECIFIC "EXCLUSIVE" CLIPS FROM VARIOUS ARTISTS THAT I ISOLATED FOR USAGE IN MY RECENT PROJECT " A BILLION DOLLAR POWER STATION". I THINK WE TALKED ABOUT THIS DOCUMENTARY SEVERAL YEARS AGO. FUNNY HOW HE HAD NO PROBLEM...:)

WE HAD BEEN INCORPORATING A NUMBER OF CLIPS INTO THE DOCUMENTARY UNTILL THE WRONGFUL "EMPLOYEE TERMINATION" FILING WAS ISSUED TO ME. **THEY ARE TRYING TO TAKE THE "POWER STATION" DOC...**

(See First Gregory Cert. at ¶ 47.)

65. As part of the same email exchange Mr. Haefeli stated:

**From:** Mark Haefeli <mark@4c4media.com>  
**Sent:** Thursday, March 7, 2019 12:18 PM  
**To:** Benjamin Vaughn <benvonnyc@gmail.com>  
**Cc:** Mark Haefeli <mhaefeli@markhaefeliprod.com>; Robert Gregory

<robert@cove.ie>; cmchattie@mchattielaw.com; dsabourin@rabnerbaumgart.com

**Subject:** Re: BOX

Thanks Ben. Hope all is well with you and yours in the sunshine state.

I have been unlawfully terminated by the two members of 4c4 media and ironically enough, one of their allegations is that I have not allowed them access to the drives or the 'box' software platform

where they are all stored on the cloud and available for viewing, downloading, transferring to internal or external hard drives, as has been the case since you started to upload the material to the "BOX" site.

On numerous occasions (emails to substantiate) I have given them passwords and their own personal log-ins, none of which have been changed or altered since. I have also given them my personal log in information numerous times because of their disregard of the information I gave them numerous times prior.

Their acumen for understanding proprietary media software programs and electronic media seems to be little, if none. I believe they never understood, nor do now, the functioning of the basic storage software "basecamp", which is a similar program for electronic storage in licensed accounts.

This however similar. is another legal matter, where their lack of knowledge has gotten everyone in some pretty hot water.

So I am sure they will decide how to pay for the monthly fee and what is owed you. I wish I could pay you but due to legal circumstance I can not. Sorry to have gotten you into this mess.

BTW...can you please forward, once again, in the "reply all" return email, the access codes so they can screen, download or transfer whatever it is they are looking for. Of course knowing who you are and paying you for the transfers, they certainly could have put in a call to you to gain a better understanding of the technology, as I did on many occasions. To the best of my knowledge I never suggested that you not cooperate with them

Thanks again Ben and hope we get to catch up soon. You're a good man. Next time don't reduce your fees to just above cost.

Mark

Mark Haefeli

212 334 2164 office

917 502 1096 mobile

66. In response to this email exchange, Mr. McHattie wrote to Mr. Sabourin copying him on the thread of emails as follows:

**From:** Chris McHattie <cmchattie@mchattielaw.com>

**Sent:** Thursday, March 7, 2019 12:33 PM

**To:** dsabourin@rabnerbaumgart.com

**Cc:** Robert Gregory <robert@cove.ie>

**Subject:** RE: BOX

Dennis:

Please ask him to stop. He does not and is not appreciating what we are trying to accomplish.

Sentences like this: "This however similar. is another legal matter, where their lack of knowledge has gotten everyone in some pretty hot water." When the "hot water" is defamatory statements, is really not helpful.

Best and look forward to resuming the conversation.

Chris

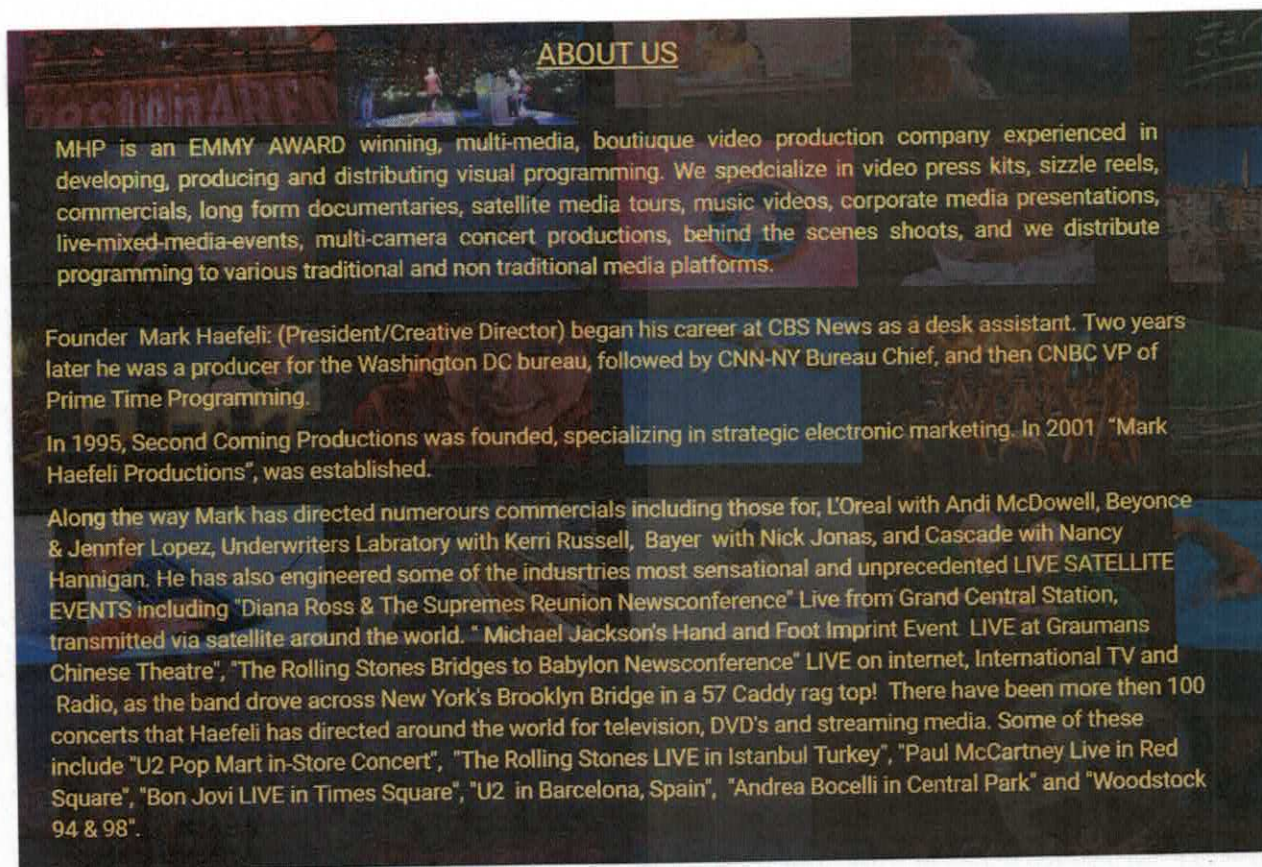
(See Ex. "L.")

67. Through counsel, the Company attempted on several other occasions thereafter to engage with Mr. Sabourin on the issue of resolving the differences of the parties and otherwise cooperating in the common defense of the State Court Action. Despite 4C4's attempts to deescalate the situation and seek a way forward, Mr. Haefeli never took any action to address the breaches raised by the Company that led to his being declared a Breaching Service Provider. (See Ex. "L.") Mr. Haefeli again acknowledged receipt of the Haefeli Termination Letter on April 3, 2019, stating, in part "especially since you sent termination documents to both me and Mr. Sabourin." (See Ex. "K.")

68. Mr. Haefeli's Termination Letter was again copied on Mr. Sabourin on April 10, 2019, along with a resolution of the Company dated March 18, 2019 containing the Board's determination of a fair market valuation for Mr. Haefeli's shares (the "FMV Resolution"). (See Ex. "L" for email and Ex. "N" for March 18, 2019 Minutes.)

69. The Company has had no response to the FMV Resolution since it was delivered to Mr. Sabourin.

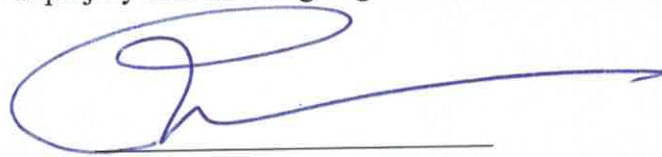
70. Throughout his relationship with myself and the Company, Mr. Haefeli has represented himself to be a highly experienced industry participant who has been involved in numerous high profile creative projects. As stated on Mr. Haefeli's website in the "About Us":



71. Attached as Exhibit "O" is a true and correct copy of the May 23, 2019 Certificate of Service for Notice of Actions Taken sent to Mr. Haefeli and Mr. Sabourin.



I hereby declare under penalty of perjury that the foregoing statements are true and correct pursuant to 28 U.S.C. § 1746.

A handwritten signature in blue ink, consisting of a large, stylized initial 'R' followed by a long horizontal stroke that tapers to the right.

Robert S. Gregory

THE MCHATTIE LAW FIRM, LLC  
Christopher J. McHattie, Esq.  
(Bar No. 035251987)  
550 West Main Street  
Boonton, New Jersey 07005  
Telephone: 973-402-5505  
Facsimile: 973-400-4110  
*Attorneys for Plaintiff, 4C4 Media, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

4C4 MEDIA, LLC,

Plaintiff

v.

MARK HAEFELI; MARK HAEFELI  
PRODUCTIONS, INC.; JOHN DOES 1-10  
(name being fictitious for individuals whose  
identities are currently unknown); and ABC  
ENTITIES 1-10 (names being fictitious for  
corporate or other legal entities whose  
identities currently remain unknown),

Defendants.

Civil Action No.: 2:19-cv-12288-SDW-SCM

**FOURTH CERTIFICATION  
OF  
ROBERT S. GREGORY**

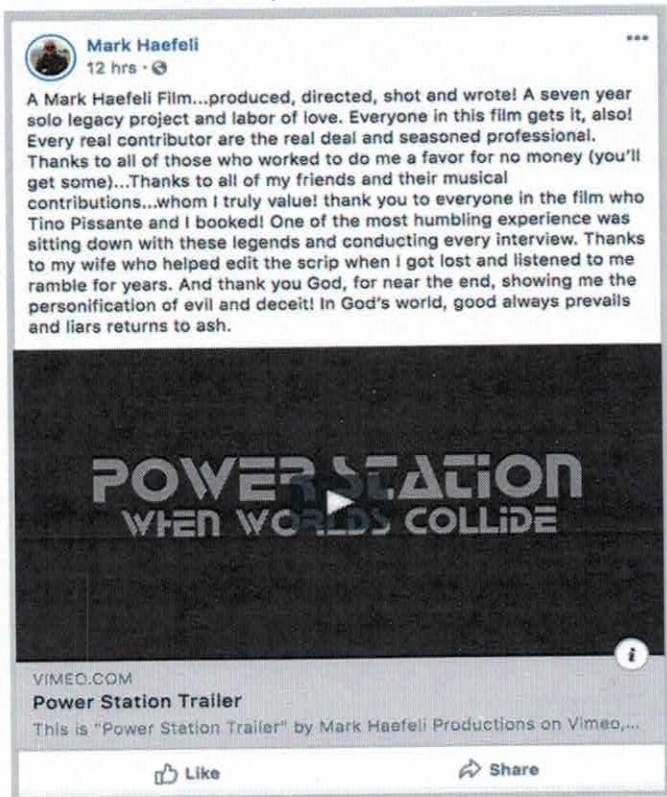
I, Robert S. Gregory, being duly sworn, upon his oath according to law, depose and say:

1. An Order to Show Cause and application for Temporary Restraining Order was filed with the Court on May 6, 2019.
2. On May 9, 2019, Dennis Sabourin, Esq., Mark Haefeli's ("Mr. Haefeli") attorney, sent a letter to the Court acknowledging receipt of the motion papers. As Mr. Sabourin made clear in his letter, the Defendants were provided with, made aware of, and kept apprised of the progress of Plaintiff's instant application at least as early as May 8, 2019.
3. The Court entered the Temporary Restraining Order on May 8, 2019.
4. The Court entered an Extended Temporary Restraining Order on May 15, 2019.

5. Beginning on May 15, 2019 through May 24, 2019, defendant Mr. Haefeli has continued to make posts on social media platforms discussing the Power Station Documentary (the “Film”), claiming ownership of the Film, sharing a trailer (the “Trailer”) for the Film and in turn ignoring the Orders of the Court.

6. Recognizing that the Court already has before it sufficient evidence of the willful violation of its Order by the Defendants, I am providing this additional evidence because, over the last few days, Mr. Haefeli’s post have taken on an increasingly strident, and on the day before this filing, May 23, 2019, a much more threatening tone.

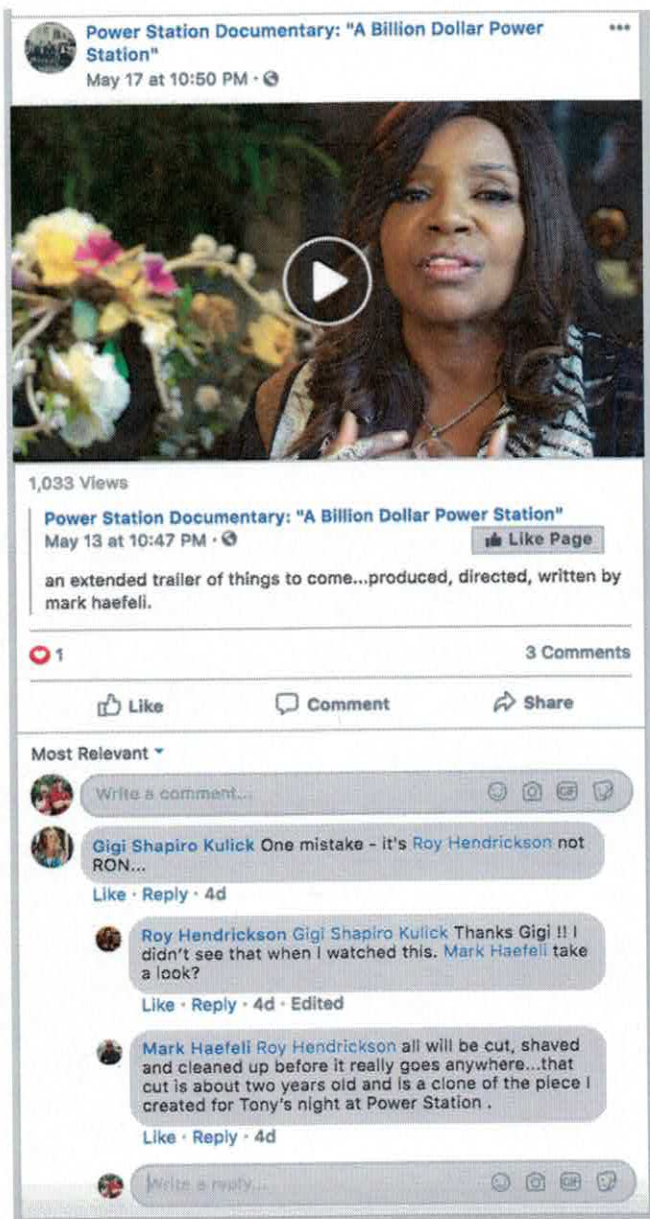
7. On May 23, 2019, Mr. Haefeli shared the Trailer for the Film on Facebook:



(See Exhibit “A”) *Plaintiff asks the Court to take special note of Mr. Haefeli’s comments:*

“And thank you God, for near the need, showing me the personification of evil and deceit! In God’s world, *good always prevails and liars returns* [sic] *to ash.*”

8. The Defendants' post of May 17, 2019 now includes the following comments, apparently posted on May 20, 2019:



(See Exhibit "A"). We ask the Court to note that some of those involved as interviewees are seeing the trailer and commenting with suggestions for correcting errors. Also note Mr. Haefeli's statement that the work was performed "about two years" ago – during his tenure with the Company.

9. On May 18, 2019 at 10:37 am, Mr. Haefeli posted on Facebook:

**Mark Haefeli**  
May 18 at 10:37 AM

The lowest thing anyone can do in a creative business is to claim someone else's work as there own. I have known some losers in my life who, in the past, have tried to represent my work as there's but they are quickly excommunicated from the creative world. It has happened before and will happen again...it won't be long. No true professional will ever work with people of that ilk. Never. No network, no distributors, no media execs, no one and certainly not me. And the reputation always follows you as we all know.

What I have directed, produced and written throughout my career is My work and my work alone! It is not anyone else's and shame on those pitiful flim flam losers who think otherwise. Paul McCartney In Red Square was a Mark Haefeli Film as titled right up there on the big screen, as has all of my other work been the same! The people who shamefully do these things are generally the failure wannabes who live under rocks. They intimately get squashed. Shame on you.

4 1 Comment Seen by 30

Like Share

**John-Paul Greenock** Wow! That was yours Mark? Respect sir.  
Like · 1d

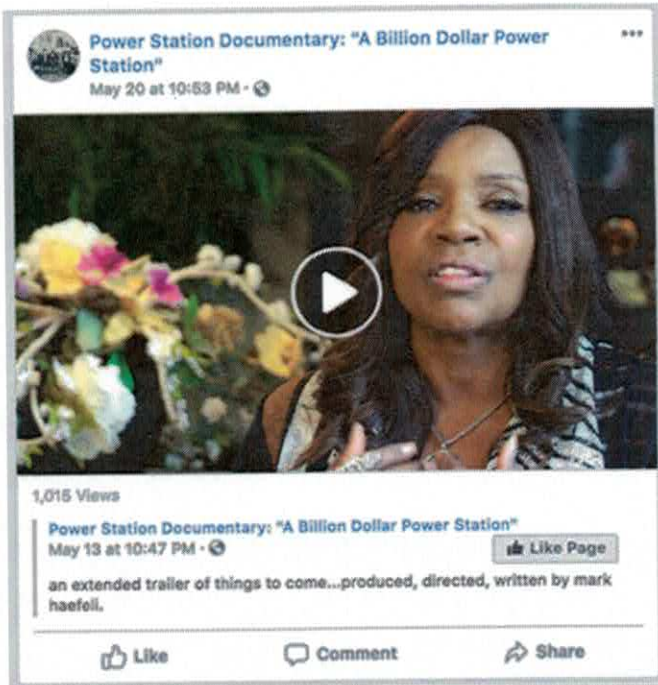
(See Exhibit "A").

10. On May 18, 2019 at 9:18 pm, Mr. Haefeli posted on Facebook:



(See Exhibit "A")

11. On May 20, 2019 at 10:53 pm, Mr. Haefeli shared the Trailer on Facebook:



(See Exhibit "A")

*Plaintiff asks the Court to take special note of the "1,015 Views," for the post, a number which appears to continue to increase.*

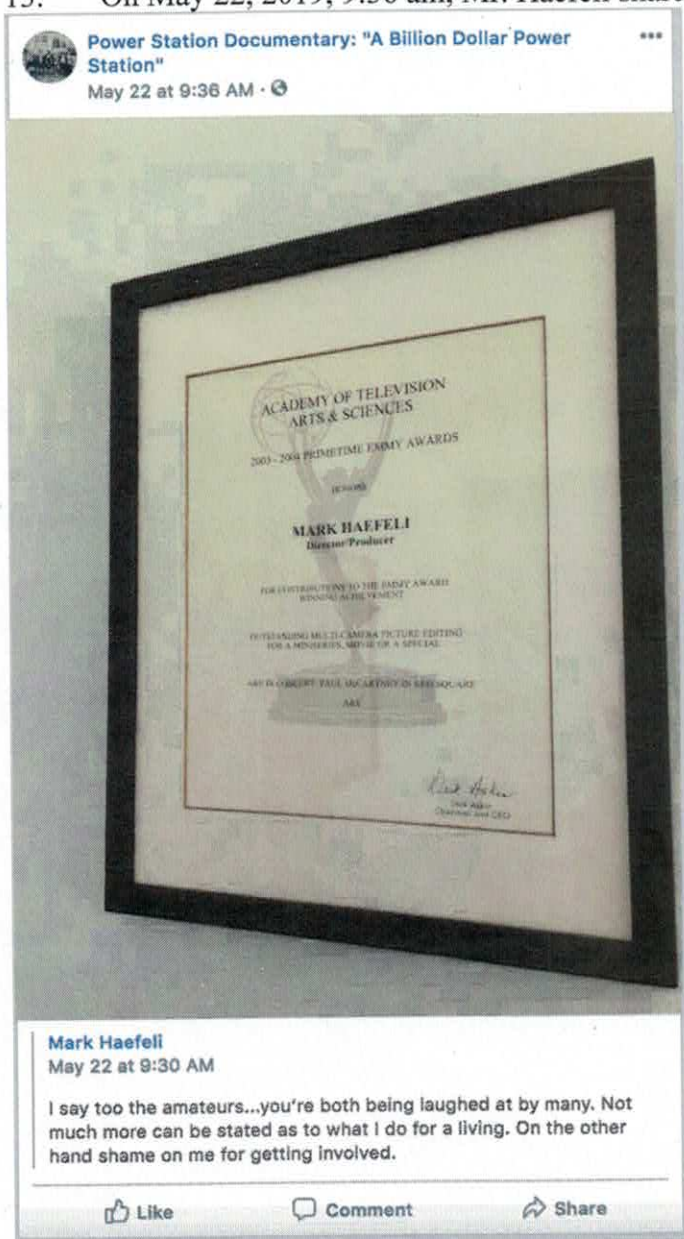
12. On May 20, 2019, 10:53 pm, Mr. Haefeli shared the following post on Facebook:



(See Exhibit "A")



13. On May 22, 2019, 9:36 am, Mr. Haefeli shared the following post on Facebook:



(See Exhibit "A")

14. On May 23, 2019, from 2:49 am to 2:57 am, Mr. Haefeli posted the following on

Facebook:

**Power Station Documentary: "A Billion Dollar Power Station"**  
Yesterday at 2:49 AM · 🌐

Glenn Rosenstein on set of Power Station doc, being interviewed by Mark Haefeli, producers, writer and director.




**Mark Haefeli** ▶ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17

👍 Like    💬 Comment    ➦ Share

**Power Station Documentary: "A Billion Dollar Power Station"**  
Yesterday at 2:50 AM · 🌐

Tony Bongiovi; executive producer of the film and our music supervisor, Roy Hendrickson.



**Mark Haefeli** ▶ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17

👍 Like    💬 Comment    ➦ Share

**Power Station Documentary: "A Billion Dollar Power Station"**  
Yesterday at 2:52 AM · 🌐

Our crew hanging out in lounge outside studio A. Bob Kranes, Paul Schafer, Tony Bongiovi....a Mark Haefeli film; soon to be released.




**Mark Haefeli** ▶ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17

2 Shares

👍 Like    💬 Comment    ➦ Share

**Power Station Documentary: "A Billion Dollar Power Station"**  
Yesterday at 2:54 AM · 🌐

Some BTS moments to share



**Mark Haefeli** ▶ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17

During the shooting of "The Power Station Documentary" A Mark Haefeli Production

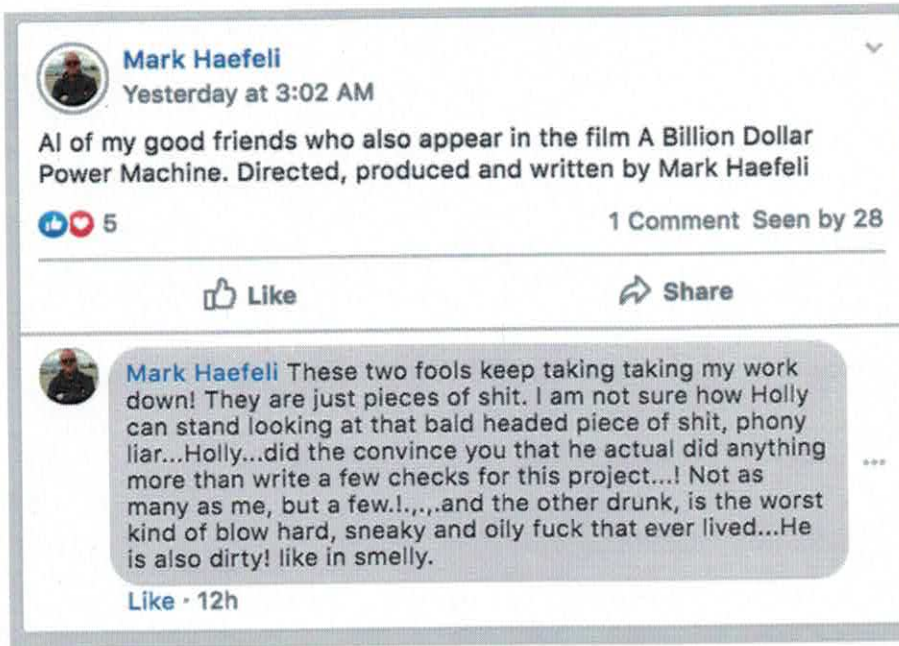
1 Share

👍 Like    💬 Comment    ➦ Share



(See Exhibit "A")

15. On May 23, 2019, 3:02 am, Mr. Haefeli posted on Facebook:



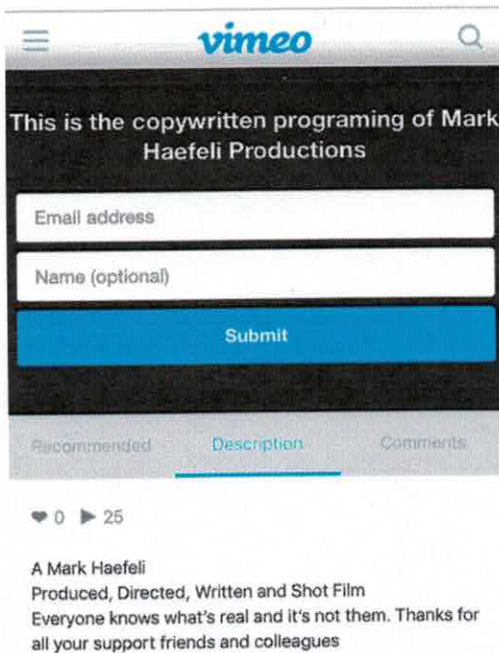
(See Exhibit "A") We note that it is of course not Plaintiff who is taking the work down. It is being taken down pursuant to a valid DCMA Take-Down Notice consistent with the Court's Temporary Restraining Order.

16. On May 23, 2019, Mr. Haefeli posted a link to the Trailer for the Film on Facebook

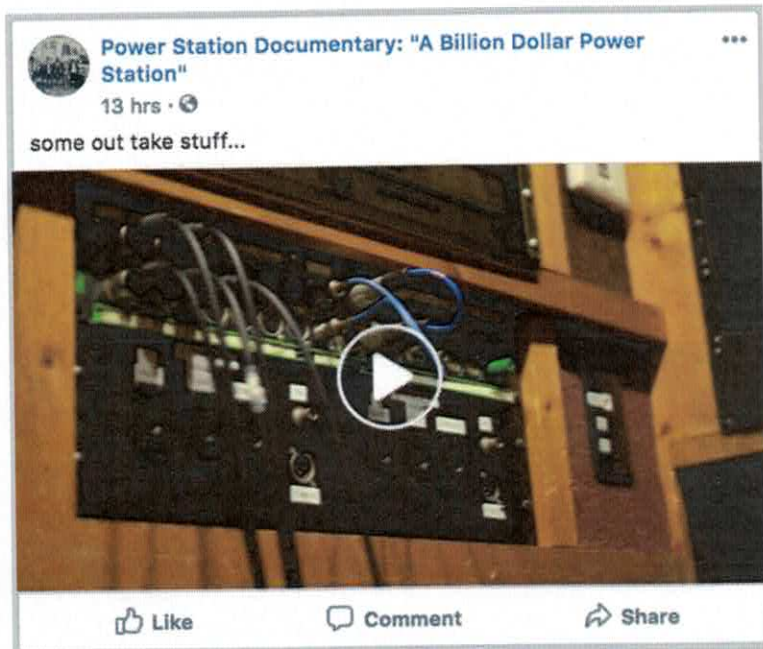


(See Exhibit "A")

which directs you to the following screen on Vimeo mobile. *Plaintiff asks the Court to take special note of where Mr. Haefeli has claimed "copywritten programing of Mark Haefeli Productions"*



17. On May 23, 2019, Mr. Haefeli shared the following on Facebook:



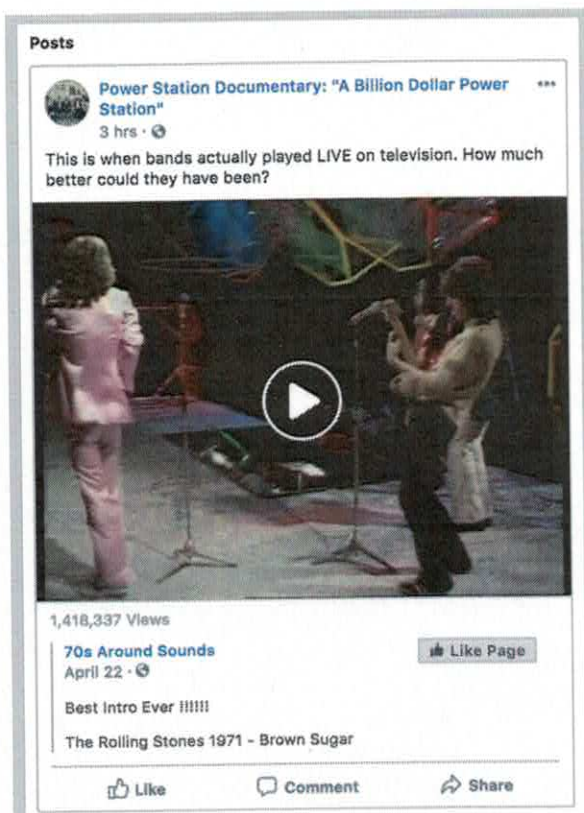
(See Exhibit "A")

18. On May 23, 2019, Mr. Haefeli "hosted a watch party" of the Trailer on Facebook:



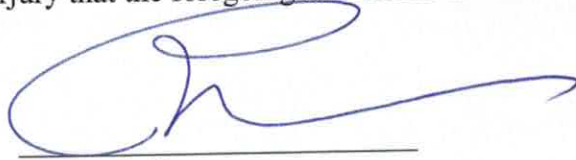
(See Exhibit "A")

19. On May 24, 2019, Mr. Haefeli continues to share posts on Facebook:



(See Exhibit "A")

I hereby declare under penalty of perjury that the foregoing statements are true and correct pursuant to 28 U.S.C. § 1746.

A handwritten signature in blue ink, appearing to read 'R. Gregory', is written above a horizontal line.

Robert S. Gregory

# EXHIBIT A





Power Station  
Documentary: "A  
Billion Dollar Power  
Station"

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Like Follow Share ...

Contact Us

Send Message

Write a post...

Photo/Video Tag Friends Check in ...

Posts

Power Station Documentary: "A Billion Dollar Power Station"  
4 hrs · 🌐

This is when bands actually played LIVE on television. How much better could they have been?



1,418,635 Views

70s Around Sounds

April 22 · 🌐

Like Page

Best Intro Ever !!!!!

The Rolling Stones 1971 - Brown Sugar

Like Comment Share

Power Station Documentary: "A Billion Dollar Power Station"  
4 hrs · 🌐

No Rating Yet

Community

See All

Invite your friends to like this Page

93 people like this

95 people follow this

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Facebook is allowing information to help you better understand the purpose of a Page. See actions taken by the people who manage and post content.

Page created - January 21, 2019

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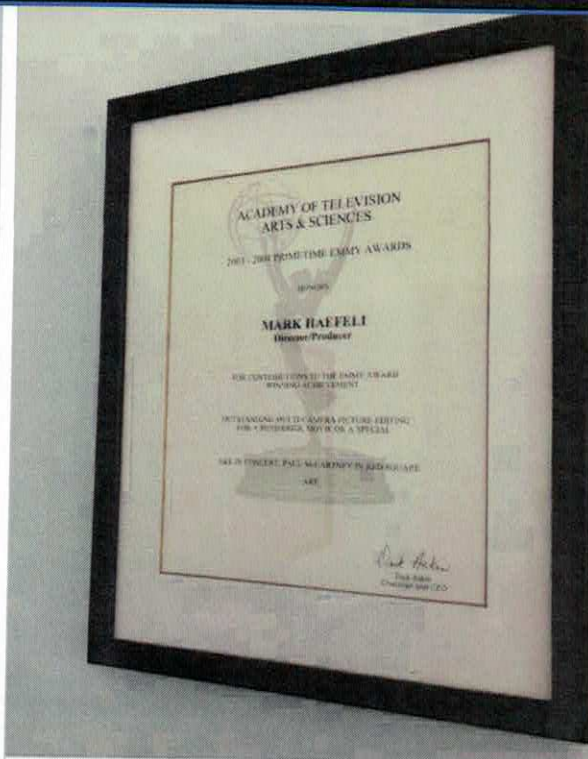
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See All

Groups



Power Station New York "A Billion Dollar Power Station" A Music Documentary  
Public group  
52 members

Join

See All Groups

Posts



Power Station Documentary: "A Billion Dollar Power Station" \*\*\*  
14 hrs · 🌐



VIMEO.COM

Power Station Trailer

A Mark Haefeli Produced, Directed, Written and Shot Film Everyone...

Like

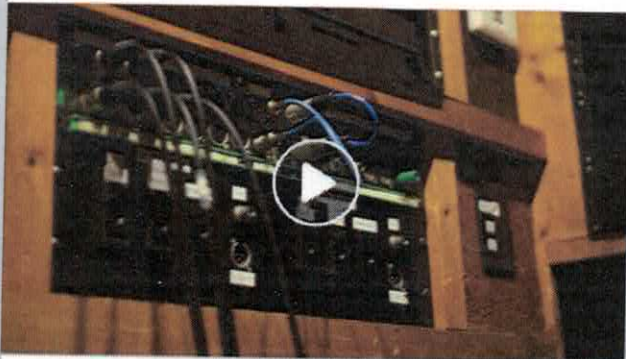
Comment

Share



Power Station Documentary: "A Billion Dollar Power Station" \*\*\*  
14 hrs · 🌐

some out take stuff...



Like

Comment

Share



Power Station Documentary: "A Billion Dollar Power Station" \*\*\*  
16 hrs · 🌐

Chat (19)





Power Station  
Documentary: "A  
Billion Dollar Power  
Station"  
@powerstationdoc

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- Photos
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VIMEO.COM  
**Power Station Trailer**  
A Mark Haefeli Produced, Directed, Written and Shot Film Everyone...  
Like Comment Share

**Power Station Documentary: "A Billion Dollar Power Station"** \*\*\*  
Yesterday at 2:57 AM · 🌐



Mark Haefeli ▶ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17  
Like Comment Share

**Power Station Documentary: "A Billion Dollar Power Station"** \*\*\*  
Yesterday at 2:55 AM · 🌐



Mark Haefeli ▶ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17  
Like Comment Share

**Power Station Documentary: "A Billion Dollar Power Station"** \*\*\*  
Yesterday at 2:54 AM · 🌐

Chat (19) [Icons]



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Mark Haefeli ▸ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17

During the shooting of "The Power Station Documentary"  
A Mark Haefeli Production

1 Share



Like



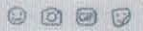
Comment



Share



Write a comment...



Power Station Documentary: "A Billion Dollar Power Station" \*\*\*

Yesterday at 2:52 AM · 🌐

Our crew hanging out in lounge outside studio A. Bob Kranes, Paul Schafer, Tony Bongiovi.....a Mark Haefeli film; soon to be released.



Mark Haefeli ▸ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17

2 Shares



Like



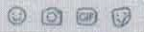
Comment



Share



Write a comment...



Chat (19)





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Tony Bongiovi; executive producer of the film and our music supervisor, Roy Hendrickson.



Mark Haefeli ▶ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17

Like Comment Share

Power Station Documentary: "A Billion Dollar Power Station" \*\*\*  
Yesterday at 2:49 AM · 🌐

Glenn Rosenstein on set of Power Station doc, being interviewed by Mark Haefeli, producers, writer and director.



Mark Haefeli ▶ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17

Like Comment Share

Power Station Documentary: "A Billion Dollar Power Station" \*\*\*  
May 22 at 10:29 PM · 🌐

Two Power Station Alums!

Chat (19) 🗨️ 👤 ⚙️



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1

1 Share

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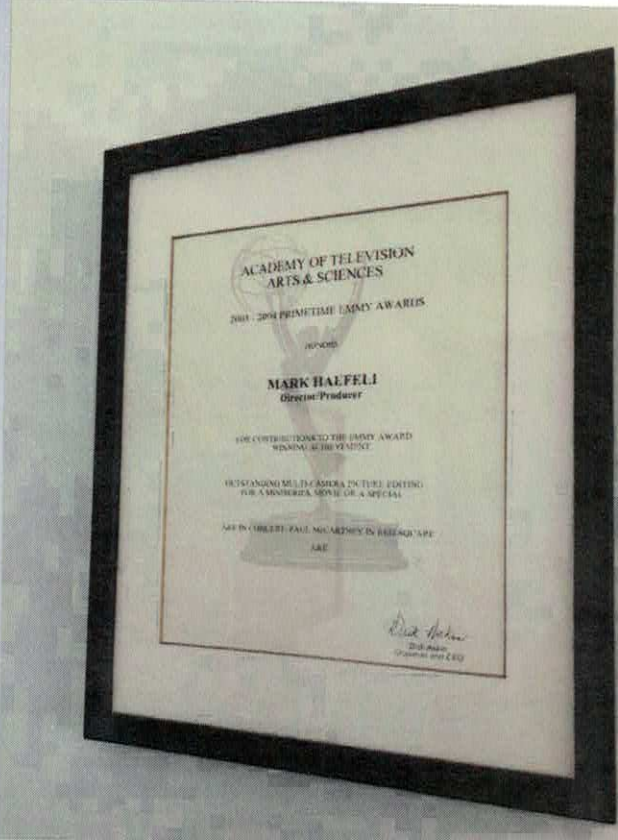
Share



Write a comment...



Power Station Documentary: "A Billion Dollar Power Station" May 22 at 9:36 AM



Mark Haefeli

May 22 at 9:30 AM

I say too the amateurs...you're both being laughed at by many. Not much more can be stated as to what I do for a living. On the other hand shame on me for getting involved.

Like

Comment

Share



Power Station Documentary: "A Billion Dollar Power Station" May 20 at 10:53 PM

Chat (19)





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Documentary: "A  
Billion Dollar Power  
Station"  
@powerstationdoc

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Mark Haefeli ▸ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17  
During the shooting of "The Power Station Documentary"  
A Mark Haefeli Production

Like Comment Share

Power Station Documentary: "A Billion Dollar Power Station" \*\*\*  
May 20 at 10:53 PM · 🌐



1,033 Views

Power Station Documentary: "A Billion Dollar Power Station"  
May 13 at 10:47 PM · 🌐 Like Page

an extended trailer of things to come...produced, directed, written by mark haefeli.

Like Comment Share

Power Station Documentary: "A Billion Dollar Power Station" \*\*\*  
May 20 at 10:50 PM · 🌐



Chat (19) 🗨️ ⚙️





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Mark Haefeli ▸ Power Station New York "A Billion Dollar Power Station" A Music Documentary  
March 17

During the shooting of "The Power Station Documentary"  
A Mark Haefeli Production



Power Station Documentary: "A Billion Dollar Power Station" \*\*\*  
May 20 at 9:01 PM · 🌐

**STONES** **NO FILTER**

**NEW DATES**

Presented by Alliance for Lifetime Income

**2019 TOUR**

06/21 CHICAGO, IL	08/01 E. RUTHERFORD, NJ
06/25 CHICAGO, IL	08/05 E. RUTHERFORD, NJ
06/29 BURL'S CREEK, OH	08/10 DENVER, CO
07/03 WASHINGTON, DC	08/14 SEATTLE, WA
07/07 FOXBORO, MA	08/18 SANTA CLARA, CA
07/14 NEW ORLEANS, LA	08/22 PASADENA, CA
07/19 JACKSONVILLE, FL	08/26 GLENDALE, AZ
07/23 PHILADELPHIA, PA	08/31 MIAMI, FL
07/27 HOUSTON, TX	

Jos Lemmers ▸ Stones info group

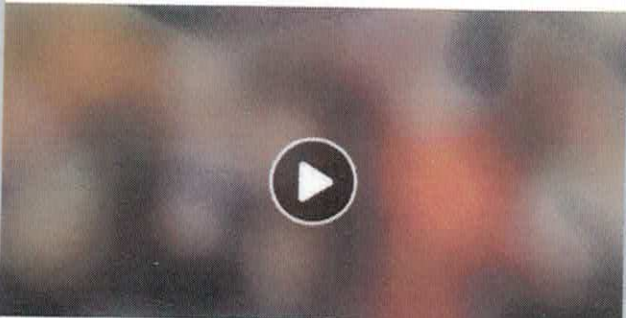
May 16 at 7:28 AM

The Rolling Stones are delighted to announce the new US and Canada tour dates today! All of the cities from the previously postponed shows are locked in, starti  
...  
[See More](#)



Power Station Documentary: "A Billion Dollar Power Station" \*\*\*  
May 18 at 6:49 AM · 🌐

Some Saturday morning wake up music!



Chat (19)





Power Station  
Documentary: "A  
Billion Dollar Power  
Station"

@powerstationdoc

Home

Posts

Reviews

Videos

Photos

About

Community

Groups

Create a Page

10,321,781 Views

The Tonight Show Starring Jimmy Fallon

May 15 at 11:44 PM · 🌐

Like Page

The Who joins Jimmy and The Roots to perform their hit classic "Won't Get Fooled Again" with classroom instruments.

1

Like

Comment

Share

Write a comment...



Power Station Documentary: "A Billion Dollar Power Station" \*\*\*

May 17 at 10:50 PM · 🌐



1,033 Views

Power Station Documentary: "A Billion Dollar Power Station"

May 13 at 10:47 PM · 🌐

Like Page

an extended trailer of things to come...produced, directed, written by mark haefeli.

1

3 Comments

Like

Comment

Share

Most Relevant ▾



Write a comment...



Gigi Shapiro Kulick One mistake - it's Roy Hendrickson not RON...

Like · Reply · 4d

2 Replies



Power Station Documentary: "A Billion Dollar Power Station" \*\*\*

May 13 at 11:24 PM · 🌐



Dennis Margillo shared a post to the group: THE ROLLING STONES.

May 12 at 1:09 PM

Exile! Greatest!?



Madhouse Magazine

May 12 at 12:46 PM · 🌐

Like Page

On This Day in Madhouse History! May 12, 1972 - The Rolling Stones release the greatest album ever recorded: "Exile on Main St" - check out our little known "facts" about the album!

Chat (19)



# Power Station New York "A Billion Dollar Power Station" A Music Documentary

Public group

- About
- Discussion
- Members
- Events
- Videos
- Photos

Search this group



+ Join Group

More

Join this group to post and comment.

Shortcuts

Tri-state Subaru P...

### RECENT ACTIVITY

**Mark Haefeli**  
Yesterday at 3:02 AM

All of my good friends who also appear in the film A Billion Dollar Power Machine. Directed, produced and written by Mark Haefeli

5 1 Comment Seen by 26

Like Share

**Mark Haefeli** These two fools keep taking taking my work down! They are just pieces of shit. I am not sure how Holly can stand looking at that bald headed piece of shit, phony liar...Holly...did the convince you that he actual did anything more than write a few ch... See More

Like · 13h

GLIDER

**Mark Haefeli** hosted a watch party.  
14 hrs

Power Station New York "A Billion Dollar Power Station" A Music Documentary

### Mark's Watch Party

This watch party is now over  
Start your own now

Create

Seen by 1

Like Share

**Mark Haefeli**  
Yesterday at 3:04 AM

With Pat Metheny and Ian Hunter.

4 Seen by 29

Like Share

**Mark Haefeli** shared a post.  
May 21 at 11:19 AM

**Steve Isaacson** shared a post.  
May 21 at 5:47 AM

### GROUP BY

**Power Station Documentary: "A B**  
93 like this

Contact Us

### DESCRIPTION

A Billion Dollar Power Station is the story of the place where B... See More

### GROUP TYPE

General

### LOCATION

New York, New York

### CREATE NEW GROUPS

Groups make it easier than ever to share with friends, family and teammates.

Create Group

### RECENT GROUP PHOTOS

See All



### Suggested Groups

See All

**Lowell George Appreciation Society**  
9,978 members

+ Join Group

**Little Steven and The Disciples of Soul**

**The Stevie Files**  
3,241 members

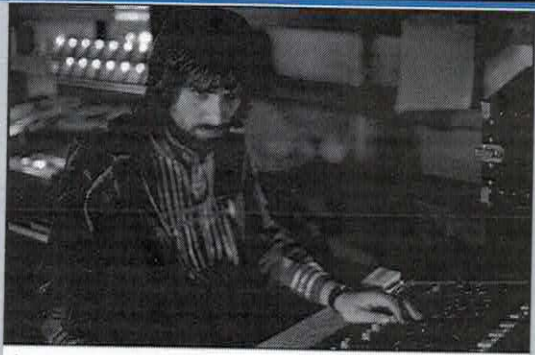
+ Join Group

**Historic Florida X**  
2 friends · 42,145 members

+ Join Group

Chat (22)





Ray Steimel ▸ NY Rocks  
May 21, 2016  
Glyn Johns.  
Recording Get Yr Ye-Ya's Out!  
Madison Sq Garden...

2      Seen by 34  
Like      Share

Mark Haefeli recommended a group.  
January 20  
and it started at Media Sound when Bob Walters and Tony Bongiovi left to pursue their dream.



Public group  
450 Members      + Join Group

6      2 Comments      Seen by 51  
Like      Share

Rick Slater Both great studios to grow up in.  
Like · 2w

Andrew Felluss lived at 309 while GA at RT.. what a trip walking around Midtown now  
Like · 2w

Power Station Documentary: "A Billion Dollar Power Station"  
February 5  
An impromptu tour. Guess the location.



1      2 Comments      1 Share      Seen by 50  
Like      Share

Tino Passante Studio G formerly Studio D formerly Studio AV1 formerly the parking lot..  
Like · 13w

Power Station Documentary: "A Billion Dollar Power Station"  
The assholes have never even been in this building...what disgraceful liars  
Like · 5d

**102.7**  
WHERE ROCK LIVES  
WNEW-FM 102.7 Fan Club  
Where Rock Lived in the NYC...  
2,492 members      + Join Group

**LONG ISLAND**  
**WLIR-92.7**  
Grew up listening to WLIR/WDRE  
17,450 members      + Join Group

English (US) · Español · Português (Brasil) · Français (France) · Deutsch  
+  
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Facebook © 2019



**Mark Haefeli**  
(mark haefeli productions)

[Add Friend](#) [Message](#)

[Timeline](#) [About](#) [Friends](#) [Photos](#) [More](#)


DO YOU KNOW MARK?

To see what he shares with friends, send him a friend request.

[Add Friend](#)

**Intro**

Director/Producer of Lots.



[markhaefeliprod.com](#)

**Photos**




**Friends**

English (US) · Español · Português (Brasil) · Français (France) · Deutsch

Privacy · Terms · Advertising · Ad Choices · Cookies · More · Facebook © 2019

**Mark Haefeli** · 16 hrs ·

Thanks to all of my friends and colleagues who are in front of the camera and behind it. You really worked hard on this film with dedication, authenticity, integrity and most importantly, friendship! This film has no place for fakes and phonies. Gotta be embarrassing for them.




VIMEO.COM  
**Power Station Trailer**  
This is "Power Station Trailer" by Mark Haefeli Productions on Vimeo, the...

[Like](#) [Share](#)

**Mark Haefeli** · 16 hrs ·

A Mark Haefeli Film...produced, directed, shot and wrote! A seven year solo legacy project and labor of love. Everyone in this film gets it, also! Every real contributor are the real deal and seasoned professional. Thanks to all of those who worked to do me a favor for no money (you'll get some)...Thanks to all of my friends and their musical contributions...whom I truly value! thank you to everyone in the film who Tino Pissante and I booked! One of the most humbling experience was sitting down with these legends and conducting every interview. Thanks to my wife who helped edit the scrip when I got lost and listened to me ramble for years. And thank you God, for near the end, showing me the personification of evil and deceit! In God's world, good always prevails and liars returns to ash.



VIMEO.COM  
**Power Station Trailer**  
This is "Power Station Trailer" by Mark Haefeli Productions on Vimeo, the...

[Like](#) [Share](#)

Still an unbelievable sounding live album...raw and to the point...maybe the best live rock album ever?



**Ray Steimel** • NY Rocks  
May 21, 2016

Glyn Johns.  
Recording Get Yer Ya-Ya's Out!  
Madison Sq Garden..

1

Like Share

**Mark Haefeli** is at Sir Crickets Fish & Chips.  
May 22 at 7:33 PM · Orleans, MA · 🌐

I have driven by here a thousand times. The fish market next door is where Tricia figures out she was pregnant with Elizabeth..."the smell". .. and tonight I stopped in Sir Cricket Fish and Chips for dinner!



2

Like Share

**Mark Haefeli**  
May 22 at 11:04 AM · 🌐

Thank Goodness...Business is Busy Again...! Several projects in the wings and three currently in production...all soon to be announced!

1

Like Share

**Mark Haefeli**  
May 22 at 10:50 AM · 🌐



REFER.BOMBAS.COM

**Get 25% at Bombas using my link**

Lots of colors and styles available for men, women and kids. Plus, you'll g...

Like

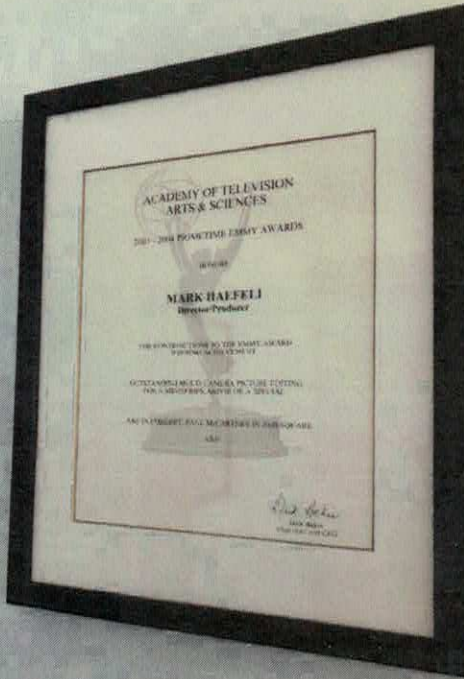
Share



**Mark Haefeli**

May 22 at 9:30 AM

I say too the amateurs...you're both being laughed at by many. Not much more can be stated as to what I do for a living. On the other hand shame on me for getting involved.



2

3 Shares

Like

Share



**Mark Haefeli**

May 21 at 11:44 PM



1,591,345 Views

**Music Retro**  
September 4, 2018

Like Page

Chat (19)



(12) Mark Haefeli

Like Share



Mark Haefeli  
May 21 at 8:14 PM

A great guy and what a privilege to have interviewed him for my film...a Billion Dollar Power Station!

This content isn't available right now  
When this happens, it's usually because the owner only shared it with a small group of people, changed who can see it or it's been deleted.

3 2 Comments

Like Share



David Schure ...on the other side of life!  
Like · 2d



Mark Haefeli Good memory...right on point!  
Like · 2d



Mark Haefeli  
May 20 at 9:00 PM

Going off to shoot me some Rolling Stones as Mark Haefeli...they were wondering where I have been...! Certainly nowhere that they had ever heard of. Like Neil Young sang, "Oh the damage done!..."

**STONES** NO FILTER

NEW DATES

2019 TOUR

06/24 CHICAGO, IL	08/01 E. RUTHERFORD, NJ
06/26 CHICAGO, IL	08/03 E. RUTHERFORD, NJ
06/28 BURL'S CREEK, OH	08/10 DENVER, CO
07/03 WASHINGTON, DC	08/14 SEATTLE, WA
07/07 FOXBORO, MA	08/18 SANTA CLARA, CA
07/14 NEW ORLEANS, LA	08/22 PASADENA, CA
07/19 JACKSONVILLE, FL	08/26 GLENDALE, AZ
07/23 PHILADELPHIA, PA	08/31 MIAMI, FL
07/27 HOUSTON, TX	

MEMBER OF Alliance for Lifetime Income

Jos Lemmers Stones Info group  
May 15 at 7:26 AM

The Rolling Stones are delighted to announce the new US and Canada tour dates today! All of the cities from the previously postponed shows are locked in, starti...  
[See More](#)

2 3 Shares

Like Share



Mark Haefeli  
May 18 at 9:18 PM

Directed, produced as and written by Mark Haefeli.



136 Views

Chat (19)



February 6 · Like Page  
An impromptu tour. Guess the location.  
4 · 3 Comments  
Like Share

Louis Brown Footage, lounge outside studio D? My pic from mix session, summer 2014 inside studio D.



Like · 5d · Edited

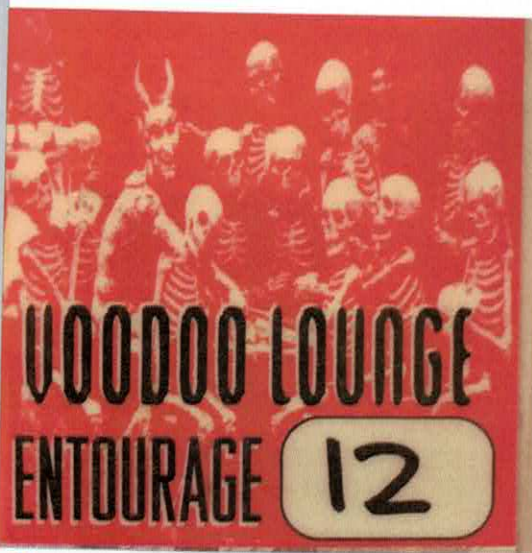
Gigi Shapiro Kulick When and where is this being released? Xxg  
Like · 4d

Mark Haefeli Soon. But I can't say exactly when At this point. I promise, I will let you know. Have a few roaches I need to stomp out first which is not an issue. Thieves...not all that unfamiliar! On the seedier side of the business...shameful.  
Like · 4d



Posts from 2018

Mark Haefeli updated his cover photo.  
January 7, 2018 ·



2

Share



Posts from 2016

Album Elizabeth Graduates

Mark Haefeli added 3 new photos — with Kareem Esmail in Montclair, New Jersey.  
April 2016 ·

2017

THE MCHATTIE LAW FIRM, LLC  
Christopher J. McHattie, Esq.  
(Bar No. 035251987)  
550 West Main Street  
Boonton, New Jersey 07005  
Telephone: 973-402-5505  
Facsimile: 973-400-4110  
*Attorneys for Plaintiff, 4C4 Media, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

4C4 MEDIA, LLC,

Plaintiff

v.

MARK HAEFELI; MARK HAEFELI  
PRODUCTIONS, INC.; JOHN DOES 1-10  
(name being fictitious for individuals whose  
identities are currently unknown); and ABC  
ENTITIES 1-10 (names being fictitious for  
corporate or other legal entities whose  
identities currently remain unknown),

Defendants.

Civil Action No.: 2:19-CV-12288-SDW-SCM

**FIFTH CERTIFICATION OF  
ROBERT S. GREGORY**

I, Robert S. Gregory, being duly sworn, upon his oath according to law, depose and say:

1. I am a member of Cove, LLC (“Cove”), which is a member of 4C4 Media, LLC (hereinafter referred to as “Plaintiff” or “4C4” or “Company”); the Cove member responsible for the day to day activities of 4C4 and an officer/Board Member of 4C4. As such, I am thoroughly familiar with the facts and circumstances of this action. I am also an attorney-at-law admitted to the bar of the State of New York.

2. I respectfully, and regrettably, submit this Certification to supplement the Plaintiff’s prior submissions regarding Defendants’ continuing defiance of the Court’s Temporary Restraining Order dated May 6, 2019 and extended on May 15, 2019 (the “Order”).

3. As previously mentioned, Defendants have been utilizing several different Facebook pages and other social media identities – including those mentioning the Film by name as well as personal sites under Mark Haefeli’s name or other pseudonyms that are obviously controlled by him – to engage in conduct that “puts a cloud on the ownership, development or distribution of: (a) the Film, or (b) any alternate, abbreviated or reconstituted version of the Film or the Film’s outtakes and unused source materials, including, but not limited to, Defendants holding themselves out as the owner of the Film” in violation of the Order.

4. Nevertheless, Plaintiff has done its best to continue to monitor Defendant’s activity; despite having been “blocked” access by the Defendant and several of his pages having been “closed” to anyone not selected by him, including Plaintiff’s counsel.

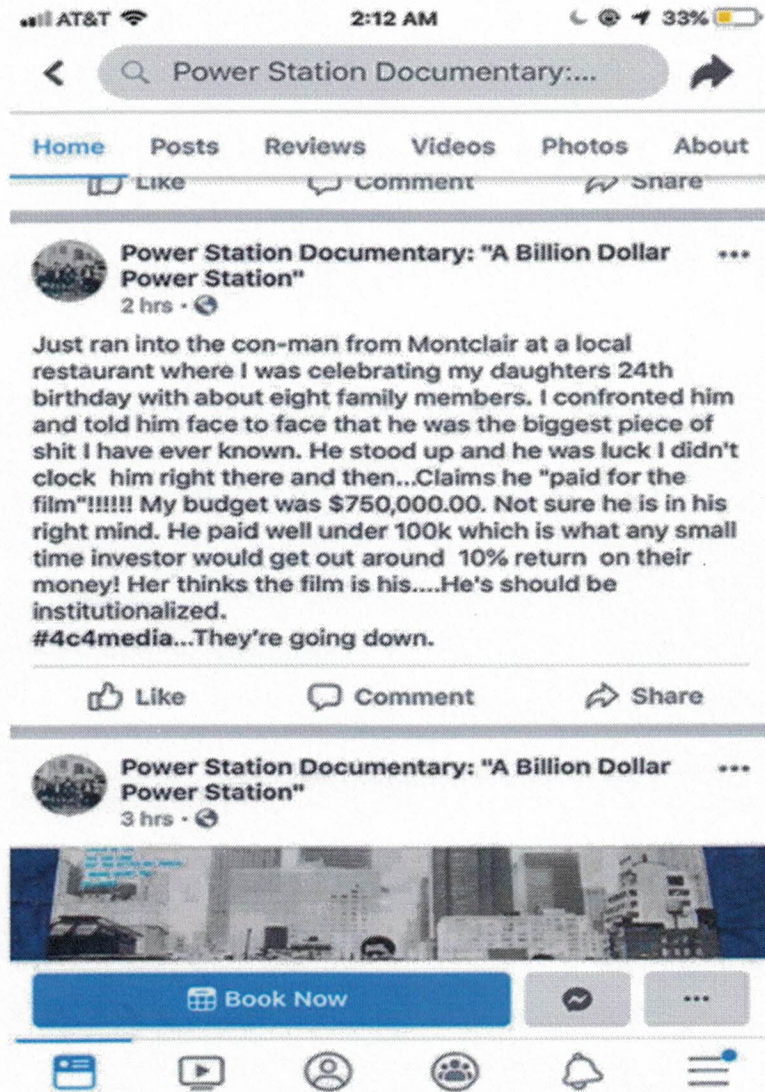
5. Since the hearing on May 15, 2019, at which time the Court directed Defendants’ counsel to “explain” the implications of not complying with the Court’s Order to Defendants, the Defendants have inexplicably not only continued to violate the Court’s Order but in fact became more strident, active and now physically and in person, “bullying.” Furthermore, Plaintiff brings the Court’s attention to its May 24, 2019 submission of ongoing examples of acts in defiance of the Court’s Order (See prior Certifications of Robert S. Gregory, at Documents 2.1, 7, 10.1, 12.1 and 12.3 on the Court’s docket).

6. By way of incredibly troubling example, on May 27, 2019, Defendants posted what they referred to as a “**Premiere**” showing of the Film on the Facebook Group “Power Station Documentary: “A Billion Dollar Power Station”” page:

The image shows a screenshot of a Facebook post. At the top, the profile picture is a circular logo with a group of people. The name of the page is "Power Station Documentary: 'A Billion Dollar Power Station'" and the post is dated "May 26 at 10:39 PM". The main content is a video player that has ended, showing a group of people sitting on a ledge in front of a city skyline. To the right of the video, it says "This premiere video has ended." Below the video, there is a red notification icon and the text "YESTERDAY AT 1:17 AM a billion dollar power station" with a "Watch Now" button. Below that, it says "This video is now available to watch". The post text reads: "Power Station Documentary: 'A Billion Dollar Power Station' premiered a video. May 26 at 10:17 PM" with a "Like Page" button. It then says "4 mins · See Below Email:" followed by a truncated text: "These two never accounted for their hours in three years even after numerous requests over those three years..Its because they did not..." and a "See More" link. At the bottom, there are icons for "Like", "Comment", and "Share".

As Plaintiff was “blocked” from the page, and thus not invited to this “Premiere,” it has no way of knowing whether the Film was actually shown in its entirety. However, as the Court may recall, Defendant Mark Haefeli has repeatedly threatened to release the Film on the internet “for free.” (Id.) A link to the Trailer for the Film remains accessible under this page.

7. The “Premiere” screening caps several days of increasingly confrontational social media posts, in which the Defendant Mark Haefeli continues, to openly violate the Order. For example, early on Sunday May 26, 2019, Defendant posted the following:




Unfortunately, what Mark Haefeli refers to is him having aggressively approached a table at a restaurant in Montclair where I was sitting with my family and friends (celebrating a confirmation at which I was the sponsor for my godson). He came up from behind, placed his hand on my shoulder and proceeded to berate me as described above. It was incredibly unpleasant, embarrassing and *remarkably* unprofessional.

8. Nearly contemporaneous to the foregoing post on the same Facebook page "Power Station Documentary: "A Billion Dollar Power Station"" identified me by name:



## A Mark Haefeli Film...

 POWER STATION DOCUMENTARY: "A BILLION DOLLAR POWER STATION" • SATURDAY, MAY 25, 2019

Robert Gregory claims to have paid for the film...??? He has no idea how much I paid and how much work was done in-kind due to my 30 years of relationships and respect. He maybe put up less than a 100K of a 750K budget! That is what angels on Broadway put up. Insignificant amounts and get about 10% back on their money so the investor can say..." I did that"...yes he is right...he did write a check...and he did nothing else but right as check just like an investor would. He ain't no talent!

9. On May 27, 2019, Defendant Mark Haefeli posted the following:



Power Station Documentary: "A Billion Dollar Power Station" \*\*\*

Yesterday at 1:17 AM · 🌐

4 mins ·

See Below Email:

These two never accounted for their hours in three years even after numerous requests over those three years..Its because they did nothing! One of the hucksters told me the other night that he paid for it...what a fucking joke...and a lie...that is what an investor does, not a producer, and the investor gets about 10% back on their money....period.....but the amount he contributed, as an investor, was so minimal..(maybe 50k..hahaha) compared to my actual budget of \$750,00.00.00. They never got close and aside from a for paltry monthly stipend, it was my colleagues from over the years, who i called in favors from to get this done in the cheap.. So these two lawyers rode my back thinking all along that they were getting the deal of the century...!...I was the one, not them, due to my relationships with creative professionals from camera operators, eng audio techs, make up, transcriptions of over 1200 pages of interviews...assistant editors, line producers, media managers, graphic designers, editors, and more. They had no idea who to hire, had no relationships with any high end professionals in media, and basically rode on my back till this last straw!

I also made agreements with a number of associates to be paid when this project gets a distributor. It totals about \$110,000.00 they owe and plenty more to me!

Now the most ironic things is the music usages. Of course it is a story about music! I made a side deal with a couple major producers and some composers, to contribute soundtrack originals for inclusion. (about 40% to date). This music, along with a lot of other material, will never get clearance with their names anywhere on this film!...

They are sort or screwed I'd say.

Enjoy the email below not being able to account for any time that they put into this project. One spent his extra time flying to Ireland tending to some shell game company and the other was stumbling in stages as a chorus player...embarrassing here folks...

theFrom: Mark Haefeli <mark@4c4media.com>

Subject: Re: I've been hit

Date: November 22, 2016 at 9:31:37 AM EST

To: Chris McHattie <cmchattie@mchattielaw.com>

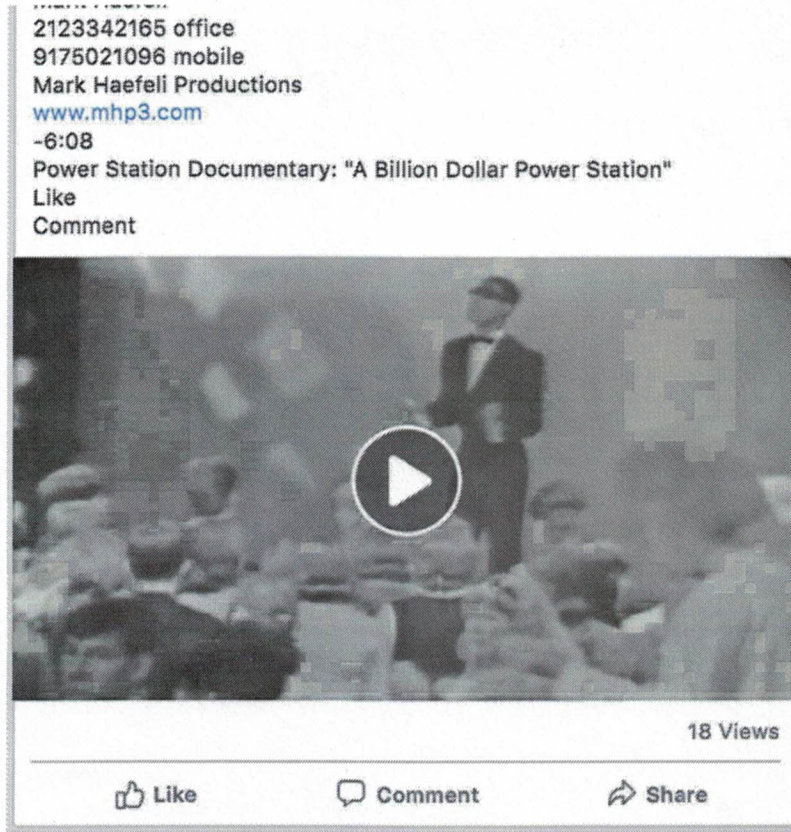
Cc: Brooke Sullivan <brooke@4c4media.com>, "robert@cove.ie" <robert@cove.ie>

Yes..this is something that I need to understand a bit more since I also record my hours...how do we determine what our hours are worth and how many hours are actually being dedicated...as to what portion is being credited to eventually becoming....50/50 share holders in the archive...etc. Because much has changed since May and June...as to what we were going to do and what we are doing.

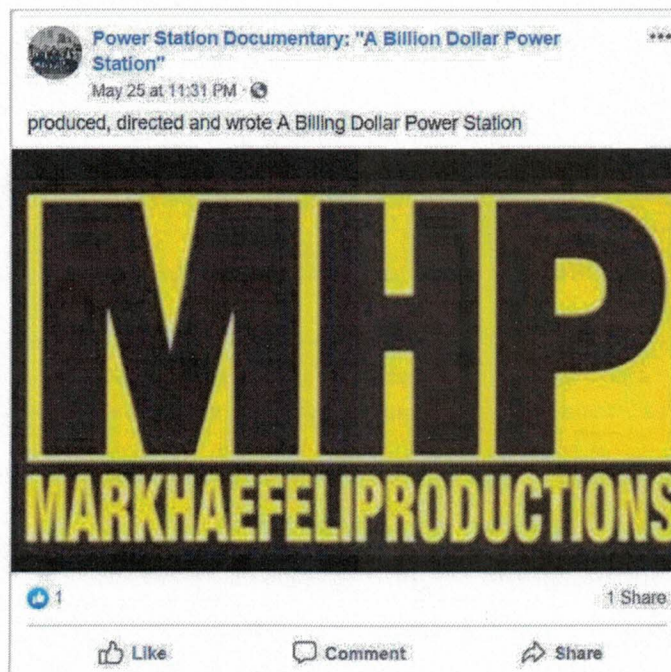
Look forward to our meeting after the holiday.

Happy Thanksgiving and very grateful for all of this indeed.

Mark Haefeli

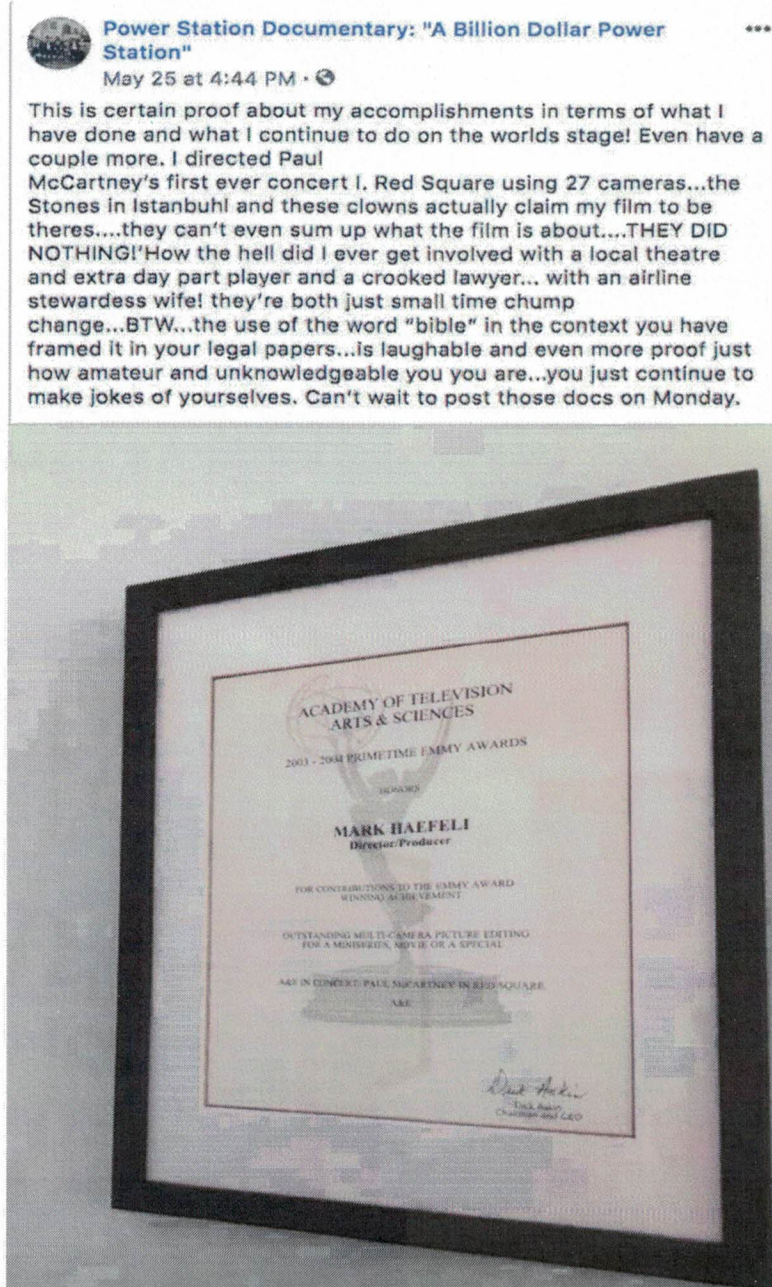


10. On May 25, 2019, Defendants Mark Haefeli and Mark Haefeli Productions continue to take credit for the Film.






11. On May 25, 2019, and posted thereafter:



12. As this submission is made reluctantly, with full understanding that the Court has many other matters before it, I will not belabor further the details. There are additional, repetitive posts to the same effect, since Plaintiff's May 24, 2019 filing, evidencing Defendants' continued flouting of the Court's Order.

I hereby declare under penalty of perjury that the foregoing statements are true and correct pursuant to 28 U.S.C. § 1746.



Robert S. Gregory

THE MCHATTIE LAW FIRM, LLC  
Christopher J. McHattie, Esq.  
(Bar No. 035251987)  
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Boonton, New Jersey 07005  
Telephone: 973-402-5505  
Facsimile: 973-400-4110  
*Attorneys for Plaintiff, 4C4 Media, LLC*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

4C4 MEDIA, LLC,

Plaintiff

v.

MARK HAEFELI; MARK HAEFELI  
PRODUCTIONS, INC.; JOHN DOES 1-10  
(name being fictitious for individuals whose  
identities are currently unknown); and ABC  
ENTITIES 1-10 (names being fictitious for  
corporate or other legal entities whose  
identities currently remain unknown),

Defendants.

Civil Action No.: 2:19-CV-12288-SDW-SCM

**SIXTH CERTIFICATION OF  
ROBERT S. GREGORY**

I, Robert S. Gregory, being duly sworn, upon his oath according to law, deposes and says:

1. I am a member of Cove, LLC ("Cove"), which is the owner/member of 4C4 Media, LLC (hereinafter referred to as "Plaintiff" or "4C4" or "Company"), and I am the Cove member responsible for the day to day activities of 4C4. As such, I am thoroughly familiar with the facts and circumstances of this action. I am also an attorney-at-law admitted to the bar of the State of New York. I respectfully submit this Certification in further support of Plaintiff's Application to Hold Defendants Mark Haefeli and Mark Haefeli Productions, Inc. in Contempt.

2. Since the dispute between Mr. Haefeli and 4C4 first arose in late February, the Company has continually communicated its position with respect to its rights in the Film and the

materials related thereto, and its intentions with respect to enforcement of those rights. Attached hereto as Exhibit "A" are true and correct copies of the following communications from 4C4's representatives to this effect that were sent directly to counsel for Defendants, Dennis Sabourin, Esq. or were copied on Defendants' counsel when they were submitted to the Court.

- a. Letter dated March 5, 2019;
- b. Letter dated April 1, 2019;
- c. Letter dated April 11, 2019;
- d. E-mail dated April 11, 2019 @7:24am
- e. E-mail dated April 11, 2019 @ 10:02am;
- f. Letter dated April 25, 2019;
- g. Letter dated May 6, 2019;
- h. Letter dated May 14, 2019;
- i. Letter dated May 19, 2019; May 29, 2019;
- j. Letter dated May 31, 2019;
- k. Letter dated June 4, 2019; and
- l. Letter dated June 13, 2019.

3. Attached as Exhibit "B" is a true and correct copy of "screen grabs" of the link to the Power Station Trailer (the "Trailer") at YouTube, which has been available at (<https://www.youtube.com/watch?v=2J9ICSL73go>) since at least as early as May 14, 2019, has since that date been revised to include the Defendant Mark Haefeli Production's logo embedded on the video, and, upon information and belief, remains available as of the date of this Certification.

4. Plaintiff has continually pursued its remedies under the Digital Millennium Copyright Act to direct the removal from social media of Mr. Haefeli's posts containing Plaintiff's proprietary content. Attached hereto as Exhibit "C" is a true and correct copy of a "screen grab" of a Facebook

post demonstrating Mr. Haefeli's reaction to the Trailer having been "taken down," in which he encourages others who may have the Trailer to continue to share it on social media.

5. Mr. Haefeli's suggestion that the Trailer was created before the formation of 4C4 is not supported by the facts. Mr. Haefeli was working on the Trailer as part of a strategy that I actively undertook with Mr. Haefeli in support of efforts to raise a budget for the production of the Film. Attached hereto as Exhibit "D" is a true and correct copy of an email from Mr. Haefeli regarding the status of the Trailer and updates to come.

6. The Trailer, per Mr. Haefeli's own certification (¶¶ 64, 66, 74, and 86), was "to be used as an introduction piece for Tony Bongiovi" at an event honoring Tony Bongiovi and celebrating Berklee's acquisition of the building that had housed the Power Station studio to create Berklee NYC. Attached as Exhibit "E" is a copy of an article discussing Berklee's acquisition of the former Power Station building in September of 2017. In accordance with the Certification of Courtney Allen, a copy of the Trailer was created on the 4C4 asset hard drive on October 18, 2017.

7. Attached as Exhibit "F" is a true and correct copy of a web page – still live and accessible as of the date of this Certification - appearing at [www.powerstationfilm.com](http://www.powerstationfilm.com). Mr. Haefeli continues to use the term "A Mark Haefeli Film" in connection with the Film, in direct contravention of the Orders.

8. Attached as Exhibit "G" are true and correct copies of Facebook posts in which Mr. Haefeli admits that he is actively interfering with the Company's potential exploitation of the Film.

9. Since May 15, 2019, Mr. Haefeli has increasingly employed a strategy of posting offending content, taking it down and replacing it with innocuous content, and repeating the process across his multiple accounts and social media identities. Attached as Exhibit "H" are examples of a series of posts that show how Mr. Haefeli has replaced or changed an original post which initially

included content in violation of the Orders, which was replaced with other innocuous content or removed later.

10. On May 24, 2019, in further employing his clandestine approach on social media, Mr. Haefeli changed the privacy settings of the Facebook Group “Power Station New York “A Billion Dollar Power Station” A Music Documentary” from Public to Closed, which now only allows invited or accepted members to see the posts. Attached as Exhibit “I” is a true and correct copy of the details.

11. Attached as Exhibit “J” is a true and correct copy of a post dated June 5, 2019 that artfully displays a portion – but not all – of the title of the Film, and refers to the ongoing dispute and thanks his industry colleagues “for letting [him] know [they] have [his] back.” This suggests ongoing communication with industry participants and others about the dispute.

12. Attached as Exhibit “K” is a true and correct copy of a post dated May 26, 2019. The post appears to be an attempt to again artfully skirt the requirements of the Orders. In it I personally am mentioned by name, disparagingly, along with a reference to the Plaintiff as a “flim flam” company, without identifying it by name. To the followers of Mr. Haefeli’s posts, already aware of the dispute over the Film and the Company’s name from other posts, it would appear likely that the connection to Plaintiff can be drawn notwithstanding the lack of details in this particular post. Upon information and belief this post is still live.

13. On or about June 1, 2019, Defendant created a separate Facebook group – “Artists Against Stealing From Creatives.” Several of the posts identified earlier in this Certification have been reposted on this page. Attached hereto as Exhibit “L” a true and correct copy of the posts on this page, which many are still live as of the date of this Certification.

14. Attached hereto as Exhibit “M” are the member lists to the Facebook groups, “Artists Against Stealing from Creatives” and “Power Station New York ‘A Billion Dollar Power Station’ A Music Documentary,” that Mr. Haefeli created. Mr. Haefeli’s invitations to these restricted “private”

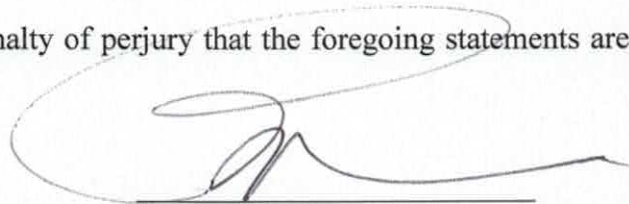
groups that he controls – include numerous industry participants, some of whom are connected to the Film and/or were involved with 4C4 Media and at least one of whom is a mutual industry contact.

15. On June 2, 2019, Mr. Haefeli posted a disparaging comment about Plaintiff 4C4 calling it “illegitimate.” Upon information and belief, this post remains live as of the date of this Certification. A true and correct copy of this post is attached hereto as Exhibit “N.”

16. Attached as Exhibit “O” is a true and correct copy of a post dated June 3, 2019, in which Mr. Haefeli encourages industry participants to share their stores of exploitation by “leeches”. In response, an industry participant who apparently worked with Mr. Haefeli at CBS, references the standard contracts they apparently were required to sign that assigned all rights in their work product to the company.

17. To the extent that Plaintiff’s copyrighted materials have been taken down, upon information and belief, they have primarily been taken down as a result of Plaintiff’s pro-active filing of DMCA Take Down Notices. In direct defiance of the Orders, Mr. Haefeli continues to object (on more than one occasion) by way of “counter notice” and has repeatedly made available content taken down previously (on Vimeo for example) by reposting a link to the Trailer elsewhere after the take down has been completed.

I hereby declare under penalty of perjury that the foregoing statements are true and correct pursuant to 28 U.S.C. § 1746.

A handwritten signature in black ink, appearing to read "Robert S. Gregory", is written over a horizontal line. The signature is stylized and somewhat cursive.

Robert S. Gregory

# EXHIBIT A



**Michael Gattoni**

---

**From:** Chris McHattie  
**Sent:** Tuesday, March 05, 2019 3:35 PM  
**To:** 'dsabourin@rabnerbaumgart.com'  
**Cc:** Michael Gattoni; 'bdalton@rabnerbaumgart.com'; Tom Lenney  
**Subject:** 4C4 Haefeli - 4C4 adv. Aciem et. al.

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

***Settlement Communication Submitted Pursuant to the Common Interest Privilege***

Mr. Sabourin

We had hoped to hear from you by now to avoid the parties spending any more time on this than absolutely necessary. We hope you take the following in the spirit in which it is written, with eye toward resolution and path to salvage what's before us. We again ask that you contact us.

We understood from Mr. Haefeli that the scope of your engagement was limited and in that context recognize that efficiency is paramount. As you undoubtedly have gathered, the defense of this matter has been made inordinately more difficult as a result of your client's actions since the conduct in issue – conduct which none of the other defendants had anything to do with, and all of whom face substantial potential liability as a result. To that end, we believe efficiency is best served if we can have a conversation about where all of the defendants – including Mark – find themselves.

I am providing you some details as background. We actually believe that it may be most prudent for you to speak with us before spending further time developing a strategy with Mark, we've spent a lot of time already thinking about it, and would be happy to share with you those thoughts and developments. In our view, the position we are proposing offers the only way forward to a resolution that preserves the value that has been created – the documentary film at the center of this matter– which value is dangerously at risk of being completely wiped out.

This note is meant to provide you with a thoughtful analysis, from the perspective of 4C4, Mr. Gregory and myself, concerning possible approaches to resolving this matter among the defendants that preserves what is left of their common interest – that is, realizing value from the completion of the Film. As such it is being shared with you pursuant to a settlement discussion submitted *inter alia* under the common interest privilege.

You, and undoubtedly Mark, are likely initially to react to this as “hardball” positioning on our part; it is not intended as such. We simply want you to understand the unenviable situation that we have been placed in as a result of Mark's actions, leaving us with very few palatable options going forward. Our sincere desire is to see the Film project through to completion and hopefully successful commercial exploitation. The preservation of the value in the Film is of paramount importance to us, and I believe to Mark. Ironically, Mark's conduct has put the Film's future prospects in serious doubt. His actions since the hearing last Tuesday have severely hampered our ability to raise a vigorous defense of the Company, and by extension, the Film.

We're hoping to discuss with you whether and to what extent Mark and we can come to an agreement that will allow us to work effectively on those aspects of the defense of the pending litigation in which they have a common interest: 1. Dismissal of the action as to 4C4, McHattie and Gregory; and 2. Mitigation (which we believe is all that can be accomplished) of further damage as to any defendants, including Mark. The ultimate goal is to minimize the damage done and preserve the Film as an asset, including getting it completed and distributed.

At the outset we hope you will consider the fact that it is highly unlikely Mark is in the position to go on the offensive with the Plaintiffs – Aciem and Brodeur. His comments and actions as described in the complaint are indefensible, he has admitted in open court more than once that he was acting entirely on his own, without the knowledge or involvement of the other defendants, using his personal social media accounts which are totally within his control. Given the attorney's fees provision in the Settlement Agreement, a protracted litigation of this matter would not appear to be in Mark's interest.

Mark does not seem to fully appreciate that the Plaintiffs are sending a bullet his way, nor to take seriously the possibility that provable damages could be significant. Setting aside Mark's personal assets – of which I have no knowledge - the only asset worth pursuing in the event of a judgment is the Film.

Mr. Gregory and I have a clear interest in protecting the Film, as our company, Cove, has a substantial investment in it. The Film is protected so long as 4C4, the rightful owner, is not the subject of a judgment – which we hope will not be the case. In any event, as between 4C4 and Mark, I submit that 4C4 is in a better position to avoid the liability. And of course, should 4C4 be found liable for Mark's actions, the Company will expect to collect from him. It therefore will have no choice but to cross-claim against Mark to protect its interest and preserve the asset.

Furthermore, in order to preserve 4C4's chances of avoiding the judgment, it must demonstrate in the strongest possible terms that Mark's actions – undertaken by him personally - were wholly inappropriate, were undertaken without the knowledge or involvement of anyone else associated with the Company, were beyond the scope of his authority, were a breach of his obligations to the Company in his capacity as an officer and as a member, and were considered by the Company to be thoroughly reprehensible. We have made the Company's position in this regard clear in the letter of termination that we delivered to Mark, through you as his attorney, yesterday.

The only way forward for the Company if it is to protect the Film, is to undertake an aggressive and vigorous defense of its interests, which means pursuing Mark for his breach and pursuing a counterclaim against the Plaintiffs for their failure to deliver all of the materials required under the Settlement and Release Agreement that is at the heart of the matter. We believe the Settlement and Release is extremely clear with respect to what was to be delivered – ie everything related to the film – and, based upon Mark's assertions to us, we believe that obligation has yet to be fulfilled.

A “needle needs to be threaded” very precisely for these things to be accomplished efficiently – this is better discussed, but not having heard from you, as it relates to Mark the following things must occur:

1. Mark needs to continually, and in the strongest possible terms, make it clear that his actions were his own, done by him personally, on personal social media accounts, without the knowledge, encourage, or involvement of 4C4 or the project, or Gregory or McHattie or anyone else connected to the project;
2. He has to cooperate in 4C4's pursuit of the counterclaim, meaning he will offer all assistance to the Company required to demonstrate that the breach occurred (ie the delivery was incomplete), as well as helping 4C4 quantify the ensuing delay and damage that have (and continue to) result from the breach;
3. He has to completely cease any involvement in the project, and to fully appreciate that he is not an owner of, and has no interest in, the project, except to the extent 4C4 decides to give him one;
4. He must turn over all assets in his possession related to the Film and fully cooperate in ensuring that everything is done to get it completed so that fruitful discussions with avenues of distribution can be pursued. This includes completing the “bible” for the film and fully cooperating the process of clearing all rights and permissions and securing E&O;
5. He must remain available when specifically requested by 4C4 to perform specific tasks without compensation;
6. He must deliver to the editor currently working on the project – Corey Flavin – the money taken from the 4C4 Media bank account without authorization and in violation of the Operating Agreement; I believe this amount will pay for the first outstanding invoice as well as part of the second invoice.

In the event all of this is done, and we are able to complete the Film and get it to commercial release, Mark will receive a to be determined percentage of the amounts received by 4C4, after recoupment in full of

- a. All monies invested to date, including without limitation monies expended to compensate Mark and third parties for their services, as well as monies expended to complete the Film,
- b. Costs of defending the action and any judgment, whether against the Company, McHattie, Gregory or any other defendant other than Mark including, without limitation, Mark's indemnification obligation to the Company and the other member, Cove, as well as the individual defendants McHattie and Gregory, which remain in full force and effect.

The foregoing is conditioned on a complete reservation of rights and is subject to change, at any time, as the action proceeds and the Film progresses. Specifically, the principals will likely change their position and abandon the defense of 4C4 and/or the Film if:

1. Aciem and Brodeur prove intransigent and unrelenting foes;
2. Mark is incapable of controlling himself and again "leaves the reservation;"
3. The Film proves more expensive to complete than anticipated; and/or
4. The Film proves unmarketable, less marketable or more difficult to market than anticipated.

As you're retained by Mark, we understand you are ethically required to see all the foregoing through the prism of what you've been told so far. Given the time constraints, which you may not understand yet, we simply don't have time for bullshit here, and ask you at least in the context of a first call, to get past that. We're not asking you to accept what we're saying, we're asking you to get up to speed more quickly based on our thoughts to date and knowledge of what's going on, both on the surface and with those less directly involved. It's a lot, and we fear your client's explanation to you will actually not be in his best interest, notwithstanding him believing it will be.

Again, we ask that we get on the phone at your earliest opportunity to discuss this situation. We look forward to hearing from you.

Sincerely,  
Chris McHattie

PS Will you be entering an appearance? We are about to file Motions to Dismiss and need to know if we should serve you or Mr. Haefeli.

CHRISTOPHER J. MCHATTIE, ESQ.  
THE MCHATTIE LAW FIRM, LLC  
550 West Main Street  
Boonton, New Jersey 07005  
(973) 402.5505 Fax (973) 400.4110  
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(407) 872.0777  
www.mchattielaw.com

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(f) 973.400.4110

# McHattie

ATTORNEYS AT LAW

MICHAEL V. GATTONI, ESQ.  
mgattoni@mchattielaw.com

With Attorneys Admitted to Practice in New Jersey, New York, Florida, Pennsylvania, California & USPTO

April 1, 2019

**Via e and Certified Mail, R.R.R.**

Dennis H. Sabourin, Esq.  
Rabner, Baumgart, Ben-Asher & Nirenberg, P.C.  
52 Upper Montclair Plaza  
Upper Montclair, New Jersey 07043

**Re: Aciem, LLC v. 4C4 Media, LLC, et al.**  
**Docket No.: ESX-C-042-19**

Dear Mr. Sabourin:

As you know, this office has attempted to contact you on several occasions to discuss the above referenced matter (including the attached email), without the favor of a reply. Given the lack of response, we're forced to conclude that Mr. Haefeli has not retained you or your firm. As you can imagine this puts us in an ethical quandary and if we do not hear from you by the end of the day tomorrow (April 3<sup>rd</sup>) *we will assume that Mr. Haefeli is unrepresented* and proceed accordingly.

By way of background, your client continues to communicate with me and my clients (who are both attorneys) regarding this and interrelated matters, and we cannot appropriately communicate with him directly. This is creating quite the ethical dilemma for all involved, including perhaps yourself via non-responsiveness.

Further, as you also know, 4C4 Media, LLC ("4C4 Media") has retained Tom Lenney, Esq. as legal counsel. As such, any correspondence relevant to the company and its relationship with Mr. Haefeli, should be directed to Mr. Lenney's attention. To that same end, please be advised that if any request has been made (or is being contemplated) by Mr. Haefeli or your office for any of 4C4 Media's materials in the possession of Plaintiffs – including any assets related to the post-production work performed by them – i. only the company is authorized to make such a request and/or take delivery of such materials, ii. those assets and materials are the property of 4C4 Media, and iii. are relevant to the company's counterclaim against the Plaintiffs.

We really would appreciate a prompt definitive response from you.

Very truly yours,

  
MICHAEL V. GATTONI, ESQ.

MVG

cc. Thomas Lenney, Esq.

THE MCHATTIE LAW FIRM, LLC  
550 WEST MAIN STREET  
BOONTON, NEW JERSEY 07005  
(v) 973.402.5505  
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# McHattie

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With Attorneys Admitted to Practice in New Jersey, New York, Florida, Pennsylvania, California & USPTO

## NOTICE AND DEMAND

April 11, 2019

**Via e & Certified Mail**

Mr. Dennis H. Sabourin, Esq.  
Rabner, Baumgart, Ben-Asher & Nirenberg, P.C.  
52 Upper Montclair Plaza  
Upper Montclair, NJ 07043

**Re: Aciem, LLC v. 4C4 Media, LLC, et al.**  
**Docket No.: ESX-C-042-19**

Dear Mr. Sabourin:

As you are aware, this office represents defendants Christopher J. McHattie ("Mr. McHattie") and Robert S. Gregory ("Mr. Gregory") in the above-referenced matter. Please be advised that the Answer you filed for your client, Mark Haefeli ("Mr. Haefeli") in the above-referenced action is frivolous and interposed in bad faith in violation of R. 1:4-8 and N.J.S.A. 2A:15-59.1. Dennis, we're not accustomed to writing letters such as this, and we hope you take this merely as a firm request to correct the facially invalid information you've provided by way of an Amended Answer.

Specifically, the Verified Complaint, at paragraph 12 provides:

12. Defendant Christopher J. McHattie ("McHattie") is, upon information and belief, a member of 4C4 and inhouse counsel to 4C4. McHattie maintains a principal place of business located at 550 West Main Street, Boonton, New Jersey 07005.

Notwithstanding Mr. Haefeli personally knowing the corporate structure and Mr. McHattie's role in the 4C4 entity (basically none), and this office having provided you and your office with the Operating Agreement and other materials which demonstrate what the appropriate answer to the foregoing allegation is, you signed an Answer that provides:

1. **Mark Haefeli (hereinafter referred to as the "Haefeli") admits the allegations contained in paragraphs 1, 7, 9, 10, 11, 12, 16, 19, 20, 22, 23, 25 and 26 of the Complaint.**

Frivolous Litigation Letter  
April 11, 2019

**NOTICE AND DEMAND**

Page 2 of 2

Again, all we ask that you do is to file an Amended Answer correcting the foregoing. Mr. McHattie was not and is not a member of 4C4, and has had no active role with that entity, including but not limited to never acting as “inhouse” counsel. We note that your client’s false “admission” and your having executed that Answer may very well result in Mr. McHattie’s Motion to Dismiss being denied (we note that it has already appeared in Mr. Curcio’s responsive papers) and we will look to recover any such fees when this matter is ultimately resolved.

Notwithstanding the amicable foregoing request, Pursuant to New Jersey Court Rule 1:4-8(b), you hereby have written notice that the Answer violates both *N.J.S.A. 2A:15-59.1* and *R. 1:4-8* because they are presented for an improper purpose, such as to harass, cause unnecessary delay and/or cause a needless increase in the cost of litigation and the factual allegations lack evidentiary support or likely will be withdrawn or corrected if reasonable opportunity for further investigation. As an attorney, your conduct also violates Rules of Professional Conduct 3.1 and 3.3. We submit that the (1) the Answer is being used or continued in bad faith, solely for the purpose of harassment, delay or malicious injury; and/or (2) the Answer contains factual allegations that have no evidentiary support, and would likely be withdrawn or corrected if reasonable opportunity for further investigation.

By filing the Answer as aforesaid, Mr. Haefeli, and by signing the Answer, Mr. Haefeli’s counsel (“Counsel”) represented to the Court that the admissions therein were true. Mr. Haefeli and his Counsel make completely unsupported admissions to paragraph 12 of the complaint. This office has provided Counsel with the corporate documents of 4C4 Media, LLC that Counsel should have known these admissions to be false. Mr. Haefeli and Counsel should amend their Answer to deny the allegations contained in paragraph 12 of the Complaint.

Based upon the foregoing, defendants Mr. McHattie and Mr. Gregory demand the Answer be revised to deny the allegations contained in paragraph 12 of the Complaint. Pursuant to *R. 1:4-8(b)*, you are hereby notified that we will, within a reasonable period of time thereafter, apply by motion for sanctions, including an award for attorney fees and costs, against you, your law firm and your client if the Answer is not withdrawn or revised within 28 days from your receipt of this letter. As an attorney licensed in New Jersey, you and your law firm have a joint responsibility not to pursue claims that you know are wholly unjustified under the law. Pursuant to *R. 1:4-8(f)*, my client also expressly reserves its right to proceed against Mr. Haefeli for the recovery of attorney fees and costs pursuant to the New Jersey Frivolous Lawsuits Statute, *N.J.S.A. 2A:15-59.1*.

Very truly yours,

*Michael V. Gattoni/s/*

MICHAEL V. GATTONI, ESQ.

MVG

**Michael Gattoni**

---

**From:** Robert Gregory <robert@cove.ie>  
**Sent:** Thursday, April 11, 2019 7:24 AM  
**To:** Dennis Sabourin  
**Cc:** Chris McHattie; tom@morriscountyrealestatelaw.com; Michael Gattoni  
**Subject:** Fwd: Scum bags

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dennis:

Please see the latest from your client below.

We have, I believe, consistently operated from a position that is reasonable and businesslike, as demonstrated by our early conversations and communications with you and our latest email, sent earlier today. As you've no doubt noticed, what started as a temporary problem, easily overcome over time, is now "irreconcilable differences."

It is a shame Mark continues to react emotionally and without his best interests in mind. He still does not seem to grasp fully the implications of his behavior at the root (the defamation) and his ongoing conduct and communications (despite our attempts to apprise him of the situation and to look for a way to ensure the situation did not spin out of control.)

It appears, based on his latest message below, that the time for reasoning with Mark, and perhaps some kind of rapprochement, has passed. We have no intention of communicating with him in any way, other than through you, nor entering into any further discussion about his involvement in the project. Please consider any such offer in my earlier email rescinded.

With respect to the substance of his email below, any "side deals" he may have made with individuals who claim to have provided services were never disclosed to the Company and will be disavowed.

Furthermore, please remind him of his obligations of Confidentiality under the agreements he has with the Company, which extend to any actions he may take post-termination, with respect to any Company information that is privileged and confidential, including without limitation any communications between/among him and me and legal counsel, or him and others including me and legal counsel. These communications constitute privileged and confidential communications of 4C4 Media, not Mark Haefeli, and he is not at liberty to disclose confidential information or to waive the Company's privilege.

If your client in any way violates his Confidentiality obligations, including revealing confidential information or privileged communications of the Company without its consent, we will have no choice but to further compound his already considerable legal troubles.

Robert S. Gregory  
4C4 Media, LLC

Confidentiality Notice: This e-mail, and any attachments thereto, are solely for the use of the intended recipient, and may contain information of a confidential and proprietary nature. If the reader of this message is not the intended recipient - whether as addressed or as reasonably should be surmised by the reader - you are hereby notified that any

dissemination, distribution, or copying of this electronic mail or any attachment is strictly prohibited. If you have received this message in error, please do not print, copy, retransmit, disseminate or otherwise use the information contained herein or attached hereto. Please notify the sender immediately by replying to this electronic mail at the sender's address listed above. After notifying the sender please delete the message and its attachments. Thank you.

Begin forwarded message:

**From:** "[mhaefeli@markhaefeliprod.com](mailto:mhaefeli@markhaefeliprod.com)" <[mhaefeli@markhaefeliprod.com](mailto:mhaefeli@markhaefeliprod.com)>

**Date:** April 10, 2019 at 5:59:28 PM EDT

**To:** <[cmchattie@mchattielaw.com](mailto:cmchattie@mchattielaw.com)>, <[robert@cove.ie](mailto:robert@cove.ie)>

**Subject:** Scum bags

How can you be a thief, a liar an attempted security fraud and all our asshole, sleep at night. You are pathetic.

Curcio will have all emails between all parties by tomorrow and some additionally fun information about your little plot.

You were right Mr. jerk off personified...

"Twilight Zone" has premiered!

Next goes the letters to all involved In Power Station film including those who you owe tens of thousands of dollars for deferred agreements, who will soon know that you have gotten your little piggy fingers soiled. You will be a laughing stock.

Mark Haefeli  
212 334 2164 office  
917 502 1096 mobile



Reply all | Delete | Junk | ...

## Another threat from your client



Robert Gregory <robert@cove.ie>

Thu 4/11, 10:02 AM

Dennis Sabourin <dsabourin@rabnerbaumgart.com>; Tom Lenney <tom@morriscountyrealestatelaw.com>; Michael |



Reply all |

Inbox

Flag for follow up. Completed on Saturday, April 13, 2019.

You forwarded this message on 4/11/2019 10:42 AM

Dennis:

Please see below. Yet another text communication from your client.

We ask for your assistance in preventing Mr. Haefeli from committing further counter-productive activity and making his troubles worse. Obviously, Motion practice will ensue if he can't control himself and if he continues to interfere with 4C4 contracts and rights. Moreover, if you can not get him under control we will obviously have to proceed against Mr. Haefeli more aggressively in the instant action, and perhaps other forums.

He proceeds further at his peril.

Robert S. Gregory  
4C4 Media. LLC

You must be proud of yourself and your legally bullying of a 27 year old kid. He hates you and thinks you are the scum of the earth for claiming this film as yours.

My kids hate you, as does my wife, as do I. Does your wife know if your honorable actions! Is she proud to call you her husband? She will know real soon though.

How the fuck do you look in the mirror committing the most heinous crime of all, claiming someone else's art as your own. You slimy, greasy ambulance chaser. You wrote the Checks and that is all. You do not even deserve simple interest on your money! You did absolutely nothing else and everyone knows that. You're worse the Claude Villani!

And talk about stupid...getting into bed with that piece of garbage in Bontoon who you share just 20% of cove with. is laughable. I also know that you nor cove has made a dime! Nice! He took you for a ride didn't he. Now you are down on his level. At the trough with the other pigs.

I am meeting with Curcio today to demiver the emails and texts from you and Chris about "this being the strategy of a much bigger plan"...and so much more. they will have so much fun with this one. Nice try with attempting to break into my email account. Don't worry I have down loaded all of the emails from 2016 and have them in safe keeping. But you don't!

I will never stop!

Confidentiality Notice: This e-mail, and any attachments thereto, are solely for the use of the intended recipient, and may contain information of a confidential and proprietary nature. If the reader of this message is not the intended recipient - whether as addressed or as reasonably should be surmised by the reader - you are hereby notified that any dissemination, distribution, or copying of this electronic mail or any attachment is strictly prohibited. If you have received this message in error, please do not print, copy, retransmit, disseminate or otherwise use the information contained herein or attached hereto. Please notify the sender immediately by replying to this electronic mail at the sender's address listed above. After notifying the sender please delete the message and its attachments. Thank you.

THE MCHATTIE LAW FIRM, LLC  
550 WEST MAIN STREET  
BOONTON, NEW JERSEY 07005  
(v) 973.402.5505  
(f) 973.400.4110

# McHattie

ATTORNEYS AT LAW

CHRISTOPHER J. MCHATTIE, ESQ.  
[cmchattie@mchattielaw.com](mailto:cmchattie@mchattielaw.com)

With Attorneys Admitted to Practice in New Jersey, New York, Florida, Pennsylvania, California & USPTO

## NOTICE AND DEMAND

April 25, 2019

**Via e-Mail only**

Dennis H. Sabourin, Esq.  
Rabner, Baumgart, Ben-Asher & Nirenberg, P.C.  
52 Upper Montclair Plaza  
Upper Montclair, New Jersey 07043

**Re: Cease and Desist of Future Copyright Infringement**

Dear Mr. Sabourin:

As you know, this office represents 4C4 Media, LLC (“4C4”) in connection with various matters, including intellectual property matters. On, *inter alia*, April 10, 2019 and April 11, 2019, representatives of 4C4 notified your office of multiple threats and actions that were being taken by Mark Haefeli (“Mr. Haefeli”) to undermine 4C4’s bundle of copyrights in the documentary film with the working title “A Billion Dollar Power Station” (“Film”). Specifically, we are aware of Mr. Haefeli making the following threats and taking the following actions impacting on 4C4’s exclusive right to reproduce, create derivative works, distribute and publicly display the Film:

1. On Wednesday, February 27, 2019, at 1:45PM, Mr. Haefeli sent an email stating: “The power station project is mine. I will not stop working on it...I am not[sic] longer a partner. I withdrawal[sic] immediately. And I’m taking everything that is mine and was mine.”
2. On February 27, 2019 at 10:02 PM, Mr. Haefeli sent an email stating: “I have resigned and neither one of you would even know where to start to creat[sic] anything except bullshit. I will be up your asses with some serious litigation New York style. if yuh[sic] don’t already, you will be so sorry you ever met me. I have fried bigger fish then you[.]”
3. On Friday, March 1, 2019 at 9:39 AM, Mr. Haefeli Mr. Haefeli sent an email stating: “Trust me, he will never get that film. It is my film.”

Letter to Mr. Dennis Sabourin, Esq.  
April 25, 2019  
Page 2 of 6

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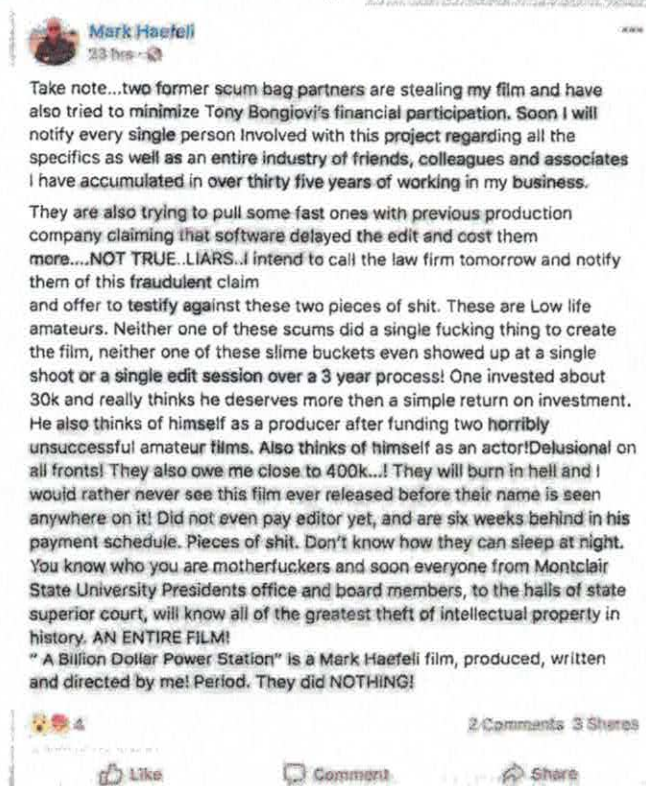
4. On Thursday, March 7, 2019 at 10:24 PM, Mr. Haefeli sent an email stating:

I ACTUALLY HAD MY EDITOR SIGN IN A FEW WEEKS AGO USING MY LOG IN. SAME INFO. HE WAS REVIEWING SEVERAL SPECIFIC "EXCLUSIVE" CLIPS FROM VARIOUS ARTISTS THAT I ISOLATED FOR USAGE IN MY RECENT PROJECT "A BILLION DOLLAR POWER STATION". I THINK WE TALKED ABOUT THIS DOCUMENTARY SEVERAL YEARS AGO. FUNNY HOW HE HAD NO PROBLEM...:)

5. On Saturday, March 9, 2019 at 1:13 PM, Mr. Haefeli sent an email stating:

Also the Power Station film was a project originally developed and produced by Tony Bongiovi and Mark Haefeli beginning in 2014, well before 4c4media. *This was meant to be and always was a separate project and is not mentioned in any agreement as a partnership entity except in an attempt to partner 4c4 with Tony Bongiovi's company BPST.* That deal is now null and void as far as Bongiovi is concerned and me as well. (emphasis added).

6. On or around April 10, 2019, Mr. Haefeli posted the following on Facebook:



7. On April 11, 2019 at 8:28 PM, Mr. Haefeli sent a text message stating:

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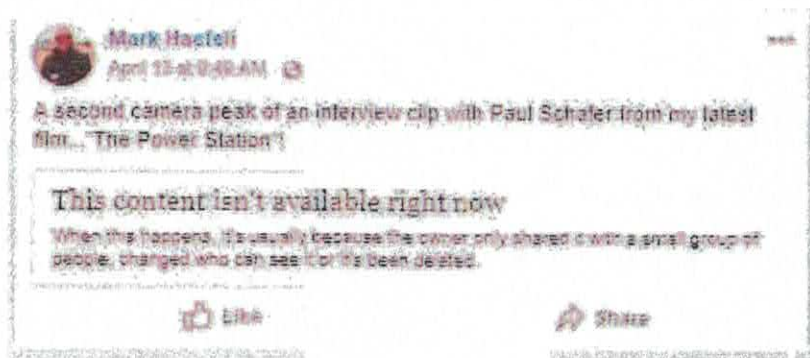
... when it come [sic] to this film.... I am willing to flush eight years of my life down the toilet to make sure that neither one of you ever sees a dime. I am willing to do that you chicken shIt[sic]. I will fall on he[sic] the grenade to fuck you the way you have fucked Me...And you two run to my lawyer with all your little bits and pieces of truth that I post...oh well be good[sic] live pretty soon! On the internet ...BTW...what would make you think I don't have a drive you fool! You're a bit slow on the draw.

8. On April 12, 2019 at 9:27AM, Mr. Haefeli sent an email stating:

*You may know by now but robert[sic] has stolen my film, literally...So he is now in possession of seven years of my life claiming he owns this! I am sure you can not imagine how anyone could do such a thing..., please note that the film credits Mark Haefeli as producer and director and there is no mention of 4C4media anywhere on the film. The last credit roll is the copyright which reads Mark Haefeli Productions 2019 and I do not think you want to mess with some ones copywritten material....**BTW...I have a copy of the drive as well. Had the project cloned about two weeks ago**... (emphasis added).*

9. Shortly thereafter, On April 12, 2019 at 9:43AM, Mr. Haefeli sent an email stating: "By the way I asked Corey two weeks ago, to make me a precautionary back up. This was well before you started your legal bullying routine."

10. On April 13, 2019 at 9:49AM, Mr. Haefeli posted the following on his Facebook account:



11. On April 13, 2019 at 10:18AM, Mr. Haefeli posted the following on his Facebook account:

Letter to Mr. Dennis Sabourin, Esq.  
April 25, 2019  
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12. Also on April 13, 2019, at 1:25PM, Mr. Haefeli sent the following text message:

*Until this film is given back to me, and I'm not talking about the drive, I am taking[sic] about exclusive ownership, because as you know, I already have a copy of the drive, and you will have to spend tens of thousands of dollars to start over on the edit but won't even have enough material to do another edit! You can't afford it and god knows you can't raise money.*

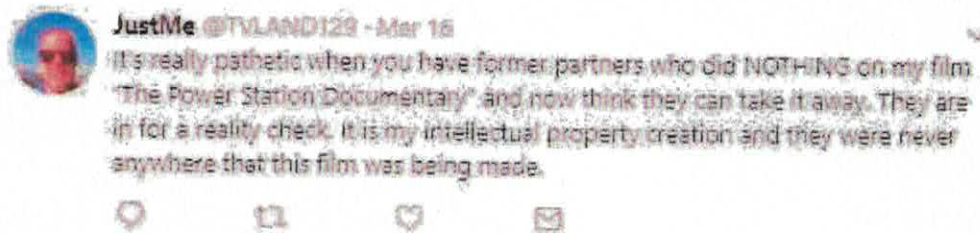
*BTW, I have already started working with another editor late last week soon as I got the drive from Corey. We continue to make changes and alterations to finalize this so it will pass QC. .... I did tell you I would do anything I had to do to get this film done. I am relentless. (emphasis added).*

13. On April 14, 2019, at 9:00PM, Mr. Haefeli posted the following on Twitter:

Letter to Mr. Dennis Sabourin, Esq.  
April 25, 2019  
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14. On or around April 16, 2019, Mr. Haefeli posted the following on Twitter:



Upon a complete reservation of other claims based on the foregoing and other statements of Mr. Haefeli, demand is hereby made that Mr. Haefeli, consistent with our March 4, 2019 letter to him (attached), affirm, in writing the he will immediately:

- (i) cease using the Company's name or logo in association with any of his activities (whether business, professional or personal) including, without limitation,
  - a. in any way referring to himself, or any company he is associated with, as an officer, member or service provider of the Company, whether in oral or written communication, or in social media,
  - b. utilizing the Company's name or logo (or any part thereof) in any social media account name, "user name" etc.,
  - c. utilizing any of the Company's materials, for whatever purpose, including all assets related to the Film (including, without limitation, the current edit of the Film, along with all other assets related to the project now in post-production whether the same are in your possession or the possession of third parties to whom you have delivered the same) and any other assets conveyed to the Company as a part of his Exclusive License and Assignment Agreement dated August 31, 2016 (the "IP Assignment") to the Company, and

Letter to Mr. Dennis Sabourin, Esq.

April 25, 2019

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- (ii) cease and desist from any further work, of any kind (including, by way of example only, adding to, editing, promoting, publicizing or distributing), in connection with the Film, including without limitation with the editor, 4C4's attorneys, contributors, collaborators and prospective distributors; and
- (iii) deliver to the Company all materials (in whatever form and format) that are identified in the IP Assignment, including but not limited to the current version of the Film and the Archive.

As you know, we have from the beginning tried to amicably resolve this matter with Mr. Haefeli. Most recently, we have exhibited extreme patience with his "twitter storms" and defamatory comments. We realize you must be on the "shortest legal leash" known, which is probably sensible, but failing the required affirmation from Mr. Haefeli, the form of which we must agree to, we will have no choice but to pursue appropriate avenues of relief, including a copyright infringement action in the District Court for infringement of the Company's registered copyrights.

Dennis, we're trying to resolve this. Help your client out and engage, even if just minimally, to help him avoid, and perhaps rewrite, the next chapter of this matter.

We ask that we have Mr. Haefeli's agreement to enter into an appropriate affirmation no later than the end of business Friday, April 26, 2019. If that is not received, appropriate action will be taken. Nothing herein shall be construed as a waiver of any rights, claims, defenses or causes of action 4C4 (or any other party) has against Mr. Haefeli, all of which are specifically reserved.

Very Truly Yours,



CHRISTOPHER J. MCHATTIE, ESQ.

CJM/sat

THE MCHATTIE LAW FIRM, LLC  
550 WEST MAIN STREET  
BOONTON, NEW JERSEY 07005  
(v) 973.402.5505  
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With Attorneys Admitted to Practice in New Jersey, New York, Florida, Pennsylvania, California & USPTO

May 6, 2019

**Via Hand Delivery**

Clerk of the Court  
United States District Court  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

**Re: 4C4 Media, LLC v. Mark Haefeli, et al.**  
**Civil Action No. Not yet assigned**

To Whom It May Concern:

Enclosed for filing, please find an original and two (2) copies of:

Plaintiff's Complaint;  
Order to Show Cause For A Temporary Restraining Order;  
Certificate of Service;  
Memorandum in Support of Plaintiff's Application;  
Certification of Robert Gregory;  
Civil Cover Sheet; and  
This firm check No. 3696 in the amount of \$400.00.

Please stamp one copy "Filed" and return same in the enclosed self-addressed envelope.

If you have any questions whatsoever, please feel free to contact me.

Very truly yours,



CHRISTOPHER J. MCHATTIE, ESQ.

Cc: Dennis H. Sabourin, Esq.



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May 14, 2019

**Via e and Priority Mail**

Clerk of the Court  
United States District Court  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

**Re: 4C4 Media, LLC v. Mark Haefeli, et al.**  
**Civil Action No. 2:19-CV-12288-SDW-SCM**

To Whom It May Concern:

Enclosed, please find a courtesy copy of the following documents filed in the above referenced matter:

Certification of Robert S. Gregory;  
Supplemental Letter Brief in Further Support of Plaintiff's Order to Show Cause;  
Proposed Form of Preliminary Injunction; and  
Certificate of Service.

If you have any questions whatsoever, please feel free to contact me.

Very truly yours,



CHRISTOPHER J. MCHATTIE, ESQ.

Cc: Dennis H. Sabourin, Esq.

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May 19, 2019

**VIA e DELIVERY**

Clerk, The Honorable Susan D. Wigenton  
United States District Court  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

**Re: 4C4 Media, LLC v. Mark Haefeli, et al.**  
**Civil Action No.: 2:19-cv-12288-SDW-SCM**

Dear Judge Wigenton:

This office represents plaintiff 4C4 Media, LLC ("Plaintiff") in the above captioned matter. Plaintiff files this Letter to inform the Court of the Defendants' ongoing violation of the Court's Temporary Restraining Order, originally signed on May 8, 2019, and extended on May 15, 2019 pending receipt of opposition papers from the Defendants. Plaintiff submits the Second Certification of Mr. Robert S. Gregory ("Second Gregory Cert") in support of its request for relief. As set forth herein, Plaintiff has discovered that, notwithstanding the Court's direction to Defendant's counsel at the hearing on May 15, 2019 (and of course the Temporary Restraining Order), Defendants have continued to violate the Court's Order with apparent contempt. As will be demonstrated below in more detail, on May 15, after receipt of service of the filings in this action including the Temporary Restraining Order issued on May 8, Mr. Haefeli (a) again misrepresented himself as the rightful owner of Plaintiff's copyrighted material; (b) took to social media to drive traffic to sites and posts under his control proclaiming: on "May 17 at 10:50 PM" "Power Station Documentary: "A Billion Dollar Power Station" "an extended trailer of things to come...pr4oduced [sic], directed, written by mark haefeli. A MARK HAEFELI

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PRODUCTIONS FILM (C)2019” re-disseminating the Film; and (c) undertaking the foregoing in a manner intended to prevent Plaintiff and perhaps even the Court from unearthing his contumacious conduct. In his written appeal of Plaintiff’s lawful DCMA Take-Down Notice filed with Vimeo he represented as follows:

**This is a TRT: 6:30 trailer that I produced, directed and wrote. This is a Mark Haefeli Productions copyright as the opening and closing of the film (also on Vimeo), clearly states. 4C4Media has no web site or functioning emails<sup>[1]</sup>. No party who filed this claim had any part on the development, creation, or distribution of this film trailer.**

Music selections are legally cleared under "fair usage", so each song is pertinently relevant and non-gratuitous<sup>[2]</sup>

Comments:

Signature: mark haefeli

**Submitted: Wednesday, May 15, 2019 At 7:18 PM**

(See Second Gregory Cert., at ¶ 16.) Further, on May 17, at 10:50 PM and May 18, Defendants posted seemingly unrelated content on social media that is designed to drive traffic to the public Facebook page for the Film captioned “Power Station Doc: ‘A Billion Dollar Power Station’: A Music Documentary” where Defendants continue to prominently display their copyright notice claiming ownership of the Film. Respectfully, Plaintiff submits that these two egregious examples (among many) of the Defendants complete disregard for the Court’s Order, or for that matter apparently, the Rule of Law in general, constitute ample grounds for a finding of contempt, as demonstrated by the case law set forth hereinafter. Plaintiff submits this and other evidence of Defendants’ misconduct to support its request that the Court so find, together with a

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<sup>[1]</sup> The Court will recall in Plaintiff’s original submission it was noted that Mr. Haefeli wrongfully converted the [www.4cmedia.com](http://www.4cmedia.com) website, redirected it to a site controlled by Mr. Haefeli. (See First Gregory Certification at ¶43, Second Gregory Certification at ¶16).

<sup>[2]</sup> This is a legally false statement and it is “black letter law” that a collection of individual “clips” of fair use materials becomes a separately copyrightable work. *Feist Publications, Inc. v. Rural Telephone Service Co.*, 499 U.S. 340 (1991) Specifically, a collection of either fair use materials, or even public domain materials, is eligible for copyright protection as a compilation and/or derivative work.

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proposed form of Order directing the Defendants Mark Haefeli, Mark Haefeli Productions, Inc. and those acting in active concert with them, to take all appropriate and necessary affirmative action to comply with the Temporary Restraining Order and to provide proof of the same, together with such other relief as the Court deems just and proper.

### **BACKGROUND**

This office filed an Order to Show Cause for Temporary Restraints and Injunctive Relief on May 6, 2019. (*See* Second Gregory Cert., ¶ 2.) Included with the application to the Court was a Certificate of Service from this firm, certifying that defendant's Counsel had been served with the complete set of papers on that date. Thereafter, the Court entered a Temporary Restraining Order on May 8, 2019 (the "Order") against defendants Mark Haefeli ("Mr. Haefeli") and Mark Haefeli Productions, Inc ("MHP") (collectively, the "Defendants"), which Order was also served on Defendants' Counsel. (*Id.* at ¶ 4.)

Defendants' Counsel acknowledged receipt of these documents by hand delivery and by electronic delivery in their May 9, 2019 correspondence with the Court, and acknowledged in that same letter service of the entered Order. (*Id.* at ¶ 7.) On May 15, 2019, this Court held an Order to Show Cause hearing resulting in Your Honor's entering a second order extending the previously granted May 8, 2019 Order. (*Id.* at ¶ 14, Ex. "E.")

### **SOCIAL MEDIA POSTS**

As set forth above, Defendants were aware of Plaintiff's instant application and the Order entered by the Court at least as early as May 8, 2019. Notwithstanding such notice, Defendants continued to make posts on social media platforms utilizing Plaintiff's copyrighted materials, claiming rights in such materials and the Film, impugning the reputation of the Plaintiff and the owners of 4C4 member Cove, LLC, and interfering with the Plaintiff's ability to complete,

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market and distribute the Film with the working title “A Billion Dollar Power Station” (the “Film”). (*Id.* at ¶ 7-11, Exs. “B”, “C”, and “D.”).

At the hearing before this Court on May 15, 2019, Plaintiff’s counsel expressed concern, based upon documented threats previously made by Mr. Haefeli, that Defendants would “appeal” the Court’s Temporary Restraining Order to Facebook and other social media sites and seek to claim rights in the Plaintiff’s copyrighted materials *notwithstanding the Order*. In fact, the same has occurred, by way of an appeal filed by Mr. Haefeli in response to action taken by Plaintiff to remove a trailer for the Film from [www.vimeo.com](http://www.vimeo.com) (*Id.* at ¶16, Ex. “C”). In addition, Mr. Gregory, in his Certification, sets forth additional examples of Defendants’ failure to obey the Court’s entered Order, for example: (a) by completely ignoring the Order continuing to repost portions of the Film and to claim ownership; and (b) by allowing previously wrongful posts that attribute copyright rights in the Film to the remain up and available for viewing. (*Id.* at ¶18, Ex. “G.”)

To demonstrate the willfulness of the complained of conduct:



<https://www.facebook.com/powerstationdoc/?rc=p>

And, clicking on that link:

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Which is the Film. We draw the court's attention to the "965 Views" of the post.

In the interests of keeping this Letter brief, we ask that Mr. Gregory's Second Certification be reviewed for the additional details concerning these violations, rather than repeat them here.

**DEFENDANTS ARE LIABLE FOR CIVIL CONTEMPT**

The Judiciary Act of 1789, 1 Stat. 83, was the first federal statute to confer "on federal courts the power 'to punish by fine or imprisonment, at the discretion of said courts, all contempts of authority in any cause or hearing before the same \* \* \*.'" *United States v. Barnett*, 376 U.S. 681, 687 (1964). Notwithstanding this Congressional grant of authority, "it has long been firmly established [by the Supreme Court] that the power to punish for contempt [] is

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inherent in all courts.” *Reich v. Nelson*, CIV.A. 93-MC-0314, 1994 WL 73841, at \*1 (E.D. Pa. Mar. 9, 1994) (*Chambers v. Nasco, Inc.*, 111 S.Ct. 2123, 2132 (1991) (citing *Ex Parte Robinson*, 86 U.S. 513 (1873))). Courts may use civil contempt as a tool “to coerce the defendant into compliance with a court’s order and to compensate for losses or damages sustained as a result of disobedience and noncompliance with a court order.” *Reich v. Nelson*, CIV.A. 93-MC-0314, 1994 WL 73841, at \*1 (E.D. Pa. Mar. 9, 1994)(citing *McDonald’s Corp. v. Victory Investments*, 727 F.2d 82, 87 (3rd Cir.1984); *Roe v. Operation Rescue*, *supra*, 730 F.Supp. at 657; *Halderman v. Pennhurst State School and Hospital*, 533 F.Supp. 631, 636 (E.D.Pa.1981), *aff’d*, 673 F.2d 628 (3rd Cir.1982), *cert. denied*, 465 U.S. 1038 (1984)).

“Once a party has knowledge of a court’s order, the party is required, at the very least, to take all reasonable steps within its ability to comply with same.” *Yash Raj Films (USA) Inc. v. Rannade Corp.*, 01 CV 5779 JCL, 2007 WL 1456193, at \*10 (D.N.J. May 17, 2007) (citing *Robin Woods Inc. v. Woods*, 28 F.3d 396, 399 (3d Cir. 1994)). Accordingly, a defendant will be found “liable for civil contempt if he violates a court order with actual notice that the order has been issued.” *Thompson v. Johnson*, 410 F. Supp. 633, 640 (E.D. Pa. 1976), *aff’d*, 556 F.2d 568 (3d Cir. 1977). Therefore, to show a defendant should be held in civil contempt, a plaintiff must establish the following elements by clear and convincing evidence: “(1) that a valid court order existed; (2) that the defendants had knowledge of the order; and (3) that the defendants disobeyed the order.” *Roe v. Operation Rescue*, 919 F.2d 857, 871 (3d Cir. 1990); *see Robin Woods Inc. v. Woods*, 28 F.3d 396, 399 (3d Cir. 1994) (“The plaintiff has a heavy burden to show a defendant guilty of civil contempt. It must be done by ‘clear and convincing evidence,’ and where there is ground to doubt the wrongfulness of the conduct, he should not be adjudged in contempt.”).

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In this case, all of the elements of the three-part test are satisfied. With respect to element one, there is no question that the Order attached to Mr. Gregory's Certification is a valid order of this Court. (See Second Gregory Cert., ¶ 4, Ex. "A.") With respect to element two, Mr. Haefeli, as one of the named parties in the Order, clearly was aware of the existence of the Order and the constraints imposed upon the Defendants by this Court. As noted above, the Order was issued by the Court on May 8, 2019. (*Id.*) Shortly thereafter, Plaintiff's counsel served a copy of the Order personally through hand delivery and electronically via email on Defendants' counsel. (*Id.* at ¶ 7.) Even though Mr. Haefeli was served with a copy of the Order later in the day on May 15, 2019, colloquy at the May 15 hearing established that Defendants had constructive notice, through their counsel, of the requirements of the Order. (*Id.* at ¶ 12.) Even assuming that actual notice was not received by Defendants prior to the hearing on the Order to Show Cause on May 15, Defendants certainly have had actual knowledge of the Court's order since the hearing through counsel for Defendants, who acknowledged and accepted service at the hearing. In addition, actual notice of the Order was provided to Defendants later that day by the service of the Order to Show Cause, together with the May 8 Order, on Mr. Haefeli. (*Id.* at ¶ 15, Ex. "F".) Respectfully, Plaintiff submits that element two of the contempt analysis is more than satisfied.

Finally, with regard to element three, Plaintiff has produced clear and convincing evidence in connection with this request for relief demonstrating Defendants' noncompliance with, and flagrant disobedience with regard to, the May 8, 2019 Order. Defendants have continued to flout the Court's authority, by holding themselves out as owners of the Plaintiff's copyrighted material, including the Film, and by appealing Plaintiff's entirely proper DMCA Take-Down activity, not to this Court, but to Vimeo. In so doing, Defendants have continued to represent to third parties that they, not Plaintiffs, are the holders of the United States copyright



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rights. The Defendants' lack of respect for the Court's Order is perfectly consistent with their demonstrated lack of respect for societal norms of public speech, contractual obligations, and the Plaintiff's copyright registrations made of record. We respectfully submit that Mr. Haefeli's conduct suggests that he has not yet fully appreciated the gravity of the circumstances and that he continues to consider himself exempt from the rules we all must live by - in short that he is "above the law."

The Order entered on May 8, 2019 provides, in part, that:

Defendants are temporarily enjoined and restrained from:

- a. editing, altering, reproducing, distributing, or otherwise publicly displaying: (i) the Film, or (ii) any adulterated, alternate, abbreviated or reconstituted copy of the Film or the Film's outtakes and unused source materials, including one that lists Defendants as the copyright owner (or otherwise attributes ownership to Defendant);
- b. offering for sale, selling, marketing or promoting: (i) the Film or (ii) any adulterated, alternate, abbreviated or reconstituted copy of the Film or the Film's outtakes and unused source materials, including one that lists Defendants as the copyright owner (or otherwise attributes ownership to Defendant);

[...]

- d. engaging in acts of interferences with Plaintiff's marketing and selling of: (i) the Film, or (ii) any alternate, abbreviated or reconstituted version of the Film or the Film's outtakes and unused source materials, including, but not limited to, interfering with Plaintiff's work with existing or prospective vendors for the Film; and
- c. engaging in any other acts which puts a cloud on the ownership, development or distribution of: (a) the Film, or (b) any alternate, abbreviated or reconstituted version of the Film or the Film's outtakes and unused source materials, including, but not limited to, Defendants holding themselves out as the owner of the Film. (*Id.* at ¶ 4, Ex. "A.")

Beginning on May 15, 2019 at 7:18PM, *33 minutes after Mr. Haefeli was personally served with the Court's Order, and nearly eight hours after his counsel's appearance before*

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*this Court*, Mr. Haefeli submitted an appeal to Vimeo claiming the trailer for the Film, which he had previously posted “is a Mark Haefeli Productions copyright as the opening and closing of the film (also on Vimeo) clearly states.” (*See Id.* at ¶ 16, Ex. “C.”). Furthermore, numerous social media posts on various social media platforms discussing the Film, claiming ownership of the Film, and sharing a trailer (the “Trailer”) for the Film that were previously brought to the Court’s attention in support of the Order, remain active and available to be viewed. (*Id.* at ¶ 18, Ex. “G.”). Finally, Defendants continue to control, and use social media sites that reference the name of the Film or allude to its subject matter – including “Power Station New York: ‘A Billion Dollar Power Station’ A Music Documentary” (Facebook, Public Group), and “@powerstationdoc” (Twitter). (*Id.* at ¶ 8, 18, Exs “B” and “G.”; *see also Id.* at ¶ 20).

As clearly set forth above, the Order *expressly prohibits* Mr. Haefeli from “*distributing, or otherwise publicly displaying*: (i) the *Film*, or (ii) any adulterated, alternate, abbreviated or reconstituted copy of the Film or the Film’s outtakes and unused source materials, *including one that lists Defendants as the copyright owner* (or otherwise attributes ownership to Defendant)”. (*Id.* at ¶ 4, Ex. “A.”) As such, Defendants repeated acts of uploading and sharing the Trailer and other clips from the Film - as well as promoting traffic to social media pages (such as the Defendants’ Facebook page for the Film) - all of which attribute exclusive ownership in the Film to Defendants, *since the day after this Court entered its order on May 8, and persisting since the Order was entered on May 15*, are blatant violations of the Court’s Order. Therefore, it is respectfully submitted that element three of the contempt analysis is satisfied.

#### **RELIEF REQUESTED**

The Court’s Order of May 8 (as extended on May 15) enjoins Defendants from engaging in any other act which “puts a cloud on the ownership, development or distribution of: (a) the

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Film, or (b) any alternate, abbreviated or reconstituted version of the Film or the Film's outtakes and unused source materials, including, but not limited to, Defendants holding themselves out as the owner of the Film." Incredibly, Defendants have ignored the requirements of the Order and, as Plaintiff has demonstrated in this Letter, are deftly employing social media to great effect in undermining the Court's authority. The Proposed Order submitted along with Plaintiff's request for relief herein extends the prohibitions of the Court's Temporary Restraining Order, and further addresses Defendants' predilection for using social media to subvert the clear intent of the Temporary Restraining Order.

Plaintiff respectfully submits that Defendants' continued use of social media accounts that reference the Film provides them with ongoing opportunities to interfere with the distribution of the Film, to undermine Plaintiff's rights in its copyrighted materials and, in general to cloud the issue with respect to ownership of the Film. Mr. Haefeli could remove all reference to his claims of ownership in the Film from his posts on social media. However, the very fact that he may continue to post on social media using handles such as "@powerstationdoc" or Facebook pages referring to the Film either directly by name or indirectly by suggestion his likeness, material from other projects he may have done, his past and current credits, and other information related to himself, MHP and other businesses with whom he may be associated, the reasonable inference by a third party – that Mr. Haefeli owns and/or controls the Film – will remain a likely outcome of such communications. In addition, as demonstrated by Mr. Haefeli's use of seemingly innocuous unrelated third party content, Defendants may continue to drive traffic to social media pages (such as the Facebook page created by M. Haefeli for the Film) that prominently display his offending and erroneous copyright notice. Furthermore, in the absence of a clear and continuing obligation by Mr. Haefeli to correct the

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record as to his past behavior, and ensure there is no cloud on 4C4's rights going forward, he will be free to suggest his ownership by using words such as "directed, produced and written by" and otherwise alluding to his efforts in connection with the project. In the event that Mr. Haefeli wishes to continue to do so, he should be allowed to so state only if he also includes appropriate attribution of the copyright rights in 4C4 Media, LLC. Furthermore, in order to ensure there is no doubt as to Mr. Haefeli's derogation of Plaintiff's rights to date, we respectfully suggest that he apprise all those viewing his social media sites (whether personal or professional) that all content related to the Film has been removed by order of this Court, or such similar language as the court deems appropriate.

Finally, Mr. Gregory has indicated in his Second Certification that Defendants have now changed privacy settings on certain social media sites that previously were viewable by representatives of 4C4. These social media sites have been used in the past by Defendants to post content that has violated the Order. Unless Plaintiff and the Court are provided with some means of continuing to verify Defendants' compliance with the Court's directives, further violations may only be discovered after further damage has occurred. We therefore respectfully submit that, given Defendants' conduct to date, such further violations are not only possible, but likely and that any further order enjoining Defendants from engaging in the conduct complained of include an affirmative obligation to certify compliance on the part of both the Defendants and their counsel.

#### CONCLUSION

Plaintiff has demonstrated the Defendants have blatantly ignored the Court's Order. This behavior, while shocking, is completely consistent with Mr. Haefeli's declaration to Mr. Gregory that he is prepared to "fall on he [sic] grenade" in his quest to ensure that each of the principals

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of 4C4 Media “never sees a dime” (*See* Second Gregory Certification at ¶ 24). Plaintiff is prepared to demonstrate, in oral argument of its preliminary injunction motion, or if necessary at trial, that the Company has acted professionally, rationally, and lawfully in its response to conduct by Mr. Haefeli that can only be described as palpably disloyal, unprofessional, offensive and outrageous. Despite his avowed desire to destroy the only thing of value he produced as a “work for hire” service provider to the Company, and his outrageous conduct to date, 4C4 has not sought the most severe penalties for contempt that are within the Court’s power to impose. Instead, the Company seeks to have the power to move forward in reaping the benefit of its bargain – to take its shot at commercially exploiting the Film, and to be compensated for the attorneys fees and costs that it has incurred in undertaking this request for extraordinary relief – all of which could have been avoided but for Defendants’ flagrant disrespect for the Court’s authority.

Regrettably, Mr. Haefeli has indicated that he intends to pursue a vendetta, and he appears willing to stop at nothing – including illegal conduct – in his attempt to succeed. The Company has failed in its numerous attempts to find an amicable resolution. His actions to date demonstrate that, until he is made to understand that his attempts at “self-help” are (at best) misguided, he will continue to act extra-legally and with impunity. Plaintiff respectfully submits that it remains for this Court to bring Mr. Haefeli, MHP and those acting in concert with them, back to the harsh reality that the forum for resolution of this dispute is a Court of Law, not in the social media court of public opinion.

For all the foregoing reasons, Plaintiff respectfully submits that it has proven by clear and convincing evidence that: (1) the Order is valid and presently existing; (2) the Defendants knew of the Order; and (3) the Defendants disobeyed the order by continuing to upload infringing

Letter to the Honorable Susan D. Wigenton  
May 19, 2019  
Page 13 of 13

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content on various social media platforms and otherwise to create a cloud over the ownership of the Film. It of course remains for the Court to determine the appropriate action to be taken, including sanctions against Defendants for their demonstrated lack of respect for the Court and the Rule of Law, as well as the relief Plaintiff has requested in its proposed order, should the Court consider it justified.

Respectfully submitted,



MICHAEL V. GATTONI, ESQ.

MVG/  
cc: Dennis Sabourin, Esq., sent via e-mail

THE MCHATTIE LAW FIRM, LLC  
Christopher J. McHattie, Esq.  
(Bar No. 035251987)  
550 West Main Street  
Boonton, New Jersey 07005  
Telephone: 973-402-5505  
Facsimile: 973-400-4110  
*Attorneys for Plaintiff, 4C4 Media, LLC*

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

4C4 MEDIA, LLC,

Plaintiff

v.

MARK HAEFELI; MARK HAEFELI  
PRODUCTIONS, INC.; JOHN DOES 1-10  
(name being fictitious for individuals whose  
identities are currently unknown); and ABC  
ENTITIES 1-10 (names being fictitious for  
corporate or other legal entities whose  
identities currently remain unknown),

Defendants.

Civil Action No.: 2:19-CV-12288-SDW-SCM

**FIFTH CERTIFICATION OF  
ROBERT S. GREGORY**

I, Robert S. Gregory, being duly sworn, upon his oath according to law, depose and say:

1. I am a member of Cove, LLC ("Cove"), which is a member of 4C4 Media, LLC (hereinafter referred to as "Plaintiff" or "4C4" or "Company"); the Cove member responsible for the day to day activities of 4C4 and an officer/Board Member of 4C4. As such, I am thoroughly familiar with the facts and circumstances of this action. I am also an attorney-at-law admitted to the bar of the State of New York.

2. I respectfully, and regrettably, submit this Certification to supplement the Plaintiff's prior submissions regarding Defendants' continuing defiance of the Court's Temporary Restraining Order dated May 6, 2019 and extended on May 15, 2019 (the "Order").

3. As previously mentioned, Defendants have been utilizing several different Facebook pages and other social media identities – including those mentioning the Film by name as well as personal sites under Mark Haefeli’s name or other pseudonyms that are obviously controlled by him – to engage in conduct that “puts a cloud on the ownership, development or distribution of: (a) the Film, or (b) any alternate, abbreviated or reconstituted version of the Film or the Film’s outtakes and unused source materials, including, but not limited to, Defendants holding themselves out as the owner of the Film” in violation of the Order.

4. Nevertheless, Plaintiff has done its best to continue to monitor Defendant’s activity; despite having been “blocked” access by the Defendant and several of his pages having been “closed” to anyone not selected by him, including Plaintiff’s counsel.

5. Since the hearing on May 15, 2019, at which time the Court directed Defendants’ counsel to “explain” the implications of not complying with the Court’s Order to Defendants, the Defendants have inexplicably not only continued to violate the Court’s Order but in fact became more strident, active and now physically and in person, “bullying.” Furthermore, Plaintiff brings the Court’s attention to its May 24, 2019 submission of ongoing examples of acts in defiance of the Court’s Order (See prior Certifications of Robert S. Gregory, at Documents 2.1, 7, 10.1, 12.1 and 12.3 on the Court’s docket).

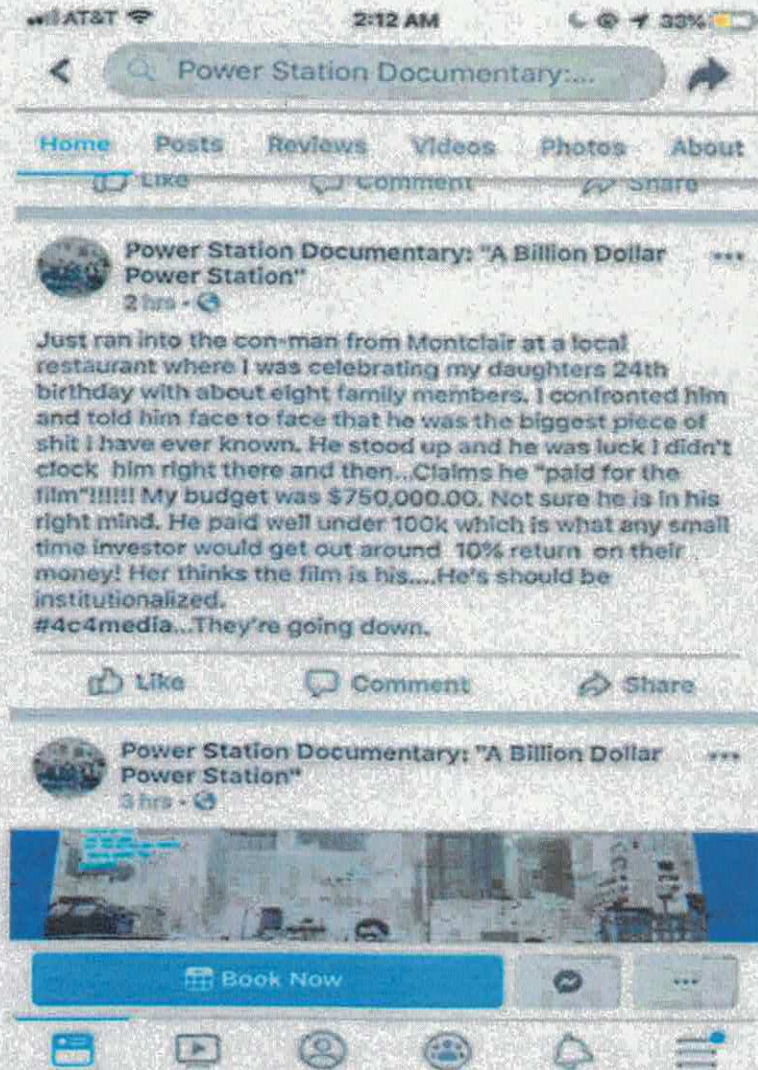
6. By way of incredibly troubling example, on May 27, 2019, Defendants posted what they referred to as a “*Premiere*” showing of the Film on the Facebook Group “Power Station Documentary: “A Billion Dollar Power Station”” page:





As Plaintiff was “blocked” from the page, and thus not invited to this “Premiere,” it has no way of knowing whether the Film was actually shown in its entirety. However, as the Court may recall, Defendant Mark Haefeli has repeatedly threatened to release the Film on the internet “for free.” (Id.) A link to the Trailer for the Film remains accessible under this page.

7. The "Premiere" screening caps several days of increasingly confrontational social media posts, in which the Defendant Mark Haefeli continues, to openly violate the Order. For example, early on Sunday May 26, 2019, Defendant posted the following:



Unfortunately, what Mark Haefeli refers to is him having aggressively approached a table at a restaurant in Montclair where I was sitting with my family and friends (celebrating a confirmation at which I was the sponsor for my godson). He came up from behind, placed his hand on my shoulder and proceeded to berate me as described above. It was incredibly unpleasant, embarrassing and *remarkably* unprofessional.

8. Nearly contemporaneous to the foregoing post on the same Facebook page "Power Station Documentary: "A Billion Dollar Power Station"" identified me by name:



### A Mark Haefeli Film...

POWER STATION DOCUMENTARY: "A BILLION DOLLAR POWER STATION" - SATURDAY, MAY 25, 2019

Robert Gregory claims to have paid for the film...??? He has no idea how much I paid and how much work was done in-kind due to my 30 years of relationships and respect. He maybe put up less then a 100K of a 750K budget! That is what angels on Broadway put up. Insignificant amounts and get about 10% back on their money so the investor can say..." I did that"...yes he is right...he did write a check...and he did nothing else but right as check just like an investor would. He ain't no talent!

9. On May 27, 2019, Defendant Mark Haefeli posted the following:



Power Station Documentary: "A Billion Dollar Power Station"

\*\*\*

Yesterday at 1:17 AM · 🌐

4 mins ·

See Below Email:

These two never accounted for their hours in three years even after numerous requests over those three years..Its because they did nothing! One of the hucksters told me the other night that he paid for it...what a fucking joke...and a lie...that is what an investor does, not a producer, and the investor gets about 10% back on their money....period.....but the amount he contributed, as an investor, was so minimal..(maybe 50k..hahaha) compared to my actual budget of \$750,00.00.00. They never got close and aside from a for paltry monthly stipend, it was my colleagues from over the years, who I called in favors from to get this done in the cheap.. So these two lawyers rode my back thinking all along that they were getting the deal of the century...!...I was the one, not them, due to my relationships with creative professionals from camera operators, ang audio techs, make up, transcriptions of over 1200 pages of interviews...assistant editors, line producers, media managers, graphic designers, editors, and more. They had no idea who to hire, had no relationships with any high end professionals in media, and basically rode on my back till this last straw!

I also made agreements with a number of associates to be paid when this project gets a distributor. It totals about \$110,000.00 they owe and plenty more to me!

Now the most ironic things is the music usages. Of course it is a story about music! I made a side deal with a couple major producers and some composers, to contribute soundtrack originals for inclusion. (about 40% to date). This music, along with a lot of other material, will never get clearance with their names anywhere on this film!...

They are sort or screwed I'd say.

Enjoy the email below not being able to account for any time that they put into this project. One spent his extra time flying to Ireland tending to some shell game company and the other was stumbling in stages as a chorus player...embarrassing here folks...

theFrom: Mark Haefeli <mark@4c4media.com>

Subject: Re: I've been hit

Date: November 22, 2016 at 9:31:37 AM EST

To: Chris McHattie <cmchattie@mchattielaw.com>

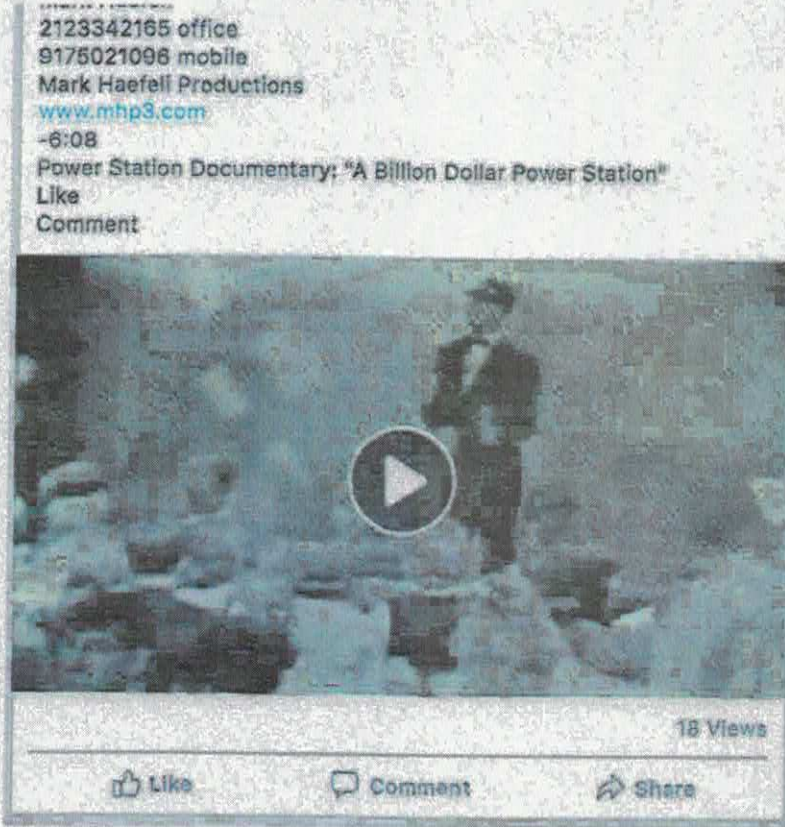
Cc: Brooke Sullivan <brooke@4c4media.com>, "robert@cove.ie" <robert@cove.ie>

Yes..this is something that I need to understand a bit more since I also record my hours...how do we determine what our hours are worth and how many hours are actually being dedicated...as to what portion is being credited to eventually becoming....50/50 share holders in the archive...etc. Because much has changed since May and June...as to what we were going to do and what wa are doing.

Look forward to our meeting after the holiday.

Happy Thanksgiving and very grateful for all of this indeed.

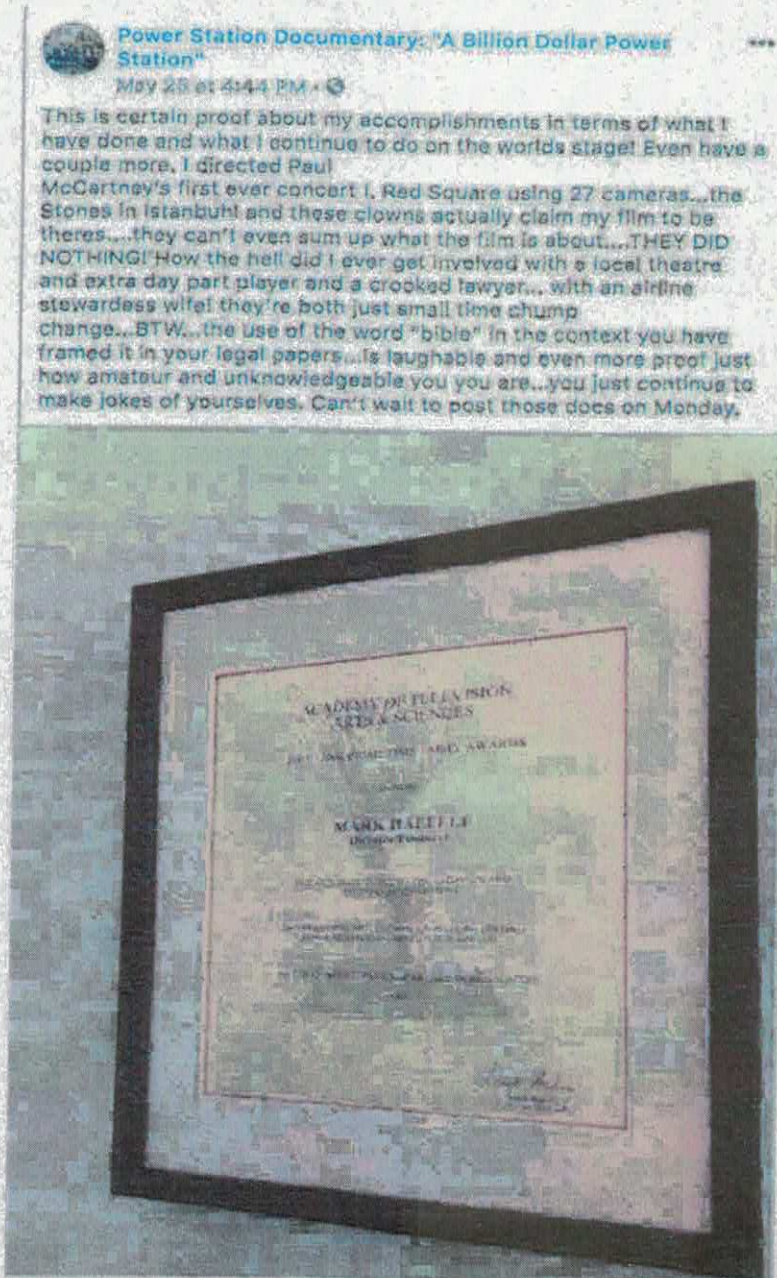
Mark Haefeli



10. On May 25, 2019, Defendants Mark Haefeli and Mark Haefeli Productions continue to take credit for the Film.

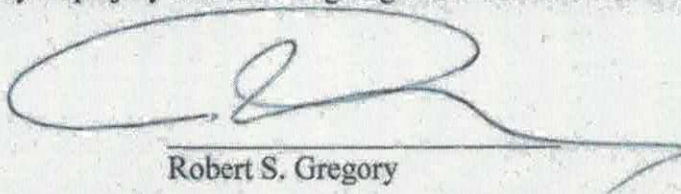


11. On May 25, 2019, and posted thereafter:



12. As this submission is made reluctantly, with full understanding that the Court has many other matters before it, I will not belabor further the details. There are additional, repetitive posts to the same effect, since Plaintiff's May 24, 2019 filing, evidencing Defendants' continued flouting of the Court's Order.

I hereby declare under penalty of perjury that the foregoing statements are true and correct  
pursuant to 28 U.S.C. § 1746.

A handwritten signature in black ink, appearing to read "Robert S. Gregory", is written over a horizontal line. The signature is stylized with a large loop at the beginning and a long, sweeping tail that extends to the right.

Robert S. Gregory

THE MCHATTIE LAW FIRM, LLC  
550 WEST MAIN STREET  
BOONTON, NEW JERSEY 07005  
(V) 973.402.5505  
(F) 973.400.4110

# McHattie

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With Attorneys Admitted to Practice in New Jersey, New York, Florida, Pennsylvania, California & USPTO

## NOTICE AND DEMAND

May 31, 2019

**Via e-Mail only**

Dennis H. Sabourin, Esq.  
Rabner, Baumgart, Ben-Asher & Nirenberg, P.C.  
52 Upper Montclair Plaza  
Upper Montclair, New Jersey 07043

**Re: Cease and Desist of Future Copyright Infringement  
4C4 Media, LLC v. Haefeli, et al,  
Civil Action No.: 2:19-CV-12288-SDW**

Mr. Sabourin:

With the hearing on the Preliminary Injunction Motion behind us, I write once again to ensure there is absolute clarity with respect to my client's position concerning Mr. Haefeli's apparent plans to "continue working" on the film.

While, 4C4 Media, LLC (the "Company" and 4C4" at times) has made its position abundantly clear in its papers and in prior communications with Mr. Haefeli, in light of the colloquy at Wednesday's hearing concerning the scope of the Judge's order, I feel compelled to remind you of your client's ongoing legal obligations. Specifically, Mr. Haefeli remains bound by the reality that 4C4 has both registered, *and unregistered*, copyrights in the Film (attached for ease of reference) and *all materials, whether related to the Film or not*, created during Mr. Haefeli's tenure. As such, any such effort "to continue working on the Film," would violate, *inter alia*, those rights, the Temporary Restraining Order (attached for ease of reference), the Preliminary Injunction and his contractual obligations as a member, manager, officer and employee.



Letter to Mr. Dennis Sabourin, Esq.  
May 31, 2019  
Page 2 of 3

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### Copyright Rights

In the event that Mr. Haefeli decides to do anything with the Film, or the related materials, he will be creating a derivative work under the Copyright Act, and as such, expending time and effort on tangible expressions that he will not own, and in fact be further infringing the Company's exclusive bundle of copyrights. 4C4 fully intends to seek additional damages for these violations, whether published or unpublished.

### Non-competition Obligations

Moreover, as set forth in Mr. Haefeli's termination letter, dated March 4, and subsequently included in other materials delivered by the Company and this office to you and to Mr. Haefeli on more than one occasion, Section 4.9 of the Company's Operating Agreement states:

**4.9 (d) Non-Competition.** Each Member agrees that while a Member, director, officer or employee of the Company and for a period of one (1) year after ceasing to be a Member (*which, in accordance with your arguments of record, he remains (something you may want to rethink so Mr. Haefeli can get back to work at some point)*), director, officer or employee of the Company, the Member will not, solely or jointly with others: (i) undertake, plan, organize or be involved in any way with any business or any business activity in the Field that competes with the current or anticipated business of the Company in the geographic area in which the Company carries on its usual business; (ii) be directly or indirectly involved with a business that is in direct competition in the Field with the business of the Company in the geographic area in which the Company carries on its usual business; or (iii) divert or attempt to divert from the Company any business the Company enjoyed, solicited, or attempted to solicit from its customers, prior to the Member ceasing to be a Member. (Emphasis added)

As noted on the [www.4c4media.com](http://www.4c4media.com) website (as soon as we get the url back from Mr. Haefeli), the Company is in the business of producing media projects for itself, and others, such as Game of Thrones, The Estate of Michael Jackson, Tony Bongiovi, Guns & Roses and others.

Mr. Haefeli, whom you claim continues to be a full-fledged Member of 4C4 (and apparently as you claim continues as an officer and member of the Board of Managers as well), continues to openly proclaim his rights in the Film, is exhibiting the Film and parts thereof to others, and promoting himself and his company as the creator of the Film while doing so. Based on his comments in Court he also apparently intends to proceed to do further "work on the film," which comment has been confirmed by published comments just yesterday. These activities are in direct contravention of the TRO, the Preliminary Injunction and his obligations under the Operating Agreement (and other agreements with the Company) not to compete while he remains a Member and for the one-year period after he ceases to be a Member and not to use the convert the Company's property to his own use. They are also obvious breaches of the duties of loyalty and care that he continues to owe to the Company.

Letter to Mr. Dennis Sabourin, Esq.  
May 31, 2019  
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**Failure to Return Corporate Property**

Moreover, and as set forth in the termination letter dated March 4, 2019, starting with his suspension by the Company on February 25, his subsequent resignation on February 27, and the action ultimately taken by the Company on March 1 based on his conduct, Mr. Haefeli has been continually reminded of his obligation to return all of the property of the Company in his possession (including the camera which he claimed as a company expense as reflected on the Company's books and records (see attached)) and to relinquish his control over the Company's url and its email. His failure to do so constitutes an ongoing violation of his legal obligations. Thus, to the extent he has any assets of the Company that enable him to continue to "work on the film" he does so in violation of his contractual duty to the Company and other obligations.

**Continuing Violation of the Court's Order**

Finally, while it may be the case that you have not, to date, been monitoring Mr. Haefeli's compliance with the Court's Order of May 8, as extended on May 15. For your own edification, we continue to find Mr. Haefeli is in violation of the Order with respect to postings on the internet. At the appropriate time, we intend to apprise the Court that, notwithstanding the admonitions now delivered both at the original hearing and Wednesday on the Record, Mr. Haefeli continues to flout the Court's directives.

Dennis, I'm going to end all my letters to you as we started our conversation weeks ago. No one is out to hurt Mr. Haefeli, but no one has to put up with the vile conduct he has exhibited. You want to do a good job for your client? get him out of this before it gets worse.

Very Truly Yours,

  
CHRISTOPHER J. MCHATTIE, ESQ.

CJM<sup>2</sup>

**Chris McHattie**

---

**From:** Mark Haefeli <mhaefeli@mhp3.com>  
**Sent:** Monday, March 19, 2018 2:00 PM  
**To:** Gabriela Schmidt; Robert Gregory; Chris McHattie  
**Subject:** Sony a7RII Alpha DSLR Full Frame Mirrorless Digital Camera Body

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Camera I purchased...

<https://www.adorama.com/us%20%20%20%20973224.html?msclkid=09ee85ec1b9f1ac7a9c5df43e1e1e886>



Adorama > Used Department > Cameras > Mirrorless Cameras > Sony Mirrorless Cameras > Sony a7R II



Top Rated Gear Used - Rating: D

### Sony a7RII Alpha DSLR Full Frame Mirrorless Digital Camera Body

SKU: US 073224 MPN: RUC07RM271

(53) reviews



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# McHattie

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mgattoni@mchattielaw.com

With Attorneys Admitted to Practice in New Jersey, New York, Florida, Pennsylvania, California & USPTO

## IMPORTANT LEGAL HOLD NOTICE

June 4, 2019

**Via e and Regular Mail**

Dennis H. Sabourin, Esq.  
Rabner, Baumgart, Ben-Asher & Nirenberg, P.C.  
52 Upper Montclair Plaza  
Upper Montclair, New Jersey 07043

**Re: 4C4 Media, LLC v. Haefeli, et al,  
Civil Action No.: 2:19-CV-12288-SDW**

Dear Mr. Sabourin:

We are attaching a copy of the letter served on your client in the underlying Essex County matter, ESX-C-042-19, attached as Exhibit "A." While that notice is enough, without more, given your clients' penchants, we felt a restatement of same in the instant action was appropriate. Moreover, we have direct evidence of Mr. Haefeli removing materials from Social Media, which while required by the Preliminary Injunction, does not relinquish or remove his obligation to maintain a copy of all materials so removed. Moreover, this is particularly true in connection with the various and many "handles" Mr. Haefeli maintains on social media, a listing of which are attached as Exhibit "B."

With the foregoing having been said, this is to notify you that your client must retain and preserve all records, including documents, which may be relevant to the above-referenced lawsuit. Please be advised that Defendants believe electronically stored information to be an important and irreplaceable source of discovery and/or evidence in the allegations made by Plaintiff. The lawsuit requires preservation of all information in any way relating to or connected with 4C4 Media, LLC ("4C4"), Mark Haefeli, his company Mark Haefeli Productions, Inc., and any entity under Mr. Haefeli's control *and those in active concert with them* ("Mr. Haefeli" or "You" hereinafter) and not remove or delete any of the foregoing from any computer systems, removable electronic media, and other locations, including cloud based storage, whether hosted by Mr. Haefeli or a third party. This includes, but is not limited to, email and other electronic communication, word processing documents, spreadsheets, databases, calendars, telephone logs, contact manager information, Internet usage files, and network access information.

Mr. Haefeli should also preserve the following platforms in the possession of Mr. Haefeli or a third party under the control of Mr. Haefeli (such as an employee or outside vendor under contract): databases, networks, computer systems, including legacy systems (hardware and

**LEGAL HOLD NOTICE**

June 4, 2019

Page 2 of 6

software), servers, archives, backup or disaster recovery systems, tapes, discs, drives, cartridges and other storage media, laptops, personal computers, internet data (including social media), personal digital assistants, handheld wireless devices, mobile telephones, paging devices, and audio systems (including voicemail).

**CATEGORIES OF DOCUMENTS, INFORMATION AND ELECTRONIC MEDIA TO RETAIN**

The laws and rules prohibiting destruction of evidence apply to electronically stored information in the same manner that they apply to other evidence. Due to its format, electronic information is easily deleted, modified or corrupted. Accordingly, Mr. Haefeli must take every reasonable step to preserve this information until the final resolution of this matter.

This includes, but is not limited to, an obligation to:

- Discontinue all data destruction and backup tape recycling policies;
- Preserve and not dispose of relevant hardware unless an exact replica of the file (a mirror image) is made;
- Preserve and not destroy passwords, decryption procedures (and accompany software), network access codes, ID names, manuals, tutorials, written instructions, decompression or reconstruction software;
- Maintain all other pertinent information and tools needed to access, review, and reconstruct necessary to access, view, and/or reconstruct all requested or potentially relevant electronic data.

**DESCRIPTION OF DATA SOUGHT**

This lawsuit requires preservation of all information from Mr. Haefeli's computer systems, removable electronic media and other locations relating to the alleged social media posts and the day-to-day business operations. This includes, but is not limited to, email and other electronic communication, word processing documents, spreadsheets, databases, calendars, telephone logs, contact manager information, Internet usage files, and network access information.

- A. Electronic Files. You have an obligation to preserve all digital or analog electronic files in electronic format, regardless of whether hard copies of the information exist. This includes preserving:
1. Active data (i.e., data immediately and easily accessible on the client's systems today);
  2. Archived data (i.e., data residing on backup tapes or other storage media);
  3. Deleted data (i.e., data that has been deleted from a computer hard drive but is recoverable through computer forensic techniques); and
  4. Legacy data (i.e., data created on old or obsolete hardware or software).

**LEGAL HOLD NOTICE**

June 4, 2019

Page 3 of 6

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5. 4C4 and Mr. Haefeli must preserve active, archived and legacy data including but not limited to:
    - a. Word-processed files, including drafts and revisions;
    - b. Spreadsheets, including drafts and revisions;
    - c. Databases;
    - d. CAD (computer-aided design) files, including drafts and revisions;
    - e. Presentation data or slide shows produced by presentation software (such as Microsoft PowerPoint);
    - f. Graphs, charts and other data produced by project management software (such as Microsoft Project);
    - g. Animations, images, audio, video and audiovisual recordings, MP3 players, and voicemail files.
    - h. Data generated by calendaring, task management and personal information management (PIM) software (such as Microsoft Outlook or Lotus Notes);
    - i. Data created with the use of personal data assistants (PDAs), such as PalmPilot, HP Jornada; Cassiopeia or other Windows CE-based or Pocket PC devices;
    - j. Data created with the use of document management software; and
    - k. Data created with the use of paper and electronic mail logging and routing software.
  6. 4C4 and Mr. Haefeli must preserve media used by 4C4 and Mr. Haefeli computers including but not limited to:
    - a. Magnetic, optical or other storage media, including the hard drives or floppy disks used by 4C4 and Mr. Haefeli computers;
    - b. Backup media (i.e., other hard drives, backup tapes, floppies, Jaz cartridges, CD-ROMs) and the software necessary to reconstruct the data contained on the media; and
- B. Hardware.** 4C4 and Mr. Haefeli has an obligation to preserve all electronic processing systems, even if they are replaced. This includes computer servers, stand-alone personal computers, hard drives, laptops, PDAs, and other electronic processing devices. 4C4 and Mr. Haefeli should retain copies of any hardware no longer in service but used during the following time periods: January 2015 up and until this litigation is resolved.
- C. Emails.** You have an obligation to preserve all potentially relevant internal and external emails that were sent or received. Email must be preserved in electronic format, regardless of whether hard copies of the information exist.
- D. Internet Web Activity.** You have an obligation to preserve all records of Internet and Web-browser generated files in electronic format, regardless of whether hard copies of the information exist. This includes Internet and Web-browser-generated history files, caches and "cookies" files stored on backup media or generated by an individual employed at 4C4.

**LEGAL HOLD NOTICE**

June 4, 2019

Page 4 of 6

- 
- E. Activity Logs. 4C4 and Mr. Haefeli must preserve all hard copy or electronic logs documenting computer use by 4C4 or Mr. Haefeli.
  - F. Supporting Information. 4C4 and Mr. Haefeli must preserve all supporting information relating to the requested electronic data and/or media including:
    - a) Codebooks, keys, data dictionaries, diagrams, handbooks, or other supporting documents that aid in reading or interpreting database, media, email, hardware, software, or activity log information
  - G. Information for Employees. 4C4 and Mr. Haefeli should preserve all data that contains the information described below for the following employees and independent contractors:
    - a) The Name(s) & Job Title(s) of any and all persons who have provided any services to 4C4 or Mr. Haefeli since the formation of 4C4;
    - b) Basic employee/contractor information, including name, date of birth, social security number, employee identification number, race, date hired (or re-hired), and educational background of the foregoing;
    - c) Employee/contractor performance evaluations or reviews of the foregoing;
    - d) All information, including W-2 forms, relating to compensation (including salary, bonuses, merit increases, stock options or other forms of compensation) of the foregoing;
    - e) For each position held by the employee/contractor during [time period], list the job title/position, salary level, function or description, location, division, department, subsidiary, time in position, and job status (covered or not covered), and whether the employee/contractor was full-time, part-time or temporary of the foregoing;
    - f) Any disciplinary action or employment contract violations of the foregoing; and
    - g) If the individual is a former employee/contractor, list the data of departure and reason for leaving of the foregoing.

**DATA STORAGE DEVICES**

- A. Online Data Storage. If 4C4 and Mr. Haefeli use(s) online storage and/or direct access storage devices, they must immediately cease modifying or deleting any electronic data unless a computer forensic expert makes a mirror image of the electronic file, follows proper preservation protocols for assuring the accuracy of the file (i.e., chain of custody), and makes the file available for litigation.
- B. Offline Data Storage. Offline data storage includes, but is not limited to, backup and archival media, floppy diskettes, magnetic, magneto-optical, and/or optical tapes and cartridges, DVDs, CDROMs, social media and other removable media. 4C4 and Mr. Haefeli should immediately suspend all activity that might result in destruction or modification of all of the data stored on any offline media. This includes overwriting, recycling or erasing all or part of the media. This request includes, but is not limited to,



**LEGAL HOLD NOTICE**

June 4, 2019

Page 5 of 6

media used to store data from personal computers, laptops, mainframe computers, and servers.

- C. Data Storage Device Replacement. If 4C4 and Mr. Haefeli replace(s) any electronic data storage devices, 4C4 and Mr. Haefeli may not dispose of the storage devices.
- D. Preservation of Storage Devices. 4C4 and Mr. Haefeli may not modify, delete or otherwise alter (i.e., by data compression, disk de-fragmentation, or optimization routines) any electronic data unless a computer forensic expert makes a mirror image of the electronic file, follows proper preservation protocols for assuring the accuracy of the file (i.e., chain of custody), and makes the file available for litigation. The expert must make a mirror image of active files, restored versions of deleted files, and restored versions of deleted file fragments, hidden files, and directory listings. This includes, but is not limited to, preserving electronic data (stored on online or offline storage devices) that came from the following hardware or software applications:
  - a) Fixed drives on stand-alone personal computers or laptops;
  - b) Network servers and workstations; and
  - c) Software application programs and utilities.

**PRESERVATION COMPLIANCE**

- A. Activity Log. In order to show preservation compliance, 4C4 and Mr. Haefeli must maintain a log, documenting all alterations or deletions made to any electronic data storage device or any electronic data processing system. The log should include changes and deletions made by supervisors, employees, contractors, vendors, or any other third parties.
- B. Mirror Images. 4C4 and Mr. Haefeli must secure a mirror image copy (a bit-by-bit copy of a hard drive that ensures the computer system is not altered during the imaging process) of all electronic data contained on the personal computers and/or laptops of the individuals listed below. The mirror image should include active files, deleted files, deleted file fragments, hidden files, directories, and any other data contained on the computer. 4C4 and Mr. Haefeli must also collect and store any offline or online storage devices that contain data from any electronic processing devices for the individuals listed below.
  - a) N/A
- C. Chain of Custody. For each piece of media that 4C4 and Mr. Haefeli preserve(s), 4C4 and Mr. Haefeli must document a complete chain of custody. A proper chain of custody will ensure that no material changes, alterations or modifications were made while the evidence was handled. Chain of custody documentation must indicate where the media has been, whose possession it has been in, and the reason for that possession.

**LEGAL HOLD NOTICE**

June 4, 2019

Page 6 of 6

- D. Electronic Data Created After This Letter. For any electronic data created after this letter or for any electronic processing systems used after this letter, 4C4 and Mr. Haefeli must take the proper steps to avoid destroying potentially relevant evidence. This includes following the above preservation protocols.

**ERR ON THE SIDE OF PRESERVATION**

Documents covering or related to the subjects listed above should not be removed from their current files, and files containing those documents should be maintained as they currently exist. It is acceptable to segregate those files from your other files, as long as the files containing the relevant documents remain intact. The destruction of any of the aforementioned documents, information or materials would and will be harmful to 4C4. **ALL DOCUMENT DESTRUCTION POLICIES MUST BE SUSPENDED. IF YOU HAVE ANY DOUBT ABOUT WHETHER TO RETAIN ANY DOCUMENTS OR INFORMATION, YOU MUST PRESERVE AND RETAIN THE INFORMATION UNTIL FURTHER WRITTEN NOTICE FROM MYSELF.** Failure to abide by this request may result in sanctions and fines against 4C4 and/or yourself, as well as disciplinary action up to and including attorney fees for enforcing the same. Compliance with 4C4 and Mr. Haefeli's preservation obligations includes forwarding a copy of this letter to all individuals or organizations that are responsible for any of the items referred to in this letter.

If this correspondence is in any respect unclear, please call me immediately.

Very truly yours,



MICHAEL V. GATTONI, ESQ.

MVG

Cc: Thomas M. Lenney, Esq.

THE MCHATTIE LAW FIRM, LLC  
550 WEST MAIN STREET  
BOONTON, NEW JERSEY 07005  
(v) 973.402.5505  
(f) 973.400.4110

# McHattie

ATTORNEYS AT LAW

CHRISTOPHER J. MCHATTIE, ESQ.  
[cmchattie@mchattielaw.com](mailto:cmchattie@mchattielaw.com)

With Attorneys Admitted to Practice in New Jersey, New York, Florida, Pennsylvania, California & USPTO

June 13, 2019

**Via Priority Mail and ECF**

Clerk, The Honorable Susan D. Wigenton  
United States District Court  
Martin Luther King Building & U.S. Courthouse  
50 Walnut Street  
Newark, NJ 07101

**Re: 4C4 Media, LLC v. Mark Haefeli, et al.**  
**Civil Action No.: 2:19-cv-12288-SDW-SCM**

Dear Judge Wigenton:

This office represents plaintiff 4C4 Media, LLC ("Plaintiff") in the above captioned matter. Plaintiff writes to request the Court's permission to fully and properly supplement the record to inform the Court, and Mark Haefeli's ("Mr. Haefeli") counsel, remarkably, that the Defendants Mark Haefeli and Mark Haefeli Productions, Inc. ("Defendants") have, continued, substantially unabated to ignore and flaunt both the Temporary Restraining Order and the Preliminary Injunction. We also ask that the Court to curtail the adjournment and hear the Contempt application as soon as possible.

While Plaintiff had no objection to the extension of time requested by Defendants, Plaintiff did not expect that time to be used as an opportunity to continue the inappropriate and infringing activity. For example, and only by way of example as there are many many more, Mr. Haefeli continues to "appeal" the Court's Orders to Vimeo (and Facebook etc.) rather than the Court:

Letter to Judge Wigenton  
June 13, 2019

Page 2 of 6



Hello,

In accordance with the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512(g)(2)(B), we hereby inform you that Vimeo has received a DMCA counter-notification claiming that the material originally located at <https://vimeo.com/339679744> has been erroneously removed from Vimeo in response to your DMCA takedown notice.

The DMCA counter-notification was filed by Vimeo user Mark Haefeli and is reproduced below. In accordance with the DMCA, Vimeo will restore the Material in ten (10) business days unless Vimeo receives notice that an action seeking a court order to restrain this user from the alleged infringing activity has been filed.

Vimeo reserves all rights.

Notice ID: 8025

Name: Mark Haefeli

Organization: Mark Haefeli

Address: 92 Elm Street

Montclair, NJ 07042

Telephone: 917 502 1096

Email: [Mhaefeli@mhp3.com](mailto:Mhaefeli@mhp3.com)

Video: <https://vimeo.com/339679744>

Description: A trailer from, a film I have written, directed and produced titled; "A Billion Dollar Power5 Station". The claimant claims a copyright on a film that contains uncleared music, no rights or royalties paid or negotiated, no clearance on any of the archival materials, since being the director I estimate to me 60% of the film's coverage. None of the music has been cleared nor does Chris McHattie, Robert Gregory or 4C4Media have permission to use anything much less claim a copyright. FRAUD!

Comments:

Signature: mark haefeli

Submitted: Tuesday, June 11, 2019 At 8:00 PM

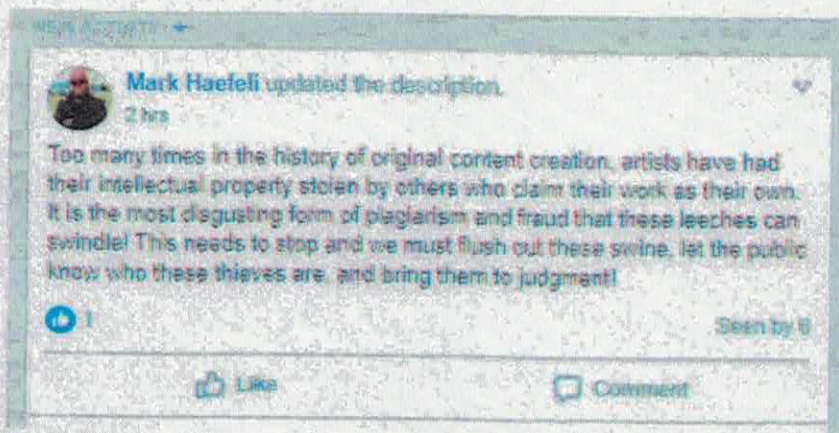
*Sincerely,  
Vimeo Inc.*



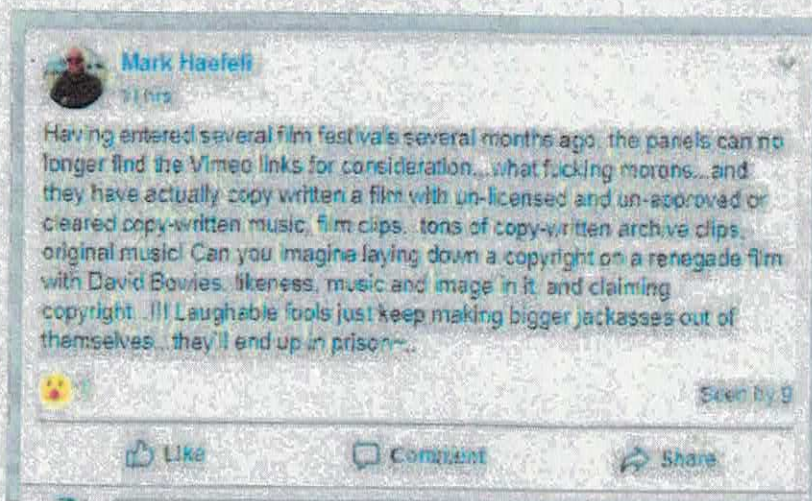
Letter to Judge Wigenton  
June 13, 2019

Page 3 of 6

Mr. Haefeli also, in his intemperate style, continues to claim that the Film has been “stolen” and 4C4 guilty of “fraud” and “plagiarism,” that 4C4 and its principals are “thieves” and “swine” who “we must flush out . . . , let the public know who these thieves are, and bring them to justice” on a page directed to other necessary participants in the Film and created to lambast Plaintiff and the Court’s Orders (i.e. he is calling necessary Film participants to similarly interfere with Plaintiff’s ability to proceed with the project):



Mr. Haefeli, lacking a fundamental understanding of copyright, and regarding a Film he himself created and has been disseminating, now suggests that Film is “illegal” and that the principles of 4C4 will end up in prison” if they, or anyone else, proceed with the project:



Letter to Judge Wigenton  
June 13, 2019

Page 4 of 6

By way of further example, one of the more famous artists interviewed in the Film is Max Weinberg of Bruce Springsteen fame, and contrary to the Court's Preliminary Injunction, Mr. Haefeli has continued to interfere with Plaintiff's ability to proceed with the project, including by inducing Mr. Weinberg to remove any support for the Film and interfering with 4C4 ability to work with Mr. Weinberg:



Letter to Judge Wigenton  
June 13, 2019

Page 5 of 6

**Mark Haefeli**  
June 9 at 12:27 PM · 🌐

**Mark Haefeli** shared a post to the group: Artists Against Stealing From Creatives.  
June 9 at 4:52 PM

see below....



**Mark Haefeli**  
June 9 at 4:51 PM

Just had a nice chat the other day with my buddy Max...We've known each other as friends and colleagues for about twenty years. When I was Chairman of The Montclair Public Access station, he used to host a weekly music show for me when the E Street Band were all sent packing! He really didn't think that they would get back together again, but fate had it differently. Big supporter of me and I of him...Rock On

1 Comment

👍 Like      💬 Comment

**Douglas A. Allen III** Mark, super cool!  
Like · Reply · 3d

Letter to Judge Wigenton  
June 13, 2019

Page 6 of 6

---

What the Defendants have done with the adjournment is to use the extra time to continue to make posts on social media platforms claiming rights in the Film, impugning the reputation of the Plaintiff and its principals and interfering with the Plaintiff's ability to complete, market and distribute the Film with the working title "A Billion Dollar Power Station."

Plaintiff requests that Plaintiff be permitted to fully and properly supplement the record to apprise the Court, and perhaps Mr. Haefeli's counsel, of Mr. Haefeli's extensive activity over the last two weeks. Plaintiff also asks that the Court curtail the adjournment and hear the Contempt application as soon as possible.

If you have any questions whatsoever, please feel free to contact me.

Respectfully submitted,



CHRISTOPHER J. MCHATTIE, ESQ.

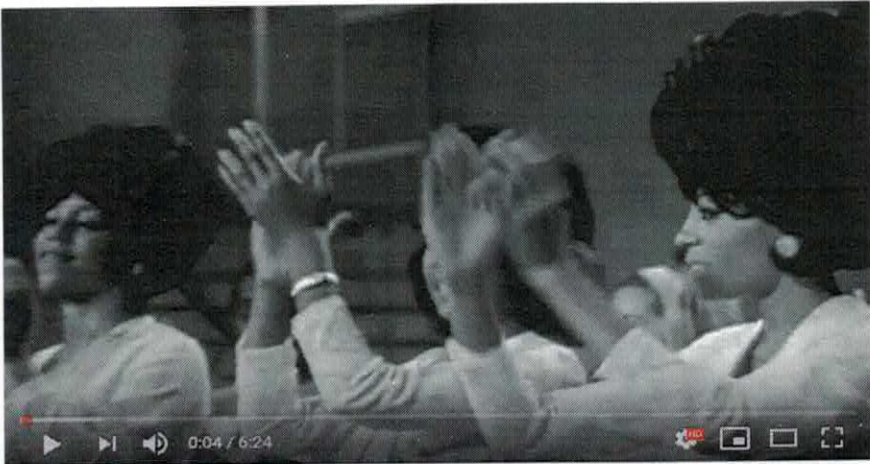
Cc: Dennis H. Sabourin, Esq.



# EXHIBIT B

As of May 14, 2019

☰ YouTube Search



Power Station Trailer

24 views 0 0 SHARE SAVE ...

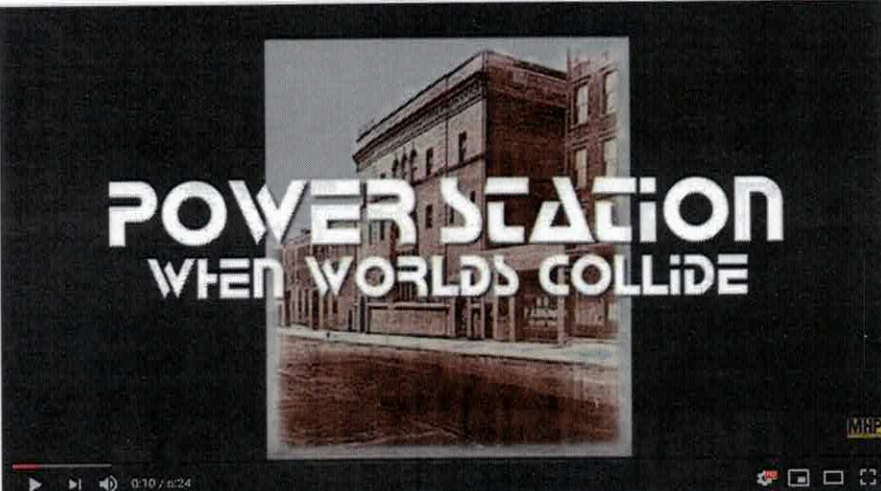


**Mark Haefeli**  
Premiered May 14, 2019

SUBSCRIBE 61

Copyright Mark Haefeli Productions 2019. Produced, Directed, and Written by Mark Haefeli

Current: Added MHP logo



POWER STATION  
WHEN WORLDS COLLIDE

MHP

Chat Replay is disabled for this Premiere.

Power Station Trailer

52 views 0 0 SHARE SAVE ...

**Mark Haefeli**  
Premiered May 14, 2019

SUBSCRIBE 61

A Mark Haefeli PRODUCED, DIRECTED AND WRITTEN PRODUCTION

# EXHIBIT C



**Mark Haefeli**  Admin · June 7 at 9:11 AM 

**This content isn't available right now**

When this happens, it's usually because the owner only shared it with a small group of people, changed who can see it or it's been deleted.

 1 1 Comment Seen by 1

---

 Like  Comment



**Mark Haefeli**  No worries. The clip was originally released in the internet as a teaser in 2017! Has been shared since about 230,000 times since. Someone will share it again!

Like · Reply · 1w

# EXHIBIT D

**chris@4c4media.com**

---

**From:** mhaefeli@mhp3.com  
**Sent:** Tuesday, August 8, 2017 11:49 AM  
**To:** Robert Gregory; Robert Gregory; chris@4c4media.com; Chris McHattie  
**Subject:** FW: Update on Trailer

**Importance:** High

Guys...Here is an update on the P.S. trailer...added/merged musical sound track to about half of the scripted sound bites....(about 1/2 way through the sound bite script)...have four more interviews scheduled between now and early September....

Mark

<https://vimeo.com/228825241>

Password: Mark129

# EXHIBIT E

# BERKLEE NOW BERKLEE NYC

## Mayor de Blasio, Berklee, the Mayor's Office of Media and Entertainment and NYC Economic Development Corporation, and Berklee Trustee Pete Muller Announce Preservation of Historic Power Station (Avatar) Studios

By Margot Edwards  
September 5, 2017  
Press release  
yes

- *Berklee will renovate the facility and establish BerkleeNYC*
- *City invests \$6M in public programming*
- *The legendary studio will operate as the Power Station at BerkleeNYC*

Mayor Bill de Blasio and Berklee, one of the most prestigious performing arts institutions in the world, announced Berklee is coming to New York City and will make a home in the historic Power Station studios (most recently called Avatar studios).

The world-renowned studio—where artists like Bruce Springsteen, Paul Simon, Herbie Hancock, Tony Bennett, Lady Gaga, David Bowie, Madonna, Pat Metheny, Bob Dylan, the cast of Hamilton, and many others recorded iconic albums—was in danger of shutting down. Now, with the support of the Mayor's Office of Media and Entertainment (MOME) and the Economic Development Corporation (EDC), as well as the vision of Berklee Trustee Pete Muller, Berklee will renovate the 53rd Street facility and transform it into [BerkleeNYC](#), a state-of-the-art recording and video production facility for the city's music, theater, television, and film industries.

BerkleeNYC, with funds from MOME and the EDC, will host both free and tuition-based educational programs, performances, and resources for local musicians and will also feature a virtual reality/augmented reality studio.

Berklee plans to continue operating the studio commercially as the re-christened [Power Station at BerkleeNYC](#), restoring the name established by original owner, visionary studio designer Tony Bongiovi. Preserving and modernizing the facility, the last recording studio in New York that is able to accommodate a full orchestra or live Broadway cast album recording, ensures that top artists can continue to record in New York, and allows Berklee to expand its vision of nurturing the world's most promising musicians while engaging in meaningful community outreach.

"Renovating this amazing, historic music venue is a powerful nod to New York City as a continuing center for innovative art, culture, and creativity. I commend Berklee and Trustee Pete Muller for their investments, their vision, and for the public programming space that will benefit many budding and future New York recording artists," said Mayor de Blasio.

This year, Mayor de Blasio announced his New York Works jobs plan, which includes a strong focus on investing in the arts and cultural sectors—enormous employers and drivers of economic activity. MOME recently expanded its portfolio to include music, marking the first time a City agency has ever had the mandate to support the industry. A recent study commissioned by MOME revealed that, in the past 15 years and due to seismic shifts in the music industry, New York City



Moreover, it has been a goal of Berklee, which offers undergraduate and graduate degree programs at its Boston, Massachusetts, and Valencia, Spain, campuses, to establish a presence in New York City. To make this visionary, public-private project a reality, MOME and EDC have joined forces with Berklee and Muller.

“The Power Station is an iconic, creative hub of music,” said Berklee President Roger H. Brown. “So many influential recordings have been made there and it puts us at the nexus of the vital music, theater, and dance communities of New York City. We intend both to re-imagine the recording studio of the future and add a powerful educational program to support our many Berklee alumni who intend to live, work, and create in New York.”

Funding from MOME and EDC will establish programs at BerkleeNYC including continuing education, career strategy, grants, and skills acquisition for New York musicians, composers, producers, and engineers. The public will have opportunities to attend artist lectures, workshops, performances, and master classes, while New York City’s public school students can take courses in performance, songwriting, and production. Also to be offered are teacher training sessions for Berklee City Music, Amp Up NYC, and Little Kids Rock; programs exploring the intersection of music, dance, theater, and technology; talent incubation; and internships for Berklee College of Music and Boston Conservatory at Berklee students. BerkleeNYC will also feature exhibits, which will be open to the public, memorializing the rich musical history of the facility.

The project was spearheaded by Muller, an accomplished singer-songwriter who started out busking in the New York City Subways, recently played at the Montreux Jazz Festival, and is a pioneer of quantitative investing. Berklee enlisted [Stephen Webber](#), executive director of BerkleeNYC and Berklee’s dean of Strategic Initiatives, and former director of the Master of Music Production, Technology and Innovation program at Berklee’s campus in Valencia, Spain, to lead the center and develop the programs.

“The Power Station is one of the world’s most iconic recording studios. Preserving it honors New York City’s music scene and all the great artists who have recorded there,” said Muller. “To know that we are saving a studio that has hosted so many legends is awe-inspiring. I am honored to be part of such an important project.”

“We could not be more excited that the cultural treasure previously known as Avatar studios will now be in such capable hands,” said Media and Entertainment Commissioner Menin. “Saving and rehabilitating this amazing recording studio and giving Berklee a New York home is a win not only for our city’s incomparable music scene but for the thousands of music-loving New Yorkers who will benefit from Berklee’s robust public programs. We are extremely proud to have played a role in this visionary project and look forward to a beautiful renovation that helps continue New York’s status as the music capital of the world.”

“So many influential artists have recorded at the legendary Avatar studios, and we’re proud to support the restoration of this facility to provide a home for the next generation of talented musicians,” said New York City Economic Development Corporation President and CEO James Patchett. “We are thrilled to partner with MOME, Berklee, and Pete Muller to provide public programming and help maintain New York’s status as the music capital of the world.”

In addition to the studio renovation, the building’s lower level will be converted into a flexible-use practice/performance venue, including an affordable rehearsal space featuring a professional-size stage and state-of-the-art sound, lighting, and video technology. It will also include a video control room to capture and post-produce video from all over the building, a virtual reality/augmented reality studio, and flexible spaces for ensemble practice rooms and classrooms.

“This project is important not only to Berklee’s mission, but also to preserve the legacy of New York’s prominence as a seminal center for recorded music,” said Webber. “It will also create industry jobs, help attract national musical events, and encourage economic vibrancy in the creative industries.”

“I am thrilled that the Power Station name is returning to the original studios in New York City,” said former owner Bongiovi.

Berklee is already active in New York. Since 2014, the college’s faculty has trained more than 300 New York public school teachers to deploy Berklee’s free PULSE curriculum to more than 60,000 students through the Amp Up NYC program. Berklee College of Music and Boston Conservatory at Berklee alumni populate the New York music scene at every level—from Broadway shows, the Blue Note stage, Jazz at Lincoln Center, and television house bands, to the city’s recording studios, record labels, and management and publishing companies.

Power Station studios was founded and designed by Tony Bongiovi, with business partners, in 1977. Located in an old Con Edison power plant, the studio quickly became a huge success due to Bongiovi’s now legendary acoustical design,

Case 2:19-cv-12288-SDW-SCM Document 21-3 Filed 06/24/19 Page 10 of 52 PageID: 748  
providing rooms designed specifically for multitrack recording boasting a “live” sound. In 1991, Power Station became the first recipient of the Les Paul Award from *Mix Magazine* for audio excellence and creativity. Chieko and Kirk Imamura have owned and operated the facility as Avatar Studios since 1996. The Imamuras’s leadership included building additional studios, integrating modern digital audio capabilities, and hosting clients including Paul McCartney, Sheryl Crow, Bruno Mars, and Berklee alumni John Mayer ‘98, Diana Krall ‘83, and Esperanza Spalding B.M. ‘05. Dozens of Grammys and gold and platinum records have been awarded to projects recorded at Avatar during the last 20 years.

## About MOME

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The Mayor’s Office of Media and Entertainment encompasses the key economic and creative sectors of film, TV, theater, music, advertising, publishing, digital content and real estate as it relates to these industries. In total, these sectors account for over 305,000 jobs, and an economic output of \$104 billion. Since adding music to its portfolio of industries, MOME has released the first-ever Economic Impact Study of NYC’s Music Industry, led the negotiations to bring the Grammy Awards back to New York in 2018, and presented the first annual New York Music Month in June 2017. The agency also oversees NYC Media, the largest municipal broadcasting entity in the country including five TV Stations and a radio station with a reach of 18 million viewers in a 50-mile radius.



## About the EDC

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[New York City Economic Development Corporation](#) is the City’s primary vehicle for promoting economic growth in each of the five boroughs. NYCEDC’s mission is to stimulate growth through expansion and redevelopment programs that encourage investment, generate prosperity, and strengthen the City’s competitive position. NYCEDC serves as an advocate to the business community by building relationships with companies that allow them to take advantage of New York City’s many opportunities. Find EDC on [Facebook](#), [Twitter](#), and [Instagram](#), or visit EDC’s [blog](#) to learn more about NYCEDC projects and initiatives.

# NYCEDC

## New York City Economic Development Corporation

## About Berklee

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Berklee is the preeminent institute of contemporary music and the performing arts, offering undergraduate and graduate degree programs at its campuses in Boston, Massachusetts and Valencia, Spain, and through its award-winning distance learning program, Berklee Online. Dedicated to nurturing the creative and career potential of the world’s most inspired artists, Berklee’s commitment to arts education is reflected in the work of its students, faculty, and alumni—hundreds of whom have been recognized with Grammy, Tony, Oscar, and Emmy awards.

At Berklee College of Music and Boston Conservatory at Berklee, students explore interdisciplinary approaches to music, dance, theater, film, business, healthcare, education, technology, and more. Its pioneering youth programs reach underserved classrooms throughout the U.S. and beyond. With students and alumni from more than 100 nations and educational partners across the world, Berklee is forging new connections among art forms, musical traditions, and technologies to build a dynamic, diverse, and collaborative global arts community. Learn more at [berklee.edu](#).

Pete Muller is the founder and CEO of PDT Partners, a leading quantitative investment firm. Prior to joining Morgan Stanley in 1992 and founding the Process Driven Trading group (PDT), Muller was at BARRA for seven years.

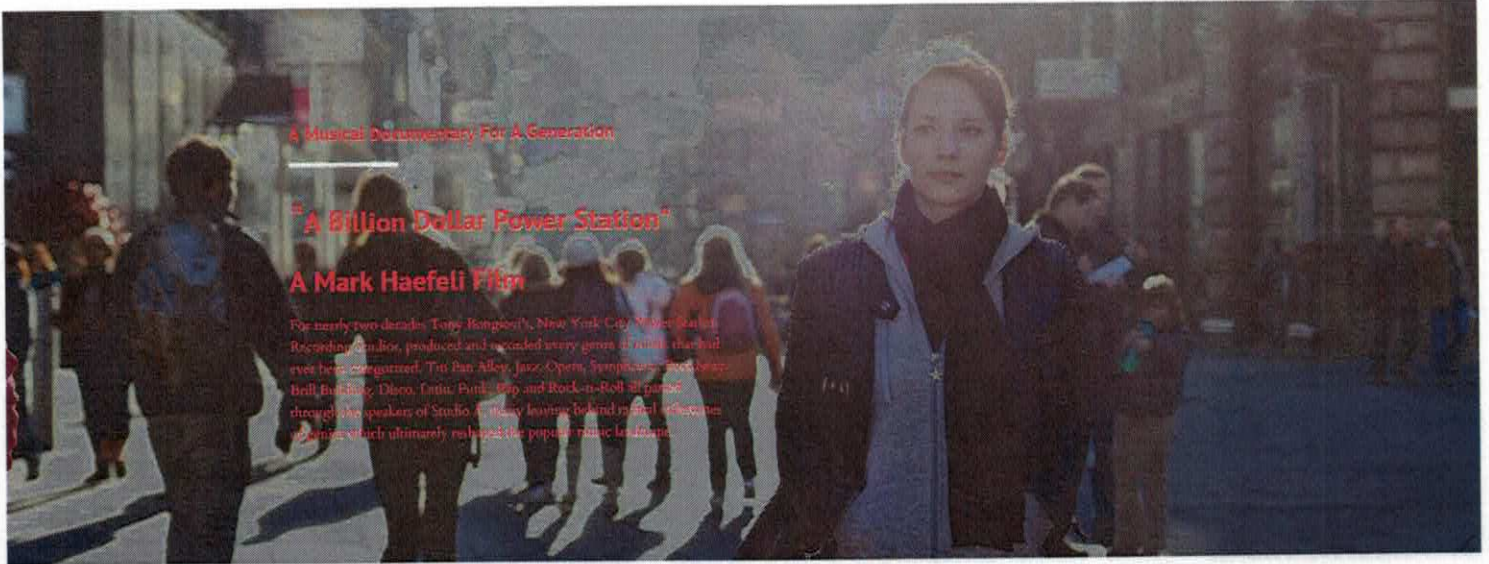
Math, music, and investing have always been a large part of Muller's life. In addition to serving on the editorial board for the *Journal of Investment Management*, he is on the boards of Math for America and Berklee. His published research includes work on financial optimization, mortgage prepayments, and equity valuation models. As a pianist and singer-songwriter, Muller has released three albums of original music and performs regularly with his trio. In his spare time, he has created more than a dozen crossword puzzles for the *New York Times*, runs a monthly music-based crossword contest at [pmaxwords.com](http://pmaxwords.com), and is a devoted and active philanthropist.

Muller received his B.A. in mathematics with honors from Princeton University. He lives in Santa Barbara with his wife and two children and spends frequent time in New York. Find out more about Pete Muller at [petemuller.com](http://petemuller.com).

---

*Thank you for visiting Berklee College of Music at [www.berklee.edu](http://www.berklee.edu)*

# EXHIBIT F



A Musical Documentary For A Generation

## "A Billion Dollar Power Station"

### A Mark Haefeli Film

For nearly two decades, Tony Bongioanni's New York City Silver Station Recording Studios, produced and recorded every genre of music that had ever been commercial. Tin Pan Alley, Jazz, Opera, Symphonies, Broadway, Brill Building, Disco, Latin, Punk, Rap and Rock-n-Roll all passed through the speakers of Studio A, many leaving behind musical artifacts of an era which ultimately reshaped the popular music landscape.

## ABOUT

THIS IS JUST EXAMPLE TEXT. CLICK TO EDIT AND ADD YOUR OWN CONTENT.



### YOUR MISSION

This is just example text. Click to edit and add your own content. This section is a great place to communicate your company values, missions or specialties.

### YOUR MISSION

This is just example text. Click to edit and add your own content. This section is a great place to communicate your company values, missions or specialties.

### YOUR MISSION

This is just example text. Click to edit and add your own content. This section is a great place to communicate your company values, missions or specialties.

# EXHIBIT G

 **Mark Haefeli** May 26 at 12:51 AM · 🌐


These guys are completely misrepresenting their contributions and capability! First of all I am the only creative person. Neither one of them has ever been involved with anything media related except the amateur actor Gregory, who has paid to play in two horrendous independent films that went no where, as an actor! their scam is a shell company. Defriend and I suggest that everyone have nothing to do with this film flam company. They can not and will not release my film. Never! This low life thief and his low life partner did nothing to create the project. Zero and everyone in it and involved with it knows....clearances? Witt their names on it, there will be none! They are talentless belly crawlers And liars.  
[#StopThievesFromStealingFromCreatives!](#)

🤔🤔 2


👍 Like      💬 Comment

Write a comment... 

Press Enter to post.


 **Mark Haefeli** May 31 at 9:29 PM · 🌐


ever run into frustrated wannabes, like ambulance chasers who think they are F.Lee Bailey and have accomplished nothing of consequence! Or local theatre and movie extra losers who think they are Academy Award types, while at the age of 64 are still waiting to be discovered. Pathetic right. My credentials speak for themselves and everyone who is in my latest film, in front of or behind the camera, knows it...! They have already made complete asses of themselves and the industry professional are laughing at them! They liars, phony's, con artists, film flam men. Can't wait for my meeting with montclair state university next week as well as my lunch with Val Azzoli who can't stand this arrogant piece of garbage.




👍❤️ 3      3 Comments


👍 Like      💬 Comment

 **Claudine Oborn** This is one of the best photos I've seen of you Mark... it would be nice in colour too!  
Like · Reply · 6d


➔  **Mark Haefeli** replied · 1 Reply

 **Philip Grossi** Who is this arrogant piece of garbage you refer to?  
Like · Reply · 6d

On June 7<sup>th</sup>

 **Mark Haefeli** shared a post  
13 hrs

They don't know this...But each subject signed personnel guarantee waivers before each interview with all subjects appearing in Power Station... and producers and composers of original music are all participating conditionally based upon the creative decisions entrusted to me, of their likeness and images...which means...I be the only one who can use this material...hahaha... Good louck with tha Bobby and Chrissy



 **Mark Haefeli**  
15 hrs

Just had a great conversation with my long time friend, colleague and jersey brother, Max Weinberg! When I was a volunteer in charge of Montclair Public Access Television, he used to host a show that I produced while he was in between jobs with E Street! Lovely wife and his son can hit the cans too! We met each other well before that when I hired him as a Special Coorespondent at CNN/WHY for the Grammy Awards, back when they were last at Radio City!

That's right you two amateurs...I actually know how to produce shows!!!! Isn't that amazing!!! And a lot of people are giving testimony to that Fact and amazing enough, none of them ever even heard of either of you!:) (Cue: Laugh Track)....

He will not appear in any documentary without me on board. Common sentiment amongst my colleges....Good luck losers.

Seen by 8

 Like  Share

 **Mark Haefeli**  
7 hrs · 

Each artist who appears has a personnel guarantee, in writing, that I am the "gatekeeper", if you will, and like so many before have they entrusted their image, likeness and editorial content to my discretion and no one else....that means YOU! One might say that was intuition?



Watch this video with your friends 

 Like  Comment  Share



# EXHIBIT H



June 12<sup>th</sup> – before and then removed from profile



**Mark Haefeli**  
June 9 at 12:27 PM · 📷

Mark Haefeli shared a post to the group: Artists Against Stealing From Creatives.  
June 8 at 4:52 PM

see below....



**Mark Haefeli**  
June 8 at 4:51 PM

Just had a nice chat the other day with my buddy Max...We've known each other as friends and colleagues for about twenty years. When I was Chairman of The Montclair Public Access station, he used to host a weekly music show for me when the E Street Band were all sent packing! He really didn't think that they would get back together again, but fate had it differently. Big supporter of me and I of him...Rock On

1 Comment

👍 Like    💬 Comment

**Douglas A Allen III** Mark, super cool!  
Like · Reply · 3d

**Mark Haefeli**  
June 8 at 4:51 PM · 📷

Just had a nice chat the other day with my buddy Max...We've known each other as friends and colleagues for about twenty years. When I was Chairman of The Montclair Public Access station, he used to host a weekly music show for me when the E Street Band were all sent packing! He really didn't think that they would get back together again, but fate had it differently. Big supporter of me and I of him...Rock On



👍 Mark Haefeli and 6 others      3 Shares

June 7th

**Mark Haefeli** 15 hrs

Just had a great conversation with my long time friend, colleague and jersey brother, Max Weinberg! When I was a volunteer in charge of Montclair Public Access Television, he used to host a show that I produced while he was in between jobs with E Street! Lovely wife and his son can hit the cans too! We met each other well before that when I hired him as a Special Coorespondent at CNN/NY for the Grammy Awards, back when they were last at Radio City! That's right you two amateurs...I actually know how to produce shows!!!! Isn't that amazing!!! And a lot of people are giving testimony to that Fact and amazing enough, none of them ever even heard of either of you!:) (Cue: Laugh Track)....

He will not appear in any documentary without me on board. Common sentiment amongst my colleges.... Good luck losers.

4 3 Shares

Like Comment Share

**Mark Haefeli shared a post** 14 hrs

They don't know this...But each subject signed personnel guarantee waivers before each interview with all subjects appearing in Power Station... and producers and composers of original music are all participating conditionally based upon the creative decisions entrusted to me, of their likeness and images...which means...I be the only one who can use this material...hahaha...Good louck with tha Bobby and Chrissy

**Mark Haefeli** 17 hrs

Just had a great conversation with my long time friend, colleague and jersey brother, Max Weinberg! When I was a volunleer in charge of Montclair Public Access T...

See More

Seen by 9

Like Comment Share

June 7th

**Mark Haefeli shared a post** 23 mins

Someone actually gave testimony in a court of law that they are not sure if I was "still" the director...??->????? What...???? #MORON

Every single cast member has disputed your ignorant and stupid lie! How the he'll would you know you morion, Your entertainment IQ is even lower then the " Fool ON The HILL", in Montclair. He pays to play! Writes checks so the son of his acting coach can get work...as a director., Films suck, not even in a single festival....you have never seen anyone over act in a film more than him. Its laughable, like he's playing too Yankee Stadium doing Shakespeare.



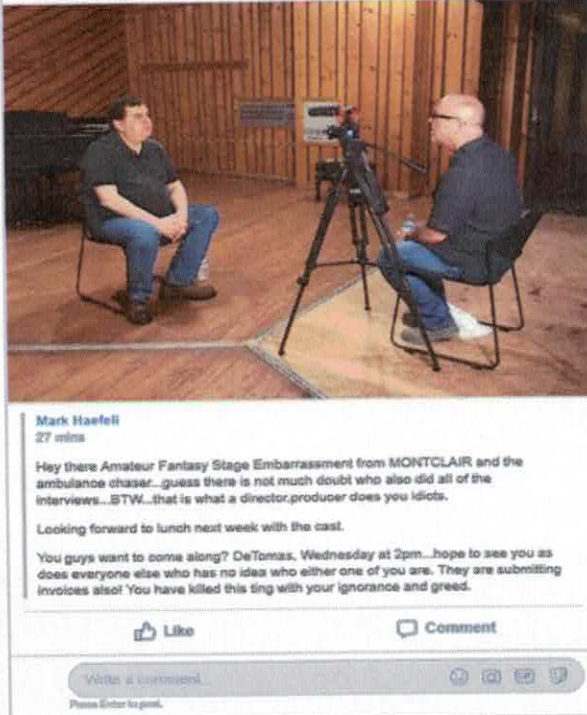
**Mark Haefeli** 31 mins

Hey there Amateur Fantasy Stage Embarrassment from MONTCLAIR and the ambulance chaser...guess there is not much doubt who also did all of the interviews...BTW...that is what a director.producer does you idiots.

Looking forward to lunch next week with the cast.

You guys want to come along? DeTomas, Wednesday at 2pm...hope to see you as does everyone else who has no idea who either one of you are. They are submitting involoes also! You have killed this ting with your ignorance and greed.

Haefeli - Before is night of June 7, After morning of June 8, and now gone

Before	After
<p>NEW ACTIVITY</p> <p><b>Mark Haefeli shared a post</b> Admin · 18 mins</p>  <p><b>Mark Haefeli</b> 27 mins</p> <p>Hey there Amateur Fantasy Stage Embarrassment from MONTCLAIR and the ambulance chaser... guess there is not much doubt who also did all of the interviews...STV...that is what a director/producer does you idiots.</p> <p>Looking forward to lunch next week with the cast.</p> <p>You guys want to come along? DeTomas, Wednesday at 2pm...hope to see you as does everyone else who has no idea who either one of you are. They are submitting invoices also! You have killed this ting with your ignorance and greed.</p> <p>Like Comment</p> <p>Write a comment... Press Enter to post.</p>	<p><b>Mark Haefeli</b> 10 hrs · 49</p> <p>Hey there Amateur Fantasy Stage Embarrassment from MONTCLAIR and the ambulance chaser... guess there is not much doubt who also did all of the interviews... STV... that is what a director/producer does you idiots.</p> <p>STV... for the record, I'm referring to a new project that I am almost half way done with this new project "New York Studios: Music for a Generation" focusing on all of the studios in the 70's to 90's... all news everything! They truly were responsible for defining the New York Sound!</p> <p>Looking forward to lunch next week with the cast.</p> <p>You guys want to come along? DeTomas, Wednesday at 2pm... hope to see you as does everyone else who has no idea who either one of you are. They are submitting invoices also! You have killed this ting with your ignorance and greed.</p>  <p>0 Comments 4 Shares</p> <p>Like Comment Share</p> <p>Most Relevant</p> <p><b>Tina Passarola</b> says "sounds like another great project!" Like · Reply · 5h</p> <p><b>Gigi Shapiro Kullok</b> DeTomas will bring a... Like · Reply · 13h</p> <p><b>Mark Haefeli</b> I am working on "New York Studios: Music for a Generation" project. It is just getting the music together from the 70's to 90's... but I would love to have the music of a producer! Like · Reply · 2h · Edited</p>

Haefeli - Before is night of June 7, After morning of June 8, and now gone

**Before**

NEW ACTIVITY ▾

**Mark Haefeli** shared a post  
Admin · 16 mins



**Mark Haefeli**  
27 mins

Hey there Amateur Fantasy Stage Embarrassment from MONTCLAIR and the ambulance chaser...guess there is not much doubt who also did all of the interviews...BTW...that is what a director.producer does you idiots.

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Like Comment

Write a comment  
Press Enter to post.

**After**

**Mark Haefeli**  
13 hrs · 48

Hey there Amateur Fantasy Stage Embarrassment from MONTCLAIR and the ambulance chaser...guess there is not much doubt who also did all of the interviews...BTW...that is what a director.producer does you idiots.

BTW...for the record, I'm referring to a new project that I am almost half way done with this new project "New York Studios: Music for a Generation" focusing on all of the studios in the 70's to 90's...all new everything! They truly were responsible for defining the New York Sound!

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5 3 Comments 4 Shares

Like Comment Share

Most Relevant ▾

**Mark Haefeli** (with 100+ posts) is referring to a new project I am working on "New York Studios: Music for a Generation" focusing on all of the studios in the 70's to 90's...all new everything! They truly were responsible for defining the New York Sound!

**Tino Passante** sounds like another great project.  
Like · Reply · 5h · Edited

**Gigi Shapiro Kulick** Do "DeTomas" also "Gary B. F." require it?  
Like · Reply · 13h

# EXHIBIT I

← Power Station New York "A Billion D...



**Mark Haefeli** changed the privacy setting ...  
of **Power Station New York "A Billion  
Dollar Power Station" A Music  
Documentary** from Public to Closed.

May 24 at 10:21 PM · 

---

 Like

 Comment

---

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# EXHIBIT J

 **Mark Haefeli**  
June 5 at 11:26 PM

Sometimes the thief can be the one in your very own backyard! In this case, ex-partner lives in [Montclair Justice](#) he is such a con-man and phony. Being laughed at by all....has sunk his own ship...thanks to So many loyal and life long colleagues. I know you have my back and thanks for letting me know!



 1 Seen by 13

 Like  Comment  Share

# EXHIBIT K



**Mark Haefeli** May 26 at 12:51 AM 

These guys are completely misrepresenting their contributions and capability! First of all I am the only creative person. Neither one of them has ever been involved with anything media related except the amateur actor Gregory, who has paid to play in two horrendous independent films that went no where, as an actor! their scam is a shell company. Defriend and I suggest that everyone have nothing to do with this film flam company. They can not and will not release my film. Never! This low life thief and his low life partner did nothing to create the project. Zero and everyone in it and involved with it knows....clearances? Witt their names on it, there will be none! They are talentless belly crawlers And liars.  
[#StopThievesFromStealngFromCreatives!](#)

  2

---


 Like  Comment

---

       
Press Enter to post.

# EXHIBIT L

← Artists Against Stealing From Creati...

 **Mark Haefeli** updated the description of the group **Artists Against Stealing From Creatives.** ...

June 13 at 1:08 PM · 🌐

Too many times in the history of original content creation, artists have had their intellectual property stolen by others who claim their work as their own. It is the most disgusting form of plagiarism and fraud that these leeches can swindle! This needs to stop and we must flush out these swine, let the public know who these thieves are, and bring them to judgment!


 Like

 Comment

👍 1

Seen by 8

← Artists Against Stealing From Creati...

 **Mark Haefeli** changed the privacy setting of **Artists Against Stealing From Creatives** from Public to Closed. ...

June 13 at 1:00 PM · 🌐

 Like

 Comment

 **Mark Haefeli**  
June 11 at 10:07 PM


Having entered several film festivals several months ago, the panels can no longer find the Vimeo links for consideration...what fucking morons...and they have actually copy written a film with un-licensed and un-approved or cleared copy-written music, film clips...tons of copy-written archive clips, original music! Can you imagine laying down a copyright on a renegade film with David Bowies, likeness, music and image in it, and claiming copyright...!!! Laughable fools just keep making bigger jackasses out of themselves...they'll end up in prison~..

😡 1

1 Comment Seen by 15

 Like

 Comment

 **Fred Guterl** Is there a group of artists "for" stealing?  
Like · Reply · 1w

Mark Haefeli shared a post  
June 8 at 4:52 PM  
see below....



Mark Haefeli  
June 8 at 4:51 PM  
Just had a nice chat the other day with my buddy Max... We've known each other as friends and colleagues for about twenty years. When I was Chairman of The Mont...  
See More

1 2 Shares Seen by 8

Mark Haefeli ▸ Artists Against Stealing ...  
From Creatives  
June 6 at 10:48 PM · 🌐

They don't know this...But each subject signed personnel guarantee waivers before each interview with all subjects including producers and composers of original music who are all participating conditionally based upon the creative decisions entrusted to me, of their likeness and images...

This content isn't available right now

When this happens, it's usually because the owner only shar...

Seen by 8

Like

Comment

Mark Haefeli shared a post  
June 6 at 10:50 PM



Mark Haefeli  
June 6, 2017  
If these walls could only sing.

1 2 Comments Seen by 9

Like Comment

Kevin Lee Allen where is this? I'm not really in the music biz, but looks familiar.  
Like · Reply · 2w

Mark Haefeli studio A  
Like · Reply · 2w

**Mark Haefeli** shared a post.  
14 hrs

They don't know this...But each subject signed personnel guarantee waivers before each interview with all subjects appearing in Power Station... and producers and composers of original music are all participating conditionally based upon the creative decisions entrusted to me, of their likeness and images...which means...I be the only one who can use this material.. hahaha...Good louck with tha Bobby and Chrissy

**Mark Haefeli**  
17 hrs

Just had a great conversation with my long time friend, colleague and jersey brother, Max Weinberg! When I was a volunteer in charge of Montclair Public Access T...

[See More](#)

Seen by 9

Like Comment Share

**Mark Haefeli**  
June 5 at 11:26 PM

Sometimes the thief can be the one in your very own backyard! In this case, ex-partner lives in Montclair Justice he is such a con-man and phony. Being laughed at by all...has sunk his own ship...thanks to So many loyal and life long colleagues. I know you have my back and thanks for letting me know!



1

Seen by 13

Like Comment Share

← Artists Against Stealing From Creati...

**Mark Haefeli** ▸ Artists Against Stealing From Creatives ...  
June 3 at 9:58 PM · 🌐

Hoping to see some personnel experiences written to help others avoid these leeches from sucking your blood! They are the lowest type of gutter creatures.

Like Comment

1

Seen by 10

**Bonnie Haynes**  
Remember our CBS contracts. They literally said that if we woke up in the middle of the night, they owned it. Oppression comes in all dorns

2 wks Like Reply More

**Bonnie Haynes**  
Forms

2 wks Like Reply More





**Mark Haefeli**  
June 1 at 9:53 PM · 🌐



Break the long standing tradition of stealing property from creatives. Tell us how you can do it. Tell us what to look out for, Share about those who have stolen from you, post relevant articles and web sites...**GET INVOLVED...YOU MAY BE NEXT!**



**Artists Against Stealing From Creatives**  
19 Members



Like



Comment



Artists Against Stealing From Creati...



**Mark Haefeli** ▸ **Artists Against Stealing From Creatives** ...  
June 1 at 1:47 PM · 🌐

As a community of artists we need to continue to fight the long standing tradition of stealing from creatives!

— with [Mark Haefeli](#) and 2 others.



Like



Comment

👍 1



**Mark Haefeli**

June 1 at 10:18 AM ·



Hey Robert, Hey Chris, join us in fighting the long standing tradition of stealing from creatives! Everyone in my latest film are proponents and have signed up!



**Mark Haefeli**

June 1 at 9:10 AM ·



As a community of artists we need to continue to fight the long standing tradition of stealing from creatives!



2 Comments



**Mark Haefeli** created the group **Artists Against Stealing From Creatives.**

June 1 at 1:33 PM ·



Seen by 4



# EXHIBIT M

# Power Station New York "A Billion Dollar Power Station" A Music Documentary

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**North NJ Teens '65-'70**  
Northern New Jersey - We Were Teens in the Late 60s  
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Members 61 Find a member

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**Mark Haefeli**  
Admin  
View 7 recent posts  
Principal/Creative Director at Mark Haefeli Productions

Friends

### Friends 1

**Mark Haefeli**  
Admin  
View 7 recent posts  
Principal/Creative Director at Mark Haefeli Productions

Friends

### New to the Group

- Phillip Fuller**  
Joined on Monday  
New York, New York

Add Friend
- James Smith**  
Added by Karla Smith on June 8, 2019  
Hopatcong High School

Add Friend
- Iven Walters**  
Joined about 2 weeks ago  
Brooklyn, New York

Add Friend
- Hedia Chaouali**  
Joined about 2 weeks ago  
ESAD Tunis (Page Officielle)

Add Friend
- Tim Latham**  
Added by Mark Haefeli on June 5, 2019  
New York, New York

Add Friend
- Caryn Weiss**  
Added by Mark Haefeli on June 5, 2019  
Radio Disk Jockey (Radio DJ) at KBUU-LP

Add Friend
- Melani Rogers**  
Added by Mark Haefeli on June 5, 2019  
Owner/Publicist at Publicity By Design

Add Friend

**Asbury Park**  
12,050 members

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**NRBQ Appreciation Society**  
6,899 members

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- Fredrick Luval
- Ania Antsi Crjn-Drbnt...
- Musa Musa
- Dorma Beth Wiggin
- Migen Mata
- Mark Haefeli
- Umberto Monti 22m
- Zeljka H Vuk 2h
- Khalid Mahmood
- Péter Égetó
- Bill Schmid
- Lauren D'costa 20m
- Journalist Razia Ma... 40m
- Arantxa Jiménez Rev... 1h
- Mohammad 7h
- Kinga Kovács
- Kakucsi Kakucsi 8h
- Wick John 19h
- Marco Grassia 42m

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- Bonnie Haynes**  
Added by Mark Haefeli on June 4, 2019  
Board Member at Iwo Jima Association of America
- Jack Isquith**  
Added by Mark Haefeli on June 1, 2019  
Residential Real Estate Sales at Halstead Manhattan
- Fred Guterl**  
Added by Mark Haefeli on June 1, 2019  
Author at The Fate of the Species
- John Douglas**  
Joined about a month ago  
Austin, Texas
- Gigi Shapiro Kulick**  
Joined about a month ago  
Boston University
- Ken Browne**  
Added by Mark Haefeli on May 16, 2019  
Producer Director at FIT/SUNY
- Ellyn Solis**  
Added by Mark Haefeli on May 15, 2019  
SVP at Right Angle PR
- Rich Principe**  
Joined about a month ago  
Hofstra University
- Don Puluse**  
Added by Mark Haefeli on May 12, 2019  
President (title) at AES Educational Foundation
- Rob Anderson**  
Added by Mark Haefeli on May 11, 2019  
Engineer technician at Aura Sonic Ltd.
- Karta Smith**  
Added by Mark Haefeli on May 10, 2019  
Certified Personal Trainer at Self-Employed
- Debra Champion**  
Added by Mark Haefeli on May 10, 2019
- Andre Durette**  
Added by Mark Haefeli on May 10, 2019
- George Louvis**  
Added by Mark Haefeli on May 10, 2019
- Jeff Bova**  
Added by Mark Haefeli on May 10, 2019  
Producer, Arranger, Keyboards at Jeff Bova/Bovaland
- Billy Seidman**  
Added by Mark Haefeli on May 10, 2019  
Senior Consultant at Berklaenyc
- Marty Dunayer**  
Added by Mark Haefeli on May 10, 2019  
Owner at Musecat Productions
- Yon Elvira**  
Added by Mark Haefeli on May 9, 2019  
Photo Services for Filmed Entertainment at DigitalFusion

INVITE MEMBERS

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**North NJ Teens**  
165-170  
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- Journalist Razia Ma...
- Arantxa Jiménez Rev...
- Mohammad
- Kinga Kovács
- Kakuksi Kakuksi
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# Power Station New York "A Billion Dollar Power Station" A Music Documentary



















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-  Added by Mark Haefeli on May 9, 2019
-  **Val Johannessen**  
Added by Mark Haefeli on May 9, 2019  
Works at IMS
-  **Larry Decker**  
Added by Mark Haefeli on May 9, 2019  
Co-Owner at Decker Auto Parts
-  **Bernie Saccaro**  
Added by Mark Haefeli on May 9, 2019  
Rutgers University
-  **Paul Foley**  
Added by Mark Haefeli on May 9, 2019  
Owner/Partner at Sands Foley Entertainment
-  **Baron Raymonde**  
Added by Mark Haefeli on May 9, 2019
-  **David Schure**  
Added by Mark Haefeli on May 9, 2019  
CEO / President at Schure Media Group
-  **Bob Kranes**  
Added by Mark Haefeli on May 7, 2019  
New York, New York
-  **Steve Boyer**  
Added by Mark Haefeli on May 7, 2019  
New York, New York
-  **Anna Maria Sifo**  
Added by Mark Haefeli on May 7, 2019
-  **Jimmy Bralower**  
Added by Mark Haefeli on May 6, 2019  
Works at Dynotone Records
-  **Rick Slater**  
Added by Mark Haefeli on May 6, 2019  
Tuckahoe, New York
-  **Melissa Underwood Ayres**  
Added by Mark Haefeli on May 6, 2019
-  **Mac Bowne**  
Added by Mark Haefeli on May 6, 2019  
Technician at NBC New York
-  **Garry Rindfuss**  
Added by Mark Haefeli on May 6, 2019  
New York, New York
-  **Fred Salkind**  
Joined about 4 months ago  
School of the Museum of Fine Arts at Tufts
-  **Rick Kwan**  
Added by Andrew Felluss on February 5, 2019
-  **Sean McCloskey**  
Joined about 5 months ago  
Publisher at No4Magazine
-  **John Fitzgerald**  
Joined about 5 months ago

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



















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-  Umberto Monti 32m
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-  Lauren D'costa 20m
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-  Arantxa Jiménez Rev... 1h
-  Mohammad 7h
-  Kinga Kovács
-  Kakucsi Kakucsi 8h
-  Wick John 12h
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- Uri Bacardit**  
Joined about 5 months ago  
Terrassa  
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- Mario J McNulty**  
Joined about 5 months ago  
New York, New York  
Add Friend
- Michelle Ann**  
Joined about 5 months ago  
University of Phoenix  
Add Friend
- Andrew Felluss**  
Joined about 5 months ago  
Development Director, Station Manager at MusicNetwork  
Add Friend
- Geoff Gray**  
Joined about 5 months ago  
President at Far & Away Studios, Inc.  
Add Friend
- Claudine Oborn**  
Joined about 5 months ago  
Musician at Performing and Recording Artist  
Add Friend
- John-Paul Greenock**  
Added by Mark Haefeli on January 22, 2019  
Add Friend
- Tino Passante**  
Joined about 5 months ago  
Massapequa, New York  
Add Friend
- Alice Haefeli**  
Added by Mark Haefeli on January 21, 2019  
Program Supervisor at Camp For All  
Add Friend
- Michelle Fiddler**  
Added by Mark Haefeli on January 21, 2019  
Realtor at Berkshire Hathaway HomeServices New Jersey Properties  
Add Friend
- Matt Hurwitz**  
Added by Mark Haefeli on January 21, 2019  
Works at Freelance Entertainment Journalist  
Add Friend
- Roy Hendrickson**  
Added by Mark Haefeli on January 20, 2019  
Add Friend
- Mark Haefeli**  
Admin  
View 7 recent posts  
Created group on January 20, 2019  
Principal/Creative Director at Mark Haefeli Productions  
Friends
- Susan Blond**  
Previewing  
Invited by Mark Haefeli on May 9, 2019  
President at Susan Blond Group, Inc.  
Add Friend
- Doug Summers**  
Previewing  
Invited by Mark Haefeli on May 6, 2019  
The Bolles School  
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- Mohammad
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# Artists Against Stealing From Creatives

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Vintage Weird  
52,123 members

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Looney Tunes Fan Group

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View 15+ recent posts

Principal/Creative Director at Mark Haefeli Productions

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### Friends 1



**Mark Haefeli**

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Principal/Creative Director at Mark Haefeli Productions

Friends

### New to the Group



**Louis Brown**

Added by Mark Haefeli on June 11, 2019  
Licensed Real Estate Salesperson at BOND New York Real Estate

Add Friend



**Joel S Naftelberg**

Added by Mark Haefeli on June 11, 2019  
Montclair, New Jersey

Add Friend



**Roey Shamir**

Joined about 2 weeks ago  
Business Owner/Engineer at Reflector Audio USA

Add Friend



**Anna Maria Sifo**

Added by Mark Haefeli on June 9, 2019

Add Friend

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Friends



Arantxa Jiménez Revilla

Invite Member



Journalist Razia Mahsood

Invite Member



Phil De Brún

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Chat (3)



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- Added by Mark Haefell on June 8, 2019
- John Douglas**  
Added by Mark Haefell on June 7, 2019  
Austin, Texas
- Kevin Lee Allen**  
Added by Mark Haefell on June 7, 2019  
Entertainment Designer and Experiential Architect at Kevin Lee Allen Design
- Lindajo Loftus**  
Added by Mark Haefell on June 7, 2019
- Suny Sawey**  
Joined about 2 weeks ago
- Kristina Garlick**  
Added by Bonnie Haynes on June 5, 2019  
Hackensack, New Jersey
- Michael James Greene**  
Joined about 3 weeks ago  
Works at Freelance Audio Engineer/Scoring Mixer
- Bob Shuster**  
Joined about 3 weeks ago  
Eastman School of Music
- Steve Boyer**  
Added by Mark Haefell on June 1, 2019  
New York, New York
- Bonnie Haynes**  
Added by Mark Haefell on June 1, 2019  
Board Member at Two Jima Association of America
- Andrew Felluss**  
Added by Mark Haefell on June 1, 2019  
Development Director, Station Manager at MusicNetwork
- Bernie Saccaro**  
Added by Mark Haefell on June 1, 2019  
Rutgers University
- Michael Christopher**  
Added by Mark Haefell on June 1, 2019  
Engineer at ESPN CBS ABC MSG NETWORKS
- Fred Guterl**  
Added by Mark Haefell on June 1, 2019  
Author at The Fate of the Species
- Mark Haefeli**  
View 15+ recent posts  
Created group on June 1, 2019  
Principal/Creative Director at Mark Haefeli Productions



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**Lupe Fiasco**

Previewing  
Invited by Mark Haefell on June 9, 2019

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**Bob Schwall**

Previewing  
Invited by Mark Haefell on June 6, 2019  
Director, Technical Engineering at Sony Music Entertainment

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**Ryan Smyth**

Previewing  
Invited by Mark Haefell on June 6, 2019  
Professional Drummer (Live Show, Touring & Sessions Drummer (Studio) at Bel Heir (RCA)

Add Friend



**Scott A. Ettin**

Previewing  
Invited by Mark Haefell on June 6, 2019  
Manager, Digital Media & Data Services at Technicolor-PostWorks NY

Add Friend



**James Sizemore**

Previewing  
Invited by Mark Haefell on June 6, 2019  
Works at Composer

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**Terry Wetmore**

Previewing  
Invited by Mark Haefell on June 6, 2019  
Not Much

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**Scott Hull**

Previewing  
Invited by Mark Haefell on June 6, 2019  
Chief engineer at Masterdisk

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**Mark Feldman**

Previewing  
Invited by Mark Haefell on June 6, 2019  
New York, New York

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**Suzanne Devine**

Previewing  
Invited by Mark Haefell on June 6, 2019  
Kid's Music Coach at HAPPY PIANO

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**Maureen Edelson**

Previewing  
Invited by Mark Haefell on June 2, 2019  
Creator at Pray4Mets

Add Friend



**Louis Levin**

Previewing  
Invited by Mark Haefell on June 2, 2019  
Miami Beach, Florida

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**Karla Gatruss**

Previewing  
Invited by Mark Haefell on June 2, 2019  
Madrid, Spain

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**Frank Burla**

Previewing  
Invited by Mark Haefell on June 2, 2019

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**Kevin Mazur**

Previewing  
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Athens, Georgia
-  **Claire Mercuri**  
Previewing  
Invited by Mark Haefeli on June 2, 2019  
New York, New York
-  **Mark Haefeli**  
Previewing  
Invited by Mark Haefeli on June 2, 2019  
Montclair, New Jersey
-  **Eilyn Solis**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
SVP at Right Angle PR
-  **Jim Bessman**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
New York, New York
-  **Stephen Webb**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Administrator at East Orange Public School
-  **Seona Skwara**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
-  **Elizabeth Freund**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Brooklyn, New York
-  **Theresa Buono-Haefeli**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
John F. Kennedy High School
-  **Karen Roche**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Montclair State University
-  **Vic Saccomano**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Lake Hopatcong, New Jersey
-  **Mallory Anne**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Rutgers University
-  **Mike Agerbo**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
CEO & Founder at Blink Media Works
-  **Helen Mcdermott-Walsh**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Works at New Jersey Bell Telephone
-  **Philip Grossi**  
Previewing  
Invited by Mark Haefeli on June 1, 2019

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- Invited by Mark Haefeli on June 1, 2019  
Chief Creative Artist at Make-up Artist & Hair Designer Jan Pedis
- Briele Douglass**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Director of PR at WE tv
- Brooke Sullivan**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Upper Montclair, New Jersey
- Edward Dolphinman**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Montclair, New Jersey
- Lou Holtzman**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
New York, New York
- Debra Champion**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
- Michael Schwartz**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Owner at Michael Schwartz Creative
- John Bionelli**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
- Melissa Underwood Ayres**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
- Diane Blankumsee**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
President & Owner at Royal D Visual Marketing
- Zara Phillips**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Author at Kruger Cowrie
- Marci Fine**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
- Fred Inkley**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
- Kami Simpson**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
- Selena Fragassi**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Owner and Founder at FR PR

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Co-Owner at Decker Auto Parts
- Ken Browne**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Producer Director at FIT/SUNY
- Lawson White**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
President and Producer at Good Child Music
- Billy Seidman**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Senior Consultant at Berkleenyc
- Jack Sussman**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
- Brandt Colby Gaines**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Westfield, New Jersey
- John Arvanites**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
- Brendan McCray**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
East Orleans, Massachusetts
- Francis Manzella**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
President at Francis Manzella Design Ltd
- Mindy Pickard**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Licensed Acupuncturist at Three Treasures Acupuncture
- Liz Hausle**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
- John Hammond**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
- Emmanuel Donio**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Florida State University
- Allyson Minor Hombach**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
- Scott Kubrin**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Ridgefield, Connecticut



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President at Sphere Music Group
-  **Gary Fisher**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Managing Partner at Monkfish Entertainment
-  **Dennis Wall**  
Previewing  
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Chief Engineer - Guru at Man Made Music
-  **Billy Roues**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Songwriting and History of Rock'n'Roll Teacher at EF International Academy
-  **Chris Dunn**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Tarrytown, New York
-  **Jim Farber**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Sarah Lawrence College
-  **Barbra Neumann**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
-  **Cindy Sivak**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Consultant at Bongiovi Entertainment
-  **Iven Walters**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Brooklyn, New York
-  **Daniel Roberts**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Montclair State University
-  **Bruce Ladd**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Boston, Massachusetts
-  **Katt Sims**  
Previewing  
Invited by Mark Haefeli on June 1, 2019
-  **Fran Cunningham**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Works at Whole Foods Market
-  **Bob Kranes**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
New York, New York
-  **Chris Lenz**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Executive Producer at Self-Employed



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- Garry Rindfuss**  
Previewing  
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Previewing  
Invited by Mark Haefeli on June 1, 2019  
The Bolles School  
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- Mac Bowne**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Technician at NBC New York  
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- David Kleinrock**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Passaic Valley Regional High School  
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- Steve Sussmann**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Montclair, New Jersey  
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- Jimmy Bralower**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Works at Dynotone Records  
[Add Friend](#)
- Alice Haefeli**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Program Supervisor at Camp For All  
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- Garrett Schaefer**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Works at Treating people like I'd like to be treated  
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- Tino Passante**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Massapequa, New York  
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- Maggie Moor**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Stella Adler Studio of Acting  
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- Soonie Tabel Sawyer**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
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- Lee Anne Callahan-Longo**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Works at Partner at Maverick  
[Add Friend](#)
- Marty Dunayer**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Owner at Musecat Productions  
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- John Williams**  
Previewing  
Invited by Mark Haefeli on June 1, 2019  
Guitarist at Los Traficantes del Amor  
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CEO / President at Schure Media Group


**Roy Hendrickson**  
Previewing  
Invited by Mark Haefeli on June 1, 2019

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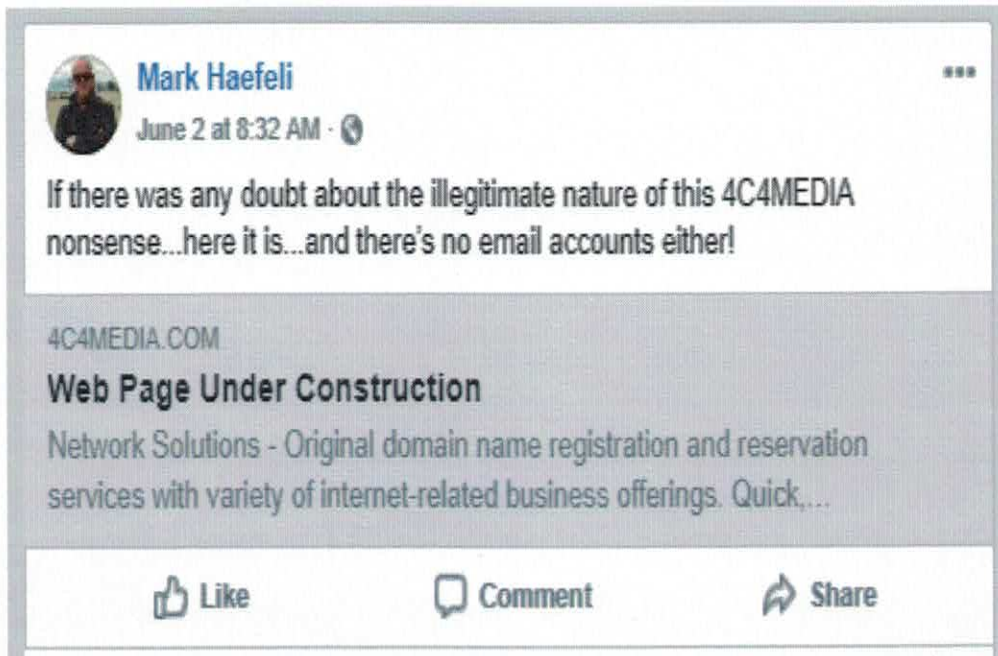
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# EXHIBIT N



A screenshot of a Facebook post by Mark Haefeli. The post includes a profile picture, the name 'Mark Haefeli', and a timestamp 'June 2 at 8:32 AM'. The main text of the post is a statement about the illegitimacy of 4C4MEDIA. Below the text is a link to '4C4MEDIA.COM' with a preview of the website's content, including the heading 'Web Page Under Construction' and a description of network solutions. At the bottom of the post are three interaction buttons: 'Like', 'Comment', and 'Share'.

 **Mark Haefeli** ...




June 2 at 8:32 AM · 

If there was any doubt about the illegitimate nature of this 4C4MEDIA nonsense...here it is...and there's no email accounts either!

[4C4MEDIA.COM](#)

**Web Page Under Construction**

Network Solutions - Original domain name registration and reservation services with variety of internet-related business offerings. Quick...

 Like       Comment       Share

# EXHIBIT O



**Mark Haefeli**

June 3 at 9:58 PM

Hoping to see some personnel experiences written to help others avoid these leeches from sucking your blood! They are the lowest type of gutter creatures.



1

2 Comments Seen by 10



Like



Comment



**Bonnie Haynes** Remember our CBS contracts. They literally said that if we woke up in the middle of the night, they owned it. Oppression comes in all dorns

Like · Reply · 2w



1



**Bonnie Haynes** Forms

Like · Reply · 2w



1