

FILED IN FORMA PAUPERIS (CRC 985)
PER ORDER DATED _____
AMOUNT RECOVERABLE PURSUANT
TO 88511.3 GC § 32.000
PLUS A ONE TIME ADMINISTRATIVE FEE UPON JUDGMENT
IF THE PARTY SUCCEEDS AS A JUDGMENT CREDITOR.

~~CLERK~~
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SEP 11 2007
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CAROL LEE SHULMAN
21103 WOOD AVE #C
TORRANCE, CA. 90503-4133
(310) 371-0735

FILED
LOS ANGELES SUPERIOR COURT

SEP 11 2007

John A. Clarke, Executive Officer/Clerk
By AL GARCIA Deputy

IN PRO PER:

Case assigned to dept 49
Judge Conrad Aragon

SUPERIOR COURT OF CALIFORNIA
LOS ANGELES COUNTY

CAROL LEE SHULMAN)

CASE # BC377386

plaintiff)

COMPLAINT FOR:
RESEARCH WITHOUT PERMISSION
MARKETING OF LIFE'S EVENTS FOR PRO
FIT PUBLICITY WITHOUT CONSENT
ROYALTIES DUE 1.5 MILLION
PUNITIVE CHARGES 1 MILLION
UNAUTHORIZED USE OF LIKENESS

v.)

~~CRESSENT DRIVE PRODUCTIONS~~)

Andy Garcia
defendants)

FILED IN

Andy Garcia

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THIS IS A CIVIL SUIT AGAINST THE PRODUCTION COMPANY OF CRESENT DRIVE PICTURES FOR THE USE OF THE EVENTS OF MY HUSBAND'S LIFE AND HIS LIKENESS IN THEIR RECENT RELEASE OF "THE LOST CITY", HIS LIKENESS WAS SOLD FOR COMMERCIAL GAIN WITHOUT PERMISSION. HE WAS EXILED FROM CUBA DURING THE REVOLUTION AS WAS THE MUSICAL ARTIST, IN THE MOVIE FOR HIS FREEDOM OF EXPRESSION. UNDER CALIFORNIA LAW AN INDIVIDUAL HAS THE RIGHT TO CONTROL HIS OR HER PUBLICITY. HIM AND HIS SAXAPHONE WERE BOTH EXILED FROM THE ISLANDS PER HOUR. THIS WAS RESEARCH WITHOUT PERMISSION. AS THIS CHARACTER WAS SOLD IN THE PRODUCTION, ROYALTIES ARE DUE OF 3.5 MILLION DOLLARS. PUNITIVE CHARGES ARE ALSO DUE OF 1 MILLION DOLLARS FOR USE OF LIKENESS WITHOUT PERMISSION. THE EVENTS OF HIS LIFE WERE SOLD FOR PROFIT. HUGE PROFITS WERE MADE FROM THE USE OF HIS LIKENESS. THE LAW CLEARLY STATES THAT THE RIGHT OF PUBLICITY INVOLVES A COGNIZABLE PROPERTY INTEREST. THE PRODUCTION WAS COMMERCIAL USE WITHOUT PERMISSION. ROYALTIES ARE DUE. HE WAS ALSO A STAND-UP COMIC

The plaintiff, as successor in interest believes the law states she has a cognizable property interest. Your cooperation is appreciated.

RESPECTFULLY,
MS. C. L. SHULMAN

3/09/07

MS. C. L. Shulman

3/30/07

5/08/07

MS. C. L. Shulman

MS. C. L. Shulman

9/06/07

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1952 earned a degree at Ph.D of Liturgical Art at Catholic University. Although George Shearing, Duke Ellington and Nat Cole, great admirers of Shirley, encouraged his entry into jazz, he is primarily a classical musician and has made numerous symphonic orchestra appearances. Igor Stravinsky said of him, "His virtuosity is worthy of gods." Own LPs: Cadence.

Addr: Carnegie Hall, West 57th St., New York 19, N. Y.

SHIRLEY, JAMES ARTHUR (Jimmy), guitar; b. Union, S. Car., 5/31/13. Raised in Cleveland, Ohio; stud. w. father. Played w. Frank Terry in Cincinnati, '34; own quartet (3 guitars, bass) '35-6; Clarence Profit trio '37-41, then own trio in Phila. Toured w. Ella Fitzgerald & The Four Keys, '42-3. Rejoined Profit shortly before his death in '43, then began a long association w. Herman Chittison, in whose trio he was featured (often at the Blue Angel, NYC) in 1943-4, '48, '51 and '54. Also had his own trio off and on and worked w. Phil Moore Four, Toy Wilson trio; acc. to Bill Williams' vocal quartet '50; Vin Strong '53. Shirley became known through the unique sound he obtained by using a "vibrola" attachment, giving his guitar a new sound. Rec. *Lucky So & So* w. Ella Fitzgerald; *Don't Take Your Love From Me* w. Artie Shaw; *Groovy Thing* w. Earl Bostic; *Jimmy's Blues* (Blue Note); albums w. Sid Catlett, Ram Ramirez, Chittison. LP w. Coleman Hawkins (Bruno.).

SHOFFNER, BOB, trumpet; b. Bessie, Tenn., 1900. Moved to St. Louis and app. with Charlie Creath; joined King Oliver in Chicago 1925, staying a year. He lost his lip but began practicing again in late '27 and resumed his career. Played w. Earl Hines, McKinney's Cotton Pickers; rec. with Jelly Roll Morton. Has been w. Franz Jackson in Chicago in recent years.

SHORT, ROBERT E. (Bob), tuba; also trombone, cornet; b. 8/26/11. Pl. with J. Teagarden's big band 1945; Castle Jazz Band '46-50; Turk Murphy '51-4, then rec. and played w. Bob Scobey. Rejoined Murphy Aug. '58. Fav. own solo: *See See Rider* w. Murphy (Col.). LPs w. Murphy (GTJ), Col., Roul.), Scobey (GTJ, Vict., Mero.), Castle Jazz Band (GTJ).

Addr: 719A Chestnut St., San Francisco, Calif.

SHORT, ROBERT WALTRIP (Bobby), singer, piano; b. Danville, Ill., 9/15/28. School in Chicago. Self-taught musically. A child prodigy, he was in vaudeville from the age of 10. Featured at the Blue Angel in NYC, the Haig in LA, and the Gala in Hollywood. Short worked also at clubs in Paris and London, 1952-3, and acquired a reputation among society people for his interpretation of sophisticated lyrics. Although this has been his main appeal, some of his work is of interest from a jazz standpoint. LPs: Atl.

Addr: c/o Winkler, 215 S. La Glenoga, Beverly Hills, Cal.

SHORTER, WAYNE, tenor saxophone; b. Newark, N.J., 8/25/33. Four years of mus. ed. at NYU. Army 1956-

8; worked briefly w. Horace Silver during this time. After discharge Oct. '58, came to NYC to free-lance. Played a few weeks w. Maynard Ferguson July-Aug '59, then joined Art Blakey. One of the most prominent of the younger Rollins-influenced tenor men. Fav: Rollins, Coltrane, C. Hawkins. Own LP: Vee-Jay; L. w. Blakey (Blue Note).

Addr: 152 Pennsylvania Ave., Newark, N. J.

SHREVE, RICHARD G. (Dick), piano, bass, trombone; b. Kansas City, Mo., 8/16/23. Father, a doctor, pl. Dixie and trombone in KC; pl. piano w. his band '45. Stud. music 6 yrs. at Okla. U. Several months w. Les Brov '50; settled in LA, pl. w. Buddy Childert, Bud Collette '56, then w. Howard Rumsey at Lighthouse '57. Fav: Tatum. LPs w. Collette (ABC-Par-Rumsey (Lib., Contemp.), M. Roach-S. Levey (Lib.

SHU, EDDIE (Edward Shulman), tenor sax, alto, clarinet, also trumpet, harmonica, composer, singer; b. Brooklyn, N. Y., 9/18/18. Studied violin and guitar as child. Joined Cappy Darra's harmonica band at 17. Toured w. vaudeville units for Major Bowes, Ben Davis. Took up sax as hobby and within a month his first gig. While in Hawaii w. harmonica duo USO tour he enlisted in Army, Nov. 1942. Pl. clarinet and trumpet in military bands; did ventriloquist act for GIs throughout central Pacific.

After discharge in Nov. '45 he worked club as ventriloquist, pl. w. the bands of Ben Ribble (ballad singer), Tadd Dameron; George Shearing; Johnny Bothwell, Buddy Rich, Les Elgart; six months w. Lionel Hampton '49-50; Ch. Barnett '50-1; Chu' Jackson '52; own band at Basin Street, NYC '55. Joined Gene Krupa's trio '54 and remained w. until Jan. '58. Pl. in Cuba until Castro revolution; app. on *Casino de la Alicia* TV show. Since working in Miami (a variable musician, Shu at best is a first-class jazzman on every instrument) plays. Own LP on Beth.; LPs w. Krupa (Verve).

Addr: 1471 N.W. 64th Way, West Hollywood,

SHULMAN, JOSEPH (Joe), bass; b. New York City, 8/23; d. New York City 8/2/57. Self-taught. Pl. Scot Davis 1940; briefly w. Les Brown '42; US overseas w. Glenn Miller AAF band '43-4 (rec. Django Reinhardt in Paris); discharged '45, w. Buddy Rich '46. In '47 he was w. Claude Thorn one of several members of that band who took part in the significant Miles Davis Capitol recordings later toured theatres w. Peggy Lee-Dave Barbour '48 & '50; Lester Young '49; briefly w. Tristano, 1951 in et al in NYC; mainly w. Barbara Carroll Trio '51 until his death; married Barbara Carroll '54. man was greatly admired by many musicians, Duke Ellington, with whom he once recorded. Ray Brown, Simmons, Hinton. LPs w. Barbara Carroll (Vict., Atl.), Miles Davis (Cap.), Lester (Verve).

SIGNORELLI, FRANK, piano; b. New York City, 5/5. Stud. with a cousin, Pasquale Signorelli. A p

ATTORNEY OR PARTY WITHOUT ATTORNEY (Print, State Bar number, and address):
CAROL LEE SHULMAN
 2103 WOOD AVE #1C
 TORRANCE CA 90503-4133
 TELEPHONE NO: (310) 371-0735 FAX NO: [blank]
 ATTORNEY FOR: [blank]

FOR COURT USE ONLY
FILED
 LOS ANGELES SUPERIOR COURT
 SEP 11 2007
 John A. Clarke, Executive Officer/Clerk
 By: [Signature] Deputy

SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles
 STREET ADDRESS: 111 N. Hill St.
 MAILING ADDRESS: Los Angeles, Ca. 90012
 CITY AND ZIP CODE:
 BRANCH NAME: Central Div. 501

CASE NAME:
Carol Lee Shulman vs. Andy Garcia

CIVIL CASE COVER SHEET

Unlimited (Amount demanded exceeds \$25,000) Limited (Amount demanded is \$25,000 or less)

Complex Case Designation
 Counter Joinder
 Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)

CASE NUMBER: BC377386
 JUDGE: [blank]
 DEPT: [blank]

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

<p>Auto Tort</p> <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) <p>Other P/VP/D/W (Personal Injury/Property Damage/Wrongful Death) Tort</p> <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other P/VP/D/W (23) <p>Non-P/VP/D/W (Other) Tort</p> <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-P/VP/D/W tort (35) <p>Employment</p> <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	<p>Contract</p> <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) <p>Real Property</p> <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) <p>Unlawful Detainer</p> <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) <p>Judicial Review</p> <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	<p>Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403)</p> <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) <p>Enforcement of Judgment</p> <input type="checkbox"/> Enforcement of judgment (20) <p>Miscellaneous Civil Complaint</p> <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) <p>Miscellaneous Civil Petition</p> <input type="checkbox"/> Partnership and corporate governance (21) <input checked="" type="checkbox"/> Other petition (not specified above) (43)
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2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

a. <input type="checkbox"/> Large number of separately represented parties	d. <input type="checkbox"/> Large number of witnesses
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve	e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
c. <input type="checkbox"/> Substantial amount of documentary evidence	f. <input type="checkbox"/> Substantial postjudgment judicial supervision

3. Remedies sought (check all that apply): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (specify): [blank]

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

DATE: 9/11/07
 BY: CAROL LEE SHULMAN (TYPE OR PRINT NAME) Carol Lee Shulman (SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.