

## Arbitration Award Summaries

(Listed in chronological order of the date of issuance of the Final Award)

No. 19-32 – Award issued on January 8, 2020

Claimant: *Keeping Mum Productions, Limited* (Licensor)

Respondent: *ThinkFilm, LLC* (Distributor)

Principals at the time Final Award issued: Unknown

Arbitrator: Michael R. Blaha, Esq.

The Final Award (issued after a prove-up in a default case) found that Respondent materially breached the Distribution Agreement by failing to provide accounting statements and to remit funds to Claimant. It also found that Respondent transferred the copyright of the Film to itself without Claimant's authorization. The Agreement was terminated and all rights in the Film remain with Claimant.

No. 19-15 – Award issued on January 9, 2020

Claimant: *National Bank of Canada* (Financier)

Respondent: *Dreamgold Group Corp.* (Distributor)

Principals at the time Final Award issued: Unknown

Arbitrator: Hillary S. Bibicoff, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay to Claimant the balance of the minimum guarantee due under the Notice of Assignment.

No. 19-36 – Award issued on January 27, 2020

Claimant: *Michael Rohrbaugh* (Financier)

Respondent: *DLM Entertainment Group, LLC* (Distributor)

Principals at the time Final Award issued: Unknown

Arbitrator: Max J. Sprecher, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay to Claimant the amounts due under the Settlement Agreement.

No. 19-45 – Award issued on February 19, 2020

Claimant: *DYP Enterprises, Inc.* (Licensor)

Respondent: *Archstone Distribution, LLC* (Sales Agent)

Principals at the time Final Award issued: Unknown

Arbitrator: Greg D. Derin, Esq.

The Final Award (issued after a prove-up in a default case) found that Respondent breached the Sales Agency Agreement by failing to secure distribution deals, to provide timely accounting statements, and to make timely payments due to Claimant, and that Respondent charged Claimant unauthorized fees and outsourced its distribution duties to an unauthorized third-party. The Agreement was terminated, as were any rights that Respondent and third-party may have had under the Agreement.

No. 19-30 – Award issued on February 29, 2020

Claimant: *Thunderwolf Productions* (Licensor)  
Respondent: *Archstone Distribution, LLC* (Distributor)  
Principals at the time Final Award issued: Unknown  
Arbitrator: Louise Nemschoff, Esq.

The Final Award found that Respondent breached the parties' Settlement Agreement by failing to remit the payment installments due. The Award terminated the parties' underlying Distribution Agreement and the rights reverted to Claimant, with the exception of sublicense agreements, which Respondent must provide to Claimant.

No. 19-51 – Award issued on March 7, 2020

Claimant: *City National Bank* (Financier)  
Respondent: *Elibet Movie, S.L.* (Distributor)  
Principals at the time Final Award issued: Unknown  
Arbitrator: Mark Litwak, Esq.

The Final Award (issued after a prove-up in a default case) found that Respondent breached the Notice of Acceptance of Assignment, and the Amended Notice of Acceptance and Assignment by failing to remit the minimum guarantee due. The Agreements were terminated and all rights in the Film reverted to Claimant, except that Respondent may seek credit of revenue from relicensed rights against the Award if and to extent allowed under applicable law.

No. 19-34 – Award issued on April 3, 2020

Claimant: *The Jigsaw Ensemble, LLC.* (Owner)  
Respondent: *Lightning Entertainment Group, Inc.* (Sales Agent)  
Principals at the time Final Award issued: Unknown  
Arbitrator: Dixon Q. Dern, Esq.

The Final Award found that Respondent failed to provide Claimant with full accounting statements and audit rights as provided under the Sales Agreement, and ordered Respondent to pay Claimant current and unreported payments due. The Respondent was ordered to provide Claimant with sublicense agreements and Respondent's rights under the Agreement were terminated.

No. 20-02 – Award issued on June 3, 2020

Claimant: *Christopher Dreger* (Contractor)  
Respondent: *Mark Blanchard* (Production Company)  
Principals at the time Final Award issued: Unknown  
Arbitrator: Michael R. Diliberto, Esq.

The Final Award (issued after a prove-up in a default case) found that Claimant provided services as agreed in accordance with the Post Contract, and ordered Respondent to pay to Claimant the outstanding balance of monies due under the Contract.

No. 19-43 – Award issued on June 3, 2020

Claimant: *Inopia Films, S.L.* (Distributor)  
Respondent: *AMBI Distribution Corp.* (Licensor)  
Principals at the time Final Award issued: Unknown  
Arbitrator: James W. Coupe, Esq.

The Final Award found that the preponderance of the evidence showed Claimant was not entitled to a refund of the monies paid to Respondent under the Distribution Agreement. The Award also found that Respondent validly assigned the Agreement to a third party, and therefore Claimant could not cancel the Agreement.

No. 19-54 – Award issued on June 12, 2020

Claimant: *Global Media Properties, Inc.* (Distributor)  
Respondent: *Hannibal Classics, Inc.* (Licensor)  
Principals at the time Final Award issued: Unknown  
Arbitrator: Michael L. Novicoff, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to reimburse monies unjustly received from Claimant under the terms of a Distribution Agreement executed prior to the parties signing the Notice of Assignment at issue in this case.

No. 20-10 – Award issued on August 25, 2020

Claimant: *Backup Studios SASU* (Licensor)  
Respondent: *Dreamgold Group Corp.* (Distributor)  
Principals at the time Final Award issued: Unknown  
Arbitrator: Judith M. Sasaki, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay to Claimant the three installment payments due under the International License Agreement.

No. 20-31 – Award issued on October 5, 2020

Claimant: *Star Alliance Movies (HK) Co., Ltd.* (Distributor)  
Respondent: *AMBI Distribution Corp.* (Licensor)  
Principals at the time Final Award issued: Unknown  
Arbitrator: Bruce Isaacs, Esq.

The Final Award found that Respondent substantially complied with the Distribution Agreement to submit certain documents to Claimant before payment of the final installment, and therefore it did not breach the Agreement. The Award also found that the requirement for Respondent to obtain an apostille for the documents from the Chinese Embassy was excused due to force majeure as a result of the COVID-19 pandemic. The Award ordered Respondent to obtain the apostilles upon the scheduled reopening of the Embassy.

No. 20-40 – Award issued on October 5, 2020

Claimant: *Samson Films Ltd.* (Licensor)  
Respondent: *108 Media Corp.* (Distributor)  
Principals at the time Final Award issued: Unknown  
Arbitrator: Dixon Q. Dern, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay to Claimant the monies which Respondent acknowledged were due Claimant, and additional monies received by Respondent after it terminated the Distribution Agreement. The Award also found Claimant's termination of the Agreement to be appropriate, and ordered Respondent to provide Claimant with sublicense agreements and an audit of Respondent's accounting records.

No. 20-33 – Award issued on October 15, 2020

Claimant: *Radiant Films International, LLC as agent for Undying Productions, Inc.*  
(Licensor)  
Respondent: *Suraya Filem Production & Distribution (M) SDN. BHD.* (Distributor)  
Principals at the time Final Award issued: Unknown  
Arbitrator: Robert M. Nau, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay to Claimant the minimum guarantee due under the Notice of Assignment and Irrevocable Authority Agreement, and terminated the Agreement. This matter met the criteria for and proceeded under the Fast Track rules for expedited arbitration.

No. 20-43 – Award issued on November 15, 2020

Claimant: *Bold Films Productions, LLC* (Licensor)  
Respondent: *Korea Screen, Inc.* (Distributor)  
Principals at the time Final Award issued: Unknown  
Arbitrator: J. David Marks, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay to Claimant the minimum guarantee due under the Distribution Agreement, and terminated the Agreement so that Respondent has no further rights therein.

No. 20-14 – Award issued on November 16, 2020

Claimant: *Kimberly Boyle* (Owner)  
Respondent: *Adler & Associates Entertainment, LLC* (Distributor)  
Principals at the time Final Award issued: Unknown  
Arbitrator: Mark Fleischer, Esq.

The Final Award found that Respondent infringed Claimant's copyrights when it entered into licensing agreements with third-parties to distribute the Picture based on Claimant's screenplay since the right to exercise the option for the screenplay outlined in the Screenplay Agreement had expired.

No. 19-37 – Award issued on December 7, 2020

Claimant: *Mars Films* (Distributor)

Respondent: *Annapurna Releasing, LLC* (Licensor)

Principals at the time Final Award issued: Unknown

Arbitrator: James W. Coupe, Esq.

The Final Award found that Respondent's request to extend the bonded delivery date for the Picture did not constitute an anticipatory breach of the Distribution Agreement and ordered Claimant to pay the balance of the minimum guarantee due under the Agreement.