

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p>I. (a) PLAINTIFFS</p> <p>Isabella Tanikumi A/K/A L. Amy Gonzalez</p> <p>(b) County of Residence of First Listed Plaintiff [REDACTED] <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p>(c) Attorneys (Firm Name, Address, Email and Telephone Number) Isabella Tanikumi, Plaintiff Pro se [REDACTED]</p>	<p>DEFENDANTS</p> <p>The Walt Disney Company, Disney Enterprises Inc. Disney Worldwide Services Inc., and ABC Corp 1-10 (a fictitious name)</p> <p>County of Residence of First Listed Defendant <u>Los Angeles County</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known)</p>
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<p>II. BASIS OF JURISDICTION (Place an "X" in One Box Only)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff</p> <p><input type="checkbox"/> 2 U.S. Government Defendant</p> <p><input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)</p> <table style="width:100%;"> <tr> <td style="width:33%;">Citizen of This State</td> <td style="width:33%;">PTF DEF <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1</td> <td style="width:33%;">Incorporated or Principal Place of Business In This State</td> <td style="width:33%;">PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2 <input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3 <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6 <input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF DEF <input checked="" type="checkbox"/> 1 <input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	PTF DEF <input type="checkbox"/> 4 <input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5 <input checked="" type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6										

IV. NATURE OF SUIT (Place an "X" in One Box Only)

<p>CONTRACT</p> <p><input type="checkbox"/> 110 Insurance</p> <p><input type="checkbox"/> 120 Marine</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 140 Negotiable Instrument</p> <p><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)</p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits</p> <p><input type="checkbox"/> 160 Stockholders' Suits</p> <p><input type="checkbox"/> 190 Other Contract</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> <p><input type="checkbox"/> 196 Franchise</p>	<p>TORTS</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Federal Employers' Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Personal Injury - Medical Malpractice</p>	<p>PERSONAL INJURY</p> <p><input type="checkbox"/> 365 Personal Injury - Product Liability</p> <p><input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability</p> <p>PERSONAL PROPERTY</p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p>	<p>FORFEITURE/PENALTY</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 690 Other</p> <p>LABOR</p> <p><input type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor/Management Relations</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 751 Family and Medical Leave Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p> <p><input type="checkbox"/> 791 Employee Retirement Income Security Act</p> <p>IMMIGRATION</p> <p><input type="checkbox"/> 462 Naturalization Application</p> <p><input type="checkbox"/> 465 Other Immigration Actions</p>	<p>BANKRUPTCY</p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p>PROPERTY RIGHTS</p> <p><input checked="" type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 840 Trademark</p> <p>SOCIAL SECURITY</p> <p><input type="checkbox"/> 861 IIIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p>FEDERAL TAX SUITS</p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS—Third Party 26 USC 7609</p>	<p>OTHER STATUTES</p> <p><input type="checkbox"/> 375 False Claims Act</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 410 Antitrust</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 450 Commerce</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Sat TV</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 890 Other Statutory Actions</p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 895 Freedom of Information Act</p> <p><input type="checkbox"/> 896 Arbitration</p> <p><input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p>
<p>REAL PROPERTY</p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rpt Lease & Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p>	<p>CIVIL RIGHTS</p> <p><input type="checkbox"/> 440 Other Civil Rights</p> <p><input type="checkbox"/> 441 Voting</p> <p><input type="checkbox"/> 442 Employment</p> <p><input type="checkbox"/> 443 Housing/Accommodations</p> <p><input type="checkbox"/> 445 Amer. w/Disabilities - Employment</p> <p><input type="checkbox"/> 446 Amer. w/Disabilities - Other</p> <p><input type="checkbox"/> 448 Education</p>	<p>PRISONER PETITIONS</p> <p>Habeas Corpus:</p> <p><input type="checkbox"/> 463 Alien Detainee</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence</p> <p><input type="checkbox"/> 530 General</p> <p><input type="checkbox"/> 535 Death Penalty</p> <p>Other:</p> <p><input type="checkbox"/> 540 Mandamus & Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Condition</p> <p><input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement</p>			

V. ORIGIN (Place an "X" in One Box Only)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
This action arises under Section 1338 of the Judicial Code and under 17 USC Sections 501 through 505

Brief description of cause:
Copyright infringement by Defendants of Plaintiff's books "Living my Truth" and "Yearnings of the Heart".

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ _____

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See Instructions):

JUDGE _____ DOCKET NUMBER _____

DATE _____ SIGNATURE OF ATTORNEY OF RECORD _____

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

Isabella Tanikumi
AKA L. Amy Gonzalez



Plaintiff, Pro se

Isabella Tanikumi AKA	:	UNITED STATES DISTRICT COURT
L. Amy Gonzalez	:	FOR THE DISTRICT OF NEW JERSEY
	:	
Plaintiff,	:	CASE NO:
vs.	:	
	:	
The Walt Disney Company, Disney	:	COMPLAINT
Enterprises, Inc., Disney Worldwide	:	
Services, Inc. and ABC Corp. 1-10	:	
(a fictitious name)	:	
	:	

Plaintiff, Amy Gonzalez t/a Isabella Tanikumi, by the way of Complaint against defendant, The Walt Disney Company and its subsidiaries does herein state;

FIRST COUNT

1. The Plaintiff has standing to sue as she is the current owner of record of the works that are the subject of copyright infringement, fraud and plagiarism, titled "Living My Truth" copyrighted in December 2010, and "Yearnings of the Heart", 1st Edition 2010 and 2nd Edition 2013 respectively. Copyright applications have been filed and perfected, for "Living My Truth" registration date January 2011 as TXul1-744-679 (filed December 23, 2010) and reprinted as "Yearnings of the Heart", collectively referred to as "Plaintiff's Work" (Exhibits A and B).

2. This action arises under Section 1338 of the Judicial Code and under 17 USC Sections 501 through 505 for copyright infringement.
3. Defendants Disney Corporation (hereinafter "Disney") and Buena Vista Home Entertainment, Inc. (hereinafter "Buena Vista") did infringe Plaintiff's copyrights, and, through its employees, agents and subcontractors, plagiarize and copy the story, characters, plots, subplots and storyline from Plaintiff's Works to create the story and movie "FROZEN". As a result, Defendants have caused Plaintiff irreparable harm. Examples of specifics showing substantial similarities are attached hereto as Exhibit A.

Wherefore, Plaintiff seeks Judgment against the Defendants for a restraining order to cease and desist from any and all sales, distribution and marketing of FROZEN in any media format, as well as money damages in the amount of \$ 250,000,000.00, together with costs of suit, and such other relief as the Court may deem appropriate.

SECOND COUNT

1. The Plaintiff has standing to sue as she is the current owner of record of the works that are the subject of copyright infringement, fraud and plagiarism, titled "Living My Truth" copyrighted in December, 2010, and "Yearnings of the Heart", 1st Edition 2010 and 2nd Edition 2013, respectively. Copyright applications on both works have been filed and perfected, for "Living My Truth" registration date January 10, 2011 TXu1-744-679 (filed December 23, 2010) and reprinted as "Yearnings of the Heart" (collectively "Plaintiff's Work").
2. This action arises under Section 1338 of the Judicial Code and under 17 USC Sections 501 through 505 for copyright infringement.
3. Defendants Disney Corporation (hereinafter "Disney") and Buena Vista Home Entertainment, Inc. (hereinafter "Buena Vista") did, through its employees, agents and subcontractors, plagiarize and copy the concept, feeling, story, characters, plots, subplots and storyline from Plaintiff's Works to create the story and movie "FROZEN". fraudulently represent that FROZEN was its own creation, further in violation of applicable laws. As a result, Defendants have caused Plaintiff irreparable harm. On July 22, 2014, Plaintiff served upon Defendants Notice to cease and desist using her work product and defendant responded by expanding its exploitation of her work marking to international audiences, as well as many off shoot project such as live plays, games, toys, and costumes.

Wherefore, Plaintiff seeks Judgment against the Defendants for a restraining order to cease and desist from any and all sales, distribution and marketing of FROZEN in any media format, as well as money damages in the amount of \$ 250,000,000.00, together with costs of suit, and such other relief as the Court may deem appropriate.

PUNITIVE DAMAGES

Plaintiff requests that the Court recognize the intentional and serious nature of Defendants' wrongdoings herein and additionally grant Plaintiff relief in the form of punitive damages.

DEMAND FOR JURY TRIAL

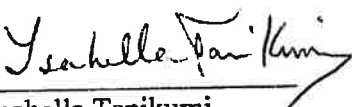
Plaintiff hereby demands trial by jury as to all issues in the above matter.

CERTIFICATION OF NO OTHER ACTION

The Plaintiff certifies that there are no other cases pending or that have been filed in any court or are the subject of arbitration or mediation pertaining to the subject matter of this Complaint. The Plaintiff further certifies that there is no knowledge of any future contemplated action in any court or the subject of any future arbitration or mediation pertaining to the subject matter of this Complaint. The Plaintiff further certifies that she is not aware of any other parties who should be joined in this action.

STATEMENT OF JURISDICTION

I am a citizen of the State of New Jersey. The Defendants are corporations with their principle place of business in California. The amount of controversy, without interest and costs, exceeds the sum or value specified by 28 U.S.C. ss 1332. I certify that the above statements are true. I understand that if the above statements made by me are willfully false, I am subject to punishment.


Isabella Tanikumi
Plaintiff – Pro se

9/21/14
Date

Exhibit A

Exhibit A

Plagiarism Summary

1. The Village

Isabella:

Story begins in her village that is a town at the base of snow covered mountains (in the story and in the cover obverse illustration). She lives with her parents and sister Laura;

Frozen:

Village at the foot of the snow covered mountains where Elsa and Anna live. With their parents.

2. The Two Sisters

Isabella:

Two sisters are two years apart with opposite hair colors; the two sisters have horses;

Frozen:

Two sisters are close in age and have opposite colored hair (brown and blonde); the two sisters have horses.

3. Intense Sisterly Love

Isabella:

Isabella shows deep love for her sister and vice versa;

Frozen:

Elsa and Ana show deep love for each other.

4. Older Sister accidentally Hurts Younger Sister

Isabella:

Laura and Isabella are playing and Isabella was severely injured (fell in hot custard) with damage to the face;

Frozen:

Elsa was playing with Ana and accidentally hurts her head.

5. Younger Sister Loses Memory Of what Happened

Isabella:

Isabella has no memory of accident;

Frozen:

Ana has no memory of the accident.

6. Both Sisters Experience Personal Tragedy

Isabella:

The sisters are involved in a very tragic accident (earthquake that affected an entire city) resulting in isolation for the two, and emotional bonding- friend died in the tragedy and they only have each other;

Frozen:

The sisters are involved in a very tragic accident (storm caused parent's boat to capsize) and they only had each other- isolation and emotional bonding.

7. Younger Sister Falls in Love

Isabella:

Isabella describes a dark haired tall and fair man as her first love.

Frozen:

Ana falls in love with a dark haired tall and fair man.

8. Two Male Characters

Isabella:

Hans and Cristoff are two male characters who have romantic interests in Isabella:

Frozen:

Hans and Kristoff are two male characters who have romantic interests in Ana.

9. Kristoff and Strange Characters

Isabella:

Cristoff and Isabella meet with Diego who told of "his friends" who had healing powers.

Frozen:

Kristoff tells Ana of "his friends" who had healing powers who will heal Ana.

10. Betrayal

Isabella:

Isabella's first love played with her affections and did not return her love.

Frozen:

Ana's first love played with her affections and did not return her love.

11. Recluse Sister

Isabella:

Because of Isabella's childhood accident, Isabella led a life of recluse and did not want to meet anyone because of her embarrassment and fears of her facial injuries. Defense mechanism is developed to prevent others from finding out about the defect.

Frozen:

Because of Ana's childhood accident, Elsa led a life of recluse and did not want to meet anyone because of her embarrassment and fears because of her hands. Defense mechanism is developed to prevent others from finding out about the defect.

12. Concealment

Isabella:

Isabella had to cover up her facial injuries with concealing creams to be in public. Isabella is obsessive about concealing. Isabella has terrible fears- afraid to go out.

Frozen:

Elsa had to cover up her hands with concealing gloves to be in public. Elsa is obsessive about concealing (conceal it; don't feel it). Elsa has terrible fears- afraid to go out.

Isabella:

Isabella writes about her love under the shadows of the moon;

Frozen:

Ana goes for a walk with her romantic suitor under the moonlight.

14. Defect Exposed

Isabella:

Isabella had incident where her defect was exposed and children are frightened. Isabella runs away when her defect is discovered.

Frozen:

Elsa had incident where her defect was exposed and children are frightened. Elsa runs away when her defect is discovered.

15. Hands to the Sky with Sprinkles

Isabella:

Image of Isabella with hand to sky with sprinkles (book cover);

Frozen:

Image of Elsa with hand to sky with sprinkles (DVD cover).

16. Open Door/Gates

Isabella:

Isabella describes, in last chapter, closed doors that have the potential to reopen. Winding maze to the top of the pyramid to a large door; later the doors are open and the future is happy (Ending). Isabella describes, in the last scene, closed gates that have the potential to reopen; later the doors are open and the future is happy.

Frozen:

Elsa opened the gate and the future is a happy ending.

17. Sister Dies

Isabella:

Isabella's beloved sister Laura, dies in a severe accident and devastates Isabella.

Frozen:

Elsa's beloved sister Ana, dies in a severe incident while trying to defend her sister and devastates Elsa (she does come back to life).

18. Isabella Talks about Frozen

Isabella goes on facebook and writes: Frio, Frio, Frozen? Regarding the song Frio, Frio about how is your heart.