

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Bridgeport Music, Inc., Southfield Music, Inc., and Westbound Records, Inc. )  
)  
)

Plaintiffs, )  
)  
)

vs. )  
)  
)

Rashaam A. Smith a/k/a Esham A. Smith )  
p/k/a Esham, Scot Santos, d/b/a Jaded Music, )  
Reel Life Productions, Inc., and )  
Overture Music, LLC, Individually and )  
d/b/a Overcore/Gothom Records, Psychopathic )  
Records, Inc., and Red Music Distribution, )  
)  
)

Defendants. )  
)  
)

Civil Action No. 03-7221)

Hon: Paul D. Borman

Magistrate:

Judge R. Steven Whalen

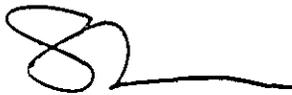
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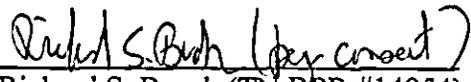
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U.S. DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
DETROIT  
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**MOTION FOR ALTERNATE SERVICE AND FOR EXTENSION OF SUMMONS BY  
PLAINTIFFS BRIDGEPORT MUSIC, INC., SOUTHFIELD MUSIC, INC. AND  
WESTBOUND RECORDS, INC.**

I certify that I have complied with all provisions of LR 7.1 on motion practice.

  
\_\_\_\_\_  
Shari F. Lesnick (P39746)

  
\_\_\_\_\_  
Richard S. Busch (TN BPR #14954)

Plaintiffs Bridgeport Music, Inc., Southfield Music, Inc., and Westbound Records, Inc., through their attorneys Shari Friedman Lesnick and King & Ballow, for their motion state:

1. Plaintiffs Bridgeport Music, Inc., Southfield Music, Inc., and Westbound Records, Inc., (hereinafter "Plaintiffs") filed their complaint against the named defendants on June 9, 2003.

2. This is an action for damages, declaratory relief and permanent injunctive relief brought by Plaintiffs pursuant to the Copyright Act and Copyright Revision Act, 17 U.S.C. § 101 *et seq* (the "Copyright Act"), and other common and statutory causes of action.

3. Prior to serving any of the defendants, Plaintiffs filed their First amended Complaint on July 8, 2003. Defendants, Scott Santos, d/b/a Jaded Music, Overture Music, LLC, individually, and d/b/a Overcore/Gothom Records, Red Music Distribution, and Psychopathic Records, Inc., have all voluntarily accepted service of summons and the First Amended Complaint. These defendants have not filed their respective answers as plaintiffs and these defendants are currently engaged in meaningful settlement discussions.

4. Defendant Rashaam A. Smith, a/k/a Esham A. Smith, and p/k/a Esham, ("Esham") is a "Rap" recording artist, performer, individual songwriter and publisher.

5. Defendant Psychopathic Records, Inc. is defendant Esham's current record label. defendant Psychopathic Records, Inc., also maintains the official website for defendant Esham, is the "presenter/promoter" of defendant Esham's tours, and is the merchandiser for defendant Esham's products.

6. Plaintiffs are informed and believe that defendant Esham is evading service.

7. Since the issuance of the Summons for the First Amended Complaint, plaintiffs have repeatedly tried to serve defendant Esham at venues where he was performing and at his last known addresses.

8. The Summons is expiring on November 5, 2003 and despite plaintiffs' good-faith efforts, plaintiffs have been unable to properly serve defendant Esham.

9. Plaintiffs request that this Court extend the Summons sixty (60) days to provide plaintiffs with additional time to serve defendant Esham.

10. Plaintiffs request that this Court enter an order for alternate service by means of sending a copy of the summons and First Amended Complaint by registered mail, return receipt requested to defendant Esham's booking agent, John Finberg, First Row Talent, 6220 Lemona Avenue, Suite 8, Van Nuys, California 91411 and upon defendant Esham's record label, defendant Psychopathic Records, Inc. by registered mail, return receipt requested addressed to its business address at 32575 Folsom Road, Farmington, Michigan 48336-4423.

11. Plaintiffs rely upon Fed. R. Civ. P. 4(e), 4(m), and Michigan Court Rule 2.105(I)(1).

12. Plaintiffs, Bridgeport Music, Inc., Southfield Music, Inc. and Westbound Records, Inc., incorporate and rely on their attached Brief In Support Of This Motion For Extension Of Summons And For Alternate Service, and the Affidavit of Shari Friedman Lesnick in support thereof.

WHEREFORE plaintiffs, Bridgeport Music, Inc., Southfield Music, Inc. and Westbound Records, Inc., respectfully request that this Honorable Court grant their Motion To Extend Summons And For Alternate Service and enter an order permitting service of process upon defendant, Rashaam A. Smith, a/k/a Esham A. Smith, and p/k/a Esham, by alternate means as set forth herein above or by any other means this Honorable Court deems reasonably calculated to

give defendant Rashaam A. Smith, a/k/a Esham A. Smith, and p/k/a Esham, actual notice of these proceedings and an opportunity to be heard.

Respectfully submitted,



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Dated: November 3, 2003

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Bridgeport Music, Inc., Southfield Music, )  
Inc., and Westbound Records, Inc. )

Plaintiffs, )

vs. )

Rashaam A. Smith a/k/a Esham A. Smith )  
p/k/a Esham, Scot Santos, d/b/a Jaded Music, )  
Reel Life Productions, Inc., and )  
Overture Music, LLC, Individually and )  
d/b/a Overcore/Gothom Records, Psychopathic )  
Records, Inc., and Red Music Distribution, )

Defendants. )

Civil Action No. 03-72211

Hon: Paul D. Borman

Magistrate:

Judge R. Steven Whalen

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U.S. DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION  
DETROIT

03 NOV -4 PM 053

AFFIDAVIT OF SHARI FRIEDMAN LESNICK  
IN SUPPORT OF MOTION FOR AN EXTENSION  
OF SUMMONS AND FOR ALTERNATE SERVICE BY  
PLAINTIFFS BRIDGEPORT MUSIC, INC.,  
SOUTHFIELD MUSIC, INC., AND WESTBOUND RECORDS, INC.

Shari Friedman Lesnick, having personal knowledge of the facts contained in this Affidavit, states as follows:

1. I am over the age of 18 and competent to testify as to the matter stated herein.
2. On July 9, 2003, I met with Alex Abbiss, agent for and president of Psychopathic Records, a co-defendant in this action. At that time, I presented Mr. Abbis with a copy of Plaintiffs' First Amended Complaint and Wavier of Service of Summons which he executed.
3. During our meeting, I asked Mr. Abiss if he had a current mailing address for co-defendant Rashaam A. Smith, a/k/a Esham A. Smith, and p/k/a Esham. He stated he did not.
4. I advised Mr. Abbiss that I was planning to serve Esham at the Emerald Theater on July 22, 2003. I stated to Mr. Abbiss that should he be in contact with Mr. Smith could he please provide Mr. Smith my contact information and have him call me.
5. I advised Mr. Abbiss that I wanted to avoid the embarrassment of having to serve his artist Esham at the Mt. Clemens venue.
6. On September 22, 2003, I spoke with Ernie McCausland, owner of Harpos concert venue located in Detroit, Michigan. Mr. McCausland is also the responsible party for booking shows at this venue.
7. I asked Mr. McCausland if he had a contact address for Esham who was scheduled to perform on October 10, 2003. I stated to Mr. McCausland that I needed to get in touch with Esham regarding a civil action I had filed on behalf of my clients. He stated he had no idea how to contact Esham.
8. Mr. McCausland stated, that Esham "just shows up."
9. I requested of Mr. McCausland that he provide Esham or his representatives with my contact information and advise Esham that I wanted to speak with him.

10. Mr. McCausland then advised me that a John Finberg was Esham's booking agent and I should contact him.

11. On September 24, 2003, I spoke with John Finberg, president of First Row Talent. Mr. Finberg acknowledged that he was the booking agent for defendant Esham.

12. I asked Mr. Finberg if he had a mailing address for Esham. He stated he did not. I asked Mr. Finberg how he communicates with this client with respect to his client's touring activities.

13. Mr. Finberg replied that he sends all "Esham related correspondence to Psychopathic Records." I asked Mr. Finberg that in the event he speaks with Esham, please advise Esham that I wanted to speak with him regarding a civil action and to provide Esham with my contact information.

14. On September 24, 2003, I contacted Lindsey Feldman, attorney for defendant Psychopathic Records, Inc. I asked Mr. Feldman whether or not his client, Psychopathic Records, Inc. had a current mailing address for its co-defendant, Esham. Mr. Feldman stated that his client had no mailing address for co-defendant Esham and that Esham "just shows up at the offices of Psychopathic Records" to pick up items relating to him. Mr. Feldman did not say defendant Psychopathic Records, Inc. had no way of contacting co-defendant Esham. He only stated that his client had no mailing address for its co-defendant, Esham.

15. On September 24, 2003, I engaged in an internet search with respect to defendant Esham. Exhibits A through H attached to Plaintiff's Brief in Support of Motion to Extend Summons and for Alternate Service, were the results of and emanated from, my search.

16. I have been practicing law since 1983 and have specialized primarily in the music industry. I represent record companies, publishing companies, booking agents and artists. I have

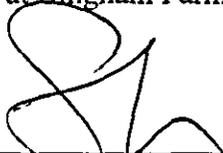
worked as in-house counsel for a major record label and an entertainment management company, which represented Billboard charting top 10 artists.

17. Due to my professional experience and expertise in the music industry, I am qualified to state that a record label, such as defendant Psychopathic Records, Inc. maintains detailed contact information on its artists such as artist representative, artist booking agent, and all other possible personal contact information. Record labels must be in a position to have immediate access to their artists.

18. A booking agency such as John Finberg 's First Row Talent collects and disburses the performer's deposit monies from the venues. A booking agency also needs to be in daily contact with either the artist or the artist's representative. The booking agent must be updated on where to send funds, where the artist will be staying, etc.

19. An artist's record label and booking agent/agency must, by the nature of what they do vis-à-vis the artist, have the most current contact information for their artist, and have the ability to contact their client.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 4<sup>th</sup> day of November, 2003 at Bingham Farms, Michigan.

  
SHARI FRIEDMAN-LESNICK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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Inc., and Westbound Records, Inc. )

Plaintiffs, )

vs. )

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p/k/a Esham, Scot Santos, d/b/a Jaded Music, )  
Reel Life Productions, Inc., and )  
Overture Music, LLC, Individually and )  
d/b/a Overcore/Gothom Records, Psychopathic )  
Records, Inc., and Red Music Distribution, )

Defendants. )

Civil Action No. 03-7221 )  
Hon: Paul D. Borman )  
Magistrate: )  
Judge R. Steven Whalen )

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BRIEF IN SUPPORT OF MOTION TO EXTEND SUMMONS AND FOR  
ALTERNATE SERVICE BY PLAINTIFFS  
BRIDGEPORT MUSIC, INC., SOUTHFIELD MUSIC, INC.,  
AND WESTBOUND RECORDS, INC.

---

**STATEMENT OF ISSUES**

1. SHOULD THE COURT EXTEND THE TIME FOR SERVICE OF SUMMONS AND FIRST AMENDED COMPLAINT ON DEFENDANT RASHAAM A. SMITH, A/K/A ESHAM A. SMITH, AND P/K/A ESHAM?

Plaintiffs Answer: Yes.

2. SHOULD THE COURT ENTER AN ORDER PROVIDING FOR ALTERNATE MEANS OF SERVICE UPON DEFENDANT RASHAAM A. SMITH, A/K/A ESHAM A. SMITH, AND P/K/A ESHAM BY SENDING THE SUMMONS AND FIRST AMENDED COMPLAINT REGISTERED MAIL, RETURN RECEIPT REQUESTED TO JOHN FINBERG AND TO CO-DEFENDANT PSYCHOPATHIC RECORDS?

Plaintiffs Answer: Yes.

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## INTRODUCTION

Since the Summons for plaintiffs' First Amended Complaint was issued on July 8, 2003, plaintiffs have tried to serve defendant Rashaam A. Smith, a/k/a Esham A. Smith, and p/k/a Esham, ("Esham"). Defendant Esham is a recording artist of the "rap music" genre. Despite plaintiffs' attempts, defendant Esham has not been served. Plaintiffs seek an extension of the Summons to permit service on defendant Esham and also seek an order authorizing alternate service upon defendant Esham by means of sending a copy of the Summons and First Amended Complaint, registered mail, return receipt requested, addressed to defendant's booking agent, John Finberg at First Row Talent, 6220 Lemona Avenue, Suite 8, Van Nuys, California 91411 and upon defendant Esham's record label, co-defendant Psychopathic Records, Inc. by registered mail, return receipt requested, addressed to its business address at 32575 Folsom Road, Farmington, Michigan 48336-4423.

## STATEMENT OF FACTS

On or about June 9, 2003, plaintiffs filed this instant action. On July 8, 2003, plaintiffs filed their First Amended Complaint and the Clerk of the Court issued a Summons for each defendant.

The defendants Psychopathic Records, Inc., Red Music Distribution, Scott Santos, d/b/a Jaded Music, Overture Music, LLC, individually and d/b/a Overcore/Gothom Records, all voluntarily accepted Service Of Summons And First Amended Complaint pursuant to execution of Waiver Of Service Of Summons or pursuant to personal service. The defendants have not yet filed answers as the parties are engaged in meaningful settlement discussions.

Defendant Psychopathic Records, Inc. is a Michigan corporation and conducts business at 32575 Folsom Road, Farmington, Michigan 48336-4423. Defendant Psychopathic Records, Inc. maintains a website for defendant Esham, <http://www.eshamtheboogiem.com>.

A Yahoo search for "Esham" results in the official website being referenced to Psychopathic Records. See, Exhibit A. The official Esham website, "[www.eshamtheboogiem.com](http://www.eshamtheboogiem.com)" maintains various information concerning Esham including touring and merchandise information. The section on Esham's tours (Exhibit B), contains the logo of defendant Psychopathic Records, Inc. as well as the wording "Copyright Psychopathic Records 2003." The "News" section of this website also states that Esham has a new album coming out on Psychopathic Records entitled "Repentance" scheduled for release on October 21<sup>st</sup>. See, Exhibit C. In addition the Psychopathic-owned "eshamtheboogiem" website refers links to "HatchetGear.com" for a new line of Esham merchandise.

A Google search for Esham tour dates also refers to the [eshamtheboogiem.com](http://www.eshamtheboogiem.com) website. See, Exhibit D. The defendant Psychopathic Records, Inc.'s website, [www.psychopathicrecords.com](http://www.psychopathicrecords.com) prominently displays defendant Esham as its artist along with other artists on its label. See, Exhibit E. Defendant Psychopathic Records, Inc. was also a presenter of defendant Esham's most recent concert appearance in Detroit, Michigan on October 10, 2003 at Harpo's Theater. See, Exhibit F. Defendant Psychopathic Records, Inc. also maintains a website for the sale of their artists' merchandise, <http://ptraders.phenominet.com>. A Yahoo search under the name Esham, restricted to "Ptraders.phenominet.com" indicates that defendant Psychopathic Records, Inc. through its company Ptraders.phenominet.com engages in the sale of defendant Esham merchandise. See, Exhibit G. Exhibit H, attached hereto is an example of a particular type of merchandise, sweatshirts known as "hoodies" and reveal that

defendant Psychopathic Records, Inc. is selling Esham sweatshirts for \$65.00. (Exhibit H, item number 46).

John Finberg , president of First Row Talent, is the booking agent for Esham. Attached hereto as Exhibit I, is a copy of the 2003 Pollstar Booking Agency Directory, which lists First Row Talent and its artist roster which includes co-defendant Esham.

On July 9, 2003, co-counsel Shari Friedman Lesnick, met with Alex Abbiss, agent and president of Psychopathic Records, Inc. At that time, Mr. Abbiss received the summons and First Amended Complaint and executed the waiver of service of summons on behalf of Psychopathic Records, Inc. At that time, Shari Friedman Lesnick requested that Mr. Abbiss advise defendant Esham to contact her regarding this lawsuit and to advise Mr. Smith that Shari Friedman Lesnick would agree to have Mr. Smith sign a waiver of service of summons. See, Affidavit of Shari Friedman Lesnick in support of Motion.

On July 19, 2003, personal service was attempted on defendant Esham at his last known residence address, 18451 Schoenherr, Detroit, Michigan 48205. However, this was no longer defendant Esham's residence but was the residence of the Burr family. See, Exhibit J, Verification of Service of Nick Tocco. On July 22, 2003, defendant Esham was advertised to perform at the Emerald Theater in Mt. Clemens, Michigan but did not appear.

On September 24, 2003, counsel Shari Friedman Lesnick contacted John Finberg by telephone. Mr. Finberg acknowledged that defendant Esham was his client. Mr. Finberg stated, he had no known mailing address for defendant Esham and sent all communications concerning Esham's tours and bookings directly to Psychopathic Records, Inc. in Michigan. See, Affidavit Shari Friedman Lesnick. Shari Friedman Lesnick requested that in the event Esham did contact

Mr. Finberg , he should tell Esham to contact Shari Friedman Lesnick. See, Affidavit Shari Friedman Lesnick.

On September 24, 2003, Shari Lesnick spoke with Lindsey Feldman, attorney for Psychopathic Records, Inc. Mr. Feldman advised Ms. Lesnick that his client Psychopathic Records, Inc. does not have a mailing address for Esham and that Esham "just shows up" at Psychopathic's offices. See Affidavit of Shari Friedman Lesnick. Shari Friedman Lesnick advised Lindsey Feldman to inform his client that should Esham show up to the offices of Psychopathic Records, Inc., would they please notify Esham to contact Shari Friedman Lesnick.

Service was attempted at 4110 Gardener, Sterling Heights, Michigan 48310, on October 4, 2003, the last known address for defendant Esham as reflected in defendant Overture Music, LLC's records. Defendant Esham did not live there. See, Exhibit K, Verification of Service by Nick Tocco.

On October 10, 2003, service was attempted at the venue Harpo's in Detroit, Michigan where Esham was performing. Service was not successful. See, Verification of Process Service, Nick Tocco, Exhibit L.

Prior to that performance date, Shari Friedman Lesnick had contacted the owner of Harpos, Ernie McCausland and inquired whether or not he had contact information for Esham. He stated he did not and that Esham "just shows up." Shari Friedman Lesnick requested of Mr. McCausland that should Esham contact him prior to the October 10, 2003 performance, would he please notify Esham that Shari Friedman Lesnick was trying to get in touch with him concerning a civil action and provide Esham with her contact information. See, Affidavit of Shari Friedman Lesnick.

Since the issuance of the summons on July 8, 2003, Plaintiffs have repeatedly tried to serve defendant Esham. Despite these efforts, Plaintiffs have been unable to perfect service and the summons will expire before defendant Esham is served. Plaintiffs request that the summons be extended 60 days to allow for proper service on Defendant Esham. In addition, Plaintiffs request that alternate service of process be allowed.

### ARGUMENT

The Federal Rules of Civil Procedure provide the following time limit for service of a summons and complaint:

“If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that **if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period....**” Fed. R. Civ. P. 4(m) [emphasis added].

Fed. R. Civ. P. 4(m) does not mandate a showing of good cause as a prerequisite for the court’s exercise of discretion to extend time for service of a summons and complaint. *In Re Lopez*, 292 B.R. 570, 573 (E.D. Mich. 2003). “[E]ven in the absence of good cause, the court may grant an extension of time for service, but if good cause is shown, the court must extend.” *Id.* See, generally, *Boley v Kaymark*, 123 F.3d 756, 758 (3d Circ. 1997), *cert. den.*, 522 U.S. 1109, 118 S. Ct. 1038, 140 L.ed. 104 (1998).

Plaintiffs have shown good cause. Plaintiffs have attempted to personally serve defendant Esham either at venues where he was performing or at his last known addresses. Plaintiffs have also contacted all parties with whom one would expect a recording artist to have daily communication with. It is clear that defendant Esham is evading service. Evading service

has been found to be good cause for extending the summons. See, generally, *Coleman v Milwaukee Bd. Of Sch. Dirs.*, 290 F.3d 932, 934 (7<sup>th</sup> Cir. 2002).

Fed. R. Civ. P. 4(e)(2) allows service upon an individual in the manner authorized by the state in which the district court sits. Michigan Court Rule 2.105(I)(1) states:

**“On a showing that service of process cannot be reasonably made as provided by this rule, the court may by order permit service of process to be made in any other manner reasonably calculated to give the defendant actual notice of the proceedings and an opportunity to be heard. [Emphasis added].**

Alternate service upon John Finberg , booking agent for Esham, registered mail, return receipt requested, would be a manner reasonably calculated to give defendant Esham actual notice of the proceedings. Mr. Finberg is the booking agent. Mr. Finberg in that capacity would be the person responsible for the arrangement of the routing of all of Esham’s touring dates. Mr. Finberg would know where defendant Esham was staying in any given city where a personal appearance would be occurring and would logically also have telephonic access to Defendant Esham. It is not out of the realm of the ordinary but in fact most likely a commonplace occurrence that Mr. Finberg and defendant Esham would communicate at some point in time. Therefore, by serving Esham’s booking agent with a copy of the summons and first amended complaint, Mr. Finberg , the booking agent, would in turn have access and means to either A) fax defendant Esham a copy of the complaint while he is on the road or B) mail and/or air courier a copy of the complaint to wherever he may be routed at that point in time.

Another manner reasonably calculated to give Defendant Esham actual notice of the proceedings is by service of the summons and first amended complaint by registered mail, return receipt requested upon Psychopathic Records at their Farmington Hills, Michigan business address. Apparently, Psychopathic Records, Inc. as illustrated by Exhibits A through H handle

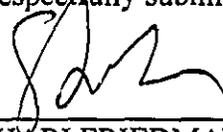
all major facets of defendant Esham's career, e.g., promoting concert appearances, sales of merchandise, sale of records. In that capacity, there must be some mechanism in place that has been established by defendant Esham and his record label/merchandiser/concert promoter, defendant Psychopathic Records, Inc., for the payment of monies earned by defendant Esham and for receipt of important notifications. There must be some mechanism of communication or how else would defendant Esham know when to appear for a concert, when to appear for recording sessions, when to appear for a photo shoot, when to appear for an interview, etc.? As the Affidavit of Shari Friedman Lesnick illustrates, according to Alex Abbiss, president of Psychopathic Records, Inc., Esham just appears at his office. Even if Psychopathic Records, Inc. has no address for defendant Esham, they would at least have access to a pager number or a cell phone number to contact defendant Esham and by using that mechanism, defendant Psychopathic Records, Inc. would be able to advise defendant Esham to retrieve the Summons and First Amended Complaint and place him on notice of this action.

#### CONCLUSION

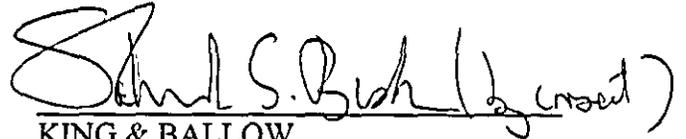
Plaintiffs have shown good cause for extending the summons and there are alternate means of service available that are reasonable calculated to give defendant Esham actual notice of these proceedings.

WHEREFORE plaintiffs respectfully request that this honorable court grant their Motion To Extend Summons for an additional sixty (60) days and for alternate service, as set forth hereinabove, or by any other means this Honorable Court deems reasonably calculated to give defendant Rashaam A. Smith, a/k/a Esham A. Smith, and p/k/a Esham, actual notice of these proceedings and an opportunity to be heard.

Respectfully submitted,



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Dated: November 3, 2003

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U.S. DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
DETROIT

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PROOF OF SERVICE

**PROOF OF SERVICE**

STATE OF MICHIGAN     )  
  )ss  
COUNTY OF OAKLAND    )

Shari Friedman Lesnick, being first duly sworn, deposes and says that on the 4<sup>th</sup> day of November, 2003, she did serve *Motion for Extension of Summons and For Alternate Service by Plaintiffs Bridgeport Music, Inc., Southfield Music, Inc., and Westbound Records, Inc.; Brief in Support of Motion; Affidavit of Shari Friedman Lesnick in Support of Motion*, and a copy of this *Certificate of Service* upon: Lindsey Feldman, Esq., attorney for defendant Psychopathic Records, Inc., 4215 Glencove Avenue, Second Floor, Marina Del Ray, California, 90292; David P. Palmieri, Esq., attorney for defendant Scott Santos, d/b/a Jaded Music, and Overture Music, L.L.C., individually and d/b/a Overcore/Gothom Records at 30903 Northwestern Hwy., P.O. Box, 3040 Farmington Hills, Michigan 48333-3040 and Red Music Distribution, 79 Fifth Avenue, New York, NY, 10003 by mailing same to them in an envelope with postage fully prepaid thereon and depositing same in a United States Mail receptacle.

  
\_\_\_\_\_  
SHARI FRIEDMAN LESNICK (P39756)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN

SEE CASE FILE FOR  
ADDITIONAL  
DOCUMENTS OR PAGES  
THAT WERE NOT  
SCANNED