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10 Attorneys for Plaintiff
11 Innovative Sports Management, Inc.,
12 d/b/a Integrated Sports Media

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA
15 WESTERN DIVISION

16 Innovative Sports Management, Inc.,
17 d/b/a Integrated Sports Media,

18 Plaintiff,

19 vs.

20 Claudio Montanari and Francisco Elfego
21 Gonzalez, individually and d/b/a Bella
22 Vista Brazilian Gourmet Pizza; and
23 Monfar Group, LLC, an unknown
24 business entity d/b/a Bella Vista Brazilian
25 Gourmet Pizza,

26 Defendants.

Case No.:

COMPLAINT

27 **PLAINTIFF ALLEGES:**

JURISDICTION

28 1. Jurisdiction is founded on the existence of a question arising under particular

1 statutes. This action is brought pursuant to several federal statutes, including the
2 Communications Act of 1934, as amended, Title 47 U.S.C. 605, *et seq.*, and The
3 Cable & Television Consumer Protection and Competition Act of 1992, as amended,
4 Title 47 U.S.C. Section 553, *et seq.*, and California B&P Section 17200, a California
5 state statute.
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8 2. This Court has jurisdiction of the subject matter of this action pursuant to 28
9 U.S.C. Section 1331, which states that the District Courts shall have original
10 jurisdiction of all civil actions arising under the Constitution, laws, or treaties, of the
11 United States. This Court has subject matter jurisdiction over the state law claims
12 pursuant to 28 U.S.C. § 1367 (supplemental jurisdiction).
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16 3. This Court has personal jurisdiction over the parties in this action as a result of
17 the Defendants' wrongful acts hereinafter complained of which violated the Plaintiff's
18 rights as the exclusive commercial domestic distributor of the televised *Program*
19 hereinafter set forth at length. The Defendants' wrongful acts consisted of the
20 interception, reception, publication, divulgence, display, exhibition, and tortious
21 conversion of said property of Plaintiff within the control of the Plaintiff in the State
22 of California constituting an unfair business practice in violation of the law, including
23 specific California state statutes, more particularly set forth below.
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VENUE

4. Pursuant to Title 47 U.S.C. Section 605, venue is proper in the Central District of California, because a substantial part of the events or omissions giving rise to the claim occurred in this District and/or because, *inter alia*, all Defendants reside within the State of California (28 U.S.C. § 1391(b) and 28 U.S.C. § 84(c)(2)).

INTRADISTRICT ASSIGNMENT

5. Assignment to the Western Division of the Central District of California is proper because a substantial part of the events or omissions giving rise to the claim occurred in Los Angeles County and/or, the United States District Court for the Central District of California has decided that suits of this nature, and each of them, are to be heard by the Courts in this particular Division.

THE PARTIES

6. Plaintiff, Innovative Sports Management, Inc., d/b/a Integrated Sports Media, is, and at all relevant times mentioned was, a New Jersey corporation with its principal place of business located at 64 North Summit St., Suite 218, Tennaflly, NJ 07060.

7. At all times relevant hereto, including on Friday, October 9, 2020, Defendant Claudio Montanari was specifically identified as Manager/Member and Chief Executive Officer on the State of California Secretary of State Statement of

1 Information (201334510097) issued to Monfar Group, LLC for Bella Vista Brazilian
2 Gourmet Pizza.

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5 8. At all times relevant hereto, including on Friday, October 9, 2020, Defendant
6 Francisco Elfego Gonzalez was specifically identified as Manager/Member on the
7 State of California Secretary of State Statement of Information (201334510097)
8 issued to Monfar Group, LLC for Bella Vista Brazilian Gourmet Pizza.
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11 9. Plaintiff is informed and believes, and alleges thereon that on Friday, October
12 9, 2020 (the night of the *Program* at issue herein, as more specifically defined in
13 Paragraph 17), Defendants Claudio Montanari and Francisco Elfego Gonzalez had
14 the right and ability to supervise the activities of Bella Vista Brazilian Gourmet Pizza,
15 which included the unlawful interception, receipt, and publication of Plaintiff's
16 *Program*.
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21 10. Plaintiff is informed and believes, and alleges thereon that on Friday, October
22 9, 2020 (the night of the *Program* at issue herein, as more specifically defined in
23 Paragraph 17), Defendants Claudio Montanari and Francisco Elfego Gonzalez, as
24 individuals had the obligation to supervise the activities of Monfar Group, LLC,
25 which included the unlawful interception, receipt, and publication of Plaintiff's
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1 *Program*, and, among other responsibilities, had the obligation to ensure that Bella
2 Vista Brazilian Gourmet Pizza operated lawfully at all times.

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5 11. Plaintiff is informed and believes, and alleges thereon that on Friday, October
6 9, 2020 (the night of the *Program* at issue herein, as more specifically defined in
7 Paragraph 17), Defendants Claudio Montanari and Francisco Elfego Gonzalez
8 specifically directed or permitted the employees of Bella Vista Brazilian Gourmet
9 Pizza to unlawfully intercept, receive, and publish Plaintiff's *Program* at Bella Vista
10 Brazilian Gourmet Pizza, or intentionally intercepted, received, and published the
11 *Program* at Bella Vista Brazilian Gourmet Pizza themselves. The actions of the
12 employees of Bella Vista Brazilian Gourmet Pizza are directly imputable to
13 Defendants Claudio Montanari and Francisco Elfego Gonzalez by virtue of their
14 acknowledged responsibility for the operation of Bella Vista Brazilian Gourmet
15 Pizza.
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21 12. Plaintiff is informed and believes, and alleges thereon that on Friday, October
22 9, 2020, Defendants Claudio Montanari and Francisco Elfego Gonzalez, as
23 Managers/Members of Monfar Group, LLC and as individuals specifically identified
24 as Officers and Members on the State of California Secretary of State Statement of
25 Information (201334510097) issued to Monfar Group, LLC had an obvious and direct
26 financial interests in the activities of Bella Vista Brazilian Gourmet Pizza, which
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