

EXHIBIT 12

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KATHRYN TOWNSEND GRIFFIN, HELEN
MCDONALD, and THE ESTATE OF CHERRIGALE
TOWNSEND,

Plaintiffs,

-against-

EDWARD CHRISTOPHER SHEERAN, p/k/a ED
SHEERAN, ATLANTIC RECORDING
CORPORATION, d/b/a ATLANTIC RECORDS,
SONY/ATV MUSIC PUBLISHING LLC, and
WARNER MUSIC GROUP CORPORATION, d/b/a
ASYLUM RECORDS

Defendants.

ECF CASE
17-cv-5221 (RJS)

**PLAINTIFFS' RESPONSES TO
DEFENDANTS' FIRST
REQUESTS FOR
PRODUCTION ADDRESSED TO
PLAINTIFFS BY DEFENDANTS
EDWARD CHRISTOPHER
SHEERAN, ATLANTIC
RECORDING CORPORATION
AND SONY/ATV MUSIC
PUBLISHING LLC**

PLEASE TAKE NOTICE that, pursuant to Rule 35 of the Federal Rules of Civil Procedure Plaintiffs Kathryn Townsend Griffin (“Griffin”), Helen McDonald (“McDonald”) and the Estate of Cherrigale Townsend (the “Estate,” together with Griffin and McDonald, the “Plaintiffs”) provide the following requested documents and responses to Defendants Edward Christopher Sheeran (“Sheeran”), Atlantic Recording Corporation d/b/a Atlantic Records (“Atlantic”) and Sony/ATV Music Publishing LLC (“SATV,” together with Sheeran and Atlantic, the “Defendants”), at the offices of Pryor Cashman LLP, 7 Times Square, New York, New York 10036-6569 on December 1, 2017.

10. All documents concerning any copyright registrations or filings with the U.S. Copyright Office relating to LGO, including, without limitation, any drafts thereof, any “deposit copy” materials relating to LGO and any and all correspondence from or to the U.S. Copyright Office regarding LGO.

Please see attached.

11. True and correct copies of all published sheet music for LGO.

Please refer to Response 10, *supra*.

12. Documents sufficient to identify every copyrightable element of LGO that Plaintiffs contend has been infringed by Defendants.

Please refer to Response 4, *supra*.

13. Documents sufficient to identify any element of LGO that Plaintiffs contend was copied, in whole or in part, by Defendants.

Please refer to Response 4, *supra*.

14. Documents sufficient to corroborate the allegation set forth in Paragraph 12 of the Complaint that “Plaintiffs ... are heirs of Mr. Ed Townsend.”

Please refer to Response 14, *supra*.

15. All documents concerning the ownership of LGO including but not limited to any chain of title documents, agreements assigning rights in LGO to Plaintiffs or any estate documents reflecting Plaintiffs’ interests and any and all agreements with Pullman respecting Plaintiffs’ interest in LGO, including any economic rights or right to payment from LGO, including any interest in any proceeds of any infringement action, or otherwise establishing Plaintiffs’ rights in

41. All documents provided to any expert engaged by Plaintiffs.

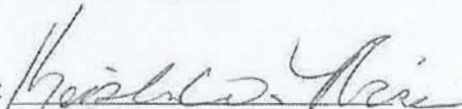
Please refer to Response 4, *supra*. Also, please see reports from Sony/ATV sent before and after our preliminary report.

42. To the extent not already requested, all documents supporting or refuting the allegations in the Complaint.

Please refer to Response 4, *supra*.

DATED: December 1, 2017

FRANK & RICE, P.A.

By: 

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Keisha D. Rice, Esq.

Katherine L. Viker, Esq.

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Attorney(s) for Plaintiffs

RESPONSE 10

Application for Registration of a Claim to Copyright

in a musical composition the author of which is a citizen or domiciliary of the United States of America or which was first published in the United States of America

Instructions: Make sure that all applicable spaces have been completed before you submit the form. The application must be **SIGNED** at line 9. For published works the application should not be submitted until after the date of publication given in line 4(a), and should state the facts which existed on that date. For further information, see page 4.

Pages 1 and 2 should be typewritten or printed with pen and ink. Pages 3 and 4 should contain exactly the same information as pages 1 and 2, but may be carbon copies.

1. **Copyright Claimant(s) and Address(es):** Give the name(s) and address(es) of the copyright owner(s). In the case of published works the name(s) should ordinarily be the same as in the notice of copyright on the copies deposited.

Name Stone Diamond Music Corp.
6464 Sunset Blvd.
Address Hollywood, Calif. 90028

Name Cherritown Music Co., Inc.
Box 37
Address Fosterdale, N.Y. 12735

2. **Title:** LET'S GET IT ON
(Give the title of the musical composition as it appears on the copies)
#5958

3. **Authors:** Citizenship and domicile information must be given. Where a work is made for hire, the employer is the author. Organizations formed under U.S. Federal or State law are U.S. citizens. Authors include composers of music, authors of words, arrangers, compilers, etc. If the copyright claim is based on new matter (see line 5) give information about the author of the new matter.

Name Ed Townsend Citizenship: U.S.A. Other _____
(Give legal name followed by pseudonym if latter appears on the copies) (Check if U.S. citizen) (Name of country)
Domiciled in U.S.A. Yes No _____ Address 6464 Sunset Blvd. Author of words & music
(State which: words, music, arrangement, etc.)

Name _____ Citizenship: U.S.A. _____ Other _____
(Give legal name followed by pseudonym if latter appears on the copies) (Check if U.S. citizen) (Name of country)
Domiciled in U.S.A. Yes _____ No _____ Address _____ Author of _____
(State which: words, music, arrangement, etc.)

Name _____ Citizenship: U.S.A. _____ Other _____
(Give legal name followed by pseudonym if latter appears on the copies) (Check if U.S. citizen) (Name of country)
Domiciled in U.S.A. Yes _____ No _____ Address _____ Author of _____
(State which: words, music, arrangement, etc.)

NOTE: Leave all spaces of line 4 blank unless your work has been PUBLISHED.

4. (a) **Date of Publication:** Give the date when copies of this particular version of the work were first placed on sale, sold, or publicly distributed. The date when copies were made or printed, or the date when the work was performed should not be confused with the date of publication. NOTE: The full date (month, day, and year) must be given.

February 14, 1973
(Month) (Day) (Year)

(b) **Place of Publication:** Give the name of the country in which this particular version of the work was first published.

USA

NOTE: Leave all spaces of line 5 blank unless the instructions below apply to your work.

5. **Previous Registration or Publication:** If a claim to copyright in any substantial part of this work was previously registered in the U.S. Copyright Office in unpublished form, or if any substantial part of the work was previously published anywhere, give requested information.

Was work previously registered? Yes _____ No _____ Date of registration _____ Registration number _____

Was work previously published? Yes _____ No _____ Date of publication _____ Registration number _____

Is there any substantial **NEW MATTER** in this version? Yes _____ No _____. If your answer is "Yes," give a brief general statement of the nature of the **NEW MATTER** in this version. (New matter may consist of compilation, arrangement, adaptation, editorial revision, and the like, as well as additional words and music.)

FORM E
REGISTRATION NO. EP 314589
CLASS **E**
DO NOT WRITE HERE

Mail all pages of the application to the Register of Copyrights, Library of Congress, Washington, D.C. 20540, together with:

(a) If unpublished, one complete copy of the work and the registration fee of \$6.

(b) If published, two copies of the best edition of the work and the registration fee of \$6.

Make your remittance payable to the Register of Copyrights.

EXAMINER

6. If registration fee is to be charged to a deposit account established in the Copyright Office, give name of account:

Stone Diamond Music Corp.

7. Name and address of person or organization to whom correspondence or refund, if any, should be sent:

Name Stone Diamond Music Corp. Address below

8. Send certificate to:

(Type or print name and address)

Name: STONE DIAMOND MUSIC CORP.
 Address: 6464 Sunset Blvd. (Number and street)
 Hollywood, Calif. 90028 (City) (State) (ZIP code)

9. Certification:

(Application not acceptable unless signed)

I CERTIFY that the statements made by me in this application are correct to the best of my knowledge.

Art C. Dol
 (Signature of copyright claimant or duly authorized agent)

Application Forms

Copies of the following forms will be supplied by the Copyright Office without charge upon request.

- Class A Form A—Published book manufactured in the United States of America.
 - (Form A-B Foreign—Book or periodical manufactured outside the United States of America (except works subject to the ad interim provisions of the copyright law).
- Class A of B Form A-B Ad Interim—Book or periodical in the English language manufactured and first published outside the United States of America.
- Class B Form B—Periodical manufactured in the United States of America.
 - Form BB—Contribution to a periodical manufactured in the United States of America.
- Class C Form C—Lecture or similar production prepared for oral delivery.
- Class D Form D—Dramatic or dramatico-musical composition.
- Class E Form E—Musical composition the author of which is a citizen or domiciliary of the United States of America or which was first published in the United States of America.
 - Form E Foreign—Musical composition the author of which is not a citizen or domiciliary of the United States of America and which was not first published in the United States of America.
- Class F Form F—Map.
- Class G Form G—Work of art or a model or design for a work of art.
- Class H Form H—Reproduction of a work of art.
- Class I Form I—Drawing or plastic work of a scientific or technical character.
- Class J Form J—Photograph.
- Class K Form K—Print or pictorial illustration.
 - Form KK—Print or label used for an article of merchandise.
- Class L or M Form L-M—Motion picture.
- Class N Form N—Sound recordings.
 - Form R—Renewal copyright.
 - Form U—Notice of use of copyrighted music on mechanical instruments.

FOR COPYRIGHT OFFICE USE ONLY	
Application received JUL 17 1973	* (Appl.) * See V. 510 p. 290-292 Assign. Rec. Re: <u>AUTHORSHIP</u>
One copy received	
Two copies received JUL 17 1973	
Fee received	
Renewal R 840-063	

LET'S GET IT ON

JUL 17 1973

EP 314589

ED TOWNSEND



Handwritten musical notation on a staff with chords Eb and Gm. The notes are: G4, A4, Bb4, C5, Bb4, A4, G4.

I'VE BEEN REAL LY TRY IN BA BY TRY IN' TO

Handwritten musical notation on a staff with chords Ab, Bb7, Eb, and Gm. The notes are: G4, A4, Bb4, C5, Bb4, A4, G4.

HOLD BACK THIS FEEL IN' FOR SO LONG AND IF

Handwritten musical notation on a staff with chords Ab, Bb7, Eb, and Gm. The notes are: G4, A4, Bb4, C5, Bb4, A4, G4.

YOU FEEL LIKE I FEEL BA BY THEN COME ON

Handwritten musical notation on a staff with chords Ab, Bb7, Eb, and Gm. The notes are: G4, A4, Bb4, C5, Bb4, A4, G4.

OH COME ON OOH LET'S GET IT ON

Handwritten musical notation on a staff with chords Ab, Bb7, Eb, and Gm. The notes are: G4, A4, Bb4, C5, Bb4, A4, G4.

OW BA BY LET'S GET IT ON

Handwritten musical notation on a staff with chords Ab, Bb7, Eb, and Gm. The notes are: G4, A4, Bb4, C5, Bb4, A4, G4.

LET'S LOVE BA BY LET'S GET IT ON

Handwritten musical notation on a staff with chords Ab, Bb7, Eb, and G. The notes are: G4, A4, Bb4, C5, Bb4, A4, G4.

SU GAR LET'S GET IT ON

© 1973 STONE DIAMOND MUSIC CORP.
AND CHERRITOWN MUSIC CO., INC.

HOLLYWOOD, CALIF, U.S.A.

PT-7 SR

DIAT. TEL. 80

LET'S GET TI ON

Ab Bb7 Eb Gm

OOH

Ab Bb7 Eb Gm

WE'RE ALL

Ab Bb7 Eb Gm

SEN-SI-TIVE PEO-PL E WITH SO MUCH TO GIVE

Ab Bb7 Eb Gm

UN- DER- STAND- ING SU- GAR

Ab Bb7 Eb Gm

SINCE WE GOT TO BE LET'S LIVE

Ab Bb7 Eb Gm

I LOVE YOU THERE'S

Ab Bb7 Eb Gm

NO THIN' WRONG WITH ME LOV- IN' YOU

Ab Bb7 Eb Gm

BA- BY NO NO AND GIV- IN' YOUR SELF TO ME

Ab Bb7 Ab

CAN NE- VER BE WRONG IF THE LOVE IS TRUE

Ab Bb7 Ab

OH BA- BY OOH DON'T

LET'S GET IT ON

YOU KNOW HOW SWEET AND WONDERFUL LIFE CAN BE

OOH OOH I'M

ASK IN' YOU BA BY TO GET IT ON WITH ME

OOH OOH OOH

I AIN'T GOIN' TO WORRY I AIN'T GOIN' TO PUSH

I WON'T PUSH YOU BA BY JUST COME ON COME ON COME ON

COME ON COME ON BA BY STOP BEAT IN' ROUND THE BUSH

HEY LET'S GET IT ON

OOH OOH LET'S GET IT ON YOU

LET'S GET IT ON

KNOW WHAT I'M TALK IN' A BOUT COME ON BA BY

HEY HEY LET YOUR LOVE COME OUT

IF YOU BE LIEVE IN LOVE LET'S GET IT ON

OOH LET'S GET IT ON BA BY THIS

MIN UTE OH YEAH LET'S GET IT ON EE

PLEASE GET IT ON

HEY HEY COME ON COME ON COME ON

COME ON COME ON DAR LIN? STOP BEAT IN' 'ROUND THE BUSH

OH GON NA GET IT ON

LET'S GET IT ON

Ab Bb7 Eb Gm

RIGHT WITH YOU BA-BY I WANT TO GET IT ON

Ab Bb7 Eb Gm

YOU DON'T HAVE TO WORRY THAT IT'S WRONG IF THE SPIRIT MOVE!

Ab Bb7 Eb Gm

YOU LET ME GROOVE YOU GOOD LET YOUR LOVE COME DOWN

Ab Bb7 Eb Gm

OH GET IT ON COME ON BA-BY

Ab Bb7

DO YOU KNOW I MEAN IT I'VE BEEN SANCTIFIED

Eb Gm FADE Ab Bb

HEY HEY GIRL YOU GIVE ME GOOD

Eb Gm Ab Bb7

FEELINGS SO GOOD SOMETHIN' LIKE SUMMER TIME

Eb