

Exhibit 3

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December 27, 2020

**NOTICE OF LITIGATION
DEMAND TO CEASE AND DESIST
DEMAND TO PRESERVE DOCUMENTS**

VIA EMAIL To: rulen@wmpenn.edu; madison.steinke@wmpenn.edu
and FIRST-CLASS MAIL

Mr. Nic Rule
William Penn University
201 W Trueblood Ave.
Oskaloosa, IA 52577

Re: Yesh Music, LLC adv. William Penn University (“WPU”)

Mr. Rule:

I represent Yesh Music, LLC, the sole owner of the copyrighted recording and composition titled Anything You Synthesize – U.S. Copyright Registration No. SR 713-287 (the “Copyrighted Track”). WPU created a video titled “William WPU Basketball Preseason 2013” (the “Infringing Video”). WPU copied, publicly performed, publicly displayed, and synchronized the Copyrighted Track to the Infringing Video without a license or authority. WPU also uploaded a copy of the Infringing Video to the WPU Basketball YouTube at <https://www.youtube.com/watch?v=yYQ506-egfI>.

WPU was informed of the fact that there was no license for the Copyrighted Track by YouTube, and later by email from my client dated October 24, 2020. WPU, however, took no steps to contact my client to cure the infringement.

WPU has, without question, infringed my client’s rights to the Copyrighted Track as set forth in Section 106 of the U.S. Copyright Act. The fact that WPU refused to license the Copyrighted Track, and refused to disable the Copyrighted Track after notice; are separate

predicates that satisfy the “reckless disregard” standard for an enhanced statutory damage award pursuant to Section 504(c)(2) of the Act.

My client is entitled to a judgment for all its compensatory damages as well as all WPU’s profits in excess of my client’s damages. Alternatively, my client may elect a statutory damage award between \$30,000 and \$150,000, plus its reasonable attorneys’ fees, costs, and pre-and-post judgment interest. We expect a high statutory award here in light of WPU’s refusal to comply with the law, and the prior notices

We will be filing a matter on December 31, 2020 at 3:00 pm against WPU unless I hear from you before that date. If WPU has any interest in avoiding litigation, it must immediately cease and desist from any further use of the Copyrighted Track and contact me immediately regarding settlement. If no settlement can be reached, we have no choice but to file.

I can be reached at rgarbarini@garbarinilaw.com or at 212.300.5358. In the interim, WPU is required to preserve all documents including web pages, in their original condition, or face a possible spoliation charge at the trial of this action.

GARBARINI FITZGERALD P.C.

By: Richard M. Garbarini
Richard M. Garbarini