

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

INDIANA BIBLE COLLEGE, an Indiana
Nonprofit Corporation,

Plaintiff,

v.

FRED BOCK MUSIC COMPANY, INC., a
California Corporation;

DR. ROSEPHANYE POWELL; and

DOE DEFENDANTS 1–100 (fictitious),

Defendants.

Civil Action No.: 1:25-cv-01070-MPB-MJD

Demand for Jury Trial

SECOND AMENDED COMPLAINT

Comes now Plaintiff Indiana Bible College (“IBC” or “Plaintiff”), by counsel, and for its Second Amended Complaint against Fred Bock Music Company, Inc. (“Fred Bock”) and Dr. Rosephanye Powell (“Dr. Powell”) collectively “Defendants”, state:

THE PARTIES

1. IBC is an Indiana nonprofit corporation with its principal place of business in Indianapolis, Marion County, Indiana.

2. Fred Bock is a California corporation with its principal place of business in Los Angeles County, California. Fred Bock owns Gentry Publication (“Gentry”) as a brand of its publishing groups.

3. Dr. Powell is a citizen and resident of Lee County, Alabama.

4. Doe Defendants 1–100 are individuals or entities whose identities are unknown but who have published or republished defamatory statements.

JURISDICTION AND VENUE

5. This Court has subject-matter jurisdiction under 28 U.S.C. § 1331 because Plaintiff’s claim for declaratory relief arises under the Copyright Act of 1976 (17 U.S.C. §§ 101 et seq.).

6. This Court also has exclusive jurisdiction over any claim for relief arising under the Copyright Act pursuant to 28 U.S.C. § 1338(a).

7. This Court also has jurisdiction under the Declaratory Judgment Act, 28 U.S.C. §§ 2201–2202.

8. This Court has supplemental jurisdiction over Plaintiff’s state-law claims for defamation pursuant to 28 U.S.C. § 1367 because those claims arise out of the same nucleus of operative facts as the copyright claim.

9. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the events giving rise to the claims occurred in Marion County, Indiana, including the creation and first performance of the works at issue, and the reputational and economic injury caused by Defendants’ defamatory statements. Plaintiff maintains its principal place of business in Marion County, where it suffered harm to its reputation, enrollment, and business relationships. Defendants also purposefully directed their conduct at Indiana by publishing and disseminating their statements through media outlets reaching Indiana readers, including the IndyStar, and by maintaining online channels intentionally directed at Indiana audiences and Plaintiff in Indiana.

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FACTS COMMON TO ALL CLAIMS

10. Plaintiff is an owner and exclusive licensee of a musical setting of the biblical text John 1:1–4, titled "John 1" (the "Composition").

11. The significant musical elements were independently composed in the summer of 2024 in Indianapolis, Indiana.

12. IBC performed "John 1" for the first time in Indianapolis, Indiana.

13. Defendants have publicly asserted that "John 1" infringes Dr. Powell's copyrighted motet "The Word Was God," which sets the same public-domain text. On May 23, 2025, Gentry, Fred Bock, and Dr. Powell served a cease-and-desist letter on IBC claiming that "John 1" is derivative of "The Word Was God."

14. Though Fred Bock owns the rights to "The Word Was God," Dr. Powell has held herself to have an interest and input on the license and use of "The Word Was God." Specifically, Dr. Powell was copied on the cease-and-desist letter, reflecting her entitlement to receive notice of the correspondence sent to Plaintiff. *See* Cease-and-Desist Letter sent to Plaintiff attached hereto as Exhibit 1. Additionally, Dr. Powell has the power to authorize or decline derivative uses of "The Word Was God" presented to Fred Bock or Gentry, reflecting her control over the creative work. Defendants have published and amplified false statements across Dr. Powell's and Fred Bock's social-media channels, encouraged others to renounce John 1 and IBC, and used Indy Star, an Indianapolis newspaper, to publish an article accusing IBC and its writers of unauthorized derivative, copyright infringement, and intellectual dishonesty, among other things.

15. In the IndyStar article, published on May 30, 2025, Stephen Bock, the president of Fred Bock Music Company, Inc. is quoted saying "[t]here is no doubt that what Indiana Bible College has done is infringe on the copyright of 'The Word Was God.'" Mr. Bock is later quoted

calling “John 1” a “derivative of a derivative.” See May 30, 2025, IndyStar article attached hereto as Exhibit 2.

16. On May 23, 2025 Dr. Powell published a three-part post consisting of two photos and one video on her Instagram, which has 2,842 followers as of the date of this First Amended Complaint. Significantly, this publication occurred the same day Plaintiff received a cease-and-desist letter from Defendants.

17. In her video, Dr. Powell states, among other things, “[John 1] is not an original work by this choir and its arrangers. It is actually a derivative of my work, ‘The Word was God.’ You can rest assured that as an African American female composer of choral music who has worked long and hard to develop an international reputation, I and my publisher, will not rest until this matter is resolved.”

18. In the photo, Dr. Powell wrote the following statement regarding IBC “First I want to sincerely thank my friends, associates, colleagues, former students, and family for your concern and support regarding [IBC] Choirs unauthorized and uncredited use of music from my original composition, *The Word Was God*.”

19. Dr. Powell later writes:

“However, I was recently notified that Indiana Bible College had once again used material from *The Word Was God*, this time presenting their work as an original composition titled *John 1*. This song is clearly a derivative of my work. They made minor changes to the predominant motive that runs throughout *The Word Was God* (‘in the beginning was the Word and the Word was God and the Word was God.’) and adapted the harmonic and melodic structure of the contrasting B section to accommodate a different text.”

20. What is most troubling, however, is Dr. Powell’s next statement, “[w]hat they are doing is wrong on many levels, and there is much more to the story.” Further, Dr. Powell states, “[t]he disregard for my work is unprofessional, disrespectful, and deeply unsettling...”

21. As of the date of this First Amended Complaint, 2,671 people have “loved” Dr. Powell’s publication, 374 people have commented, and 1,471 people have shared it in some capacity.

22. Of note, Dr. Powell directly tags IBC in her three-part post, providing her viewers the ability to easily access IBC’s social media channel.

23. After Dr. Powell posted this three-part post, Fred Bock reposted the video on their Facebook page, “Fred Bock Publishing Group”, stating:

“[w]e stand firmly with Rosephanye Powell and against all forms of injustice. Copyright exists to protect artists and their work from unethical theft. When someone infringes on these rights, they’re not just breaking the law—they’re undermining the integrity and value of creative expression. Please share your support of Dr. Powell by commenting and sharing her words.”

Notably, Fred Bock Publishing Group has 954 followers who presumably saw this post.

24. Those statements are false, were made with actual malice or reckless disregard for the truth, and have caused reputational harm, loss of prospective contracts, and enrollment and related inquiries at IBC, questioning its integrity.

25. The false statements have further garnered hostility toward IBC’s writers and composers, such that they are seeking direct messages and contact from third parties and the Defendants’ counsel questioning their intent and involvement in the creation of John 1.

26. Third parties have viewed, shared, or reposted Defendants’ statements, further damaging Plaintiff’s business and personal reputations.

27. On May 29, 2025, Defendants retained counsel and delivered a cease-and-desist letter to Plaintiff, alleging copyright infringement and threatening lawsuit unless Plaintiff complied with their demands.

28. In a showing of good faith, pending the outcome of this action, Plaintiff has removed “John 1” from all audio streaming, video streaming, and social media platforms.

29. Dr. Powell has held herself to be an agent of Fred Bock with an interest and input on who is able to obtain a license for “The Word Was God.” For example, in an email to Tim Hall, sent on February 7, 2024, Dr. Powell stated, in relevant part,

As I am not a difficult composer to contact, my permission should have been obtained before endeavoring to make such an arrangement of this work.

I trust that you now understand why I am protective of *The Word Was God*. Thank you for emailing me and respecting **my decision to refuse permission** for your arrangement (emphasis added).

30. Due to Defendants’ false and malicious statements, Plaintiff has been prohibited from teaching and/or performing “John 1” at various institutions and events, including, but not limited to: The River Church of All Nations, Pentecostal Church of All Nations, Beyond a Billion Celebration, and North American Youth Congress.

31. Finally, up to the date of the filing of this First Amended Complaint, Plaintiff continues to receive calls and emails daily regarding “John 1.”

COUNT I – DECLARATORY JUDGMENT

32. Plaintiff repeats and realleges paragraphs 1–31 as if fully set forth herein.

33. An actual, substantial, and continuing controversy exists between Plaintiff and Defendants regarding Plaintiff’s composition entitled “John 1” (the “Composition”).

34. On May 23, 2025, Defendants Fred Bock and Dr. Powell, through their counsel, issued a cease-and-desist letter to Plaintiff asserting that “John 1” infringes upon Defendants’ copyrighted composition, “The Word Was God,” and threatening legal action unless Plaintiff complied with their demands.

35. Defendants have publicly asserted and published statements that “John 1” is an infringing derivative work, including in an IndyStar article on May 30, 2025, on Dr. Powell’s Instagram account, and on the Fred Bock Publishing Group Facebook page. These accusations of copyright infringement have been disseminated widely and continue to harm Plaintiff’s reputation and business.

36. Plaintiff contends, and is informed and believes, that “John 1” was independently composed by its writers in Indianapolis, Indiana during the summer of 2024, and that it does not copy or derive from any protectable elements of “The Word Was God.”

37. Plaintiff further contends that the only commonalities between the two works arise from their setting of the same biblical text (John 1:1–4), which is in the public domain and not subject to copyright protection.

38. Accordingly, Plaintiff maintains that “John 1” is an original, independently created composition and is non-infringing.

39. Defendants’ repeated public accusations of infringement, coupled with their cease-and-desist letter and threat of litigation, create a real, immediate, and substantial controversy of sufficient immediacy and reality to warrant declaratory relief pursuant to 28 U.S.C. §§ 2201–2202.

40. A declaratory judgment by this Court will resolve the parties’ dispute and provide certainty to Plaintiff, its composers, performers, and affiliated institutions as to their legal rights in the performance and distribution of “John 1.”

COUNT II – DEFAMATION

41. Plaintiff repeats and realleges paragraphs 1–40.

42. Defendants published false statements of fact regarding Plaintiff, including but not limited to:

- a. Statements to IndyStar on May 30, 2025, where Defendant Stephen Bock declared, “There is no doubt that what Indiana Bible College has done is infringe on the copyright of ‘The Word Was God,’” and further described Plaintiff’s composition “John 1” as “a derivative of a derivative”;
- b. Statements made by Defendant Dr. Powell on or about May 23, 2025, through her Instagram account, in which she stated that “[John 1] is not an original work by this choir and its arrangers. It is actually a derivative of my work, ‘The Word Was God’” and further asserted that Plaintiff’s conduct was “wrong on many levels,” “unprofessional,” and “disrespectful”;
- c. The reposting and amplification of these statements on the Fred Bock Publishing Group Facebook page, declaring that Plaintiff’s conduct constituted “unethical theft” and urging readers to “stand firmly with Dr. Powell” and share the statements broadly.

43. These statements were published to third parties, including Indiana readers and audiences, through IndyStar, Instagram, Facebook, and other online channels.

44. These statements were false, and Defendants knew they were false or acted with reckless disregard for the truth. Defendants’ statements were made with actual malice, intending to discredit Plaintiff and harm its reputation in the choral music community.

45. The statements are defamatory per se because they impute professional misconduct, dishonesty, plagiarism, and copyright infringement, striking at the core of Plaintiff’s reputation and integrity as a religious music institution.

46. As a direct and proximate result of these defamatory statements, Plaintiff has suffered:

- a. Special damages, including lost contracts and opportunities to teach and perform “John 1” at specific institutions and events such as The River Church of All Nations, Pentecostal Church of All Nations, Beyond a Billion Celebration, and the North American Youth Congress; diminished enrollment inquiries; and lost publishing opportunities;
- b. General damages, including loss of goodwill, harm to reputation within the music community, emotional distress among faculty and composers, and erosion of public confidence in Plaintiff’s integrity.

47. Plaintiff has suffered these damages in Indianapolis, Indiana, where its principal place of business is located, and where the reputational and economic injury from Defendants’ publications was most acutely felt.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

1. Declare that Plaintiff’s composition “John 1” is original, independently created, and does not infringe or constitute a derivative work of Defendants’ composition “The Word Was God.”
2. Award Plaintiff compensatory damages in an amount to be proven at trial for the reputational, economic, and business harm caused by Defendants’ defamatory statements, and award punitive damages to deter such malicious conduct.
3. Enjoin Defendants, their officers, agents, employees, representatives, and all persons acting in concert with them from publishing, republishing, or otherwise disseminating any further defamatory statements concerning Plaintiff;
4. Order Defendants to (i) remove from all websites, social media channels, and publications under their control all defamatory statements concerning Plaintiff; and (ii) publish a

formal retraction and apology in the same media, including the IndyStar, where the defamatory content originally appeared.

5. Award Plaintiff its reasonable attorneys' fees, costs, and expenses as permitted by law.
6. Grant such other and further legal or equitable relief as the Court deems just and proper.

JURY DEMAND

Pursuant to Fed. R. Civ. P. 38(b), Plaintiff demands a trial by jury.

Dated: September 5, 2025

Respectfully submitted,

KATIE CHARLESTON LAW, PC

/s/ Katie Charleston

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