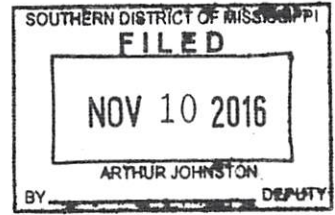


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION



SUZI ALTMAN

PLAINTIFF

V.

NO. 3:16cv883CWR-LRA

UNIVERSITY PRESS OF MISSISSIPPI
AND HALEY R. BARBOUR

DEFENDANTS

COMPLAINT

COMES NOW, Plaintiff, Suzi Altman, by and through counsel, Bill Luckett of Luckett Tyner Law Firm, P.A., and files her Complaint, stating as follows:

1. Suzi Altman is an adult resident citizen of Rankin County, Mississippi. She does business as Suzi Altman-Photographer.

2. University Press of Mississippi is a governmental entity and may be served with process by service upon its registered agent, Tonia Lonie at 3825 Ridgewood Road in Hattiesburg, Mississippi. A Notice of Claim pursuant to Mississippi Code Annotated Section 11-46-11 was sent by Certified Mail to University Press of Mississippi, and was delivered on June 20, 2016.

3. Haley R. Barbour is an adult resident citizen of the State of Mississippi and may be served with process at his place of employment, Butler Snow, 1020 Highland Colony Parkway, Ridgeland, Mississippi 39157.

4. The district court has original jurisdiction over this matter pursuant to 17 U.S.C.A. § 102 in that suits relating to patents and copyright infringement fall exclusively within the

jurisdiction of federal court. Additionally, jurisdiction exists by virtue of a federal question, specifically Sections 107-118 of the Copyright Act, Title 17 U.S. Code and 28 U.S.C. § 1331.

5. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b).

6. This is a suit based upon violation by the Defendants of the Copyright Law of the United States.

7. The Plaintiff is a professional photographer. In the immediate aftermath of Hurricane Katrina, the Plaintiff was retained by MEMA (Mississippi Emergency Management Agency) to take photographs.

8. While the understanding was such that MEMA could use photographs in its publicity regarding its emergency efforts following the disaster, the Plaintiff retained ownership rights to all of her intellectual property (the photo images).

9. Plaintiff copyrighted all of her work from her two weeks with the Mississippi Emergency Management Agency on the Mississippi Gulf Coast.

10. The Plaintiff has learned, to her dismay, that at least two of the photographs have been used in a recent book published by University Press of Mississippi entitled America's Great Storm. Moreover, she understands that former Governor Haley Barbour has been using several of her photographs in his slideshow/book signings where the books are being sold. Following her discovery of the illegal use of said photographs, Plaintiff, through her attorney, sent notices to the respective Defendants. See letters attached hereto as collective Exhibit A. However, despite said notices, Defendants continued unabated with their illegal use of said photographs.

11. In addition to the other misuse of her images, the Plaintiff's images have also been

featured on social media and/or electronic version for over six months, including but not limited to, Twitter and Facebook for America's Great Storm, again without her permission or any compensation to Plaintiff.

12. Said willful and intentional acts of the Defendants were in violation of U.S. Copyright laws, specifically Sections 107-118 of the Copyright Act, Title 17 U.S. Code.

13. Plaintiff elects the option of statutory damages in lieu of otherwise provable damages pursuant to 17 U.S.C.A. 504(c). Moreover, she demands an award of attorney's fees. Despite Plaintiff having put both Defendants on notice, the Defendants are still continuing to use the Plaintiff's images and are doing so in total and continuous disregard for the rights of Plaintiff.

WHEREFORE, PREMISES CONSIDERED, Suzi Altman demands judgment of, from, and against the Defendants in the amount of \$350,000.00 in statutory damages, together with an appropriate attorney's fee award.

THIS, the 4th day of November, 2016.

Respectfully submitted,

SUZI ALTMAN



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