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ORIGINAL FILED
Superior Court of California
County of Los Angeles

AUG 02 2017

Sherrl R. Carter, Executive Officer/Clerk
By _____, Deputy

7 *Attorneys for Plaintiffs and the Class*

8
9 SUPERIOR COURT OF THE STATE OF CALIFORNIA
10 COUNTY OF LOS ANGELES, CENTRAL CIVIL WEST DIVISION

11 LARRY E. MARTINDALE, in his capacity as
12 Trustee of the Bronson Survivors' Trust,

Case No. BC499182

13 Plaintiff,

CLASS ACTION

14 v.

**AMENDMENT TO STIPULATION AND
AGREEMENT OF SETTLEMENT**

15 SONY PICTURES ENTERTAINMENT INC.
16 and DOES 1-100,

17 Defendants.
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1 The parties to the above-captioned action hereby stipulate, by and through their attorneys
2 of record, to the following:

3 1. WHEREAS, the parties signed the Stipulation and Agreement of Settlement on
4 July 14, 2017 ("Settlement Agreement" or "SA");

5 2. WHEREAS, paragraph 4.3 of the SA provides for a *cy pres* distribution to the
6 Motion Picture & Television Fund only;

7 3. WHEREAS, in light of the recent amendment to California Code of Civil
8 Procedure section 384, the parties wish to amend paragraph 4.3 of the SA to provide for a *cy pres*
9 distribution to the Motion Picture & Television Fund and the State Treasury, in accordance with
10 California Code of Civil Procedure section 384, subsections (b)(3)(A) and (b)(3)(B).

11 **NOW THEREFORE, THE PARTIES STIPULATE AND AGREE AS FOLLOWS:**

12 1. Paragraph 4.3 of the SA is amended to provide for the following *cy pres*
13 distribution:

14 If the total amount of the stale checks does not justify the cost of a second
15 distribution, the remaining funds in the Recouped Settlement Fund after
16 cancellation of outstanding checks shall be distributed via *cy pres* pursuant to
17 California Code of Civil Procedure section 384 as follows: (a) Twenty-five percent
18 (25%) will be distributed to the State Treasury for deposit in the Trial Court
19 Improvement and Modernization Fund, established in Section 77209 of the
20 Government Code, and subject to appropriation in the annual Budget Act for the
21 Judicial Council to provide grants to trial courts for new or expanded collaborative
22 courts or grants for Sargent Shriver Civil Counsel; (b) Twenty-five percent (25%)
23 will be distributed to the State Treasury for deposit into the Equal Access Fund of
24 the Judicial Branch, to be distributed in accordance with Sections 6216 to 6223,
25 inclusive, of the Business and Professions Code, except that administrative costs
26 shall not be paid to the State Bar or the Judicial Council from this sum; and (c)
27 Fifty percent (50%) will be distributed to the Motion Picture & Television Fund.
28 The Parties agree that the Motion Picture & Television Fund is a nonprofit that
supports projects that will benefit the Class members, that donation thereto will
further the objectives and purposes of this class action, and will promote the law
consistent with the objectives and purposes of this class action. Code Civ. Proc. §
384.

25 Dated: 8/2/, 2017


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CLIFFORD H. PEARSON
DANIEL L. WARSHAW
BOBBY POUYA

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By: 
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Attorneys for Plaintiffs Larry E. Martindale and
Concourse Productions, Inc., on behalf of themselves
and others similarly situated

Dated: _____, 2017

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By: _____
TAMERLIN J. GODLEY
Attorneys for Defendant Sony Pictures Entertainment
Inc.

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By: _____
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Attorneys for Plaintiffs Larry E. Martindale and
Concourse Productions, Inc., on behalf of themselves
and others similarly situated

Dated: August 2, 2017

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES


At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Los Angeles, State of California. My business address is 8648 Wilshire Boulevard, Beverly Hills, CA 90211-2910.

On August 2, 2017, I served true copies of the following document(s) described as **AMENDMENT TO STIPULATION AND AGREEMENT OF SETTLEMENT** on the interested parties in this action as follows:

BY ELECTRONIC SERVICE VIA CASE ANYWHERE: In accordance with the Court's ruling governing Los Angeles Superior Court Case No. BC499180 and related actions requiring all documents to be served upon interested parties via Case Anywhere Service system.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 2, 2017, at Beverly Hills, California.



Jessica Mendez