

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
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AMERICAN BROADCASTING COMPANIES,  
INC., DISNEY ENTERPRISES, INC.,  
TWENTIETH CENTURY FOX FILM  
CORPORATION, CBS BROADCASTING INC.,  
CBS STUDIOS INC., FOX TELEVISION  
STATIONS, LLC, FOX BROADCASTING  
COMPANY, LLC, NBCUNIVERSAL MEDIA,  
LLC, UNIVERSAL TELEVISION LLC, AND  
OPEN 4 BUSINESS PRODUCTIONS, LLC,

19 Civ. 7136 (LLS)

PERMANENT INJUNCTION  
ORDER

Plaintiffs and Counterclaim  
Defendants,

- against -

DAVID R. GOODFRIEND and SPORTS FANS  
COALITION NY, INC.,

Defendants and Counterclaim  
Plaintiffs.

1. The parties having agreed in their December 17, 2019  
Agreement, Article C, paragraph 6 that,

If the Court determines that Mr. Goodfriend and SFCNY do not  
qualify for the Exemption, the Parties agree that the Court  
should immediately enter a Permanent Injunction barring Mr.  
Goodfriend and SFCNY, along with their officers, agents,  
servants, employees, attorneys, and other persons who are in  
active concert or participation with Mr. Goodfriend, SFCNY, or  
their officers, agents, servants, employees, or attorneys (if  
they receive actual notice pursuant to Rule 65(d)(2) of the  
Federal Rules of Civil Procedure) from operating Locast.  
Nothing in this Agreement is intended to bar Mr. Goodfriend  
and SFCNY from applying for a stay of the Permanent Injunction  
pending appeal, nor to bar the Broadcasters from opposing any  
such stay.

2. By its August 31, 2021 Opinion and Order, this Court  
having determined that Locast's use of portions of its payments  
to fund its expansion disqualified it for the Exemption in  
Section 111(a)(5) of the Copyright Law, 17 U.S.C. § 501 et.

seq., and

3. Plaintiffs having on September 1, 2021 moved for entry of a Permanent Injunction against defendants' operating Locast, and Good cause appearing, and there being no objection, and it appearing that entry of an injunction will provide opportunity for appeal contemplated by the Agreement, it is

ORDERED that, Defendants, along with their officers, agents, servants, employees, attorneys and other persons who are in active concert or participation with Defendants or their officers, agents, servants, employees, or attorneys (if they receive actual notice pursuant to Rule 65(d)(2) of the Federal Rules of Civil procedure) are permanently restrained and enjoined from operating Locast.

So Ordered.

Dated: New York, New York  
September 15, 2021

  
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LOUIS L. STANTON  
U.S.D.J.