

**General Docket
Court of Appeals, 2nd Circuit**

Court of Appeals Docket #: 19-3029 **Docketed:** 09/23/2019
Nature of Suit: 3820 PROPERTY RIGHTS-Copyright
Zuma Press, Inc. v. Getty Images (US), Inc.
Appeal From: SDNY (NEW YORK CITY)
Fee Status: Paid

Case Type Information:

- 1) Civil
- 2) Private
- 3) -

Originating Court Information:

District: 0208-1 : [16-cv-6110](#)
Trial Judge: Alvin Hellerstein, U.S. District Judge
Date Filed: 08/01/2016
Date Order/Judgment: 08/23/2019 **Date Order/Judgment EOD:** 08/23/2019 **Date NOA Filed:** 09/20/2019 **Date Rec'd COA:** 09/23/2019

Prior Cases:

None

Current Cases:

	Lead	Member	Start	End
Cross-Appeal	19-3029	19-3177	10/03/2019	

Panel Assignment: Not available

Zuma Press, Inc. Plaintiff - Appellant-Cross-Appellee	James H. Freeman, Esq., Litigation Counsel Direct: 516-233-1660 [COR NTC Retained] Liebowitz Law Firm, PLLC Suite 305 11 Sunrise Plaza Valley Stream, NY 11580
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Anthony Barham Plaintiff - Appellant-Cross-Appellee	James H. Freeman, Esq., Litigation Counsel Direct: 516-233-1660 [COR NTC Retained] (see above)
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John Middlebrook Plaintiff - Appellant-Cross-Appellee	James H. Freeman, Esq., Litigation Counsel Direct: 516-233-1660 [COR NTC Retained] (see above)
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Action Sports Photography, Inc. Plaintiff - Appellant-Cross-Appellee	James H. Freeman, Esq., Litigation Counsel Direct: 516-233-1660 [COR NTC Retained] (see above)
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Andrew Dieb Plaintiff - Appellant-Cross-Appellee	James H. Freeman, Esq., Litigation Counsel Direct: 516-233-1660 [COR NTC Retained] (see above)
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Robert Backman Plaintiff - Appellant-Cross-Appellee	James H. Freeman, Esq., Litigation Counsel Direct: 516-233-1660 [COR NTC Retained] (see above)
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Duncan Williams Plaintiff - Appellant-Cross-Appellee	James H. Freeman, Esq., Litigation Counsel Direct: 516-233-1660 [COR NTC Retained]
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(see above)

Christopher Szagola
Plaintiff - Appellant-Cross-Appellee

James H. Freeman, Esq., Litigation Counsel
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Tiyu (Beijing) Culture Media Co. Ltd.
Plaintiff - Appellant-Cross-Appellee

James H. Freeman, Esq., Litigation Counsel
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Manny Flores
Plaintiff - Appellant-Cross-Appellee

James H. Freeman, Esq., Litigation Counsel
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Louis Lopez
Plaintiff - Appellant-Cross-Appellee

James H. Freeman, Esq., Litigation Counsel
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(see above)

Charles Baus
Plaintiff - Appellant-Cross-Appellee

James H. Freeman, Esq., Litigation Counsel
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Getty Images (US), Inc.
Defendant - Appellee-Cross-Appellant

Benjamin Ely Marks, -
Direct: 212-310-8029
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767 5th Avenue
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Zuma Press, Inc., Anthony Barham, John Middlebrook, Action Sports Photography, Inc., Andrew Dieb, Robert Backman, Duncan Williams, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Charles Baus, Manny Flores, Louis Lopez,

Plaintiffs - Appellants - Cross-Appellees,

v.

Getty Images (US), Inc.,

Defendant - Appellee - Cross-Appellant.

- 09/23/2019 [1](#) 37 pg, 263.98 KB NOTICE OF CIVIL APPEAL, with district court docket, on behalf of Appellants Action Sports Photography, Inc., Robert Backman, Anthony Barham, Charles Baus, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc., FILED. [2661757] [19-3029] [Entered: 09/23/2019 12:09 PM]
- 09/23/2019 [2](#) 12 pg, 1.06 MB DISTRICT COURT ORDER AND OPINION, dated 10/04/2018, RECEIVED.[2661766] [19-3029] [Entered: 09/23/2019 12:14 PM]
- 09/23/2019 [3](#) 7 pg, 350.18 KB DISTRICT COURT ORDER AND OPINION, dated 07/01/2019, RECEIVED.[2661769] [19-3029] [Entered: 09/23/2019 12:15 PM]
- 09/23/2019 [4](#) 3 pg, 56.18 KB DISTRICT COURT ORDER, dated 08/23/2019, RECEIVED.[2661772] [19-3029] [Entered: 09/23/2019 12:16 PM]
- 09/23/2019 5 PAYMENT OF DOCKETING FEE, on behalf of Appellants Action Sports Photography, Inc., Robert Backman, Anthony Barham, Charles Baus, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc., district court receipt # ANYSDC-17639009, FILED.[2661776] [19-3029] [Entered: 09/23/2019 12:19 PM]
- 09/23/2019 [6](#) 36 pg, 272.42 KB ELECTRONIC INDEX, in lieu of record, FILED.[2661778] [19-3029] [Entered: 09/23/2019 12:19 PM]
- 09/23/2019 7 NON-ADMITTED ATTORNEY, Attorney Mr. Richard P. Liebowitz, Esq. for Appellants Zuma Press, Inc., Anthony Barham, John Middlebrook, Action Sports Photography, Inc., Andrew Dieb, Robert Backman, Duncan Williams, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Charles Baus, Manny Flores and Louis Lopez, orally informed to apply for admission forthwith and submit Addendum A to Notice of Appearance, NOTIFIED.[2661807] [19-3029] [Entered: 09/23/2019 12:34 PM]
- 10/03/2019 [10](#) 36 pg, 273.19 KB NOTICE OF CIVIL APPEAL, with district court docket, on behalf of Appellant Getty Images (US), Inc. in 19-3177, FILED. [2672239] [19-3177, 19-3029] [Entered: 10/04/2019 10:16 AM]
- 10/03/2019 [11](#) 3 pg, 56.18 KB DISTRICT COURT ORDER, dated 08/23/2019, RECEIVED.[2672246] [19-3177] [Entered: 10/04/2019 10:18 AM]
- 10/03/2019 12 PAYMENT OF DOCKETING FEE, on behalf of Appellant Getty Images (US), Inc., district court receipt # ANYSDC-17710397, FILED.[2672285] [19-3177] [Entered: 10/04/2019 10:32 AM]
- 10/03/2019 13 NOTE: See lead case, 19-3029, containing complete set of docket entries.[2672288] [19-3177, 19-3029] [Entered: 10/04/2019 10:33 AM]
- 10/03/2019 [14](#) 35 pg, 272.19 KB ELECTRONIC INDEX, in lieu of record, FILED.[2672290] [19-3177] [Entered: 10/04/2019 10:35 AM]
- 10/04/2019 [16](#) 1 pg, 9.41 KB CAPTION, Plaintiffs and Defendant were added cross designations, AMENDED.[2672304] [19-3029, 19-3177] [Entered: 10/04/2019 10:40 AM]
- 10/04/2019 18 NOTICE OF APPEARANCE AS SUBSTITUTE COUNSEL, on behalf of Appellant-Cross-Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams, Zuma Press, Inc., Appellee-Cross-Appellee Charles Baus and Appellee-Cross-Appellant Getty Images (US), Inc. in 19-3029, Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Charles Baus, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams, Zuma Press, Inc. and Appellant Getty Images (US), Inc. in 19-3177, FILED. Service date 10/04/2019 by CM/ECF. [2673345] [19-3029, 19-3177] [Entered: 10/04/2019 05:17 PM]
- 10/04/2019 [19](#) 1 pg, 80.57 KB ACKNOWLEDGMENT AND NOTICE OF APPEARANCE, on behalf of Appellee-Cross-Appellant Getty Images (US), Inc., FILED. Service date 10/04/2019 by CM/ECF.[2673364] [19-3029] [Entered: 10/04/2019 06:02 PM]
- 10/07/2019 [20](#) 1 pg, 362.73 KB NOTICE OF APPEARANCE AS SUBSTITUTE COUNSEL, on behalf of Appellant-Cross-Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams, Zuma Press, Inc., Appellee-Cross-Appellee Charles Baus and Appellee-Cross-Appellant Getty Images (US), Inc. in 19-3029, Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Charles Baus, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams, Zuma Press, Inc. and Appellant Getty Images (US), Inc. in 19-3177, FILED. Service date 10/07/2019 by CM/ECF. [2673959] [19-3029, 19-3177] [Entered: 10/07/2019 12:22 PM]
- 10/07/2019 21 ATTORNEY, James H. Freeman, [20](#), in place of attorney Richard P. Liebowitz, SUBSTITUTED.[2674187] [19-3029] [Entered: 10/07/2019 02:25 PM]
- 10/08/2019 [22](#) FORM C, on behalf of Appellant-Cross-Appellee Action Sports Photography, Inc., Robert Backman,

76 pg, 2.69 MB
Anthony Barham, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc., FILED. Service date 10/08/2019 by CM/ECF.[2674968] [19-3029] [Entered: 10/08/2019 10:48 AM]

10/08/2019 23 FORM D, on behalf of Appellant-Cross-Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc., FILED. Service date 10/08/2019 by CM/ECF.[2674973] [19-3029] [Entered: 10/08/2019 10:51 AM]

10/08/2019 [24](#)
2 pg, 18.81 KB DEFECTIVE DOCUMENT, Notice of Appearance as Substitute Counsel, [18], on behalf of Appellant-Cross-Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc., FILED.[2675186] [19-3029] [Entered: 10/08/2019 12:22 PM]

10/08/2019 [25](#)
2 pg, 17.89 KB DEFECTIVE DOCUMENT, Form D, [23], on behalf of Appellant-Cross-Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc., FILED. [2675198] [19-3029] [Entered: 10/08/2019 12:27 PM]

10/08/2019 [26](#)
1 pg, 542.85 KB FORM D, on behalf of Appellant-Cross-Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc., FILED. Service date 10/08/2019 by CM/ECF.[2675688] [19-3029] [Entered: 10/08/2019 04:34 PM]

10/15/2019 27 CURED DEFECTIVE Form D, [26](#), on behalf of Appellant-Cross-Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc., FILED. [2679388] [19-3029] [Entered: 10/15/2019 12:22 PM]

10/16/2019 28 ATTORNEY, James H. Freeman, [20](#), in place of attorney Richard Liebowitz, SUBSTITUTED.[2681292] [19-3177] [Entered: 10/16/2019 09:03 PM]

10/17/2019 30 CURED DEFECTIVE Notice of Appearance as Substitute Counsel, [20](#), on behalf of Appellant-Cross-Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc., FILED.[2681679] [19-3029] [Entered: 10/17/2019 10:13 AM]

10/17/2019 [32](#)
1 pg, 19.18 KB CAMP ORDER, Type of Conference: Telephonic, Scheduled Date of Conference: 12/27/2019, Start Time: 10:30 AM, Required Attendees: Clients with Counsel, with Kathleen M. Scanlon, ENTERED.[2681946] [19-3029, 19-3177] [Entered: 10/17/2019 12:23 PM]

10/21/2019 [33](#)
1 pg, 19.19 KB CAMP ORDER, Type of Conference: Amended Telephonic, Scheduled Date of Conference: 01/07/2020, Start Time: 10:30 AM, Required Attendees: Clients with Counsel, with Kathleen M. Scanlon, ENTERED. [2683940] [19-3029, 19-3177] [Entered: 10/21/2019 09:34 AM]

10/21/2019 34 NOTICE OF APPEARANCE AS SUBSTITUTE COUNSEL, on behalf of Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Charles Baus, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams, Zuma Press, Inc. and Appellant Getty Images (US), Inc. in 19-3177, Appellant-Cross-Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Charles Baus, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams, Zuma Press, Inc. and Appellee-Cross-Appellant Getty Images (US), Inc. in 19-3029, FILED. Service date 10/21/2019 by CM/ECF. [2685016] [19-3177, 19-3029] [Entered: 10/21/2019 05:43 PM]

10/28/2019 [35](#)
1 pg, 569.14 KB LR 31.2 SCHEDULING NOTIFICATION, on behalf of Appellant-Cross-Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Charles Baus, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc. in 19-3029, Appellee Action Sports Photography, Inc., Robert Backman, Anthony Barham, Charles Baus, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc. in 19-3177, informing Court of proposed due date 04/07/2020, RECEIVED. Service date 10/28/2019 by CM/ECF.[2690822] [19-3029, 19-3177] [Entered: 10/28/2019 03:14 PM]

12/03/2019 [42](#)
1 pg, 38.94 KB STRIKE ORDER, striking Appellees Action Sports Photography, Inc., Robert Backman, Anthony Barham, Charles Baus, Andrew Dieb, Manny Flores, Louis Lopez, John Middlebrook, Christopher Szagola, Tiyu (Beijing) Culture Media Co. Ltd., Duncan Williams and Zuma Press, Inc. Notice of Appearance as Substitute Counsel, [34] from the docket, FILED.[2719377] [19-3177] [Entered: 12/03/2019 10:05 AM]

12/04/2019 [43](#)
1 pg, 9.18 KB NEW CASE MANAGER, Jasmine Beard, ASSIGNED.[2720433] [19-3029, 19-3177] [Entered: 12/04/2019 08:52 AM]

12/12/2019 [49](#)
1 pg, 67.92 KB ORDER, dated 04/07/2020, Appellants-Cross-Appellees brief and appendix is due 04/07/2020. The appeal in docket no. 19-3029 is dismissed effective 04/07/2020 if the brief is not filed by that date, FILED. [2727689] [19-3029, 19-3177] [Entered: 12/12/2019 12:05 PM]



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