

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

X

SUMMONS

FELIX CEDENO,

Plaintiff,

-against-

20TH CENTURY FOX FILM CORP.,
ONE AMERICA PRODUCTIONS, INC.,
AND LARRY CHARLES,

Defendants.

X

Index No.: 16957/07

Date Filed:

Plaintiff designates Bronx
County as the Place for Trial.

The basis of venue is
Plaintiff's Residence
Plaintiff resides at 950 Woodycrest
Avenue, Bronx, New York

FILED
JUL 2 - 2007

TO THE ABOVE NAMED DEFENDANTS:

BRONX COUNTY CLERK'S OFFICE

YOU ARE HEREBY SUMMONED, to appear in the Supreme Court of the State of New York, County of Bronx at the office of the Clerk of said Court at 851 Grand Concourse, in the County of Bronx noted below and to file your answer to the summons and complaint with the Clerk; upon your failure to answer, judgment will be taken against you in an amount to be determined upon the trial or inquest of this action, together with the costs and disbursements of this action.

DATED: New York, New York
June 26, 2007

Yours etc.,

HAWKINS FERETIC & DALY, LLC

By 

Brian J. Daly

Attorneys for the Plaintiff

FELIX CEDENO

Office and Post Office Address

11 Broadway, 3rd Floor

New York, New York 10004

(212) 530-3905

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

X

FELIX CEDENO,

Plaintiff,

-against-

20TH CENTURY FOX FILM CORP.,
ONE AMERICA PRODUCTIONS, INC.,
AND LARRY CHARLES

Defendants.

X

VERIFIED COMPLAINT

Index No. *16957/07*

FILED

JUL 2 - 2007

BRONX COUNTY CLERK'S OFFICE

Plaintiff, Felix Cedeno, by his attorneys HAWKINS FERETIC & DALY, LLC, as and for his
Verified Complaint, complain of the defendants as follows upon information and belief:

AS AND FOR A FIRST CAUSE OF ACTION
ON BEHALF OF THE PLAINTIFF FELIX CEDENO

1. That on or about November 3, 2006, the defendants used and appropriated the
filmed image of the plaintiff when they collectively filmed, edited, and released the film,
BORAT: CULTURAL LEARNINGS OF AMERICA FOR MAKE BENEFIT GLORIOUS
NATION OF KAZAKHSTAN

2. That at all times hereinafter mentioned, the plaintiff was and still is a resident of the
Count of Bronx in the City and State of New York

3. That at all time herein mentioned the defendant 20th Century Fox Film Corp., (hereinafter "20th Century") was and is a foreign Corporation authorized to do business in the State Of New York.

4. That at all time herein mentioned the defendant One America Productions, Inc., (hereinafter "One America") was and is a foreign Corporation authorized to do business in the State Of New York.

5. That at all time herein mentioned the defendant Larry Charles (hereinafter "Charles") was and is a resident of the City of Los Angeles in the State of California.

6. That on or about the above stated date, the defendant "20th Century", as producer, "One America", as production company, and "Charles", as director, released the aforementioned film into distribution at thousands of movie theaters throughout the United States of America and the world, where it was seen by millions of theater patrons and grossed over a quarter of a billion dollars in revenue.

7. That following its worldwide release, the defendants, jointly and severally, released the aforementioned film in DVD format where it was seen by millions of individuals and grossed an amount in excess of 100 Million Dollars.

8. That the aforesaid film contained live images of the plaintiff which were filmed and later displayed in virtually countless media outlets without any consent thereto on the part of the plaintiff.

9. That the defendants conduct was intentional and that the aforesaid releases of the filmed image of the plaintiff were made knowingly and invaded the privacy of the plaintiff as set forth in §§ 50 and 51 of the Civil Rights Law of the State of New York..

10. That by reason of the foregoing the plaintiff FELIX CEDENO has been damaged in the amount of TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00)

AS AND FOR A SECOND CAUSE OF ACTION
ON BEHALF OF THE PLAINTIFF FELIX CEDENO

11. That the plaintiff reiterates and realleges each and every paragraph of the complaint as if fully stated herein.

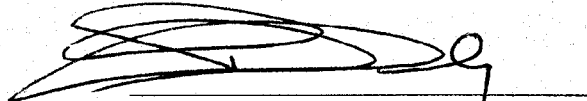
12. That the defendants, jointly and severally, acted knowingly without any regard for the privacy or property rights of the Plaintiff.

13. That by reason of the foregoing the plaintiff FELIX CEDENO is entitled to punitive damages in the amount of TWO MILLION DOLLARS (\$2,000,000.00)

WHEREFORE, plaintiff demands judgment against the defendants on the First Cause of Action in the sum of TWO HUNDRED FIFTY THOUSAND (\$ 250,000.00) DOLLARS, plus interest from the date of the accident, and judgment against the defendants on the Second Cause of Action in the sum of TWO MILLION DOLLARS (\$2,000,000.00) together with costs and disbursements of each cause of action.

DATED: June 26, 2007
New York, New York

Yours, etc.,



Brian J. Daly
HAWKINS FERETIC & DALY, LLC
Attorneys for Plaintiff
Felix Cenedo
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11 Broadway - 3rd Floor
New York, New York 10004
(212) 530-3900