

From: Alan Elliott alan@alanelliott.net 
Subject: ... it must be friday... night...
Date: August 7, 2009 at 9:44 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net



i wanted to make this easier... as we have had a long road to get it to an easier point. i know it's sticky in discussions (which is why it would be good for herb and i to be in the conversation).

so for you, for the insurer, we have boiled it down to two points:

point one:

Michael assures us that via fair use, we can make the movie without aretha's permission.

point two:

we have permission from aretha through her agent (who has the right to grant such permission).

in fact aretha's agent did so many times- to three different people- via email, in person and on the phone (to myself, herb and tom mcguire, chief counsel at william morris/endeavor).

the insurer needs the first piece of info. point two is insurance for point one.

sorry i didn't get this to you earlier this week and for the late friday email but i wanted you to have the info... we look forward to talking on monday.

what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliott music project:

<http://www.jemp.org>



alslogo.gif

On Aug 7, 2009, at 5:54 PM, Winnie Wong wrote:

Hi Alan,

I would like to set up a conference call with you, Michael Donaldson and the underwriter. Please let me know if you are available on Monday or Tuesday.

Thanks.

From: Alan Elliott [mailto:Alan@AlanElliott.net]

FROM: Alan Elliott [<mailto:Alan@AlanElliott.net>]

Sent: Friday, August 07, 2009 9:24 AM

To: Winnie Wong

Subject: checking in.

any news?
hope all swell.

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phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliott music project:

<http://www.jemp.org>

<image001.gif>

Winnie Wong

Vice President

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.2735 / **F:** 818.933.2793

E: WWong@mmibi.com

www.momentousins.com

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<[image9324de.jpg@962f77e0.f83d40fc](#)>

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From: Chris Perez chris@donaldsoncallif.com
Subject: Alan Elliott / Amazing Grace / Notice of Claim
Date: September 19, 2011 at 3:13 PM
To: Winnie Wong WWong@mmibi.com
Cc: Alan Elliott Alan@AlanElliott.net, Lisa Callif lisa@donaldsoncallif.com, jeff@jamincla.com



Hi Winnie,

Alan Elliott of Al's Records and Tapes was served several court documents from Aretha Franklin's representatives in connection with his documentary "Amazing Grace" this past Friday, September 16. The court documents include a complaint filed in the US District Court for the Central District of California as well as a court order explaining why the court would not issue a temporary restraining order against the release of the film.

I've attached several documents here but will send another couple of emails containing everything Alan has sent me. It may be that service to Alan was defective, but please be aware that the issue is time-sensitive.

Please let Lisa and I know if you have any questions.

Best,

Chris

CHRISTOPHER L. PEREZ, Esq.
Donaldson & Callif, LLP
400 S. Beverly Dr., Suite 400
Beverly Hills, CA 90212

O 310.277.8394

F 310.277.4870

chris@donaldsoncallif.com

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aretha injunct 1
9 19 11.pdf



aretha injunct 2
9 19 11.pdf



aretha injunct 3
9 19 11.pdf



aretha injunct 4
9 19 11.pdf

Confidential

NAME, ADDRESS & TELEPHONE NUMBER OF ATTORNEY(S) FOR, OR PLAINTIFF OR
DEFENDANT IF PLAINTIFF OR DEFENDANT IS PRO PER
ARNOLD E. REED, ESQ.
LAW OFFICES OF ARNOLD E. REED & ASSOCIATES, P.C.
32255 NORTHWESTERN HIGHWAY, STE. 251

FILED

FARMINGTON HILLS, MI 48334
(248) 855-6330

11 AUG 31 PM 4:12

U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
FARMINGTON HILLS

ATTORNEYS FOR PLAINTIFF

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ARETHA FRANKLIN

CASE NUMBER

CV11-07225 PA. (JENK)

Plaintiff(s)

ALAN ELLIOTT AND AL'S RECORDS AND TAPES

**CERTIFICATION AND NOTICE
OF INTERESTED PARTIES
(Local Rule 7.1-1)**

Defendant(s)

TO: THE COURT AND ALL PARTIES APPEARING OF RECORD:

The undersigned, counsel of record for PLAINTIFF
(or party appearing in pro per), certifies that the following listed party (or parties) may have a direct, pecuniary interest in the outcome of this case. These representations are made to enable the Court to evaluate possible disqualification or recusal. (Use additional sheet if necessary.)

PARTY

CONNECTION

(List the names of all such parties and identify their connection and interest.)

ALAN ELLIOTT

DEFENDANT

AL'S RECORDS AND TAPES

DEFENDANT

8-24-11
Date


Sign

ARNOLD E. REED

Attorney of record for or party appearing in pro per

From: Todd Musburger todd@musburger.com
Subject: Alan Elliott/Aretha Franklin Film
Date: August 1, 2016 at 4:20 PM
To: Winnie Wong WWong@mmibi.com
Cc: ALAN ELLIOTT alanelliott@g.ucla.edu

A circular logo containing the letters "TM" in a serif font, positioned in the top right corner of the email header.

Hi Winnie: I am not sure if we ever spoke directly but I am one of the attorneys that has been working with Alan Elliott on the Aretha Franklin Concert Footage film. I apologize for this tardy response to you, but I believe some months back you asked for invoices from the lawyers that worked with Alan on the claim that began with litigation in California and was reprised in Colorado last year. Would it be possible to set a phone call with you tomorrow afternoon? Thank you, Todd

Todd W. Musburger
Todd W. Musburger, Ltd.
142 E. Ontario
Suite 500
Chicago, Illinois 60611
312 664 2600

From: Alan Elliott alan@alanelliott.net

Subject: all the docs are available here:

Date: September 19, 2011 at 5:57 PM

To: Winnie Wong WWong@mmibi.com, Jeff Jampol jeff@jamincla.com, chris@donaldsoncallif.com, Chiemi Karasawa chiemi@isotopefilms.com, Lisa Callif lisa@donaldsoncallif.com



<http://alsrecordsandtapes.com/amazinglaw/>

thank you.

phone: 323 988 9692

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From: Alan Elliott alan@alanelliott.net
Subject: Re: Al's Record & Tape = all the claims docs
Date: September 20, 2011 at 10:22 AM
To: Rito Rivera rrivera@mmibi.com
Cc: Winnie Wong WWong@mmibi.com



CM/ECF -
Califor...ery.pdf



aretha https/
ecf.cac...2-1.pdf

phone: 323 988 9692

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On Sep 20, 2011, at 10:20 AM, Rito Rivera wrote:

Mr. Elliot, the last two items shown are not opening up. Is there anyway you can send these items to me directly?

<image001.gif>	aretha https://ecf.cacd.uscourts.gov/cgi-bin/DktRpt.pl?530292298257447_L_9999_2-1.pdf	103KB	Sep 19 2011 05:51:29 PM
-	CM:ECF - California Central District-		
<image001.gif>	History:Documents Query.pdf	52KB	Sep 19 2011 05:55:30 PM

From: Alan Elliott [<mailto:alan@alanelliott.net>]
Sent: Monday, September 19, 2011 5:57 PM
To: Winnie Wong; Jeff Jampol; chris@donaldsoncallif.com; Chiemi Karasawa; Lisa Callif
Subject: all the docs are available here:

<http://alsrecordsandtapes.com/amazinglaw/>

thank you.

phone: 323 988 9692

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Rito Rivera
Assistant Vice President

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.9861 / F: 818.453.9661

E: rrivera@mmibi.com

[Website](#) | [LinkedIn](#) | [Twitter](#)

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<imageb174f9.jpg@40dda581.683741d1>

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From: Rito Rivera rrivera@mmibi.com
Subject: RE: Al's Record & Tape = all the claims docs
Date: September 20, 2011 at 10:20 AM
To: alan@alanelliott.net
Cc: Winnie Wong WWong@mmibi.com

RR

Mr. Elliot, the last two items shown are not opening up. Is there anyway you can send these items to me directly?

anetha https://ct.cacd.uscourts.gov/cgi-bin/DKBot.pl?520392298257447-L_9999_2-1.pdf	103KB	Sep 19 2011 05:51:29 PM
- CM:ECE - California Central District-History:Documents Query.pdf	52KB	Sep 19 2011 05:55:30 PM

From: Alan Elliott [mailto:alan@alanelliott.net]
Sent: Monday, September 19, 2011 5:57 PM
To: Winnie Wong; Jeff Jampol; chris@donaldsoncallif.com; Chiemi Karasawa; Lisa Callif
Subject: all the docs are available here:

<http://alsrecordsandtapes.com/amazinglaw/>

thank you.

phone: 323 988 9692

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From: Rito Rivera rrivera@mmibi.com 
Subject: RE: Al's Record & Tape = all the claims docs
Date: September 20, 2011 at 10:24 AM
To: Alan Elliott alan@alanelliott.net
Cc: Winnie Wong WWong@mmibi.com

RR

Thank you

From: Alan Elliott [mailto:alan@alanelliott.net]
Sent: Tuesday, September 20, 2011 10:23 AM
To: Rito Rivera
Cc: Winnie Wong
Subject: Re: Al's Record & Tape = all the claims docs

-- This message was scanned by the Momentous Spam Filter and is believed to be clean. Click [here](#) to report this message as spam.

Rito Rivera
Assistant Vice President
Momentous Insurance Brokerage, Inc.
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From: Alan Elliott alan@alanelliott.net 
Subject: Fwd: Al's Records & Tapes
Date: November 5, 2009 at 3:30 PM
To: Winnie Wong WWong@mmibi.com



closing in on date...
we ARE going to take the insurance...
i want to check to make sure the below is the correct (\$7,925/\$100,000) or the (\$8,800/\$75,000) is the right #?
please let me know and thank you.

what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliot music project:
<http://www.jemp.org>



Begin forwarded message:

From: Winnie Wong <WWong@mmibi.com>
Date: September 1, 2009 2:46:40 PM PDT
To: "Alan@AlanElliott.net" <Alan@AlanElliott.net>, "jordan@adagegroup.net" <jordan@adagegroup.net>
Subject: Al's Records & Tapes

Hi Al,

Please find the original copy of the Chubb underwriters quotation.

I've spoken the underwriter regarding item 2 under the contingencies section and can confirm that the underwriter would like to know the title of the book that references Aretha's wish to see this project be released.

Please give me a call with any questions.

Kind regards,

Winnie

Winnie Wong
Vice President
Momentous Insurance Brokerage, Inc

Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.2735 / F: 818.933.2793
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200909011433
30740.pdf

From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: Al's Records & Tapes - 8221-3781
Date: October 30, 2012 at 10:50 AM
To: alan@alanelliott.net
Cc: Winnie Wong WWong@mmibi.com



Good morning Alan,

The above referenced Errors & Omissions policy, which covers the production "Amazing Grace", was issued for three years with an expiration of 11/09/12. If the production aired during that three year period, then coverage continues to apply for the life of the production, provided there were no significant changes to the production as it was originally submitted. If the production has not aired during the three year term, it will be necessary to order renewal to cover the airing. Renewal of the policy will also be necessary if there are distribution contracts which require coverage for additional insured's not previously endorsed to the policy during the term.

Please advise whether you wish to renew. If we do not hear from you by the expiration date, we will assume that renewal is not necessary.

Should you wish to renew the policy, or if you have any questions and/or concerns, please give us a call.

Regards,

Randy Tyrrel
Sr. Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
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From: **Alan Elliott** alan@alanelliott.net 
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 28, 2009 at 11:50 AM
To: Randy Tyrrel RTyrrel@mmibi.com
Cc: Winnie Wong WWong@mmibi.com



ok.
i will send a check.
i am worried it will not get there by tomorrow.
is that ok?

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www.theamcl.org

what i'm doing:

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On Dec 28, 2009, at 11:30 AM, Randy Tyrrel wrote:

Hi Alan,

Unfortunately we are not able to process credit card payments. Please forward a check at your earliest convenience made payable to Momentous Insurance Brokerage, Inc.

Sorry for any inconvenience.

Randy

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Monday, December 28, 2009 11:30 AM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Importance: High

ok, here goes:

mastercard
5424 1807 4250 4308
exp: 10/10
sec. code: 371

thank you.

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www.theamcl.org
what i'm doing:
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<image001.gif>

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On Dec 22, 2009, at 8:10 AM, Randy Tyrrel wrote:

Good Morning Alan,

Per our Accounting Department the attached invoice remains outstanding. If payment is not received by 12/29/09 we will be forced to cancel the policy for non-payment and all

not received by 12/27/09 we will be forced to cancel the policy for non-payment and all certificate holders will be notified.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Outlook
Sent: Tuesday, December 15, 2009, 8:07am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Per our Accounting Department the attached invoice remains outstanding. Please remit payment to Momentous Insurance Brokerage ASAP to avoid cancellation for non payment.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Outlook
Sent: Tuesday, December 8, 2009, 8:35am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Per our Accounting Department the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Outlook
Sent: Tuesday, December 1, 2009, 8:51am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Our records show that the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience. If you have already sent in payment, please disregard this notice.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Randy Tyrrel
Sent: Tuesday, November 10, 2009, 4:55pm
To: 'Alan@AlanElliott.net'
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Hi Alan,

My name is Randy and I work with Winnie Wong.

We are pleased to attach the Summary of Insurance for the subject production. After you have had a chance to review the summary, please feel free to call with any questions you may have.

We have also attached the invoice and for your convenience we have listed the invoice below:

INVOICE#

COVERAGE

COVERAGE

POLICY#

PREMIUM

69020

Errors & Omissions

8221-3781

\$ 8,800.00

Total Premium Due:

\$ 8,800.00

Please forward the information for any entities that need to be added as Additional Insured's at your earliest convenience so that we may get those to you as soon as possible.

We thank you for this opportunity to further serve your insurance needs.

Regards,

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
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<AR&T-A~1.pdf><AR&T-AGE.pdf>

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
www.momentousins.com

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<image97b1aa.jpg@3dbc56c7.0a7647f4>

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From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: RE: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 28, 2009 at 11:52 AM
To: Alan Elliott Alan@AlanElliott.net
Cc: Winnie Wong WWong@mmibi.com



If you can overnight it that would be best but I will note the file and see if the carrier will work with us for another day or so.

Randy

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Monday, December 28, 2009 11:51 AM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

ok.
i will send a check.
i am worried it will not get there by tomorrow.
is that ok?

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Sent: Monday, December 28, 2009 11:30 AM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Importance: High

ok, here goes:

mastercard
5424 1807 4250 4308
exp: 10/10
sec. code: 371

thank you.

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www.alanelliott.blogspot.com

web site:

www.alanelliott.net

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phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

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<image001.gif>

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On Dec 22, 2009, at 8:10 AM, Randy Tyrrel wrote:

Good Morning Alan,

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Regards,

Randy Tyrrel

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From: Outlook
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Cc: Winnie Wong
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Cc: Winnie Wong
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PREMIUM

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Errors & Omissions

8221-3781

\$ 8,800.00

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\$ 8,800.00

Please forward the information for any entities that need to be added as Additional Insured's at your earliest convenience so that we may get those to you as soon as possible.

We thank you for this opportunity to further serve your insurance needs.

Regards,

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
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<image97b1aa.jpg@3dbc56c7.0a7647f4>

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From: Alan Elliott alan@alanelliott.net 
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 28, 2009 at 11:56 AM
To: Randy Tyrrel RTyrrel@mmibi.com
Cc: Winnie Wong WWong@mmibi.com



i can either put it in the mail... or i can come drive it by (not preferred).
let me know.
thanks/

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On Dec 28, 2009, at 11:50 AM, Randy Tyrrel wrote:

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Randy

From: Alan Elliott [<mailto:Alan@AlanElliott.net>]
Sent: Monday, December 28, 2009 11:51 AM

To: Kandy Tyrrel
Cc: Winnie Wong
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

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i am worried it will not get there by tomorrow.
is that ok?

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Cc: Winnie Wong

cc: winnie wong

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Importance: High

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We thank you for this opportunity to further serve your insurance needs.

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From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: RE: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 28, 2009 at 12:02 PM
To: Alan Elliott Alan@AlanElliott.net
Cc: Winnie Wong WWong@mmibi.com



Go ahead and drop it in the mail and I will be what I can on this end with the carrier.

Randy

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Monday, December 28, 2009 11:57 AM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

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let me know.
thanks/

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<[image88514c.jpg@6a36dd9d.f1584df7](#)>

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Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 28, 2009 at 12:03 PM
To: Randy Tyrrel RTyrrel@mmibi.com
Cc: Winnie Wong WWong@mmibi.com



just so we are clear:
the insurance will be OK if i drop in the mail? (we can't lose it!)

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skype: alsrecordsandtapes

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On Dec 28, 2009, at 11:50 AM, Randy Tyrrel wrote:

If you can overnight it that would be best but I will note the file and see if the carrier will work with us for another day or so.

Randy

From: Alan Elliott [mailto:Alan@AlanElliott.net]

Sent: Monday, December 28, 2009 11:51 AM

To: Randy Tyrrel

Cc: Winnie Wong

Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

ok.

i will send a check.

i am worried it will not get there by tomorrow.

is that ok?

join the composers' guild:

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what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

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On Dec 28, 2009, at 11:30 AM, Randy Tyrrel wrote:

Hi Alan,

Unfortunately we are not able to process credit card payments. Please forward a check at your earliest convenience made payable to Momentous Insurance Brokerage, Inc.

Sorry for any inconvenience.

Randy

From: Alan Elliott [mailto:Alan@AlanElliott.net]

Sent: Monday, December 28, 2009 11:30 AM

To: Randy Tyrrel

Cc: Winnie Wong

Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Importance: High

ok, here goes:

mastercard

5424 1807 4250 4308
exp: 10/10
sec. code: 371

thank you.

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On Dec 22, 2009, at 8:10 AM, Randy Tyrrel wrote:

Good Morning Alan,

Per our Accounting Department the attached invoice remains outstanding. If payment is not received by 12/29/09 we will be forced to cancel the policy for non-payment and all certificate holders will be notified.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Outlook
Sent: Tuesday, December 15, 2009, 8:07am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Per our Accounting Department the attached invoice remains outstanding. Please remit payment to Momentous Insurance Brokerage ASAP to avoid cancellation for non payment.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

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Sent: Tuesday, December 8, 2009, 8:35am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Per our Accounting Department the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience.

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Regards,

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From: Outlook
Sent: Tuesday, December 1, 2009, 8:51am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Our records show that the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience. If you have already sent in payment, please disregard this notice.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Randy Tyrrel
Sent: Tuesday, November 10, 2009, 4:55pm
To: 'Alan@AlanElliott.net'
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Hi Alan,

My name is Randy and I work with Winnie Wong.

We are pleased to attach the Summary of Insurance for the subject production. After you have had a chance to review the summary, please feel free to call with any questions you may have.

We have also attached the invoice and for your convenience we have listed the invoice below:

INVOICE#

COVERAGE

POLICY#

PREMIUM

69020

Errors & Omissions

8221-3781

\$ 8,800.00

Total Premium Due:

\$ 8,800.00

Please forward the information for any entities that need to be added as Additional Insured's at your earliest convenience so that we may get those to you as soon as possible.

We thank you for this opportunity to further serve your insurance needs.

Regards,

Randy Turrel

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
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<image97b1aa.jpg@3dbc56c7.0a7647f4>

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From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: RE: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 28, 2009 at 12:07 PM
To: Alan Elliott Alan@AlanElliott.net
Cc: Winnie Wong WWong@mmibi.com

RT

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From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Monday, December 28, 2009 12:03 PM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

just so we are clear:
the insurance will be OK if i drop in the mail? (we can't lose it!)

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Go ahead and drop it in the mail and I will be what I can on this end with the carrier.

Randy

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Monday, December 28, 2009 11:57 AM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

i can either put it in the mail... or i can come drive it by (not preferred).
let me know.
thanks/

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web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

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To: Randy Tyrrel
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Sent: Monday, December 28, 2009 11:30 AM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Importance: High

ok, here goes:

mastercard
5424 1807 4250 4308
exp: 10/10
sec. code: 371

thank you.

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what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net

aim: alanellll
phone: 323 988 9692
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Cc: Winnie Wong
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may have.

We have also attached the invoice and for your convenience we have listed the invoice below:

INVOICE#

COVERAGE

POLICY#

PREMIUM

69020

Errors & Omissions

8221-3781

\$ 8,800.00

Total Premium Due:

\$ 8,800.00

Please forward the information for any entities that need to be added as Additional Insured's at your earliest convenience so that we may get those to you as soon as possible.

We thank you for this opportunity to further serve your insurance needs.

Regards,

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
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Randy Tyrrel
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P: 818.933.9874 / **F:** 818.933.9894

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<[image88514c.jpg@6a36dd9d.f1584df7](#)>

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From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: RE: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 28, 2009 at 12:31 PM
To: Alan Elliott Alan@AlanElliott.net
Cc: Winnie Wong WWong@mmibi.com



I was able to get the carrier to give us until Thursday so please drop payment into the mail today so we can be sure to get it by then.

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Monday, December 28, 2009 12:09 PM
To: Randy Tyrrel
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

ok...
you let me know if you can get them to push...
and if you don't hear...
i will come drop by tomorrow morning.
thank you.

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web site:
www.alanelliott.net

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just so we are clear:
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Randy

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Monday, December 28, 2009 11:30 AM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Importance: High

ok, here goes:

mastercard
5424 1807 4250 4308
exp: 10/10
sec. code: 371

thank you.

join the composers' guild:
www.theamcl.org
what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliot music project:
<http://www.jemp.org>

<image001.gif>

transmission without making copies, disclosing, distributing, saving or making use of it in any manner (all of which acts are strictly prohibited), and so notify the sender by reply info@alanelliott.net.

On Dec 22, 2009, at 8:10 AM, Randy Tyrrel wrote:

Good Morning Alan,

Per our Accounting Department the attached invoice remains outstanding. If payment is not received by 12/29/09 we will be forced to cancel the policy for non-payment and all certificate holders will be notified.

Should you have any questions please do not hesitate to contact our office.

Regards,

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From: Outlook
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COVERAGE

POLICY#

PREMIUM

69020

Errors & Omissions

8221-3781

\$ 8,800.00

Total Premium Due:

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We thank you for this opportunity to further serve your insurance needs.

Regards,

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Account Manager
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5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
<http://www.momentousins.com/>
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<AR&T-A~1.pdf><AR&T-AGE.pdf>

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<[image97b1aa.jpg@3dbc56c7.0a7647f4](#)>

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<[image88514c.jpg@6a36dd9d.f1584df7](#)>

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<imagea59e9a.jpg@f668b7c2.954e4f3b>

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[<image837a76.jpg@6f4b9b39.a1034253>](#)

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From: Alan Elliott alan@alanelliott.net 
Subject: Fwd: AI's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 22, 2009 at 8:24 AM
To: Winnie Wong WWong@mmibi.com



Is this the last extension?

Phone: 323 988 9692
Cell: 323 841 1120
AIM: alanelllll
Skype: alsrecordsandtapes

Begin forwarded message:

From: Randy Tyrrel <RTyrrel@mmibi.com>
Date: December 22, 2009 8:10:00 AM PST
To: "Alan@AlanElliott.net" <Alan@AlanElliott.net>
Cc: Winnie Wong <WWong@mmibi.com>
Subject: FW: AI's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

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INVOICE#

COVERAGE

POLICY#

PREMIUM

69020

Errors & Omissions

8221-3781

\$ 8,800.00

Total Premium Due:

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Momentous Insurance Brokerage
5990 Sepulveda Blvd, Suite 550
Van Nuys, CA 91411
Phone : 818-933-2700 Fax : 818-933-2701

AI's Records and Tapes

INVOICE # 69020		Page 1
ACCOUNT NO.	OP	DATE
ALSRE-1	RT	11/10/09
Errors & Omissions		
POLICY #		
82213781		
COMPANY		
Federal Insurance Co.		
PRODUCER		
Winnie Wong		
EFFECTIVE	EXPIRATION	BALANCE DUE ON
11/09/09	11/09/12	11/10/09

Eff Date	Trn	Type	Description	Amount
11/09/09	NEW	E&O	AG E&O Premium	\$ 8,800.00
Invoice Balance:				\$ 8,800.00

Please remit your check payable to Momentous Insurance
Brokerage by 11/24/09. Thank you.

<http://www.mmibi.com>



AR&T-AGE.pdf

From: Alan Elliott alan@alanelliott.net 
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 22, 2009 at 3:15 PM
To: Randy Tyrrel RTyrrel@mmibi.com
Cc: Winnie Wong WWong@mmibi.com



no problem.
we will get you the dough by the 29th.
thanks for all your help.
-alan

join the composers' guild:

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what i'm doing:

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web site:

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aim: alanelllll

phone: 323 988 9692

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69020
Errors & Omissions
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<AR&T-A~1.pdf><AR&T-AGE.pdf>

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<AR&T-A~1.pdf><AR&T-AGE.pdf>

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Date: December 28, 2009 at 11:32 AM
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Sorry for any inconvenience.

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Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Hi Alan,

My name is Randy and I work with Winnie Wong.

We are pleased to attach the Summary of Insurance for the subject production. After you have had a chance to review the summary, please feel free to call with any questions you may have.

We have also attached the invoice and for your convenience we have listed the invoice below:

INVOICE#

COVERAGE

POLICY#

PREMIUM

69020

Errors & Omissions

8221-3781

\$ 8,800.00

Total Premium Due:

\$ 8,800.00

Please forward the information for any entities that need to be added as Additional Insured's at your earliest convenience so that we may get those to you as soon as possible.

We thank you for this opportunity to further serve your insurance needs.

Regards,

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
<http://www.momentousins.com/>
Lic. #0G19762

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<AR&T-A~1.pdf><AR&T-AGE.pdf>

Randy Tyrrel

Account Manager

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.9874 / F: 818.933.9894

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From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: November 10, 2009 at 4:56 PM
To: Alan@AlanElliott.net
Cc: Winnie Wong WWong@mmibi.com



Hi Alan,

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We have also attached the invoice and for your convenience we have listed the invoice below:

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		Total Premium Due:	\$ 8,800.00

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Regards,

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Account Manager
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Van Nuys, CA 91411
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AR&T - AG E&O
Summary.pdf



Momentous Insurance Brokerage
5990 Sepulveda Blvd, Suite 550
Van Nuys, CA 91411
Phone : 818-933-2700 Fax : 818-933-2701

AI's Records and Tapes

INVOICE # 69020		Page 1
ACCOUNT NO.	OF	DATE
ALSRE-1	RT	11/10/09
Errors & Omissions		
POLICY #		
82213781		
COMPANY		
Federal Insurance Co.		
PRODUCER		
Winnie Wong		
EFFECTIVE	EXPIRATION	BALANCE DUE ON
11/09/09	11/09/12	11/10/09

Eff Date	Trn	Type	Description	Amount
11/09/09	NEW	E&O	AG E&O Premium	\$ 8,800.00
Invoice Balance:				\$ 8,800.00

Please remit your check payable to Momentous Insurance Brokerage by 11/24/09. Thank you.

From: **Alan Elliott** alan@alanelliott.net 
Subject: Re: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 8, 2009 at 11:57 AM
To: Winnie Wong WWong@mmibi.com



yes.
but as long as you can extend... will be much appreciated!

join the composers' guild:

www.theamcl.org

what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliot music project:

<http://www.jemp.org>



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On Dec 8, 2009, at 11:41 AM, Winnie Wong wrote:

Al,

Will you be able to pay this premium before the end of this month?

Please advise.

Thanks.

-----Original Message-----

From: Randy Tyrrel

Sent: Tuesday, December 08, 2009 8:36 AM

To: Alan@AlanElliott.net

Cc: Winnie Wong

Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Per our Accounting Department the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Outlook
Sent: Tuesday, December 1, 2009, 8:51am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Our records show that the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience. If you have already sent in payment, please disregard this notice.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Randy Tyrrel
Sent: Tuesday, November 10, 2009, 4:55pm
To: ['Alan@AlanElliott.net'](mailto:Alan@AlanElliott.net)
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Hi Alan,

My name is Randy and I work with Winnie Wong.

We are pleased to attach the Summary of Insurance for the subject production. After you have had a chance to review the summary, please feel free to call with any questions you may have.

We have also attached the invoice and for your convenience we have listed the invoice below:

INVOICE#
COVERAGE
POLICY#
PREMIUM

69020

Errors & Omissions

8221-3781

\$ 8,800.00

Total Premium Due:

\$ 8,800.00

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We thank you for this opportunity to further serve your insurance needs.

Regards,

Randy Tyrrel
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Winnie Wong
Vice President
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.2735 / F: 818.933.2793
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| <AR&T-A~1.pdf><AR&T-AGE.pdf>

From: Alan Elliott alan@alanelliott.net 
Subject: Re: Al's Records & Tapes
Date: September 1, 2009 at 2:52 PM
To: Winnie Wong WWong@mmibi.com
Cc: jordan@adagegroup.net



it's aretha's autobiography, called "from these roots" (written with david ritz) (<http://www.amazon.com/Aretha-These-Roots-Franklin/dp/0375500332>).

in the book she says:

"My performances were filmed. I have been contacted about the possibility of it being in the theaters this year or next as a documentary. I believe I said that God is good and if a movie were meant to be, it would happen. The most interesting thing to me is that 'Amazing Grace' was my first gold LP, and 'Amazing Grace' may very possibly be my first full-length feature film. Would you say that there is a message there?"

in addition, there is this from jerry wexler's obituary last year in which she talks of working with jerry (a co-producer of our film) on "the making of amazing grace":

"She (Aretha) had reconnected with Wexler in recent months for the completion of a long-abandoned film documentary about her 1972 Atlantic recording sessions that produced her highly praised "Amazing Grace" gospel album. The footage was shot by a young Sydney Pollack, and is planned for release next year, according to the film's coproducer, Alan Elliott."

When asked when she had last worked together with Wexler: "It was on 'Amazing Grace,' I think (the film). There is a small possibility it may be coming out as a movie, I hope it will. We recorded that in Los Angeles, and it was filmed. My dad was there, he certainly was one of the gospel greats, and Clara Ward, who was one of my mentors. We had a wonderful time with Rev. James Cleveland with the Southern California Choir."

what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliot music project:
<http://www.jemp.org>



alslogo.gif

On Sep 1, 2009, at 2:46 PM, Winnie Wong wrote:

Hi Al,

Please find the original copy of the Chubb underwriters quotation.

I've spoken the underwriter regarding item 2 under the contingencies section and can confirm that the underwriter would like to

I've spoken the underwriter regarding item 2 under the contingencies section and can confirm that the underwriter would like to know the title of the book that references Aretha's wish to see this project be released.

Please give me a call with any questions.

Kind regards,

Winnie

Winnie Wong
Vice President
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Van Nuys, CA 91411
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<20090901143330740.pdf>

From: Herb Jordan jordan@adagegroup.net 
Subject: RE: Al's Records & Tapes "Amazing Grace"
Date: September 12, 2009 at 3:13 PM
To: Winnie Wong WWong@mmibi.com, Alan Elliott Alan@AlanElliott.net



Winnie. That is good news. Thanks for all you efforts. HJ

From: Winnie Wong [<mailto:WWong@mmibi.com>]
Sent: Saturday, September 12, 2009 10:22 AM
To: 'Alan Elliott'
Cc: jordan@adagegroup.net
Subject: Al's Records & Tapes "Amazing Grace"

Hi Alan,

On a positive note, Chubb has approved your answers regarding Aretha's wish to see this project get released.

Kind regards,
Winnie

From: kemaloney [<mailto:kemaloney>]
Sent: Friday, September 11, 2009 3:35 PM
To: Winnie Wong
Subject: Re: Al's Records & Tapes "Amazing Grace"

Hi Winnie,

Yes; I will approve the detail provided below.

Thanks,

Kevin

From: Alan Elliott [<mailto:Alan@AlanElliott.net>]
Sent: Tuesday, September 01, 2009 2:53 PM
To: Winnie Wong
Cc: jordan@adagegroup.net
Subject: Re: Al's Records & Tapes

it's aretha's autobiography, called "from these roots" (written with david ritz) (<http://www.amazon.com/Aretha-These-Roots-Franklin/dp/0375500332>).

in the book she says:

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Winnie Wong
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From: Alan Elliott alan@alanelliott.net 
Subject: Re: Al's Records & Tapes "Amazing Grace"
Date: September 12, 2009 at 10:26 AM
To: Winnie Wong WWong@mmibi.com
Cc: jordan@adagegroup.net



that is all we need.
let's just make sure we NEVER drop that!
thank you.

what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliott music project:

<http://www.jemp.org>



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Thanks,

Kevin

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To: Winnie Wong

Cc: jordan@adagegroup.net

Subject: Re: Al's Records & Tapes

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Kind regards,

Winnie

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Vice President
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Van Nuys, CA 91411
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E: WWong@mmibi.com
www.momentousins.com
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<image849ace.jpg@048a3fd8.bfd64c42>

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From: **Alan Elliott** alan@alanelliott.net 
Subject: Re: Al's Records and Tape
Date: October 16, 2009 at 6:28 PM
To: Winnie Wong WWong@mmibi.com
Cc: Michael Donaldson michael@donaldsoncallif.com, Herb Jordan jordan@adagegroup.net



it IS really appreciated!!!!

what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliott music project:
<http://www.jemp.org>



On Oct 16, 2009, at 6:11 PM, Winnie Wong wrote:

Thanks. You are right...it was not easy to negotiate.

From: Michael Donaldson [mailto:michael@donaldsoncallif.com]
Sent: Friday, October 16, 2009 6:09 PM
To: Winnie Wong; Herb Jordan
Cc: Alan Elliott
Subject: RE: Al's Records and Tape

That is very good. I know how they hate to keep these quotes alive. Nice work.

Michael C. Donaldson, Esq.
Donaldson & Callif
400 South Beverly Drive, Suite 400
Beverly Hills, CA 90212
phone 310 377 0304 ext 22

phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

From: Winnie Wong [mailto:WWong@mmibi.com]
Sent: Friday, October 16, 2009 6:07 PM
To: Herb Jordan
Cc: Alan Elliott; Michael Donaldson
Subject: RE: Al's Records and Tape

Hi Herb,

I was able to extending the E & O quotation until 11/10/09...no further. Sorry this is the best I can do. Please let me know if you have any questions.

Kind regards,

Winnie

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Wednesday, September 16, 2009 5:12 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: Re: here's what we need to make clear to the insurance folks asap...

great.
and you said on saturday that chubb has accepted the aretha "permission" issues...
how long is the quote good for?

On Sep 16, 2009, at 5:08 PM, Winnie Wong wrote:

I already presented the Chubb quotations to you. They were sent via email 2 weeks ago.

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Wednesday, September 16, 2009 5:08 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: Re: here's what we need to make clear to the insurance folks asap...

here's the questions:
do we have the quote, in writing?
if so, how long is it good for?

On Sep 16, 2009, at 5:03 PM, Winnie Wong wrote:

Hi Alan,

Usually, Chubb is pretty flexible about their quotations once quoted it is good for 90 days. However with regards to this quotation, I do not believe it can be available forever. The problem as time passes...notoriety of the project can get out in the open and /or litigious issues could arise in where the carrier will not honor your quotation.

Please let me know if you have any questions.

Kind regards,

Winnie

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Wednesday, September 16, 2009 4:55 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: Re: here's what we need to make clear to the insurance folks asap...

just to confirm, winnie:
is the chubb quote good for 90 days... 60 days... forever?
is there any way they can rescind it at any time?

On Sep 16, 2009, at 4:28 PM, Michael Donaldson wrote:

Usually quotes are good for 90 days. You should get that in writing from Winnie. We should all get on the phone again and form a strategy for going forward from here. We need to decide who calls whom and when?

Michael C. Donaldson, Esq.
Donaldson & Callif
400 South Beverly Drive, Suite 400
Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

-----Original Message-----

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Tuesday, September 15, 2009 9:58 AM
To: Michael Donaldson
Cc: Herb Jordan; Michael Forster
Subject: Re: here's what we need to make clear to the insurance folks asap...

thank michael.
we are thrilled chubb has us an offer...
is there anything we need to do?
the tone of your email suggests chubb could back out...
we are under the impression (and we have never done this) that the chubb offer is good...
but not sure how long?

what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net <<http://www.alanelliott.net/>>

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliott music project:
<http://www.jemp.org> <<http://www.jemp.org/>>

On Sep 15, 2009, at 5:31 AM, Michael Donaldson wrote:

As luck would have it, Winnie and I had lunch yesterday with the head underwriter for media E&O for Hiscox Insurance who took a pass on the policy. She passed on it because she talked to a local litigator who estimated minimum defense costs in case Aretha sued in six figures just to get rid of the case and not counting a settlement figure.

Winnie shared that Chubb offered a quote at \$8800 with a \$75,000 deductible. That deductible is a little higher than I was hoping for, but it is still an amount that you can put aside for a rainy day. And it is a lot lower than you were prepared to pay her, so it seems to me that you should take this offer. The premium is quite reasonable. I wouldn't want Chubb to go away and they could get wind of the Hiscox position.

Michael C Donaldson Esq

Michael C. Donaldson, Esq.
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Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com <<http://www.donaldsoncallif.com/>>

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Wednesday, August 26, 2009 10:21 AM
To: Winnie Wong
Cc: Herb Jordan; Michael Forster; Michael Donaldson
Subject: Fwd: here's what we need to make clear to the insurance folks asap...

winnie:

we didn't make it clear from our app. so i have amended our app (see attachment) re: question #5, 6, 7 & 8 to better reflect what the insurance people should be focusing on.

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 8.5.409 / Virus Database: 270.13.100/2373 - Release Date: 09/15/09 13:37:00

Winnie Wong
Vice President
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.2735 / F: 818.933.2793
E: WWong@mmibi.com
www.momentousins.com

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<image9aa6c1.jpg@371263be.2b144acb>

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Winnie Wong

Vice President

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<image001.jpg>

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From: Michael Donaldson michael@donaldsoncallif.com 
Subject: RE: Al's Records and Tape
Date: October 16, 2009 at 6:09 PM
To: Winnie Wong WWong@mmibi.com, Herb Jordan jordan@adagegroup.net
Cc: Alan Elliott Alan@AlanElliott.net

MD

That is very good. I know how they hate to keep these quotes alive. Nice work.

Michael C. Donaldson, Esq.
Donaldson & Callif
400 South Beverly Drive, Suite 400
Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

From: Winnie Wong [mailto:WWong@mmibi.com]
Sent: Friday, October 16, 2009 6:07 PM
To: Herb Jordan
Cc: Alan Elliott; Michael Donaldson
Subject: RE: Al's Records and Tape

Hi Herb,

I was able to extending the E & O quotation until 11/10/09...no further. Sorry this is the best I can do.
Please let me know if you have any questions.

Kind regards,

Winnie

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Wednesday, September 16, 2009 5:12 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: Re: here's what we need to make clear to the insurance folks asap...

great.
and you said on saturday that chubb has accepted the aretha "permission" issues...
how long is the quote good for?

On Sep 16, 2009, at 5:08 PM, Winnie Wong wrote:

I already presented the Chubb quotations to you. They were sent via email 2 weeks ago.

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Wednesday, September 16, 2009 5:08 PM
To: Winnie Wong

Cc: Herb Jordan; Michael Donaldson

Subject: Re: here's what we need to make clear to the insurance folks asap...

here's the questions:

do we have the quote, in writing?

if so, how long is it good for?

On Sep 16, 2009, at 5:03 PM, Winnie Wong wrote:

Hi Alan,

Usually, Chubb is pretty flexible about their quotations once quoted it is good for 90 days. However with regards to this quotation, I do not believe it can be available forever. The problem as time passes...notoriety of the project can get out in the open and /or litigious issues could arise in where the carrier will not honor your quotation.

Please let me know if you have any questions.

Kind regards,

Winnie

From: Alan Elliott [mailto:Alan@AlanElliott.net]

Sent: Wednesday, September 16, 2009 4:55 PM

To: Winnie Wong

Cc: Herb Jordan; Michael Donaldson

Subject: Re: here's what we need to make clear to the insurance folks asap...

just to confirm, winnie:

is the chubb quote good for 90 days... 60 days... forever?

is there any way they can rescind it at any time?

On Sep 16, 2009, at 4:28 PM, Michael Donaldson wrote:

Usually quotes are good for 90 days. You should get that in writing from Winnie. We should all get on the phone again and form a strategy for going forward from here. We need to decide who calls whom and when?

Michael C. Donaldson, Esq.

Donaldson & Callif

400 South Beverly Drive, Suite 400

Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

-----Original Message-----

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Tuesday, September 15, 2009 9:58 AM
To: Michael Donaldson
Cc: Herb Jordan; Michael Forster
Subject: Re: here's what we need to make clear to the insurance folks asap...

thank michael.
we are thrilled chubb has us an offer...
is there anything we need to do?
the tone of your email suggests chubb could back out...
we are under the impression (and we have never done this) that the chubb offer is good... but
not sure how long?

what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net <<http://www.alanelliott.net/>>

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliott music project:
<http://www.jemp.org> <<http://www.jemp.org/>>

On Sep 15, 2009, at 5:31 AM, Michael Donaldson wrote:

As luck would have it, Winnie and I had lunch yesterday with the head underwriter for media E&O for Hiscox Insurance who took a pass on the policy. She passed on it because she talked to a local litigator who estimated minimum defense costs in case Aretha sued in six figures just to get rid of the case and not counting a settlement figure.

Winnie shared that Chubb offered a quote at \$8800 with a \$75,000 deductible. That deductible is a little higher than I was hoping for, but it is still an amount that you can put aside for a rainy day. And it is a lot lower than you were prepared to pay her, so it seems to me that you should take this offer. The premium is quite reasonable. I wouldn't want Chubb to go away and they could get wind of the Hiscox position.

Michael C. Donaldson, Esq.
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From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Wednesday, August 26, 2009 10:21 AM
To: Winnie Wong
Cc: Herb Jordan; Michael Forster; Michael Donaldson
Subject: Fwd: here's what we need to make clear to the insurance folks asap...

winnie:

we didn't make it clear from our app. so i have amended our app (see attachment) re: question #5, 6, 7 & 8 to better reflect what the insurance people should be focusing on.

No virus found in this incoming message.
Checked by AVG - www.avg.com
Version: 8.5.409 / Virus Database: 270.13.100/2373 - Release Date: 09/15/09 13:37:00

Winnie Wong

Vice President

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From: Michael Donaldson michael@donaldsoncallif.com 
Subject: RE: Al's Records and Tapes
Date: August 25, 2009 at 2:50 PM
To: Winnie Wong WWong@mmibi.com
Cc: Alan Elliott Alan@AlanElliott.net, Herb Jordan jordan@adagegroup.net

Great. Thanks for all this hard work.

Michael C. Donaldson, Esq.
Donaldson & Callif
400 South Beverly Drive, Suite 400
Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

From: Winnie Wong [mailto:WWong@mmibi.com]
Sent: Tuesday, August 25, 2009 2:31 PM
To: Michael Donaldson
Cc: 'Alan Elliott'; Herb Jordan
Subject: RE: Al's Records and Tapes

Hi Michael,

Yes...I submitted to both of them. I agree, I am trying to get the retention down. Doing some "Fearless Negotiating"... your book comes in handy!

From: Michael Donaldson [mailto:michael@donaldsoncallif.com]
Sent: Tuesday, August 25, 2009 2:23 PM
To: Winnie Wong
Cc: 'Alan Elliott'; Herb Jordan
Subject: RE: Al's Records and Tapes

Great work, Winnie. Was this submitted to HISCOX or MEDIA PRO? Just curious. I would love to get that retention down.

Michael C. Donaldson, Esq.
Donaldson & Callif
400 South Beverly Drive, Suite 400
Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Tuesday, August 25, 2009 12:47 PM
To: Herb Jordan
Cc: Michael Donaldson
Subject: Fwd: Al's Records and Tapes

Phone: 323 988 9692
Cell: 323 841 1120
AIM: alanellll
Skype: alsrecordsandtapes

Begin forwarded message:

From: Winnie Wong <WWong@mmibi.com>
Date: August 25, 2009 12:42:03 PM PST

Date: August 23, 2007 12:42:05 PM PDT

To: 'Alan Elliott' <Alan@AlanElliott.net>

Subject: Al's Records and Tapes

Hi Al,

I know you are in a rush to get a quotation. I am trying to negotiate the best quotations I can. Please find the following quotations for your production entitled "Amazing Grace". Please give me a call with any questions.

Kind regards,

Option 1.

This quotation has a \$100,000 retention with regards to claims involving Aretha Franklin. They would like a copy of any emails that you have obtained from Aretha's representatives that agrees to the films release.

Chubb Insurance Company

Limits of Liability:

Each Occurrence/Aggregate: \$1,000,000/\$3,000,000 – DWL

Retention: \$10,000 Each Occurrence

Premium: \$7,925

Scheduled Media: The theatrical or television release of the documentary entitled "Amazing Grace" including any supplemental programming including in the DVD, video or internet dissemination of such documentary by the Insured.

Endorsements:

Applicable to Option Number: 1

10-02-1295	Important Notice to Policyholders
14-02-13387	Separate Retention Endorsement--\$100,000 retention for all claims involving Aretha Franklin
14-02-14160	California Amendatory Endorsement
14-02-14161	California Premium Endorsement
14-02-14441	Amend Exclusion A 15 Endorsement
14-02-14563	Producers Liability Omnibus Endorsement
14-02-14564	Producers Title Search and Report Endorsement
14-02-7964	Notice of Loss Control Services

Quote Tentative and Subject to:

1. Completed signed and dated Chubb Multimedia Application.
2. Copy of public endorsement by Aretha Franklin of the film.

Option 2.

The pricing is great but there is currently a failure to obtain licenses, release or consents exclusion. I sent the fair use letter to the underwriter and am waiting for a response.

One Beacon Insurance Company

Limits of Liability:

Each Occurrence/Aggregate: \$1,000,000/\$3,000,000 – DWL

Retention: \$10,000 Each Occurrence

Premium: \$3,773

Scheduled Media: "Amazing Grace"

Scheduled media:

Amazing Grace .

Endorsements:

California Cancellation & Nonrenewal Provisions; Film; Program and Theatrical Producers Amendatory; Named Peril Coverage; Omnibus Exclusionary; Policy Change; Rights Period; Selection of Counsel; Settlement, Music/Title Exclusion; Failure to obtain licenses, releases or consents Exclusion.

Quote Tentative and Subject to:

1. Resumes of the Key Personnel
2. Signed and dated application and warranty statement
3. The application indicates that rights and warranties for music have not been obtained. In order to consider removing this exclusion, please submit music releases and warranties/indemnities for original music commissioned for the program.
4. The application indicates that the insured has attempted and failed to secure releases. Please specify which releases they failed to obtain.
5. Please submit a title clearance report for consideration of removing this exclusion.

Winnie Wong

Vice President

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From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: RE: Al's Records and Tapes - "Amazing Grace" E&O Policy
Date: August 8, 2011 at 2:27 PM
To: Chiemi Karasawa chiemi@isotopefilms.com, Winnie Wong WWong@mmibi.com
Cc: Alan Elliott Alan@AlanElliott.net



Hi Cheimi,

I will need addresses for each entity to be added as an Additional Insured.

Also, please be advised that anyone associated with the production of the project through Al's Records and Tapes would be included as a **Named** Insured automatically. Adding them as an **Additional** Insured would actually diminish their rights under the policy. Additional Insureds should be distributors or other entities that have a contractual obligation to Al's Records & Tapes and did not have a role in production.

Let me know if you have any questions.

Thanks!

Randy

From: Chiemi Karasawa [mailto:chiemi@isotopefilms.com]
Sent: Monday, August 08, 2011 1:34 PM
To: Randy Tyrrel; Winnie Wong
Cc: Alan Elliott
Subject: FW: Al's Records and Tapes - "Amazing Grace" E&O Policy

Hi Randy,

Regarding the attached policy, we would like to add the following names to the Policy:

Amazing Grace Movie, LLC
Isotope Films, LLC
Alan Elliot
Chiemi Karasawa
Final Cut USA
Deluxe Entertainment Services Group

Please let me know how to execute this.

Thanks so much,

Chiemi Karasawa
Producer

From: Randy Tyrrel <RTyrrel@mmibi.com>
Date: January 21, 2010 9:09:31 AM PST
To: Alan Elliott <alan@alanelliott.net>
Cc: Winnie Wong <WWong@mmibi.com>
Subject: Al's Records and Tapes - "Amazing Grace" E&O Policy

Hi Alan,

Attached please find the above captioned policy effective 11/09/09 to 11/09/12.
Please review for complete limits, deductibles, terms, conditions, exclusions and endorsements and advise if any changes are in order.

The premium for this policy has been paid in full, thank you.

If you have questions regarding this or any other matter, please contact our office.
Thank you for allowing Momentous Insurance Brokerage, Inc. to be of service.

Sincerely,

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
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Insured: AL'S RECORDS AND TAPES

Date: 11/10/2009

Producer: MOMENTOUS INSURANCE BROKERAGE INC.
5990 SEPULVEDA BL. #550
VAN NUYS, CA 91411-0000

Company: Federal Insurance Company

THIS BILLING IS TO BE ATTACHED TO AND FORM A PART OF THE POLICY REFERENCED BELOW.

Policy Number: 8221-3781

Policy Period: November 9, 2009 to November 9, 2012

NOTE: PLEASE RETURN THIS BILL WITH REMITTANCE AND NOTE HEREON ANY CHANGES. BILL WILL BE RECEIPTED AND RETURNED TO YOU PROMPTLY UPON REQUEST.

PLEASE REMIT TO PRODUCER INDICATED ABOVE. PLEASE REFER TO 8221-3781

Product	Effective Date	Premium
MEDIAGRDR	11/09/09	\$8,800.00

* For Kentucky policies, amount displayed includes tax and collection fees.

TOTAL POLICY PREMIUM	\$8,800.00
TOTAL INSTALLMENT PREMIUM DUE	\$8,800.00

Form 26-10-0426 (Ed. 2/98)

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----- End of Forwarded Message

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Randy Tyrrel

Sr. Account Manager

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.9874 / **F:** 818.933.9894

E: RTyrrel@mmibi.com

[Website](#) | [LinkedIn](#) | [Twitter](#)

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From: Chiemi Karasawa chiemi@isotopefilms.com 
Subject: Re: AI's Records and Tapes - "Amazing Grace" E&O Policy
Date: August 8, 2011 at 2:31 PM
To: Randy Tyrrel RTyrrel@mmibi.com, Winnie Wong WWong@mmibi.com
Cc: Alan Elliott Alan@AlanElliott.net



Hi Randy,

Thanks for this. Do you have time for a quick chat?

Thanks,

Chiemi

On 8/8/11 5:27 PM, "Randy Tyrrel" <RTyrrel@mmibi.com> wrote:

Hi Cheimi,

I will need addresses for each entity to be added as an Additional Insured.

Also, please be advised that anyone associated with the production of the project through AI's Records and Tapes would be included as a **Named** Insured automatically. Adding them as an **Additional** Insured would actually diminish their rights under the policy. Additional Insureds should be distributors or other entities that have a contractual obligation to AI's Records & Tapes and did not have a role in production.

Let me know if you have any questions.

Thanks!

Randy

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Alan Elliot
Chiemi Karasawa
Final Cut USA
Deluxe Entertainment Services Group

Deluxe Entertainment Services Group

Please let me know how to execute this.

Thanks so much,

Chiemi Karasawa
Producer

From: Randy Tyrrel <RTyrrel@mmibi.com>
Date: January 21, 2010 9:09:31 AM PST
To: Alan Elliott <alan@alanelliott.net>
Cc: Winnie Wong <WWong@mmibi.com>
Subject: Al's Records and Tapes - "Amazing Grace" E&O Policy

Hi Alan,

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The premium for this policy has been paid in full, thank you.

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Sincerely,

Randy Tyrrel
Account Manager
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PREMIUM BILL

Insured: AL'S RECORDS AND TAPES

Date: 11/10/2009

Producer: MOMENTOUS INSURANCE BROKERAGE INC.
5990 SEPULVEDA BL. #550
VAN NUYS, CA 91411-0000

Company: Federal Insurance Company

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PLEASE REMIT TO PRODUCER INDICATED ABOVE. PLEASE REFER TO 8221-3781

Product	Effective Date	Premium
MEDIAGRDR	11/09/09	\$8,800.00

* For Kentucky policies, amount displayed includes tax and collection fees.

TOTAL POLICY PREMIUM	\$8,800.00
TOTAL INSTALLMENT PREMIUM DUE	\$8,800.00

----- End of Forwarded Message

----- End of Forwarded Message

----- End of Forwarded Message

-- This message was scanned by the Momentous Spam Filter and is believed to be clean. Click here <<http://sfv-spamfilter/cgi-bin/learn-msg.cgi?id=E8AAB28A3F.6052A>> to report this message as spam.

Randy Tyrrel

Sr. Account Manager

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.9874 / **F:** 818.933.9894

E: RTyrrel@mmibi.com

Website <<http://momentousins.com/>> | **LinkedIn**
<<http://www.linkedin.com/company/229997>> | **Twitter**
<<http://twitter.com/momentousins>>

Lic. #0G19762

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--

Chiemi Karasawa
Producer

isotope films
375 greenwich st. #514
New York, NY 10013
t 212.941.4090
f 212.941.4092
www.isotopefilms.com
www.loveetcthemovie.com
www.thebetrayalmovie.com
www.billythekiddocumentary.com

From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: Al's Records and Tapes - "Amazing Grace" E&O Policy
Date: January 21, 2010 at 9:11 AM
To: Alan Elliott alan@alanelliott.net
Cc: Winnie Wong WWong@mmibi.com



Hi Alan,

Attached please find the above captioned policy effective 11/09/09 to 11/09/12. Please review for complete limits, deductibles, terms, conditions, exclusions and endorsements and advise if any changes are in order.

The premium for this policy has been paid in full, thank you.

If you have questions regarding this or any other matter, please contact our office. Thank you for allowing Momentous Insurance Brokerage, Inc. to be of service.

Sincerely,

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
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Al's Recprds
and Ta...licy.pdf

From: **Alan Elliott** alan@alanelliott.net 
Subject: Re: Al's Records and Tapes
Date: November 9, 2009 at 2:22 PM
To: Winnie Wong WWong@mmibi.com



am i emailing/faxing back or mailing?

what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliot music project:
<http://www.jemp.org>



On Nov 9, 2009, at 2:12 PM, Winnie Wong wrote:

Hi Alan,

As discussed, please find the attached signature page that needs to be signed and dated.

Please send.

Thanks.

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Monday, November 09, 2009 2:00 PM
To: Winnie Wong
Subject: fyi: left you a voice message

what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliot music project:

<http://www.jemp.org>

<image001.gif>

Winnie Wong
Vice President
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.2735 / F: 818.933.2793
E: WWong@mmibi.com
www.momentousins.com
Lic. #0G19762

<[imagebdf8ef.jpg@eb4f2e4b.de1f4956](#)>

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<Al'sRecord app.pdf>



From: Michael Donaldson michael@donaldsoncallif.com 
Subject: RE: Al's Records and Tapes
Date: August 25, 2009 at 2:22 PM
To: Winnie Wong WWong@mmibi.com
Cc: Alan Elliott Alan@AlanElliott.net, Herb Jordan jordan@adagegroup.net

Great work, Winnie. Was this submitted to HISCOX or MEDIA PRO? Just curious. I would love to get that retention down.

Michael C. Donaldson, Esq.
 Donaldson & Callif
 400 South Beverly Drive, Suite 400
 Beverly Hills, CA 90212
 phone 310.277.8394 ext.23
 fax 310.277.4870
www.donaldsoncallif.com

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Tuesday, August 25, 2009 12:47 PM
To: Herb Jordan
Cc: Michael Donaldson
Subject: Fwd: Al's Records and Tapes

Phone: 323 988 9692
 Cell: 323 841 1120
 AIM: alanelllll
 Skype: alsrecordsandtapes

Begin forwarded message:

From: Winnie Wong <WWong@mmibi.com>
Date: August 25, 2009 12:42:03 PM PDT
To: 'Alan Elliott' <Alan@AlanElliott.net>
Subject: Al's Records and Tapes

Hi Al,

I know you are in a rush to get a quotation. I am trying to negotiate the best quotations I can. Please find the following quotations for your production entitled "Amazing Grace". Please give me a call with any questions.

Kind regards,

Option 1.

This quotation has a \$100,000 retention with regards to claims involving Aretha Franklin. They would like a copy of any emails that you have obtained from Aretha's representatives that agrees to the films release.

Chubb Insurance Company
Limits of Liability:

Each Occurrence/Aggregate: \$1,000,000/\$3,000,000 – DWL

Retention: \$10,000 Each Occurrence

Premium: \$7,925

Scheduled Media: The theatrical or television release of the documentary entitled "Amazing Grace" including any supplemental programming including in the DVD, video or internet

Amazing Grace including any supplemental programming including in the DVD, video or internet dissemination of such documentary by the Insured.

Endorsements:

Applicable to Option Number: 1

10-02-1295	Important Notice to Policyholders
14-02-13387	Separate Retention Endorsement--\$100,000 retention for all claims involving Aretha Franklin
14-02-14160	California Amendatory Endorsement
14-02-14161	California Premium Endorsement
14-02-14441	Amend Exclusion A 15 Endorsement
14-02-14563	Producers Liability Omnibus Endorsement
14-02-14564	Producers Title Search and Report Endorsement
14-02-7964	Notice of Loss Control Services

Quote Tentative and Subject to:

1. Completed signed and dated Chubb Multimedia Application.
2. Copy of public endorsement by Aretha Franklin of the film.

Option 2.

The pricing is great but there is currently a failure to obtain licenses, release or consents exclusion. I sent the fair use letter to the underwriter and am waiting for a response.

One Beacon Insurance Company

Limits of Liability:

Each Occurrence/Aggregate: \$1,000,000/\$3,000,000 – DWL

Retention: \$10,000 Each Occurrence

Premium: **\$3,773**

Scheduled Media: "Amazing Grace".

Endorsements: California Cancellation & Nonrenewal Provisions; Film; Program and Theatrical Producers Amendatory; Named Peril Coverage; Omnibus Exclusionary; Policy Change; Rights Period; Selection of Counsel; Settlement, Music/Title Exclusion; Failure to obtain licenses, releases or consents Exclusion.

Quote Tentative and Subject to:

1. Resumes of the Key Personnel
2. Signed and dated application and warranty statement
3. The application indicates that rights and warranties for music have not been obtained. In order to consider removing this exclusion, please submit music releases and warranties/indemnities for original music commissioned for the program.
4. The application indicates that the insured has attempted and failed to secure releases. Please specify which releases they failed to obtain.
5. Please submit a title clearance report for consideration of removing this exclusion.

Winnie Wong

Vice President

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.2735 / F: 818.933.2793

E: WWong@mmibi.com

www.momentousins.com

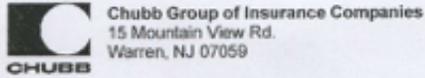
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From: Alan Elliott alan@alanelliott.net
Subject: al's records and tapes doc.
Date: November 9, 2009 at 3:15 PM
To: Winnie Wong WWong@mmibi.com



MEDIAGUARDSM by CHUBB
New Business Application
for Producers Liability Coverage

Notice to Maine, Tennessee, Virginia and Washington Applicants: It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties may include imprisonment, fines or a denial of insurance benefits.

Notice to New Jersey Applicants: Any person who includes any false or misleading information on an application for an insurance policy is subject to criminal and civil penalties.

Notice to Oregon and Texas Applicants: Any person who makes an intentional misstatement that is material to the risk may be found guilty of insurance fraud by a court of law.

Notice to Pennsylvania Applicants: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

Notice to Puerto Rico Applicants: Any person who knowingly and with the intention of defrauding presents false information in an insurance application, or presents, helps, or causes the presentation of a fraudulent claim for the payment of a loss or any other benefit, or presents more than one claim for the same damage or loss, shall incur a felony and, upon conviction, shall be sanctioned for each violation with the penalty of a fine of not less than five thousand (5,000) dollars and not more than ten thousand (10,000) dollars, or a fixed term of imprisonment for three (3) years, or both penalties. Should aggravating circumstances are present, the penalty thus established may be increased to a maximum of five (5) years, if extenuating circumstances are present, it may be reduced to a minimum of two (2) years.

Notice to New York Applicants: Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and shall also be subject to: a civil penalty not to exceed five thousand dollars and the stated value of the claim for each such violation.

Date	Signature*	Title
11.9.9		Chief Executive Officer
		Chief Financial or Chief Information Officer

*This Application must be signed by the chief executive officer and chief financial officer or chief information officer of the Applicant acting as the authorized representatives of the person(s) and entity(ies) proposed for this insurance.

Produced By:	
Agent: _____	Agency: _____
Agency Taxpayer ID or SS No.: _____	Agent License No.: _____
Address: _____	
City: _____	State: _____ Zip: _____
Submitted By:	
Agency: _____	
Agency Taxpayer ID or SS No.: _____	Agent License No.: _____
Address: _____	
City: _____	State: _____ Zip: _____

From: Alan Elliott alan@alanelliott.net 
Subject: Re: Al's Records and Tapes
Date: September 12, 2009 at 10:20 AM
To: Winnie Wong WWong@mmibi.com
Cc: jordan@adagegroup.net



chubb quote is fine
thanks

what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliot music project:
<http://www.jemp.org>



On Sep 12, 2009, at 10:14 AM, Winnie Wong wrote:

Hi Alan,

Please find the long awaited response from Hiscox. The underwriter had to consult her legal counsel for Hiscox. As her counsel feels a lawsuit from Aretha would take six figures she will not consider removing her exclusion regarding any claims that would be brought forth from Aretha.

Please give me a call if you wish to discuss this further.

Kind regards,

Winnie

From: Deardorff Christi [mailto:Christi.Deardorff]
Sent: Friday, September 11, 2009 2:01 PM
To: Winnie Wong
Subject: 2619577 (Ref:WONGW) Al's Records and Tapes

Hi Winnie, just got a reply back from Lou Petrich and Don Gordon. They also heard the rumor that Aretha was supportive of the film but having said that they feel she could easily have a right of publicity claim. They feel a lawsuit would take six figures to defend and our defense would depend on showing the producer only used very small amounts necessary to tell the story. If they use all her footage, it will be hard to defend.

I have a feeling at the end of the day, I will not be able to match or do better than the Chubb quote. My exclusion for Aretha stands in lieu of the above. Thanks for your patience.

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Winnie Wong
Vice President
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.2735 / F: 818.933.2793
E: WWong@mmibi.com
www.momentousins.com
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<image9d3de9.jpg@135d0644.6edb43be>

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From: Chris Perez chris@donaldsoncallif.com 
Subject: RE: Amazing Grace / Additional court documents
Date: September 19, 2011 at 4:28 PM
To: Winnie Wong WWong@mmibi.com
Cc: Lisa Callif lisa@donaldsoncallif.com, jeff@jamincla.com, Alan Elliott Alan@AlanElliott.net

CP

Hi Winnie,

I've attached two additional court documents in connection with "Amazing Grace." Please let me know if you have any questions.

Best,

Chris

From: Chris Perez
Sent: Monday, September 19, 2011 3:09 PM
To: Winnie Wong
Cc: Lisa Callif; 'jeff@jamincla.com'; 'Alan Elliott'
Subject: Amazing Grace / Additional court documents

Hi Winnie,

Please find attached additional court documents in connection with "Amazing Grace."

Best,

Chris

CHRISTOPHER L. PEREZ, Esq.
Donaldson & Callif, LLP
400 S. Beverly Dr., Suite 400
Beverly Hills, CA 90212

O 310.277.8394

F 310.277.4870

chris@donaldsoncallif.com

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aretha injunct
10a 9 19 11.pdf



aretha injunct
10b 9 19 11.pdf

From: **Chris Perez** chris@donaldsoncallif.com
Subject: Amazing Grace / Additional court documents
Date: September 19, 2011 at 3:15 PM
To: Winnie Wong WWong@mmibi.com
Cc: Lisa Callif lisa@donaldsoncallif.com, jeff@jamincla.com, Alan Elliott Alan@AlanElliott.net



Hi Winnie,

Please find attached additional court documents in connection with "Amazing Grace."

Best,

Chris

CHRISTOPHER L. PEREZ, Esq.
Donaldson & Callif, LLP
400 S. Beverly Dr., Suite 400
Beverly Hills, CA 90212

O 310.277.8394

F 310.277.4870

chris@donaldsoncallif.com

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ARNOLD E. REED & ASSOCIATES, P.C.
ARNOLD E. REED
32255 NORTHWESTERN HWY, STE. 251
FARMINGTON HILLS, MI 48334

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ARETHA FRANKLIN

PLAINTIFF(S)

v.

ALAN ELLIOTT AND AL'S RECORDS AND TAPES

DEFENDANT(S)

CASE NUMBER

CV11-07225 PA (JEN)

SUMMONS

TO: DEFENDANT(S): _____

A summons has been filed against you.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Arnold E. Reed, whose address is 32255 Northwestern Highway, Ste. 251, Farmington Hills, MI 48334. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

AUG 31 2011

Dated: _____

Clerk, U.S. District Court

By: _____

Deputy Clerk
(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3).]

CV-01A (12/07)

SUMMONS



aretha injunct 7
9 19 11.pdf



aretha injunct 8
9 19 11 pdf.pdf



aretha injunct 9
9 19 11 pdf.pdf

From: Alan Elliott alan@alanelliott.net
Subject: amazing grace e&o insurance app.
Date: May 6, 2014 at 12:16 PM
To: Winnie Wong WWong@mmibi.com
Cc: Todd W. Musburger todd@musburger.com, Brian Musburger Brian@musburger.com



hi winnie

as discussed attached is the e&o app for "amazing grace."



amazing grace
VFT Pr...ed.doc

we would like to pursue a quote for a \$3/\$5M or \$5/\$5M policy, with a maximum \$25K deductible, that would be great! We would likely need a 2 year extension as well.

also, so it is noted, we have secured a few facts which we would like to discuss with any potential carrier so that they feel comfortable.



4-1-1968
Aretha...ts).pdf

1) our discover in 2013 of aretha franklin's personal service contract. this contract:

a) is with warner seven-arts film company (from whom i have quitclaim) AND atlantic recording corp.

- this is distinctive as it is the only contract that we could find that specifically spells itself out as:

* a "personal service contract" (all other contracts we have discovered refer make no mention of "personal service contract" while being specific about being "recording contract")

* the "personal service contract" is with BOTH the film company and the record company (all others we have discovered are solely with the record company)

b) the "personal service contract" was relied upon by warner seven-arts film company (from whom i have quitclaim) to do the filming, which ms. franklin had full knowledge of both before and after (to this point: on the back of the record album it reads: "The recording of this album was filmed by Warner Brothers. Inc. (from whom I have quitclaim) with Sydney Pollack directing."). (this is furthered on page 5 of the personal service contract whereby ms. franklin has (paragraph k) "the right to approve all... liner notes.")

- specific to the personal service contract: "4. All recording hereunder and all derivates made therefrom, together with the performances embodied thereon, shall be entirely Company's property.

Artist grants to Company ...(b) the right to use and publish, and to permit others to use and publish, the Artist's name and likeness...

(c) the sole and exclusive rights in, title to and ownership of all recordings made hereunder,' including, but not limited to, the right to use and control all masters, matrices, records or other reproductions of the performances embodied in such recordings by any method, electronic, magnetic, mechanical or other, now or hereafter know, obtained from recordings made here- under the performances embodied therein;"

c) the "personal service contract" contains an indemnification clause for warner seven-arts film company (from whom i have quitclaim) from atlantic records (please see page 2 of the personal service contract)

2) warner brothers/atlantic records have twice used the footage from this film for existing films:

a) "the history of atlantic records"; 1973

b) "aretha franklin: queen of soul"; 1986 (currently available for sale here: <http://www.tower.com/queen-soul-aretha-franklin-vhs/wapi/106077119>)

3) we are including michael donaldson's opinion letter.





donaldson.areth
a.letter002.pdf

re: the last coverage/claim:

we would also like to get together with the chubb group (hopefully still walter aldave) to discuss the indemnification clause so that we can make sure we are all clear moving forward.

we have more discovery, and if needed, we will provide, we just thought that we would start with the most important "headlines."

please let us know if there's anything else.

thank you.

-alan

phone: 323 988 9692

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From: Todd Musburger todd@musburger.com
Subject: Re: "amazing grace" insurance follow up...
Date: May 22, 2014 at 5:01 AM
To: Winnie Wong WWong@mmibi.com
Cc: alan elliott Alan@alanelliott.net, Walter Adave waldave@chubb.com, Brian Musburger Brian@musburger.com



11:00 am PDT Friday works for us. Let's use our conference call in...Please call 712 432 1212, and use meeting ID 563 191 344. Thank you, Todd

Todd W. Musburger
Todd W. Musburger, Ltd.
142 E. Ontario
Suite 500
Chicago, Illinois 60611
312 664 2600

On Thu, May 22, 2014 at 2:42 AM, Winnie Wong <WWong@mmibi.com> wrote:

Hi Alan,

Walter is available on Friday - between 11:00 AM - 12:00 PM ET (8 AM PST) or 2:00 - 3:00 PM ET (11 AM PST).

11AM PST works best for me. Please let me know if this time works for everyone.

Kind regards, Winnie

Winnie Wong
P: [818.933.2735](tel:818.933.2735)

From: alan elliott [mailto:Alan@AlanElliott.net]
Sent: Wednesday, May 21, 2014 4:59 PM
To: Winnie Wong; Walter Adave
Cc: Brian Musburger; Todd W. Musburger
Subject: "amazing grace" insurance follow up...

hi all

can we please coordinate a time to talk?

thank you.

-alan

phone: [323 988 9692](tel:323.988.9692)

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From: Alan Elliott alan@alanelliott.net

Subject: Re: "amazing grace" insurance follow up...

Date: May 22, 2014 at 9:39 AM

To: Winnie Wong WWong@mmibi.com

Cc: Walter Adave waldave@chubb.com, Brian Musburger Brian@musburger.com, Todd W. Musburger todd@musburger.com



hi everyone:

here is what works for me (all pst):

tomorrow: 8-9:30am

monday: all day

tuesday: 8-9am

wednesday: 8-11am

please let me know when's good.

thank you.

-alan

phone: 323 988 9692

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On May 22, 2014, at 12:42 AM, Winnie Wong <WWong@mmibi.com> wrote:

Hi Alan,

Walter is available on Friday - between 11:00 AM - 12:00 PM ET (8 AM PST) or 2:00 - 3:00 PM ET (11 AM PST).

11AM PST works best for me. Please let me know if this time works for everyone.

Kind regards, Winnie

Winnie Wong
P: 818.933.2735

From: alan elliott [<mailto:Alan@AlanElliott.net>]

Sent: Wednesday, May 21, 2014 4:59 PM

To: Winnie Wong; Walter Adave

Cc: Brian Musburger; Todd W. Musburger

Subject: "amazing grace" insurance follow up...

hi all

can we please coordinate a time to talk?

thank you.

-alan

phone: 323 988 9692

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From: Todd Musburger todd@musburger.com
Subject: Re: "amazing grace" insurance follow up...
Date: May 22, 2014 at 9:52 AM
To: alan elliott Alan@alanelliott.net
Cc: Winnie Wong WWong@mmibi.com, Walter Adave waldave@chubb.com, Brian Musburger Brian@musburger.com



Tomorrow is now out...We could do Tuesday @ 10 am PDT, or Friday, the 30th anytime between 9 and 12 PDT

Todd W. Musburger
Todd W. Musburger, Ltd.
142 E. Ontario
Suite 500
Chicago, Illinois 60611
312 664 2600

On Thu, May 22, 2014 at 11:39 AM, alan elliott <Alan@alanelliott.net> wrote:
hi everyone:

here is what works for me (all pst):

tomorrow: 8-9:30am
monday: all day
tuesday: 8-9am
wednesday: 8-11am

please let me know when's good.

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

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On May 22, 2014, at 12:42 AM, Winnie Wong <WWong@mmibi.com> wrote:

Hi Alan,

Walter is available on Friday - between 11:00 AM - 12:00 PM ET (8 AM PST) or 2:00 - 3:00 PM ET (11 AM PST).

11AM PST works best for me. Please let me know if this time works for everyone.

Kind regards, Winnie

Winnie Wong
P: [818.933.2735](tel:8189332735)

From: alan elliott [<mailto:Alan@AlanElliott.net>]
Sent: Wednesday, May 21, 2014 4:59 PM
To: Winnie Wong; Walter Adave

Cc: Brian Musburger; Todd W. Musburger
Subject: "amazing grace" insurance follow up...

hi all

can we please coordinate a time to talk?

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From: waldave@chubb.com 
Subject: Re: "amazing grace" insurance follow up...
Date: May 22, 2014 at 10:32 AM
To: Todd Musburger todd@musburger.com
Cc: alan elliott Alan@alanelliott.net, Brian Musburger Brian@musburger.com, Winnie Wong WWong@mmibi.com



I can make any of the days and times proposed for next week work. Please let me know what you decide.

Thanks,
Walter Adave
Senior Claims Officer
Claims

Chubb & Son, a division of Federal Insurance Company
82 Hopmeadow Street, P.O. Box 2002
Phone: 860-408-2529 | Fax: 860-408-2464 | waldave@chubb.com
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▼ Todd Musburger ---05/22/2014 12:51:20 PM---Tomorrow is now out...We could do Tuesday @ 10 am PDT, or Friday, the 30th anytime between 9 and 12

From: Todd Musburger <todd@musburger.com>
To: alan elliott <Alan@alanelliott.net>
Cc: Winnie Wong <WWong@mmibi.com>, Walter Adave <waldave@chubb.com>, Brian Musburger <Brian@musburger.com>
Date: 05/22/2014 12:51 PM
Subject: Re: "amazing grace" insurance follow up...

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Todd W. Musburger
Todd W. Musburger, Ltd.
142 E. Ontario
Suite 500
Chicago, Illinois 60611
312 664 2600

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From: waldave@chubb.com 
Subject: Re: "amazing grace" insurance follow up...
Date: May 22, 2014 at 11:22 AM
To: Alan Elliott Alan@AlanElliott.net
Cc: Brian Musburger Brian@musburger.com, Todd W. Musburger todd@musburger.com, Winnie Wong WWong@mmibi.com



8:00 AM PT or 11:00 AM PT on Tuesday work for me.

Thanks,
Walter Adave
Senior Claims Officer
Claims

Chubb & Son, a division of Federal Insurance Company
82 Hopmeadow Street, P.O. Box 2002
Phone: 860-408-2529 | Fax: 860-408-2464 | waldave@chubb.com
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▼ Alan Elliott ---05/22/2014 01:03:25 PM---how is 8 am/10 am/ 11 am on tuesday? thank you.

From: Alan Elliott <Alan@AlanElliott.net>
To: "Todd W. Musburger" <todd@musburger.com>, Brian Musburger <Brian@musburger.com>, Walter Adave <waldave@chubb.com>, Winnie Wong <WWong@mmibi.com>
Date: 05/22/2014 01:03 PM
Subject: Re: "amazing grace" insurance follow up...

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On May 22, 2014, at 9:58 AM, Todd Musburger <todd@musburger.com> wrote:

My error...I should have written Tuesday @ 8 am PDT..

Todd W. Musburger
Todd W. Musburger, Ltd.
142 E. Ontario
Suite 500
Chicago, Illinois 60611
312 664 2600

On Thu May 22 2014 at 11:55 AM Alan Elliott <Alan@alanelliott.net> wrote:

i can NOT do either.

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

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Todd W. Musburger
Todd W. Musburger, Ltd.
142 E. Ontario
Suite 500
Chicago, Illinois 60611
[312 664 2600](tel:3126642600)

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From: Alan Elliott alan@alanelliott.net
Subject: "amazing grace" insurance follow up...
Date: May 21, 2014 at 4:58 PM
To: Winnie Wong WWong@mmibi.com, Walter Adave waldave@chubb.com
Cc: Brian Musburger Brian@musburger.com, Todd W. Musburger todd@musburger.com



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From: alan elliott (ucla) alanelliott@g.ucla.edu 
Subject: Fwd: Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802]
Date: June 26, 2017 at 8:27 PM
To: Winnie Wong WWong@mmibi.com



let's please discuss tomorrow.

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.

Begin forwarded message:

From: "Cope, Victoria" <Victoria.Cope@clydeco.us>
Date: June 26, 2017 at 1:03:58 PM PDT
To: "alanelliott@g.ucla.edu" <alanelliott@g.ucla.edu>
Cc: "Bertschi, Scott" <Scott.Bertschi@clydeco.us>, "maria.clark@aon.com" <maria.clark@aon.com>, Bodden Tara <Tara.Bodden@HISCOX.com>
Subject: Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802]

Dear Mr. Elliott:

Please see the attached correspondence from Scott Bertschi in the above-referenced matter.

Should you have any questions or concerns, please do not hesitate to contact us.

Thank you,

Victoria Cope
Legal Administrative Assistant | Clyde & Co US LLP
Direct Dial: +1 404 410 3160 | Mobile: +1 404 374 5461

CLYDE & CO

271 17th Street | Suite 1720 | Atlanta | GA 30363 | USA
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Hiscox_Amazing
Grace...7).PDF

From: Alan Elliott alan@alanelliott.net 
Subject: Re: amazing grace movie...
Date: October 13, 2009 at 4:19 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Donaldson michael@donaldsoncallif.com



having never done this... we have no idea.
six months?
how long is traditional?
how long can we extend?
thank you.

what i'm doing:
www.alanelliott.blogspot.com
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aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliot music project:
<http://www.jemp.org>



On Oct 13, 2009, at 4:00 PM, Winnie Wong wrote:

Hi Alan,

Thanks for your email. Do you have a specific date in mind?

Kind regards,

Winnie

From: Alan Elliott [mailto:Alan@alanelliott.net]
Sent: Tuesday, October 13, 2009 10:53 AM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: amazing grace movie...

hi winnie

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please let us know if the extension is possible.

thank you.

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<image001.gif>

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P: 818.933.2735 / F: 818.933.2793

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From: Alan Elliott alan@alanelliott.net
Subject: Re: amazing grace movie...
Date: October 13, 2009 at 5:50 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Donaldson michael@donaldsoncallif.com



Thanks Winnie
Is that 90 days from our upcoming 21st expiration of original quote?

Phone: 323 988 9692
Cell: 323 841 1120
AIM: alanellll
Skype: alsrecordsandtapes

On Oct 13, 2009, at 5:38 PM, Winnie Wong <WWong@mmibi.com> wrote:

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Ordinarily, the insurance company can not extend a quotation further than 90 days. If it does, the underwriter has the right to re quote the original application. As it took sometime to get the terms close to what you needed I am worried that this would enable the underwriter to increase your deductible or premium.

Please let me know how you would like to proceed. Thanks.

-----Original Message-----

From: Winnie Wong
Sent: Wednesday, September 16, 2009, 5:03pm
To: 'Alan Elliott'
Cc: Herb Jordan; Michael Donaldson
Subject: FW: RE: here's what we need to make clear to the insurance folks asap

Hi Alan,

Usually, Chubb is pretty flexible about their quotations once quoted it is good for 90 days. However with regards to this quotation, I do not believe it can be available forever. The problem as time passes...notoriety of the project can get out in the open and /or litigious issues could arise in where the carrier will not honor your quotation.

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From: Michael Donaldson michael@donaldsoncallif.com
Subject: RE: amazing grace movie...
Date: October 13, 2009 at 6:05 PM
To: Alan Elliott Alan@AlanElliott.net, Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net



If at all possible, you should go ahead and make this investment. If you reapply, you may have to disclose that other companies took a pass and that sets off all sorts of alarms with this company. They are not legally or morally bound to reissue a quote or to maintain the last price they quoted to you.

Michael C. Donaldson, Esq.
Donaldson & Callif
400 South Beverly Drive, Suite 400
Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

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Subject: Fwd: amazing grace movie...
Date: October 14, 2009 at 11:23 AM
To: Winnie Wong WWong@mmibi.com



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cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliott music project:
<http://www.jemp.org>



Begin forwarded message:

From: Winnie Wong <WWong@mmibi.com>
Date: October 13, 2009 6:10:04 PM PDT
To: Alan Elliott <Alan@AlanElliott.net>
Cc: Herb Jordan <jordan@adagegroup.net>, Michael Donaldson <michael@donaldsoncallif.com>
Subject: RE: amazing grace movie...

Alan,

To refresh your memory...The underwriters had provided a quotation in August and we got the quotation revised. In September, I asked the underwriter how long this quotation would be good for and he gave me to October 21.

Please give me a call if this is unclear. I am looking out for your best interest...

Kind regards,

Winnie

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Tuesday, October 13, 2009 5:50 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: Re: amazing grace movie...

Thanks Winnie

Is that 90 days from our upcoming 21st expiration of original quote?

Phone: 323 988 9692
Cell: 323 841 1120
AIM: alanelllll
Skype: alsrecordsandtapes

On Oct 13, 2009, at 5:38 PM, Winnie Wong <WWong@mmibi.com> wrote:

Hi Alan,

Ordinarily, the insurance company can not extend a quotation further than 90 days. If it does, the underwriter has the right to re quote the original application. As it took sometime to get the terms close to what you needed I am worried that this would enable the underwriter to increase your deductible or premium.

Please let me know how you would like to proceed. Thanks.

-----Original Message-----

From: Winnie Wong
Sent: Wednesday, September 16, 2009, 5:03pm
To: 'Alan Elliott'
Cc: Herb Jordan; Michael Donaldson
Subject: FW: RE: here's what we need to make clear to the insurance folks asap

Hi Alan,

Usually, Chubb is pretty flexible about their quotations once quoted it is good for 90 days. However with regards to this quotation, I do not believe it can be available forever. The problem as time passes...notoriety of the project can get out in the open and /or litigious issues could arise in where the carrier will not honor your quotation.

Please let me know if you have any questions.

Kind regards,

Winnie

From: Alan Elliott [mailto:Alan@alanelliott.net]
Sent: Tuesday, October 13, 2009 4:20 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: Re: amazing grace movie...

having never done this... we have no idea.
six months?
how long is traditional?
how long can we extend?
thank you.

what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliot music project:
<http://www.jemp.org>

<image001.gif>

On Oct 13, 2009, at 4:00 PM, Winnie Wong wrote:

Hi Alan,

Thanks for your email. Do you have a specific date in mind?

Kind regards,

Winnie

From: Alan Elliott [mailto:Alan@alanelliott.net]
Sent: Tuesday, October 13, 2009 10:53 AM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson

Subject: amazing grace movie...

hi winnie

we want to see if chubb will give us an extension on our insurance quote as we are in the midst of financing discussions but don't anticipate closing by the 21st (the due date, we think).

please let us know if the extension is possible.

thank you.

what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliot music project:

<http://www.jemp.org>

<image001.gif>

Winnie Wong

Vice President

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.2735 / **F:** 818.933.2793

E: WWong@mmibi.com

www.momentousins.com

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<[imageaa4f94.jpg@0fa8b2f0.bef94fdc](#)>

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<[imagebb5a7a.jpg@2be8eeea.b3d4498a](#)>

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From: Alan Elliott alan@alanelliott.net

Subject: Re: Amazing Grace Movie. LLC

Date: September 20, 2011 at 3:19 PM

To: Winnie Wong WWong@mmibi.com

Cc: Lisa Callif lisa@donaldsoncallif.com, Chris Perez chris@donaldsoncallif.com, Chiemi Karasawa chiemi@isotopefilms.com, Jeff Jampol jeff@jamincla.com, Rito Rivera rrivera@mmibi.com



to be clear...
we are still left to cover the first \$75k deductible, correct?

phone: 323 988 9692

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On Sep 20, 2011, at 10:36 AM, Winnie Wong wrote:

Hi Lisa,

We are reporting the claim to the Chubb insurance company. Once the claim is assigned and it is determined that coverage applies the insurance adjuster will provide a listing of panel attorneys.

If you have any questions, please feel free to contact Rito Rivera/Assistant Vice President:

Contact information:

Phone: 818.933.9861 / **F:** 818.453.9661

Email: rrivera@mmibi.com

Kind regards, Winnie

From: Lisa Callif [<mailto:lisa@donaldsoncallif.com>]

Sent: Tuesday, September 20, 2011 10:00 AM

To: 'Alan Elliott'; Winnie Wong; Chris Perez

Cc: Chiemi Karasawa; Jeff Jampol

Subject: RE: two things i need asap:

Hi Alan,

A defendant has 20 days to respond to a complaint in federal court. This can usually be easily extended by just asking the other lawyer for an extension. The fact that you may not have been served properly will also extend that time.

Next steps are for the insurer to appoint counsel.

Winnie, would it be possible to get a list of attorneys so we can choose?

Lisa A. Callif
Donaldson & Callif

400 S. Beverly Dr., Suite 400
Beverly Hills, CA 90212
O 310-277-8394
F 310-277-4870
lisa@donaldsoncallif.com

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From: Alan Elliott [<mailto:alan@alanelliott.net>]
Sent: Monday, September 19, 2011 6:42PM
To: Winnie Wong; Lisa Callif; Chris Perez
Cc: Chiemi Karasawa; Jeff Jampol
Subject: two things i need asap:

can you guys please let me know:

- 1) response time for the stuff that was filed
- 2) your thoughts on what next steps are

thank you.

phone: 323 988 9692

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E: WWong@mmibi.com

[Website](#) | [LinkedIn](#) | [Twitter](#)

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<[image8ec6ee.jpg@0ce98a57.ce1c4b1d](#)>

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From: Alan Elliott alan@alanelliott.net

Subject: Re: Amazing Grace Movie. LLC

Date: September 22, 2011 at 5:05 PM

To: Winnie Wong WWong@mmibi.com, Rito Rivera rrivera@mmibi.com

Cc: Lisa Callif lisa@donaldsoncallif.com, Chris Perez chris@donaldsoncallif.com, Chiemi Karasawa chiemi@isotopefilms.com, Jeff Jampol jeff@jamincla.com



hi all.

i just want to remind folks that i haven't heard about any "next steps" and it has been a week.

i have heard that we can (hopefully) ask for an extension easily enough... and would welcome this option.

please advise as to how we can get this in gear.

thank you.

phone: 323 988 9692

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Contact information:

Phone: 818.933.9861 / **F:** 818.453.9661

Email: rrivera@mmibi.com

Kind regards, Winnie

From: Lisa Callif [mailto:lisa@donaldsoncallif.com]

Sent: Tuesday, September 20, 2011 10:00 AM

To: 'Alan Elliott'; Winnie Wong; Chris Perez

Cc: Chiemi Karasawa; Jeff Jampol

Subject: RE: two things i need asap:

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From: Alan Elliott alan@alanelliott.net
Subject: Re: Amazing Grace Movie. LLC
Date: September 26, 2011 at 12:35 PM
To: Winnie Wong WWong@mmibi.com, Walter Adave waldave@chubb.com, George Rush george@gmrush.com
Cc: Rito Rivera rrivera@mmibi.com, Lisa Callif lisa@donaldsoncallif.com, Chris Perez chris@donaldsoncallif.com, Chiemi Karasawa chiemi@isotopefilms.com, Jeff Jampol jeff@jamincla.com
Bcc: JOSH Arce josh@brightlinedefense.org

so we all have it:
i have decided to make george rush our attorney (cc'd above for his email).
if you need george, his # is:
415.393.8005
thank you.

phone: 323 988 9692

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On Sep 23, 2011, at 1:09 PM, Winnie Wong wrote:

Hi Alan,

We've just spoken to the Chubb adjuster Walter Aldave. He will be call you shortly.

Kind regards, Winnie

From: Alan Elliott [mailto:alan@alanelliott.net]
Sent: Thursday, September 22, 2011 5:47 PM
To: Winnie Wong
Cc: Rito Rivera; Lisa Callif; Chris Perez; Chiemi Karasawa; Jeff Jampol
Subject: Re: Amazing Grace Movie. LLC

thank you.
there is a litigator who has been recommended:
george rush
(<http://www.gmrush.com/>)
please let me know if he would be ok'd.
thanks again.

phone: 323 988 9692

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On Sep 22, 2011, at 5:44 PM, Winnie Wong wrote:

Yes, Rito and I will check with the insurance carrier in the morning.

From: Alan Elliott [mailto:alan@alanelliott.net]
Sent: Thursday, September 22, 2011 5:41 PM
To: Winnie Wong
Cc: Rito Rivera; Lisa Callif; Chris Perez; Chiemi Karasawa; Jeff Jampol
Subject: Re: Amazing Grace Movie. LLC
Importance: High

yes, winnie.
and we talked too...
but isn't "next steps" that the insurance co. tells us a list of litigators or the like and then we get cracking?

phone: 323 988 9692

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On Sep 22, 2011, at 5:36 PM, Winnie Wong wrote:

Hi Alan,

We will follow up with the insurance adjuster tomorrow and advise ASAP.

Please note that I did call you the day the lawsuit had been received and sent the below email about the next steps.

Thanks. Winnie

-----Original Message-----

From: Winnie Wong
Sent: Tuesday, September 20, 2011, 10:36am
To: 'Lisa Callif'; 'Alan Elliott'; Chris Perez
Cc: Chiemi Karasawa; Jeff Jampol; Rito Rivera
Subject: FW: RE: Amazing Grace Movie. LLC

Hi Lisa,

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Contact information:

Phone: 818.933.9861 / F: 818.453.9661

Email: rivera@mmibi.com

Kind regards, Winnie

From: Alan Elliott [<mailto:alan@alanelliott.net>]
Sent: Thursday, September 22, 2011 5:05 PM
To: Winnie Wong; Rito Rivera
Cc: Lisa Callif; Chris Perez; Chiemi Karasawa; Jeff Jampol
Subject: Re: Amazing Grace Movie. LLC

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i just want to remind folks that i haven't heard about any "next steps" and it has been a week.

i have heard that we can (hopefully) ask for an extension easily enough... and would welcome this option.

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Contact information:

Phone: 818.933.9861 / **F:** 818.453.9661

Email: rrivera@mmibi.com

Kind regards, Winnie

From: Lisa Callif [mailto:lisa@donaldsoncallif.com]
Sent: Tuesday, September 20, 2011 10:00 AM
To: 'Alan Elliott'; Winnie Wong; Chris Perez
Cc: Chiemi Karasawa; Jeff Jampol
Subject: RE: two things i need asap:

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Lisa A. Callif
Donaldson & Callif
400 S. Beverly Dr., Suite 400
Beverly Hills, CA 90212
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From: Alan Elliott [mailto:alan@alanelliott.net]
Sent: Monday, September 19, 2011 6:42PM
To: Winnie Wong; Lisa Callif; Chris Perez
Cc: Chiemi Karasawa; Jeff Jampol
Subject: two things i need asap:

can you guys please let me know:

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Winnie Wong

Vice President

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If you have any questions, please feel free to contact Rito Rivera/Assistant Vice President:

Contact information:

Phone: 818.933.9861 / F: 818.453.9661

Email: rivera@mmibi.com

Kind regards, Winnie

From: Alan Elliott [mailto:alan@alanelliott.net]
Sent: Thursday, September 22, 2011 5:05 PM
To: Winnie Wong; Rito Rivera
Cc: Lisa Callif; Chris Perez; Chiemi Karasawa; Jeff Jampol
Subject: Re: Amazing Grace Movie. LLC

hi all.

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please advise as to how we can get this in gear.

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phone: 323 988 9692

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Sent: Tuesday, September 20, 2011 10:00 AM
To: 'Alan Elliott'; Winnie Wong; Chris Perez
Cc: Chiemi Karasawa; Jeff Jampol
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Lisa A. Callif
Donaldson & Callif
400 S. Beverly Dr., Suite 400
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O 310-277-8394
F 310-277-4870
lisa@donaldsoncallif.com

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From: Alan Elliott [<mailto:alan@alanelliott.net>]
Sent: Monday, September 19, 2011 6:42PM
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Cc: Chiem Karasawa; Jeff Jampol
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can you guys please let me know:

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Winnie Wong
Vice President

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5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.2735 / F: 818.933.2793

E: WWong@mmibi.com

[Website](#) | [LinkedIn](#) | [Twitter](#)

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<[image8ec6ee.jpg@0ce98a57.ce1c4b1d](#)>

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From: **Alan Elliott** alan@alanelliott.net

Subject: Re: Amazing Grace Movie. LLC

Date: September 22, 2011 at 5:47 PM

To: Winnie Wong WWong@mmibi.com

Cc: Rito Rivera rrivera@mmibi.com, Lisa Callif lisa@donaldsoncallif.com, Chris Perez chris@donaldsoncallif.com, Chiemi Karasawa chiemi@isotopefilms.com, Jeff Jampol jeff@jamincla.com

Bcc: JOSH Arce josh@brightlinedefense.org



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Subject: Re: Amazing Grace Movie. LLC

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THANKS. WINNIE

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From: Lisa Callif lisa@donaldsoncallif.com
Subject: Re: Amazing Grace Movie. LLC
Date: September 22, 2011 at 10:07 PM
To: alan@alanelliott.net, wwong@mmibi.com
Cc: rrivera@mmibi.com, **Chris Perez** chris@donaldsoncallif.com, chiemi@isotopefilms.com, jeff@jamincla.com



I also recommend Vince Ravine who has worked with Chubb.

Sent using BlackBerry

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From: Alan Elliott <alan@alanelliott.net>
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Subject: Re: Amazing Grace Movie. LLC
Date: September 23, 2011 at 7:27 AM
To: Lisa Callif lisa@donaldsoncallif.com, alan@alanelliott.net, wwong@mmibi.com
Cc: rrivera@mmibi.com, Chris Perez chris@donaldsoncallif.com, jeff@jamincla.com



Maura Wogan from FKKS was highly recommended to me here in NYC.

From thumbs on Droid

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From: Lisa Callif <lisa@donaldsoncallif.com>
To: "alan@alanelliott.net" <alan@alanelliott.net>, "wwong@mmibi.com" <wwong@mmibi.com>
Cc: "rrivera@mmibi.com" <rrivera@mmibi.com>, Chris Perez <chris@donaldsoncallif.com>, "chiemi@isotopefilms.com" <chiemi@isotopefilms.com>, "jeff@jamincla.com" <jeff@jamincla.com>
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-----Original Message-----

From: Winnie Wong
Sent: Tuesday, September 20, 2011, 10:36am
To: 'Lisa Callif'; 'Alan Elliott'; Chris Perez
Cc: Chiemi Karasawa; Jeff Jampol; Rito Rivera
Subject: FW: RE: Amazing Grace Movie. LLC

Hi Lisa,

We are reporting the claim to the Chubb insurance company. Once the claim is assigned and it is determined that coverage applies the insurance adjuster will provide a listing of panel attorneys.

If you have any questions, please feel free to contact Rito Rivera/Assistant Vice President:

Contact information:

Phone: 818.933.9861 / F: 818.453.9661

Email: rrivera@mmibi.com

Kind regards, Winnie

From: Alan Elliott [<mailto:alan@alanelliott.net>]
Sent: Thursday, September 22, 2011 5:05 PM
To: Winnie Wong; Rito Rivera
Cc: Lisa Callif; Chris Perez; Chiemi Karasawa; Jeff Jampol
Subject: Re: Amazing Grace Movie. LLC

hi all.

i just want to remind folks that i haven't heard about any "next steps" and it has been a week.
i have heard that we can (hopefully) ask for an extension easily enough... and would welcome this option.
please advise as to how we can get this in gear.
thank you.

phone: 323 988 9692

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On Sep 20, 2011, at 10:36 AM, Winnie Wong wrote:

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Contact information:

Phone: 818.933.9861 / F: 818.453.9661

Email: rrivera@mmibi.com

Kind regards, Winnie

From: Lisa Callif [<mailto:lisa@donaldsoncallif.com>]
Sent: Tuesday, September 20, 2011 10:00 AM
To: 'Alan Elliott'; Winnie Wong; Chris Perez
Cc: Chiemi Karasawa; Jeff Jampol
Subject: RE: two things i need asap:

Hi Alan,

A defendant has 20 days to respond to a complaint in federal court. This can usually be easily extended by just asking the other lawyer for an extension. The fact that you may not have been served properly will also extend that time.

Next steps are for the insurer to appoint counsel.

Winnie, would it be possible to get a list of attorneys so we can choose?

Lisa A. Callif
Donaldson & Callif
400 S. Beverly Dr., Suite 400
Beverly Hills, CA 90212
O 310-277-8394
F 310-277-4870
lisa@donaldsoncallif.com

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From: Alan Elliott [<mailto:alan@alanelliott.net>]
Sent: Monday, September 19, 2011 6:42PM
To: Winnie Wong; Lisa Callif; Chris Perez
Cc: Chiemi Karasawa; Jeff Jampol
Subject: two things i need asap:

can you guys please let me know:

- 1) response time for the stuff that was filed
- 2) your thoughts on what next steps are

thank you.

phone: 323 988 9692

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Winnie Wong

Vice President

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P: 818.933.2735 / F: 818.933.2793

E: WWong@mmibi.com

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From: Chiemi Karasawa chiemi@isotopefilms.com

Subject: Re: Amazing Grace Movie. LLC

Date: September 26, 2011 at 9:57 AM

To: Alan Elliott Alan@AlanElliott.net, Winnie Wong WWong@mmibi.com

Cc: Rito Rivera rrivera@mmibi.com, Lisa Callif lisa@donaldsoncallif.com, Chris Perez chris@donaldsoncallif.com, Jeff Jampol jeff@jamincla.com



Another LA litigator who has been recommended:
Peter Anderson

The Law Offices of Peter J. Anderson
A Professional Corporation
100 Wilshire Boulevard
Suite 2010
Santa Monica, CA 90401
Telephone: (310) 260-6030
Fax: (310) 260-6040

On 9/22/11 8:47 PM, "Alan Elliott" <Alan@AlanElliott.net> wrote:

thank you.
there is a litigator who has been recommended:
george rush
(<http://www.gmrush.com/>)
please let me know if he would be ok'd.
thanks again.

phone: 323 988 9692

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On Sep 22, 2011, at 5:44 PM, Winnie Wong wrote:

Yes, Rito and I will check with the insurance carrier in the morning.

From: Alan Elliott [<mailto:alan@alanelliott.net>]
Sent: Thursday, September 22, 2011 5:41 PM
To: Winnie Wong
Cc: Rito Rivera; Lisa Callif; Chris Perez; Chiemi Karasawa; Jeff Jampol
Subject: Re: Amazing Grace Movie. LLC
Importance: High

yes, winnie.
and we talked too...

but isn't "next steps" that the insurance co. tells us a list of litigators or the like and then we get cracking?

phone: 323 988 9692

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On Sep 22, 2011, at 5:36 PM, Winnie Wong wrote:

Hi Alan,

We will follow up with the insurance adjuster tomorrow and advise ASAP.

Please note that I did call you the day the lawsuit had been received and sent the below email about the next steps.

Thanks. Winnie

-----Original Message-----

From: Winnie Wong
Sent: Tuesday, September 20, 2011, 10:36am
To: 'Lisa Callif'; 'Alan Elliott'; Chris Perez
Cc: Chiemi Karasawa; Jeff Jampol; Rito Rivera
Subject: FW: RE: Amazing Grace Movie. LLC

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Email: rivera@mmibi.com

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Winnie Wong

Vice President

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Winnie Wong
Vice President

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f 212.941.4092
www.isotopefilms.com
www.loveetcthemovie.com
www.thebetrayalmovie.com
www.billythekiddocumentary.com

From: Alan Elliott alan@alanelliott.net
Subject: Re: Amazing Grace Movie LLC/E & O Policy
Date: February 25, 2014 at 3:25 PM
To: Winnie Wong WWong@mmibi.com
Cc: Chiemi Karasawa chiemi@isotopefilms.com, Todd W. Musburger todd@musburger.com, Brian Musburger Brian@musburger.com



hi winnie

we need to renew the policy for "amazing grace." can you please help us get that going?

thank you.

phone: 323 988 9692

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On Aug 9, 2011, at 3:30 PM, Winnie Wong <WWong@mmibi.com> wrote:

Hi Chiemi,

You are welcome. We will pursue the increase limits and the extension.

It was good speaking with you.

Kind regards, Winnie

From: Chiemi Karasawa [<mailto:chiemi@isotopefilms.com>]
Sent: Tuesday, August 09, 2011 3:13 PM
To: Winnie Wong
Cc: Alan Elliott
Subject: Amazing Grace Movie LLC/E & O Policy

Hi Winnie,

Thanks for your time! As discussed, I will keep you updated on the Agreement with Aretha, but in the meantime if you are able to pursue a quote for a \$3/\$5M or \$5/\$5M policy, with a maximum \$25K deductible, it would be great! We would likely need a 2 year extension as well.

Thanks so much,

Chiemi

On 8/9/11 12:46 PM, "Winnie Wong" <WWong@mmibi.com> wrote:

Let's talk at 4pm your time. Thanks

Sent from my iPhone

On Aug 8, 2011, at 5:26 PM, "chiemi@isotopefilms.com" <chiemi@isotopefilms.com>

wrote:

Hi Winnie,

I'm at (212) 941-4090 <tel:2129414090> . I am available 12:30P and again at 4P EST, which is 9:30A and 1P for you.

Thanks so much!

Chiemi

Connected by DROID on Verizon Wireless

Connected by DROID on Verizon Wireless

Winnie Wong

Vice President

Momentous Insurance Brokerage, Inc.

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-----Original message-----

From: Winnie Wong <WWong@mmibi.com>
To: "chiemi@isotopefilms.com" <chiemi@isotopefilms.com>
Cc: Randy Tyrrel <RTyrrel@mmibi.com>
Sent: Mon, Aug 8, 2011 23:32:54 GMT+00:00
Subject: RE: Al's Records & Tapes - Separate

Yes tomorrow works. Please provide the best time and phone no.

Kind regards, Winnie

From: chiemi@isotopefilms.com [<mailto:chiemi@isotopefilms.com>]
Sent: Monday, August 08, 2011 4:26 PM
To: Winnie Wong
Cc: Randy Tyrrel
Subject: RE: Al's Records & Tapes - Separate

I am out of my office now (EST time) but can we discuss tomorrow?

Connected by DROID on Verizon Wireless

-----Original message-----

From: Winnie Wong <WWong@mmibi.com>
To: Chiemi Karasawa <chiemi@isotopefilms.com>
Cc: Randy Tyrrel <RTyrrel@mmibi.com>
Sent: Mon, Aug 8, 2011 23:21:29 GMT+00:00
Subject: RE: Al's Records & Tapes - Separate

Hi Chiemi,

Please provide your phone no. and I will give you a call directly.

Kind regards, Winnie

Winnie Wong

Vice President

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From: Randy Tyrrel
Sent: Monday, August 08, 2011 4:17 PM
To: Chiemi Karasawa
Cc: Winnie Wong
Subject: RE: AI's Records & Tapes - Separate

I don't think they will. We tried to get it lifted back at inception but we could only get them to reduce it to \$75,000. Winnie, any ideas?

From: Chiemi Karasawa [<mailto:chiemi@isotopefilms.com>]
Sent: Monday, August 08, 2011 4:14 PM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: Re: AI's Records & Tapes - Separate

Meaning, how could we lift the retention on claims involving Aretha? What is the risk?

On 8/8/11 6:54 PM, "Randy Tyrrel"

RTyrrel@mmibi.com <<mailto:RTyrrel@mmibi.com>> > wrote:

I am not sure what you mean...The specific retention for claims involving Aretha Franklin would be the only difference from how the policy would respond to any other claims.

From: Chiemi Karasawa

[<mailto:chiemi@isotopefilms.com> <<mailto:chiemi@isotopefilms.com>>]

Sent: Monday, August 08, 2011 3:49 PM

To: Randy Tyrrel

Cc: Winnie Wong

Subject: Re: Al's Records & Tapes - Separate

Thanks. Who would know the specific details concerning claims involving Aretha Franklin?

On 8/8/11 6:01 PM, "Randy Tyrrel"

RTyrrel@mmibi.com <<mailto:RTyrrel@mmibi.com>> > wrote:

Hi Cheimi,

After researching the Separate Retention Endorsement (attached) I found that the \$75,000 retention only applies to claims involving Aretha Franklin; the retention for all other claims is \$10,000. I also note that it was originally \$100,000 and we were able to get it reduced to the \$75,000 but the carrier would not remove or reduce it further.

Hope this helps.

Thanks!

Randy Tyrrel

Sr. Account Manager

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.9874 / F: 818.933.9894

E: RTyrrel@mmibi.com <<mailto:RTyrrel@mmibi.com>>

Website <<http://momentousins.com/><<http://momentousins.com/>> > |
LinkedIn
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--

Chiemi Karasawa
Producer

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375 greenwich st. #514
New York, NY 10013
t 212.941.4090
f 212.941.4092
www.isotopefilms.com
www.loveetthemovie.com
www.thebetrayalmovie.com
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<imagea54673.jpg@c86a7fe3.03b64aaf>

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From: Alan Elliott alan@alanelliott.net
Subject: Re: Amazing Grace Movie LLC/E & O Policy
Date: May 2, 2014 at 10:04 AM
To: Winnie Wong WWong@mmibi.com
Cc: Todd W. Musburger todd@musburger.com, Brian Musburger Brian@musburger.com



hi winnie

as discussed, cc'd are brian and todd musburger. we will get this back asap.

thank you.

-alan

phone: 323 988 9692

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On May 2, 2014, at 9:41 AM, Winnie Wong <WWong@mmibi.com> wrote:

Hi Alan,

Please find the attached E & O application... Thank you!!!

Winnie Wong
P: 818.933.2735

From: Winnie Wong
Sent: Saturday, March 01, 2014 10:25 PM
To: 'alan elliott'
Cc: Chiemi Karasawa; Todd W. Musburger; Brian Musburger
Subject: RE: Amazing Grace Movie LLC/E & O Policy

Hi Alan,

Thanks for your email. Please note that the current E & O policy expired on 11/9/12 (see our email below). We will need an updated application so that we can provide a quotation. Please find the original application that was completed in 2009.

Please let me know if you have any questions.

Thanks. Winnie

--Original Message-----

From: Randy Tyrrel
Sent: Tuesday, October 30, 2012, 10:49am

To: ['alan@alanelliott.net'](mailto:alan@alanelliott.net)
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - 8221-3781

Good morning Alan,

The above referenced Errors & Omissions policy, which covers the production "Amazing Grace", was issued for three years with an expiration of 11/09/12. If the production aired during that three year period, then coverage continues to apply for the life of the production, provided there were no significant changes to the production as it was originally submitted. If the production has not aired during the three year term, it will be necessary to order renewal to cover the airing. Renewal of the policy will also be necessary if there are distribution contracts which require coverage for additional insured's not previously endorsed to the policy during the term.

Please advise whether you wish to renew. If we do not hear from you by the expiration date, we will assume that renewal is not necessary.

Should you wish to renew the policy, or if you have any questions and/or concerns, please give us a call.

Regards,

From: alan elliott [<mailto:Alan@AlanElliott.net>]
Sent: Tuesday, February 25, 2014 3:26 PM
To: Winnie Wong
Cc: Chiemi Karasawa; Todd W. Musburger; Brian Musburger
Subject: Re: Amazing Grace Movie LLC/E & O Policy

hi winnie

we need to renew the policy for "amazing grace." can you please help us get that going?

thank you.

phone: 323 988 9692

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On Aug 9, 2011, at 3:30 PM, Winnie Wong <WWong@mmibi.com> wrote:

Hi Chiemi,

You are welcome. We will pursue the increase limits and the extension.

It was good speaking with you.

Kind regards, Winnie

From: Chiemi Karasawa [<mailto:chiemi@isotopefilms.com>]

Sent: Tuesday, August 09, 2011 3:13 PM

To: Winnie Wong

Cc: Alan Elliott

Subject: Amazing Grace Movie LLC/E & O Policy

Hi Winnie,

Thanks for your time! As discussed, I will keep you updated on the Agreement with Aretha, but in the meantime if you are able to pursue a quote for a \$3/\$5M or \$5/\$5M policy, with a maximum \$25K deductible, it would be great! We would likely need a 2 year extension as well.

Thanks so much,

Chiemi

On 8/9/11 12:46 PM, "Winnie Wong" <WWong@mmibi.com> wrote:

Let's talk at 4pm your time. Thanks

Sent from my iPhone

On Aug 8, 2011, at 5:26 PM, "chiemi@isotopefilms.com" <chiemi@isotopefilms.com> wrote:

Hi Winnie,

I'm at (212) 941-4090 <<tel:2129414090>> . I am available 12:30P and again at 4P EST, which is 9:30A and 1P for you.

Thanks so much!

Chiemi

Connected by DROID on Verizon Wireless

Connected by DROID on Verizon Wireless

Winnie Wong

Vice President

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.2735 / F: 818.933.2793

E: WWong@mmibi.com

Website <<http://momentousins.com/>> | LinkedIn
<<http://www.linkedin.com/company/229997>> | Twitter
<<http://twitter.com/momentousins>>

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-----Original message-----

Original message

From: Winnie Wong <WWong@mmibi.com>
To: "chiemi@isotopefilms.com" <chiemi@isotopefilms.com>
Cc: Randy Tyrrel <RTyrrel@mmibi.com>
Sent: Mon, Aug 8, 2011 23:32:54 GMT+00:00
Subject: RE: Al's Records & Tapes - Separate

Yes tomorrow works. Please provide the best time and phone no.

Kind regards, Winnie

From: chiemi@isotopefilms.com [<mailto:chiemi@isotopefilms.com>]
Sent: Monday, August 08, 2011 4:26 PM
To: Winnie Wong
Cc: Randy Tyrrel
Subject: RE: Al's Records & Tapes - Separate

I am out of my office now (EST time) but can we discuss tomorrow?

Connected by DROID on Verizon Wireless

-----Original message-----

From: Winnie Wong <WWong@mmibi.com>
To: Chiemi Karasawa <chiemi@isotopefilms.com>
Cc: Randy Tyrrel <RTyrrel@mmibi.com>
Sent: Mon, Aug 8, 2011 23:21:29 GMT+00:00
Subject: RE: Al's Records & Tapes - Separate

Hi Chiemi,

Please provide your phone no. and I will give you a call directly.

Kind regards, Winnie

Winnie Wong

Vice President

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.2735 / F: 818.933.2793

E: WWong@mmibi.com <<mailto:WWong@mmibi.com>>

Website <<http://momentousins.com/>> | LinkedIn
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From: Randy Tyrrel
Sent: Monday, August 08, 2011 4:17 PM
To: Chiemi Karasawa
Cc: Winnie Wong
Subject: RE: Al's Records & Tapes - Separate

I don't think they will. We tried to get it lifted back at inception but we could only get them to reduce it to \$75,000. Winnie, any ideas?

From: Chiemi Karasawa [<mailto:chiemi@isotopefilms.com>]
Sent: Monday, August 08, 2011 4:14 PM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: Re: Al's Records & Tapes - Separate

Meaning, how could we lift the retention on claims involving Aretha? What is the risk?

On 8/8/11 6:54 PM, "Randy Tyrrel"

<RTyrrel@mmibi.com<<mailto:RTyrrel@mmibi.com>> > wrote:

I am not sure what you mean...The specific retention for claims involving Aretha Franklin would be the only difference from how the policy would

respond to any other claims.

From: Chiemi Karasawa
[<mailto:chiemi@isotopefilms.com><<mailto:chiemi@isotopefilms.com>>]
Sent: Monday, August 08, 2011 3:49 PM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: Re: Al's Records & Tapes - Separate

Thanks. Who would know the specific details concerning claims involving Aretha Franklin?

On 8/8/11 6:01 PM, "Randy Tyrrel"
<RTyrrel@mmibi.com<<mailto:RTyrrel@mmibi.com>> > wrote:
Hi Cheimi,

After researching the Separate Retention Endorsement (attached) I found that the \$75,000 retention only applies to claims involving Aretha Franklin; the retention for all other claims is \$10,000. I also note that it was originally \$100,000 and we were able to get it reduced to the \$75,000 but the carrier would not remove or reduce it further.

Hope this helps.

Thanks!

Randy Tyrrel

Sr. Account Manager

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.9874 / **F:** 818.933.9894

E: RTyrrel@mmibi.com <<mailto:RTyrrel@mmibi.com>>

Website <<http://momentousins.com/><<http://momentousins.com/>> > |
LinkedIn

<<http://www.linkedin.com/company/229997><<http://www.linkedin.com/c>

[ompany/229997> > | Twitter](#)
<<http://twitter.com/momentousins><<http://twitter.com/momentousins>> >

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--

Chiemi Karasawa
Producer

isotope films
375 greenwich st. #514
New York, NY 10013
t 212.941.4090
f 212.941.4092
www.isotopefilms.com
www.loveetthemovie.com
www.thebetrayalmovie.com
www.billythekiddocumentary.com

-- This message was scanned by the Momentous Spam Filter and is believed to be clean. Click [here](#) to report this message as spam.

Winnie Wong

Vice President

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.2735 / F: 818.933.2793

E: WWong@mmibi.com

[Website](#) | [LinkedIn](#) | [Twitter](#)

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<[imagea54673.jpg@c86a7fe3.03b64aaf](#)>

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<VFT Producers Application HICI Revised.doc>

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Subject: Amazing Grace Movie LLC/E & O Policy
Date: August 9, 2011 at 3:12 PM
To: Winnie Wong WWong@mmibi.com
Cc: Alan Elliott Alan@AlanElliott.net



Hi Winnie,

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From: Chiemi Karasawa [<mailto:chiemi@isotopefilms.com>]

<<mailto:chiemi@isotopefilms.com>>]

Sent: Monday, August 08, 2011 3:49 PM

To: Randy Tyrrel

Cc: Winnie Wong

Subject: Re: Al's Records & Tapes - Separate

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Hi Cheimi,

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Thanks!

Randy Tyrrel

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--

Chiemi Karasawa
Producer

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f 212.941.4092
www.isotopefilms.com
www.loveetcthemovie.com
www.thebetrayalmovie.com
www.billythekiddocumentary.com

From: Alan Elliott alan@alanelliott.net 
Subject: amazing grace movie...
Date: October 13, 2009 at 10:52 AM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Donaldson michael@donaldsoncallif.com



hi winnie
we want to see if chubb will give us an extension on our insurance quote as we are in the midst of financing discussions but don't anticipate closing by the 21st (the due date, we think).
please let us know if the extension is possible.
thank you.

what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliot music project:

<http://www.jemp.org>



From: alan elliott Alan@AlanElliott.net 
Subject: amazing grace
Date: June 14, 2018 at 1:44 PM
To: Walter Aldave waldave@chubb.com
Cc: Winnie Wong WWong@mmibi.com



hi walter

thank you for your time today. i appreciate your patience and hope you can help make this make sense so chubb can properly defend me.

facts dictate that it would be wrong of chubb to take the position that there is no active claim to defend.

the fundamental premise of the order set forth in denver (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/Franklin%20Injunction.pdf>) is to reach an agreement.

without the agreement, it is plainly stated in the order that we would reopen the case.

as we discussed, the order is basically an excuse to buy more time, and clearly, after more than three years awaiting finality and with absolutely no responsiveness in over a year from the other side, the case must get finished.

to this, the order specifies:

"... the proposed order contemplates administrative closure under D.C.COLO.LCIVR 41.2 , with the Parties having the right to reopen the case on good cause shown. In this instance, it would constitute good cause if the negotiations were to cease to be productive and Mr. Elliot desired to dispute the allegations of the Complaint, file his response, and litigate his defenses to Ms. Franklin's allegations."

the above is how the court DEFINES "good cause"- and when/why the case would need to be defended. clearly that definition has been met and plainly, we must defend the case.

in fact, the defense of the case is anticipated- and stated- multiple times within the order.

the first part of the order reads clearly:

"Plaintiff Aretha Franklin ("Plaintiff") and Defendant Alan Elliott ("Defendant") jointly move the Court to enter the attached Stipulated Order which enjoins the Defendant, Alan Elliott, from showing or screening certain film footage under the terms described in the Order, and also ask that the Court administratively close this case pursuant to local rule, while granting the Parties leave to reopen on good cause shown."

"It (the order) also addresses the Court's concerns about lack of progress by effectively taking the case off the docket, while giving the Parties the opportunity to reopen the case and restart the litigation for good cause."

i hope chubb will come to a logical, and humane, decision, and allow this to be defended.

thank you.

-alan

phone: 323 988 9692

peace and love.





From: Alan Elliot alanelliott@concordbicycle.com
Subject: amazing grace
Date: July 6, 2017 at 2:40 PM
To: Winnie Wong WWong@mmibi.com



reminding you re: chubb.

thank you.

-alan

phone: 323 988 9692

peace and love.

From: Alan Elliott alan@alanelliott.net
Subject: Fwd: american masters/aretha franklin
Date: August 13, 2009 at 10:05 AM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Donaldson michael@donaldsoncallif.com



winnie:

we know you are on vacation but... we wanted you to get to the underwriters the following info:

pbs/american masters used clips of our film in their 1988 film on aretha franklin.

we think this might help the underwriters.

thanks.

From: alan elliott (ucla) alanelliott@g.ucla.edu
Subject: Re: aretha contract
Date: June 9, 2016 at 9:32 AM
To: Winnie Wong WWong@mmibi.com, Todd W. Musburger todd@musburger.com
Cc: Susan Borders SBorders@mmibi.com



hi winnie

todd musburger (cc'd here) is my personal attorney and one of the many vendors.

todd and i would like to get on the phone with the claims department so we can be very specific in terms of how to proceed with legal fees and invoices.

is there a good time perhaps tomorrow or early next week?

please let us know and i hope all is well.

thank you.

-alan

phone: 323 988 9692
peace and love.

<http://songsoundrecord.tumblr.com>

On Apr 5, 2016, at 5:16 PM, Winnie Wong <WWong@mmibi.com> wrote:

Hi Alan,

Our claims department has asked for copies of your legal fees and invoices that you would like reimbursed. Please email them.

Thanks.
Winnie

Winnie Wong
P: 818.933.2735

From: alan elliott (ucla) [<mailto:alanelliott@g.ucla.edu>]
Sent: Wednesday, March 16, 2016 1:44 PM
To: Winnie Wong
Subject: aretha contract

[http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968 Aretha Franklin Recording Agreement \(Atlantic and Warner Bros. Seven Arts\).pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968%20Aretha%20Franklin%20Recording%20Agreement%20(Atlantic%20and%20Warner%20Bros.%20Seven%20Arts).pdf)

thank you.

-alan

phone: 323 988 9692
peace and love.

<http://songsoundrecord.tumblr.com>

From: alan elliott (ucla) alanelliott@g.ucla.edu
Subject: Re: aretha contract
Date: April 13, 2016 at 9:49 AM
To: Winnie Wong WWong@mmibi.com
Cc: Susan Borders SBorders@mmibi.com, Todd W. Musburger todd@musburger.com



hi winnie

we will get them to you in short order.

thank you.

-alan

phone: 323 988 9692
peace and love.

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[http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968 Aretha Franklin Recording Agreement \(Atlantic and Warner Bros. Seven Arts\).pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968%20Aretha%20Franklin%20Recording%20Agreement%20(Atlantic%20and%20Warner%20Bros.%20Seven%20Arts).pdf)

thank you.

-alan

phone: 323 988 9692
peace and love.

<http://songsoundrecord.tumblr.com>

From: Alan Elliott alan@alanelliott.net
Subject: Fwd: aretha franklin film...
Date: August 9, 2009 at 8:41 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Donaldson michael@donaldsoncallif.com



Begin forwarded message:

From: Michael Donaldson <michael@donaldsoncallif.com>
Date: August 9, 2009 8:36:12 PM PDT
To: 'Alan Elliott' <Alan@AlanElliott.net>
Subject: RE: aretha franklin film...

WE SHOULD TALK EARLY ON MONDAY. PLEASE CALL WHEN YOU GET IN. IF THIS UNDERWRITER TURNS US DOWN I WOULD LIKE TO HAVE BACK-UP. HAS WINNIE SUBMITTED TO MORE THAN ONE COMPANY??????

Michael C. Donaldson, Esq.
Donaldson & Callif
400 South Beverly Drive, Suite 400
Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

From: Alan Elliott [<mailto:Alan@AlanElliott.net>]
Sent: Friday, August 07, 2009 6:13 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: aretha franklin film...

no problem for herb and i...
we will defer to michael's schedule...

On Aug 7, 2009, at 5:54 PM, Winnie Wong wrote:

Hi Alan,

I would like to set up a conference call with you, Michael Donaldson and the underwriter. Please let me know if you are available on Monday or Tuesday.

Thanks.

Winnie Wong

Vice President

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.2735 / F: 818.933.2793

E: WWong@mmibi.com

www.momentousins.com

Lic. #0G19762

<[image9324de.jpg@962f77e0.f83d40fc](#)>

We love referrals. If you have any contacts in need of personal, commercial, entertainment, life, health or disability insurance, please forward our information. Thank you!

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From: Herb Jordan jordan@adagegroup.net 
Subject: RE: aretha franklin film...
Date: August 10, 2009 at 9:21 AM
To: Winnie Wong WWong@mmibi.com, Alan Elliott Alan@AlanElliott.net
Cc: Michael Donaldson michael@donaldsoncallif.com



Thanks Winnie, we look forward. Herb

From: Winnie Wong [<mailto:WWong@mmibi.com>]
Sent: Monday, August 10, 2009 8:22 AM
To: Alan Elliott
Cc: Herb Jordan; Michael Donaldson
Subject: Re: aretha franklin film...

Hi all, I've submitted your project to 4 companies.

Sent from my iPhone

On Aug 9, 2009, at 8:41 PM, "Alan Elliott" <Alan@AlanElliott.net> wrote:

Begin forwarded message:

From: Michael Donaldson <michael@donaldsoncallif.com>
Date: August 9, 2009 8:36:12 PM PDT
To: 'Alan Elliott' <Alan@AlanElliott.net>
Subject: RE: aretha franklin film...

WE SHOULD TALK EARLY ON MONDAY. PLEASE CALL WHEN YOU GET IN. IF THIS UNDERWRITER TURNS US DOWN I WOULD LIKE TO HAVE BACK-UP. HAS WINNIE SUBMITTED TO MORE THAN ONE COMPANY?????

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Sent: Friday, August 07, 2009 6:13 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: aretha franklin film...

no problem for herb and i...
we will defer to michael's schedule...

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From: Lamar Williams lamar@donaldsoncallif.com
Subject: RE: aretha franklin film...
Date: August 10, 2009 at 10:21 AM
To: WWong@mmibi.com
Cc: Alan Elliott Alan@AlanElliott.net, Herb Jordan jordan@adagegroup.net

LW

Hello Winnie,

Michael is free this afternoon at 3pm or tomorrow at 3pm. Please let me know if either of these work for you.

Thanks!

Lamar

Lamar Williams
Donaldson & Callif, LLP
400 S. Beverly Drive, Ste. 400
Beverly Hills, CA 90212
T: (310) 277-8394, ext. 13
F: (310) 277-4870
lamar@donaldsoncallif.com

From: Michael Donaldson
Sent: Sunday, August 09, 2009 8:32 PM
To: Lamar Williams
Subject: FW: aretha franklin film...

Please schedule.

Michael C. Donaldson, Esq.
Donaldson & Callif
400 South Beverly Drive, Suite 400
Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

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To: Winnie Wong
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Winnie Wong

Vice President

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From: Alan Elliott alan@alanelliott.net
Subject: aretha franklin film...
Date: August 7, 2009 at 6:13 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Donaldson michael@donaldsoncallif.com



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we will defer to michael's schedule...

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Thanks.

Winnie Wong

Vice President

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From: **Alan Elliott** alan@alanelliott.net
Subject: Fwd: aretha franklin recording agreement.
Date: May 2, 2014 at 9:51 AM
To: Winnie Wong WWong@mmibi.com



thank you.

-alan

phone: 323 988 9692

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Begin forwarded message:

From: "Spira, Steven" <steven.spira@warnerbros.com>
Subject: FW: aretha franklin recording agreement.
Date: August 16, 2013 at 11:10:34 AM PDT
To: Alan Elliott <alan@alanelliott.net>

Fyi



4-1-1968
Aretha...ts).pdf

Inter-Office Memo



WARNER BROS.

To:	Eric Frankel	From:	Michele Moore <i>MM</i>	Ext.:	2371
Subject:	Aretha Franklin				
Date:	December 6, 1991	Copies to:	Jeremy Williams		

Per your request, I have enclosed a copy of the documents in our files relating to the filming of the Aretha Franklin recording session at the New Temple Missionary Baptist Church in Los Angeles in January 1972. They include:

1. Executed consent forms wherein James Cleveland and the members of the church choir grant permission to WB to use footage taken at the recording session in a motion picture.
2. An executed location agreement wherein the Church grants permission to WB to film and record scenes at the church for a motion picture. The agreement specifically states that all right, title and interest in all photographs and sound recordings are vested in WB.

3. Executed consent forms from what appears to be members of the audience at the recording session.

For your information, I have also enclosed a copy of the linear notes from the released album which states that the recording of the album was filmed by WB with Sydney Pollack directing.

Jeremy and I discussed the question of ownership of the footage. As the agreement with James Cleveland, the consents and the location agreement were all entered into by WB, we believe the footage was owned by WB and is probably still owned by WB as there is no agreement or other information in the file that WB sold or licensed the footage to anyone else.

One important concern - we do not have in our files any agreement or consent signed by Aretha Franklin regarding the usage of the footage. If such an agreement is not located, Warner Bros. Pay-TV and/or Atlantic Records' A*Vision (or whomever is to produce the documentary) will need to obtain Ms. Franklin's consent (which I'm sure will involve negotiations for the payment of compensation). You might try to locate a copy of Ms. Franklin's Atlantic recording contract at the time of the recording session. There may be a provision covering the filming of recording sessions or other audio-visual language that may relate to the right to use such footage and any restrictions that may apply. If you are able to locate a copy of the contract, I will be glad to discuss it with you.

I hope the enclosed information is helpful. When the plans for the documentary are finalized, please let me know and we can discuss a license agreement for use of the footage.

MAN/clo
Enclosures

From: Alan Elliott alan@alanelliott.net
Subject: Re: aretha franklin/amazing grace doc...
Date: July 30, 2009 at 9:30 PM
To: Winnie Wong WWong@mmibi.com



Tomorrow at 10 ok?

Phone: 323 988 9692
Cell: 323 841 1120
AIM: alanlllll
Skype: alsrecordsandtapes

On Jul 30, 2009, at 6:44 PM, Winnie Wong <WWong@mmibi.com> wrote:

Hi Alan,

Thanks for the application, I would like to go over the application as we are missing some answers. Please let me know what time you would like to speak.

Thanks.

From: Alan Elliott [mailto:alan@alanelliott.net]
Sent: Thursday, July 30, 2009 2:35 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Forster
Subject: aretha franklin/amazing grace doc...

hi winnie

well... we went ahead and took a first stab at the app.

so please let us know how it looks.

maybe we can get on the phone later today or tomorrow to discuss.

thanks in advance-

alan

Winnie Wong
Vice President
Momentous Insurance Brokerage, Inc.
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P: 818.933.2735 / F: 818.933.2793
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<image959c42.jpg@1d64b3f0.544c40be>

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From: Alan Elliott alan@alanelliott.net 
Subject: Re: aretha franklin/amazing grace doc...
Date: July 30, 2009 at 9:38 PM
To: Winnie Wong WWong@mmibi.com



sold.

what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

support the jack elliott music project:
<http://www.jemp.org>



alslogo.gif

On Jul 30, 2009, at 9:37 PM, Winnie Wong wrote:

Sorry. I have a conference call at 10am. How about 11am?

From: Alan Elliott [<mailto:Alan@AlanElliott.net>]
Sent: Thursday, July 30, 2009 9:30 PM
To: Winnie Wong
Subject: Re: aretha franklin/amazing grace doc...

Tomorrow at 10 ok?

Phone: 323 988 9692
Cell: 323 841 1120
AIM: alanelllll
Skype: alsrecordsandtapes

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To: Winnie Wong
Cc: Herb Jordan; Michael Forster
Subject: aretha franklin/amazing grace doc...

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maybe we can get on the phone later today or tomorrow to discuss.
thanks in advance-
alan

Winnie Wong

Vice President

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E: WWong@mmibi.com

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E: WWong@mmibi.com

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From: Alan Elliott alan@alanelliott.net 
Subject: aretha franklin/amazing grace doc...
Date: July 30, 2009 at 2:35 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Forster forster@adagegroup.net



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so please let us know how it looks.
maybe we can get on the phone later today or tomorrow to discuss.
thanks in advance-
alan



Armazing Grace
Budget.pdf



E&O Video Film
Produc...CE.pdf

what i'm doing:

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web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliott music project:

<http://www.jemp.org>



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From: Alan Elliott alan@alanelliott.net 
Subject: aretha update?
Date: August 25, 2009 at 12:03 PM
To: Winnie Wong WWong@mmibi.com



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From: Alan Elliott alanelliott@concordbicycle.com
Subject: can we pls set a time to talk?
Date: October 5, 2017 at 8:33 AM
To: Winnie Wong WWong@mmibi.com



perhaps tomorrow at 1030. please let me know.

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.

From: Alan Elliott alan@alanelliott.net 
Subject: can you send us the actual official quote from the insurance carriers?
Date: August 28, 2009 at 9:40 AM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net



the binding type...

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From: Alan Elliott alan@alanelliott.net 
Subject: Re: checking in.
Date: August 7, 2009 at 7:50 PM
To: Winnie Wong WWong@mmibi.com



btw...
what is the feeling with underwriter?
you think we are in good shape?
thanks in advance...

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www.alanelliott.net

aim: alanelllll
phone: 323 988 9692
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On Aug 7, 2009, at 5:54 PM, Winnie Wong wrote:

Hi Alan,

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Thanks.

From: Alan Elliott [<mailto:Alan@AlanElliott.net>]
Sent: Friday, August 07, 2009 9:24 AM
To: Winnie Wong
Subject: checking in.

any news?
hope all swell.

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www.alanelliott.blogspot.com
web site:
www.alanelliott.net

aim: alanelllll

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cell: 323 841 1120

skype: alsrecordsandtapes

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<image001.gif>

Winnie Wong

Vice President

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From: Alan Elliott alan@alanelliott.net 
Subject: checking in.
Date: August 7, 2009 at 9:23 AM
To: Winnie Wong WWong@mmibi.com



any news?
hope all swell.

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aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

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<http://www.jemp.org>



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From: Alan Elliott alan@alanelliott.net 
Subject: checking in...
Date: August 3, 2009 at 12:10 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Forster forster@adagegroup.net



hey winnie
just wanted to make sure we are out on our app- and that you don't need anything else from us.
hope all swell.

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phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliott music project:

<http://www.jemp.org>



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From: alan elliott (ucla) alanelliott@g.ucla.edu
Subject: Chubb/amazing grace
Date: March 14, 2016 at 2:29 PM
To: Winnie Wong WWong@mmibi.com



hi Winnie

I wanted to see if you have had any feedback from Chubb re: amazing grace coverage.

thank you.

-alan

phone: [323 988 9692](tel:3239889692)
peace and love.

From: Alan Elliott alan@alanelliott.net 
Subject: donaldson letter!
Date: July 30, 2009 at 3:29 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Forster forster@adagegroup.net



sorry. forgot the headline!



donaldson.areth
a.letter002.pdf

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web site:
www.alanelliott.net

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

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<http://www.jemp.org>



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From: Alan Elliott alan@alanelliott.net 
Subject: Re: Errors & Omissions application
Date: July 23, 2009 at 2:13 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Forster forster@adagegroup.net



hi winnie
thanks for the app.
we are on it...
also, michael donaldson got us his letter today...
so we are hopeful to have a complete package for you monday.
more then-
alan

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web site:

www.alanelliott.net

aim: alanelllll

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alslogo.gif

On Jul 22, 2009, at 11:01 AM, Winnie Wong wrote:

Hi Alan,

It was a pleasure to speak with you, please find the attached Errors & Omissions application for completion. [In addition, to the application we will need the following:](#)

- Resume/Bio of Producer
- Title report
- Synopsis, Videotape or DVD of your project

With regards to your title search, please contact the following:

Suzy Vaughan
suzy@clearanceunlimited.net
CLEARANCE UNLIMITED, INC.
6848 Firmament Avenue

Van Nuys, CA 91406
Phone (818) 988-5599
Fax (818) 988-5091

Or

Dennis Angel
dangelesq@aol.com
1075 Central Park Ave #306
Scarsdale, NY 10583
(212) 239-4225 or (914) 472-0820
Fax 914-472-0826

From: Alan Elliott [<mailto:Alan@alanelliott.net>]
Sent: Wednesday, July 22, 2009 10:42 AM
To: Winnie Wong
Subject: here i am

what i'm doing:
www.alanelliott.blogspot.com
web site:
www.alanelliott.net

aim: alanelllll
phone: 323 988 9692
cell: 323 841 1120
skype: alsrecordsandtapes

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<image001.gif>

Winnie Wong
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<[image97139a.jpg@ed1237ee.90ca4ff4](#)>

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<E&O Video Film Producer's App - MultiMedia Form.pdf>

From: Aldave, Walter N waldave@chubb.com 
Subject: RE: Fwd: [EXTERNAL] Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin
Date: May 22, 2018 at 11:00 AM
To: alan elliott Alan@AlanElliott.net
Cc: Winnie Wong WWong@mmibi.com

Hi Alan,

I am in the process of reviewing the information received from you and will be in contact with you within the next several days.

Best,

Walt Aldave

CHUBB

Walter N. Aldave
Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E Walter.Aldave@chubb.com

Chubb. Insured.

From: alan elliott [<mailto:Alan@AlanElliott.net>]
Sent: Tuesday, May 22, 2018 1:54 PM
To: Aldave, Walter N <waldave@chubb.com>
Cc: Winnie Wong <WWong@mmibi.com>
Subject: [EXTERNAL] Fwd: Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin

hi walter and winnie

i am checking in on this.

thank you.

-alan

phone: 323 988 9692

peace and love.

Begin forwarded message:

From: alan@alanelliott.net
Subject: FW: Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin
Date: May 14, 2018 at 10:18:34 AM PDT
To: Walter Aldave <waldave@chubb.com>
Cc: Winnie Wong <WWong@mmibi.com>

hi walter

as you requested, attached are three documents that explain the current situation. (if you wish to see other documents in the two related cases, they are available here:<http://alsrecordsandtapes.com/amazinglaw/wbdocs/>). as you'll see, the 2015 claim Ms. franklin filed against me in colorado is a direct extension/continuation of the 2011 claim she filed in los angeles. warner bros. discovered the contract ms. franklin signed, authorizing it to use the footage, only after that settlement was reached.

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we will not reopen the court case without first trying, once again, to make a deal with ms. franklin.

thank you,

alan

From: Cantor, Jon D. [<mailto:JDCantor@dykema.com>]
Sent: Monday, February 08, 2016 5:22 PM
To: Wendy Jaffe (wjaffe@lionsgate.com); Tom McGuire
Subject: Amazing Grace

Wendy/Tom:

I am attaching to this e-mail only those portions of the Agreement that I have redlined. A vast majority of my redlines are for consistency purposes only. As to the balance there are 2 areas of concern that need to be cleared:

1. It appears from the language that all agreements are effective upon the deposit of Summit's money in the Chase Escrow Agreement. That is really not the case. It is not until the money is authorized to be released by Summit to Ms. Franklin; and
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I think absent Tom's comments, if any, I will be good to go. Hopefully we can get this finished and have Ms. Franklin sign this week.

Jon

Jon D. Cantor
Member
JDCantor@dykema.com

213-457-1795 Direct
213-457-1800 Main
855-223-7058 Fax
818-269-9099 Mobile

333 South Grand Avenue, Suite 2100
Los Angeles, California 90071
www.dykema.com

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-alan

phone: 323 988 9692

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O 860-408-2529 F 860-408-2851

E Walter.Aldave@chubb.com

Chubb. Insured.™

From: alan elliott [<mailto:alan@alanelliott.net>]

Sent: Thursday, May 03, 2018 4:04 PM

To: Aldave, Walter N <waldave@chubb.com>

Subject: Re: [EXTERNAL] Re: AI's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

hi walter

I am checking back with you on this. I have an attorney in Denver name Steven Zansberg who I would like to get on this as soon as possible. Please let me know about next steps.

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.

<~WRD000.jpg>

On Apr 25, 2018, at 6:18 AM, Aldave, Walter N <waldave@chubb.com> wrote:

2 PM ET is good. I will await your call.

Thanks,

Walt

CHUBB

Walter Aldave
Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
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E walter.aldave@chubb.com

Chubb. Insured.™

From: alan elliott [<mailto:alan@alanelliott.net>]
Sent: Tuesday, April 24, 2018 9:34 PM
To: Aldave, Walter N <waldave@chubb.com>
Subject: Re: [EXTERNAL] Re: Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

is 2pm est ok?

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I am free tomorrow afternoon, 4//25, between 1:00 PM – 4:00 PM ET. Let me know what time works best for you.

Thanks,

Walt

CHUBB™

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Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E walter.aldave@chubb.com

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<image001.gif>

This email (including any attachments) is intended for the designated recipient(s) only, and may be confidential, non-public, proprietary, and/or protected by the attorney-client or other privilege. Unauthorized reading, distribution, copying or other use of this communication is prohibited and may be unlawful. Receipt by anyone other than the intended recipient(s) should not be deemed a waiver of any privilege or protection. If you are not the intended recipient or if you believe that you have received this email in error, please notify the sender immediately and delete all copies from your computer system without reading, saving, printing, forwarding or using it in any manner. Although it has been checked for viruses and other malicious software ("malware"), we do not warrant, represent or guarantee in any way that this communication is free of malware or potentially damaging defects. All liability for any actual or alleged loss, damage, or injury arising out of or resulting in any way from the receipt, opening or use of this email is expressly disclaimed.

From: alan elliott Alan@AlanElliott.net 
Subject: Re: Fwd: [EXTERNAL] Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin
Date: May 31, 2018 at 5:30 PM
To: Walter Aldave waldave@chubb.com
Cc: Winnie Wong WWong@mmibi.com



hi walter

i am checking in on this. please let me know the status.

thank you.

-alan

phone: 323 988 9692

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Chubb. Insured.™

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Subject: [EXTERNAL] Fwd: Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin

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thank you.

-alan

phone: 323 988 9692

peace and love.

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Date: May 14, 2018 at 10:18:34 AM PDT
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Cc: Winnie Wong <WWong@mmibi.com>

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To: Wendy Jaffe (wjaffe@lionsgate.com); Tom McGuire
Subject: Amazing Grace

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Hopefully we can get this finished and have Ms. Franklin sign this week.

Jon

<image001.jpg>

Jon D. Cantor Member JDCantor@dykema.com	213-457-1795 Direct 213-457-1800 Main 855-223-7058 Fax 818-269-9099 Mobile	333 South Grand Avenue, Suite 2100 Los Angeles, California 90071 www.dykema.com
--	---	---

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thank you.

-alan

phone: 323 988 9692

peace and love.

<image002.gif>

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Thanks and best regards,

Walt Aldave

CHUBB

Walter N. Aldave

Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA

O 860-408-2529 F 860-408-2851

E Walter.Aldave@chubb.com

Chubb. Insured.

From: alan elliott [<mailto:alan@alanelliott.net>]

Sent: Thursday, May 03, 2018 4:04 PM

To: Aldave, Walter N <waldave@chubb.com>

Subject: Re: [EXTERNAL] Re: AI's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

hi walter

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thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.

<~WRD000.jpg>

On Apr 25, 2018, at 6:18 AM, Aldave, Walter N <waldave@chubb.com> wrote:

2 PM ET is good. I will await your call.

Thanks,

Walt

CHUBB

Walter Aldave

Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA

O 860-408-2529 F 860-408-2851

E walter.aldave@chubb.com

Chubb. Insured.™

From: alan elliott [<mailto:alan@alanelliott.net>]

Sent: Tuesday, April 24, 2018 9:34 PM

To: Aldave, Walter N <waldave@chubb.com>

Subject: Re: [EXTERNAL] Re: Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

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phone: [323 988 9692](tel:3239889692)

peace and love.



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Hi Alan,

I am free tomorrow afternoon, 4//25, between 1:00 PM – 4:00 PM ET. Let me know what time works best for you.

Thanks,

Walt

CHUBB

Walter Aldave

Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA

O 860-408-2529 F 860-408-2851

E walter.aldave@chubb.com

Chubb. Insured.™

CHUBB INSURANCE

From: alan@alanelliott.net [mailto:alan@alanelliott.net]
Sent: Tuesday, April 24, 2018 11:39 AM
To: Aldave, Walter N <waldave@chubb.com>
Subject: [EXTERNAL] Re: Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

hi walter

are you around sometime today to talk on the phone with me about this? please let me know.

thank you.

-alan

phone: 323 988 9692

peace and love.

<image001.gif>

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From: Alan ELLIOTT Alan@AlanElliott.net
Subject: Re: Re: [EXTERNAL] Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin
Date: June 13, 2018 at 7:09 AM
To: Aldave, Walter N waldave@chubb.com
Cc: Winnie Wong WWong@mmibi.com

let's schedule 2pm tomorrow est please.

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.



On Jun 13, 2018, at 6:27 AM, Aldave, Walter N <waldave@chubb.com> wrote:

Good morning Alan,

Unfortunately, I have to re-schedule our call scheduled for this morning. I am available tomorrow, 6/14, at 11:30 AM ET and 2:00 PM – 4:30 PM ET? Let me know a time that works best for you.

Thanks,

Walt

CHUBB

Walter N. Aldave
Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E Walter.Aldave@chubb.com

Chubb. Insured.

From: Aldave, Walter N
Sent: Friday, June 08, 2018 10:31 AM
To: 'alan elliott' <alan@alanelliott.net>
Cc: Winnie Wong <WWong@mmibi.com>
Subject: RE: [EXTERNAL] Re: Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin

Perfect, I will call you at 11:30 AM ET on Wednesday, 6/13. Please note that we will have our written position to you next week.

Best,

Walt Aldave

CHUBB

Walter N. Aldave
Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E Walter.Aldave@chubb.com

Chubb. Insured.

From: alan elliott [<mailto:alan@alanelliott.net>]
Sent: Friday, June 08, 2018 10:15 AM
To: Aldave, Walter N <waldave@chubb.com>
Cc: Winnie Wong <WWong@mmibi.com>
Subject: Re: [EXTERNAL] Re: Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin

hi walter

6/13 at 11am est is a good time for me.

prior to this, are there any other questions?

if not, is there an official position which i can have in writing please?

please let me know.

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.



On Jun 8, 2018, at 5:41 AM, Aldave, Walter N <waldave@chubb.com> wrote:

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Please let me know your availability for a call on Wednesday, 6/13, between 10:00 AM – 4:00 PM ET.

Thanks and best regards,

Walt

CHUBB

Walter N. Aldave
Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E Walter.Aldave@chubb.com

Chubb. Insured.™

From: alan elliott [<mailto:Alan@AlanElliott.net>]
Sent: Thursday, June 07, 2018 8:40 PM
To: Aldave, Walter N <waldave@chubb.com>
Cc: Winnie Wong <WWong@mmibi.com>
Subject: [EXTERNAL] Re: Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin

hi walter (and winnie)

i am checking on this.

thank you.

-alan

phone: 323 988 9692

peace and love.



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phone: 323 988 9692

peace and love.

<Attachment-1.gif>

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<image001.gif>

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<First Amended Complaint for a Declaratory Judgment and Preliminary and Permanent Injunctive Relief (w-Exhs 1-9) - 09-13-15.pdf>

<signed settlement agreement resolving los angeles case.pdf>

<Order Granting Stipulated Motion for Permanent Injunction [Doc.32].pdf>



From: Aldave, Walter N waldave@chubb.com 
Subject: RE: Re: [EXTERNAL] Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin
Date: June 13, 2018 at 6:27 AM
To: alan elliott alan@alanelliott.net
Cc: Winnie Wong WWong@mmibi.com

Good morning Alan,

Unfortunately, I have to re-schedule our call scheduled for this morning. I am available tomorrow, 6/14, at 11:30 AM ET and 2:00 PM – 4:30 PM ET? Let me know a time that works best for you.

Thanks,

Walt

CHUBB

Walter N. Aldave
 Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
 O 860-408-2529 F 860-408-2851
 E Walter.Aldave@chubb.com

Chubb. Insured.™

From: Aldave, Walter N
Sent: Friday, June 08, 2018 10:31 AM
To: 'alan elliott' <alan@alanelliott.net>
Cc: Winnie Wong <WWong@mmibi.com>
Subject: RE: [EXTERNAL] Re: Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin

Perfect, I will call you at 11:30 AM ET on Wednesday, 6/13. Please note that we will have our written position to you next week.

Best,

Walt Aldave

CHUBB

Walter N. Aldave
 Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
 O 860-408-2529 F 860-408-2851
 E Walter.Aldave@chubb.com

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From: alan elliott [<mailto:alan@alanelliott.net>]
Sent: Friday, June 08, 2018 10:15 AM
To: Aldave, Walter N <waldave@chubb.com>
Cc: Winnie Wong <WWong@mmibi.com>
Subject: Re: [EXTERNAL] Re: Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin

hi walter

6/13 at 11am est is a good time for me.

prior to this, are there any other questions?

if not, is there an official position which i can have in writing please?

please let me know.

thank you.

-alan

 phone: [323 988 9692](tel:3239889692)

neace and love

peace and love.



On Jun 8, 2018, at 5:41 AM, Aldave, Walter N <waldave@chubb.com> wrote:

Hi Alan,

Please let me know your availability for a call on Wednesday, 6/13, between 10:00 AM – 4:00 PM ET.

Thanks and best regards,

Walt

CHUBB

Walter N. Aldave
Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E Walter.Aldave@chubb.com

Chubb. Insured.™

From: alan elliott [<mailto:Alan@AlanElliott.net>]
Sent: Thursday, June 07, 2018 8:40 PM
To: Aldave, Walter N <waldave@chubb.com>
Cc: Winnie Wong <WWong@mmibi.com>
Subject: [EXTERNAL] Re: Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin

hi walter (and winnie)

i am checking on this.

thank you.

-alan

phone: 323 988 9692

peace and love.

<image001.gif>

On May 14, 2018, at 10:18 AM, alan@alanelliott.net wrote:

hi walter

as you requested, attached are three documents that explain the current situation. (if you wish to see other documents in the two related cases, they are available here: <http://alsrecordsandtapes.com/amazinglaw/wbdocs/>). as you'll see, the 2015 claim Ms. franklin filed against me in colorado is a direct extension/continuation of the 2011 claim she filed in los angeles. warner bros. discovered the contract ms. franklin signed, authorizing it to use the footage, only after that settlement was reached.

since we stipulated to the injunction in colorado, we have offered ms. franklin two separate contracts for exactly what she asked for (and more). (see emails below). she refused those offers and has discontinued all discussions.

thus, we now need to reopen the case to defend the claims she filed against us. we have no other remedy.

we will not reopen the court case without first trying once again to make a deal with ms franklin

thank you,

alan

From: Cantor, Jon D. [<mailto:JDCantor@dykema.com>]
Sent: Monday, February 08, 2016 5:22 PM
To: Wendy Jaffe (wjaffe@lionsgate.com); Tom McGuire
Subject: Amazing Grace

Wendy/Tom:

I am attaching to this e-mail only those portions of the Agreement that I have redlined. A vast majority of my redlines are for consistency purposes only. As to the balance there are 2 areas of concern that need to be cleared:

1. It appears from the language that all agreements are effective upon the deposit of Summit's money in the Chase Escrow Agreement. That is really not the case. It is not until the money is authorized to be released by Summit to Ms. Franklin; and
2. There has been discussions but no agreement on how Ms. Franklin's name is going to appear in the up-front credits, i.e. "Amazing Grace-Featuring Aretha Franklin" or something similar. I do not want to leave this up for Summit's discretion.

I think absent Tom's comments, if any, I will be good to go. Hopefully we can get this finished and have Ms. Franklin sign this week.

Jon

<image001.jpg>

Jon D. Cantor Member JDCantor@dykema.com	213-457-1795 Direct 213-457-1800 Main 855-223-7058 Fax 818-269-9099 Mobile	333 South Grand Avenue, Suite 2100 Los Angeles, California 90071 www.dykema.com
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thank you.

-alan

phone: 323 988 9692

peace and love.

<Attachment-1.gif>

On May 8, 2018, at 11:27 AM, Aldave, Walter N <waldave@chubb.com> wrote:

Good Afternoon Alan,

In follow up to our telephone conversation on 4/25/18, you were going to provide me with a copy of the settlement agreement that you entered into with Aretha Franklin, a copy of the subsequent declaratory relief action filed by Aretha Franklin in Colorado and any other documents relating to the above captioned matter after the settlement for our review for coverage under the Policy. To date I have not received any of this information from you.

Please be advised that upon receipt of the information requested, we will review it and provide you with our coverage position in writing. In the interim, we reserve all rights under the policy and applicable law.

Thanks and best regards,

Walt Aldave

CHUBB®

Walter N. Aldave
Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E Walter.Aldave@chubb.com

Chubb. Insured.™

From: alan elliott [<mailto:alan@alanelliott.net>]
Sent: Thursday, May 03, 2018 4:04 PM
To: Aldave, Walter N <waldave@chubb.com>
Subject: Re: [EXTERNAL] Re: Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

hi walter

I am checking back with you on this. I have an attorney in Denver name Steven Zansberg who I would like to get on this as soon as possible. Please let me know about next steps.

thank you.

-alan

phone: [323 988 9692](tel:323-988-9692)

peace and love.



On Apr 25, 2018, at 6:18 AM, Aldave, Walter N <waldave@chubb.com> wrote:

2 PM ET is good. I will await your call.

Thanks,

Walt

CHUBB®

Walter Aldave
Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E walter.aldave@chubb.com

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From: alan elliott [<mailto:alan@alanelliott.net>]
Sent: Tuesday, April 24, 2018 9:34 PM
To: Aldave, Walter N <waldave@chubb.com>
Subject: Re: [EXTERNAL] Re: Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

is 2pm est ok?

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.

<~WRD000.jpg>

On Apr 24, 2018, at 12:44 PM, Aldave, Walter N <waldave@chubb.com> wrote:

Hi Alan,

I am free tomorrow afternoon, 4//25, between 1:00 PM – 4:00 PM ET. Let me know what time works best for you.

Thanks,

Walt

CHUBB

Walter Aldave
Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E walter.aldave@chubb.com

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From: alan@alanelliott.net [<mailto:alan@alanelliott.net>]
Sent: Tuesday, April 24, 2018 11:39 AM
To: Aldave, Walter N <waldave@chubb.com>
Subject: [EXTERNAL] Re: Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

hi walter

are you around sometime today to talk on the phone with me about this? please let me know.

thank you.

-alan

phone: **323 988 9692**

peace and love.

<image001.gif>

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<First Amended Complaint for a Declaratory Judgment and Preliminary and Permanent Injunctive Relief (w-Exhs 1-9) - 09-13-15.pdf>

<signed settlement agreement resolving los angeles case.pdf>

<Order Granting Stipulated Motion for Permanent Injunction [Doc.32].pdf>

From: alan elliott (ucla) alanelliott@g.ucla.edu
Subject: #FeelTheBern: The Surprising Origin of Bernie Sanders' Campaign Slogan | Observer
Date: April 13, 2016 at 9:50 AM
To: Winnie Wong WWong@mmibi.com



thought you'd enjoy... (i did!)

<http://observer.com/2016/02/the-surprising-origin-of-feelthebern-meet-the-creator-of-the-viral-hashtag/>

thank you.

-alan

phone: 323 988 9692
peace and love.

<http://songsoundrecord.tumblr.com>

From: alan elliott (ucla) alanelliott@g.ucla.edu
Subject: Fwd: Franklin v. National Film Preserve, Ltd. Amended Complaint
Date: March 15, 2016 at 5:26 PM
To: Winnie Wong WWong@mmibi.com



here you go.

thank you.

-alan

phone: 323 988 9692
peace and love.

<http://songsoundrecord.tumblr.com>

Begin forwarded message:

From: Jack Tanner <Jtanner@fwlaw.com>
Subject: Franklin v. National Film Preserve, Ltd. Amended Complaint
Date: September 13, 2015 at 3:55:44 PM PDT
To: "alan elliott (ucla)" <alanelliott@g.ucla.edu>
Cc: "Scott T. Rodgers" <srodgers@fwlaw.com>, "Cecil E. Morris" <cmorris@fwlaw.com>

Alan,

Aretha's lawyers' have brought you into the case. This should make the insurance applicable with a lot less fancy footwork by us. Tomorrow I'll have the actual Amended Complaint (that names you), and you should send it to your insurance company ASAP.

Jack
303.984.4495

From: COD_ENotice@cod.uscourts.gov [mailto:COD_ENotice@cod.uscourts.gov]
Sent: Sunday, September 13, 2015 3:54 PM
To: COD_NEF@cod.uscourts.gov
Subject: Activity in Case 1:15-cv-01921-JLK Franklin v. National Film Preserve, Ltd. Amended Complaint

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

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U.S. District Court

District of Colorado

Notice of Electronic Filing

The following transaction was entered by Neureiter, N. on 9/13/2015 at 3:52 PM MDT and filed on 9/13/2015

Case Name: Franklin v. National Film Preserve, Ltd.

Case Number: [1:15-cv-01921-JLK](#)

Filer: Aretha Franklin

Document Number: [16](#)

Docket Text:

AMENDED COMPLAINT For A Declaratory Judgment and Preliminary and Permanent Injunctive Relief against Alan Elliott, filed by Aretha Franklin.

(Attachments: # (1) Exhibit 1, # (2) Exhibit 2, # (3) Exhibit 3, # (4) Exhibit 4, # (5) Exhibit 5, # (6) Exhibit 6, # (7) Exhibit 7, # (8) Exhibit 8, # (9) Exhibit 9-1, # (10) Exhibit 9-2, # (11) Exhibit 9-3)(Neureiter, N.)

1:15-cv-01921-JLK Notice has been electronically mailed to:

John (Jack) Markham Tanner jtanner@fwlaw.com, paralegal@fwlaw.com, schiecuto@fwlaw.com

N. Reid Neureiter Neureiter@wtotrial.com, brock@wtotrial.com

Scott Thomas Rodgers srodgers@fwlaw.com, lstyler@fwlaw.com, paralegal@fwlaw.com

1:15-cv-01921-JLK Notice has been mailed by the filer to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-0] [3e9646f2340be8be9e14d3e8c6e36d68266809668e93fa432e9f853a5beb85877297bf57213273fed4051676755af7d39f4ddc8604ade2aa8ad17ce437a7a79f]]

Document description:Exhibit 1

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-1] [00383b9668b36924ffea5d77bd567337ba2c7c972e19467777b75c02e541b46239481199bd158e95e2cc778600b6984e9f34fab9456594d5ca53537b2243492c]]

Document description:Exhibit 2

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-2] [158e95e2cc778600b6984e9f34fab9456594d5ca53537b2243492c]]

] [8bc0bd59b0d18a/e3e9b/cacc1c135a55259d14052//e/940c49t04/130d44955ec791ec5216deb891dc048334d093a3986e1bff327a00c9a4b5a3126019cb24]]

Document description:Exhibit 3

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-3] [442c66eb40f0a911c01f1fb2c85c535b6cadb13b7fead52602e01cd5c2a8e1a6a0d085adc5289459455da71684e91d630fa1fb27591ece7bf9f39d55c95edf3c]]

Document description:Exhibit 4

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-4] [42a5df05b3f63f5f829d7e6ab7297da7764a3bd3784539f9d25f0de38e66b1600236b6dfce9ece006e7ce1091b17490fc8b74af9a7fda56d3cd3afe5f6eaae54]]

Document description:Exhibit 5

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-5] [7e3cf5fe2f687d2e7e4a9245584eb69f0e5859c421968aee1a6b8a2c257aa28a8e46ea6d4a276245b3d5bfc6a0ae20a060382c8b8a9f7a108e4dfc0c19be5fc2]]

Document description:Exhibit 6

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-6] [7e2a9f6fda1a17476a6afee83eff020cdad37dbdb79b83a75599af8893e84dd07f0a8beb89c41f163b03893ef6714adf3a80deba3418d47fcbda00f0a1877d7a]]

Document description:Exhibit 7

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-7] [676fef031c49aa70810cf96b6948a6874e00be8c5f92e11cb6e8c36cd882e60ed740e9e89d6f2f6e899e83a8a1fa1e354eecdbe71e18c8e1c67757c3c26c0ac]]

Document description:Exhibit 8

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-8] [5807ad7d7dbcacecbc72337cccdc786c9dbe7ccdbf1cadb181164fc846fda647a6b347bbda7e8e87d4c33a129b1bb033d4d8b74f413f00ad3789237640be1fcd]]

Document description:Exhibit 9-1

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-9] [4771e73c1afb12e4493e2dc45bd422638b77d30bea9de2a9dddfe7865122544346283d5f8d56be9822ca9291659fa8fb35b70c5e2c8aa0cd36bc03025db18128]]

Document description:Exhibit 9-2

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-1

0] [02f7e930562cdb83f0ef050c6b86283fb10eb655e2cb597184a468b6b13a9e0ed855a17610f4327182a42571d8a312ec58720ebd2e041835ceba41d7c390f4f5]]

Document description:Exhibit 9-3

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1071006659 [Date=9/13/2015] [FileNumber=5176177-11] [0ad843603953e5dd7b8521ad84e77cb3808ad54b0663e336d490aabf077877b3cb0df5b320fb152118028f776dfc8db86f141ae59d99197123c6d8c000d4081]]

From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 1, 2009 at 8:54 AM
To: Alan@AlanElliott.net
Cc: Winnie Wong WWong@mmibi.com



Good Morning Alan,

Our records show that the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience. If you have already sent in payment, please disregard this notice.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Randy Tyrrel
Sent: Tuesday, November 10, 2009, 4:55pm
To: 'Alan@AlanElliott.net'
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Hi Alan,

My name is Randy and I work with Winnie Wong.

We are pleased to attach the Summary of Insurance for the subject production. After you have had a chance to review the summary, please feel free to call with any questions you may have.

We have also attached the invoice and for your convenience we have listed the invoice below:

INVOICE#
COVERAGE
POLICY#
PREMIUM

69020

Errors & Omissions

8221-3781

\$ 8,800.00

Total Premium Due:

\$ 8,800.00

Please forward the information for any entities that need to be added as Additional Insured's at your earliest convenience so that we may get those to you as soon as possible.

We thank you for this opportunity to further serve your insurance needs.

Regards,

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
http://www.momentousins.com/
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AR&T-AGE.pdf

 Momentous Insurance Brokerage 5990 Sepulveda Blvd, Suite 550 Van Nuys, CA 91411 Phone : 818-933-2700 Fax : 818-933-2701	INVOICE # 69020		Page 1															
	ACCOUNT NO. ALSRE-1	CP RT	DATE 11/10/09															
Errors & Omissions																		
POLICY # 82213781																		
COMPANY Federal Insurance Co.																		
PRODUCER Winnie Wong																		
EFFECTIVE 11/09/09	EXPIRATION 11/09/12	BALANCE DUE ON 11/10/09																
Al's Records and Tapes																		
<table border="1"><thead><tr><th>Eff Date</th><th>Trn</th><th>Type</th><th>Description</th><th>Amount</th></tr></thead><tbody><tr><td>11/09/09</td><td>NEW</td><td>E&O</td><td>AG E&O Premium</td><td>\$ 8,800.00</td></tr><tr><td colspan="4" style="text-align: right;">Invoice Balance:</td><td>\$ 8,800.00</td></tr></tbody></table>				Eff Date	Trn	Type	Description	Amount	11/09/09	NEW	E&O	AG E&O Premium	\$ 8,800.00	Invoice Balance:				\$ 8,800.00
Eff Date	Trn	Type	Description	Amount														
11/09/09	NEW	E&O	AG E&O Premium	\$ 8,800.00														
Invoice Balance:				\$ 8,800.00														

Please remit your check payable to Momentous Insurance
Brokerage by 11/24/09. Thank you.

<http://www.mmibi.com>

From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 8, 2009 at 8:36 AM
To: Alan@AlanElliott.net
Cc: Winnie Wong WWong@mmibi.com



Good Morning Alan,

Per our Accounting Department the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Outlook
Sent: Tuesday, December 1, 2009, 8:51am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Our records show that the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience. If you have already sent in payment, please disregard this notice.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Randy Tyrrel
Sent: Tuesday, November 10, 2009, 4:55pm
To: 'Alan@AlanElliott.net'
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Hi Alan,

My name is Randy and I work with Winnie Wong.

We are pleased to attach the Summary of Insurance for the subject production. After you have had a chance to review the summary, please feel free to call with any questions you may have.

We have also attached the invoice and for your convenience we have listed the invoice below:

INVOICE#
COVERAGE
POLICY#
PREMIUM

Errors & Omissions

8221-3781

\$ 8,800.00

Total Premium Due:

\$ 8,800.00

Please forward the information for any entities that need to be added as Additional Insured's at your earliest convenience so that we may get those to you as soon as possible.

We thank you for this opportunity to further serve your insurance needs.

Regards,

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
<http://www.momentousins.com/>
Lic. #0G19762

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 Momentous Insurance Brokerage 5990 Sepulveda Blvd, Suite 550 Van Nuys, CA 91411 Phone : 818-933-2700 Fax : 818-933-2701	INVOICE # 69020	Page 1
	ACCOUNT NO. CP DATE ALSRE-1 RT 11/10/09	Errors & Omissions
	POLICY # 82213781	
	COMPANY Federal Insurance Co.	
	PRODUCER Winnie Wong	

Al's Records and Taxes

EFFECTIVE	EXPIRATION	BALANCE DUE ON
11/09/09	11/09/12	11/10/09

Eff Date	Trn	Type	Description	Amount
11/09/09	NEW	E&O	AG E&O Premium	\$ 8,800.00
Invoice Balance:				\$ 8,800.00

Please remit your check payable to Momentous Insurance Brokerage by 11/24/09. Thank you.

<http://www.mmibi.com>



AR&T-AGE.pdf

From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: FW: AI's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 15, 2009 at 8:09 AM
To: Alan@AlanElliott.net
Cc: Winnie Wong WWong@mmibi.com



Good Morning Alan,

Per our Accounting Department the attached invoice remains outstanding. Please remit payment to Momentous Insurance Brokerage ASAP to avoid cancellation for non payment.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Outlook
Sent: Tuesday, December 8, 2009, 8:35am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: AI's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Per our Accounting Department the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Outlook
Sent: Tuesday, December 1, 2009, 8:51am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: AI's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Our records show that the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience. If you have already sent in payment, please disregard this notice.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Randy Tyrrel
Sent: Tuesday, November 10, 2009, 4:55pm
To: 'Alan@AlanElliott.net'
Cc: Winnie Wong
Subject: FW: AI's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Hi Alan,

My name is Randy and I work with Winnie Wong.

We are pleased to attach the Summary of Insurance for the subject production. After you have had a chance to review the summary, please feel free to call with any questions you may have.

We have also attached the invoice and for your convenience we have listed the invoice below:

INVOICE#
COVERAGE
POLICY#
PREMIUM

69020
Errors & Omissions
8221-3781
\$ 8,800.00

Total Premium Due:
\$ 8,800.00

Please forward the information for any entities that need to be added as Additional Insured's at your earliest convenience so that we may get those to you as soon as possible.

We thank you for this opportunity to further serve your insurance needs.

Regards,

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
<http://www.momentousins.com/>
Lic. #0G19762

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Momentous Insurance Brokerage
 5990 Sepulveda Blvd, Suite 550
 Van Nuys, CA 91411
 Phone : 818-933-2700 Fax : 818-933-2701

AI's Records and Tapes

INVOICE # 69020		Page 1
ACCOUNT NO.	OP	DATE
ALSRE-1	RT	11/10/09
Errors & Omissions		
POLICY #		
82213781		
COMPANY		
Federal Insurance Co.		
PRODUCER		
Winnie Wong		
EFFECTIVE	EXPIRATION	BALANCE DUE ON
11/09/09	11/09/12	11/10/09

Eff Date	Trn	Type	Description	Amount
11/09/09	NEW	E&O	AG E&O Premium	\$ 8,800.00
Invoice Balance:				\$ 8,800.00

Please remit your check payable to Momentous Insurance Brokerage by 11/24/09. Thank you.





AR&T-AGE.pdf

From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice
Date: December 22, 2009 at 8:11 AM
To: Alan@AlanElliott.net
Cc: Winnie Wong WWong@mmibi.com



Good Morning Alan,

Per our Accounting Department the attached invoice remains outstanding. If payment is not received by 12/29/09 we will be forced to cancel the policy for non-payment and all certificate holders will be notified.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Outlook
Sent: Tuesday, December 15, 2009, 8:07am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Per our Accounting Department the attached invoice remains outstanding. Please remit payment to Momentous Insurance Brokerage ASAP to avoid cancellation for non payment.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Outlook
Sent: Tuesday, December 8, 2009, 8:35am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Per our Accounting Department the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Outlook
Sent: Tuesday, December 1, 2009, 8:51am
To: Alan@AlanElliott.net
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Good Morning Alan,

Our records show that the attached invoice has not yet been paid. Please remit payment to Momentous Insurance Brokerage at your earliest convenience. If you have already sent in payment, please disregard this notice.

Should you have any questions please do not hesitate to contact our office.

Regards,

Randy Tyrrel

-----Original Message-----

From: Randy Tyrrel
Sent: Tuesday, November 10, 2009, 4:55pm
To: 'Alan@AlanElliott.net'

From: Winnie Wong
Cc: Winnie Wong
Subject: FW: Al's Records & Tapes - "Amazing Grace" E&O Summary & Invoice

Hi Alan,

My name is Randy and I work with Winnie Wong.

We are pleased to attach the Summary of Insurance for the subject production. After you have had a chance to review the summary, please feel free to call with any questions you may have.

We have also attached the invoice and for your convenience we have listed the invoice below:

INVOICE#
COVERAGE
POLICY#
PREMIUM

69020

Errors & Omissions

8221-3781

\$ 8,800.00

Total Premium Due:

\$ 8,800.00

Please forward the information for any entities that need to be added as Additional Insured's at your earliest convenience so that we may get those to you as soon as possible.

We thank you for this opportunity to further serve your insurance needs.

Regards,

Randy Tyrrel
 Account Manager
 Momentous Insurance Brokerage, Inc.
 5990 Sepulveda Blvd. Suite 550
 Van Nuys, CA 91411
 P: 818.933.9874 / F: 818.933.9894
 E: RTyrrel@mmibi.com
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Momentous Insurance Brokerage
 5990 Sepulveda Blvd, Suite 550
 Van Nuys, CA 91411
 Phone : 818-933-2700 Fax : 818-933-2701

AI's Records and Tapes

INVOICE # 69020		Page 1
ACCOUNTING	OF	DATE
ALSRE-1	RT	11/10/09
Errors & Omissions		
POLICY #		
82213781		
COMPANY		
Federal Insurance Co.		
PRODUCER		
Winnie Wong		
EFFECTIVE	EXPIRATION	BALANCE DUE ON
11/09/09	11/09/12	11/10/09

Eff Date	Trn	Type	Description	Amount
11/09/09	NEW	E&O	AG E&O Premium	\$ 8,800.00
Invoice Balance:				\$ 8,800.00

Please remit your check payable to Momentous Insurance
Brokerage by 11/24/09. Thank you.

<http://www.mmibi.com>



AR&T-AGE.pdf

From: Chiemi Karasawa chiemi@isotopefilms.com 
Subject: FW: Al's Records and Tapes - "Amazing Grace" E&O Policy
Date: August 8, 2011 at 1:34 PM
To: RTyrrel@mmibi.com, WWong@mmibi.com
Cc: Alan Elliott Alan@AlanElliott.net



Hi Randy,

Regarding the attached policy, we would like to add the following names to the Policy:

Amazing Grace Movie, LLC
Isotope Films, LLC
Alan Elliot
Chiemi Karasawa
Final Cut USA
Deluxe Entertainment Services Group

Please let me know how to execute this.

Thanks so much,

Chiemi Karasawa
Producer

From: Randy Tyrrel <RTyrrel@mmibi.com>
Date: January 21, 2010 9:09:31 AM PST
To: Alan Elliott <alan@alanelliott.net>
Cc: Winnie Wong <WWong@mmibi.com>
Subject: Al's Records and Tapes - "Amazing Grace" E&O Policy

Hi Alan,

Attached please find the above captioned policy effective 11/09/09 to 11/09/12. Please review for complete limits, deductibles, terms, conditions, exclusions and endorsements and advise if any changes are in order.

The premium for this policy has been paid in full, thank you.

If you have questions regarding this or any other matter, please contact our office. Thank you for allowing Momentous Insurance Brokerage, Inc. to be of service.

Sincerely,

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411

van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
www.momentousins.com <<http://www.momentousins.com/>>
Lic. #0G19762

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PREMIUM BILL

Insured: AL'S RECORDS AND TAPES

Date: 11/10/2009

Producer: MOMENTOUS INSURANCE BROKERAGE INC.
5990 SEPULVEDA BL. #550
VAN NUYS, CA 91411-0000

Company: Federal Insurance Company

THIS BILLING IS TO BE ATTACHED TO AND FORM A PART OF THE POLICY REFERENCED BELOW.

Policy Number: 8221-3781

Policy Period: November 9, 2009 to November 9, 2012

NOTE: PLEASE RETURN THIS BILL WITH REMITTANCE AND NOTE HEREON ANY CHANGES. BILL WILL BE RECEIPTED AND RETURNED TO YOU PROMPTLY UPON REQUEST.

PLEASE REMIT TO PRODUCER INDICATED ABOVE. PLEASE REFER TO 8221-3781

Product	Effective Date	Premium
MEDIAGRDR	11/09/09	\$8,800.00

* For Kentucky policies, amount displayed includes tax and collection fees.

TOTAL POLICY PREMIUM	\$8,800.00
TOTAL INSTALLMENT PREMIUM DUE	\$8,800.00

Form 26-10-0426 (Ed. 2/98)

----- End of Forwarded Message

----- End of Forwarded Message

----- End of Forwarded Message

From: alan@alanelliott.net 
Subject: FW: Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin
Date: May 14, 2018 at 10:18 AM
To: Walter Aldave waldave@chubb.com
Cc: Winnie Wong WWong@mmibi.com



hi walter

as you requested, attached are three documents that explain the current situation. (if you wish to see other documents in the two related cases, they are available here:<http://alsrecordsandtapes.com/amazinglaw/wbdocs/>). as you'll see, the 2015 claim Ms. franklin filed against me in colorado is a direct extension/continuation of the 2011 claim she filed in los angeles. warner bros. discovered the contract ms. franklin signed, authorizing it to use the footage, only after that settlement was reached.

since we stipulated to the injunction in colorado, we have offered ms. franklin two separate contracts for exactly what she asked for (and more). (see emails below). she refused those offers and has discontinued all discussions.

thus, we now need to reopen the case to defend the claims she filed against us. we have no other remedy.

we will not reopen the court case without first trying, once again, to make a deal with ms. franklin.

thank you,

alan

From: Cantor, Jon D. [<mailto:JDCantor@dykema.com>]
Sent: Monday, February 08, 2016 5:22 PM
To: Wendy Jaffe (wjaffe@lionsgate.com); Tom McGuire
Subject: Amazing Grace

Wendy/Tom:

I am attaching to this e-mail only those portions of the Agreement that I have redlined.
A vast majority of my redlines are for consistency purposes only.
As to the balance there are 2 areas of concern that need to be cleared:

1. It appears from the language that all agreements are effective upon the deposit of Summit's money in the Chase Escrow Agreement. That is really not the case. It is not until the money is authorized to be released by Summit to Ms. Franklin; and
2. There has been discussions but no agreement on how Ms. Franklin's name is going to appear in the up-front credits, i.e. "Amazing Grace-Featuring Aretha Franklin" or something similar. I do not want to leave this up for Summit's discretion.

I think absent Tom's comments, if any, I will be good to go.
Hopefully we can get this finished and have Ms. Franklin sign this week.

Jon

Jon D. Cantor
Member
JDCantor@dykema.com

213-457-1795 Direct
213-457-1800 Main
855-223-7058 Fax
818-269-9099 Mobile

333 South Grand Avenue, Suite 2100
Los Angeles, California 90071
www.dykema.com

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any way; and (2) contact me immediately. Neither this information block, the typed name of the sender, nor anything else in this message is intended to constitute an electronic signature unless a specific statement to the contrary is included in this message.

thank you.

-alan

phone: 323 988 9692

peace and love.



On May 8, 2018, at 11:27 AM, Aldave, Walter N <waldave@chubb.com> wrote:

Good Afternoon Alan,

In follow up to our telephone conversation on 4/25/18, you were going to provide me with a copy of the settlement agreement that you entered into with Aretha Franklin, a copy of the subsequent declaratory relief action filed by Aretha Franklin in Colorado and any other documents relating to the above captioned matter after the settlement for our review for coverage under the Policy. To date I have not received any of this information from you.

Please be advised that upon receipt of the information requested, we will review it and provide you with our coverage position in writing. In the interim, we reserve all rights under the policy and applicable law.

Thanks and best regards,

Walt Aldave

CHUBB

Walter N. Aldave

Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA

O 860-408-2529 F 860-408-2851

E Walter.Aldave@chubb.com

Chubb. Insured.™

From: alan elliott [<mailto:alan@alanelliott.net>]

Sent: Thursday, May 03, 2018 4:04 PM

To: Aldave, Walter N <waldave@chubb.com>

Subject: Re: [EXTERNAL] Re: AI's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

hi walter

I am checking back with you on this. I have an attorney in Denver name Steven Zansberg who I would like to get on this as soon as possible. Please let me know about next steps.

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.



On Apr 25, 2018, at 6:18 AM, Aldave, Walter N <waldave@chubb.com> wrote:

2 PM ET is good. I will await your call.

Thanks,

Walt

CHUBB

Walter Aldave

Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA

O 860-408-2529 F 860-408-2851

E walter.aldave@chubb.com

Chubb. Insured.™

From: alan elliott [<mailto:alan@alanelliott.net>]

Sent: Tuesday, April 24, 2018 9:34 PM

To: Aldave, Walter N <waldave@chubb.com>

Subject: Re: [EXTERNAL] Re: Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

is 2pm est ok?

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.

<~WRD000.jpg>

On Apr 24, 2018, at 12:44 PM, Aldave, Walter N <waldave@chubb.com> wrote:

Hi Alan,

I am free tomorrow afternoon, 4//25, between 1:00 PM – 4:00 PM ET. Let me know what time works best for you.

Thanks,

Walt

CHUBB

Walter Aldave
Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E walter.aldave@chubb.com

Chubb. Insured.™

From: alan@alanelliott.net [mailto:alan@alanelliott.net]
Sent: Tuesday, April 24, 2018 11:39 AM
To: Aldave, Walter N <waldave@chubb.com>
Subject: [EXTERNAL] Re: Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

hi walter

are you around sometime today to talk on the phone with me about this? please let me know.

thank you.

-alan

phone: 323 988 9692

peace and love.

<image001.gif>

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First Amended
Compl...-15.pdf



signed
settlm...se.pdf



Order Granting
Stipula...32].pdf

From: Randy Tyrrel RTyrrel@mmibi.com 
Subject: FW: the check is in the mail...
Date: January 5, 2010 at 9:27 AM
To: Alan@AlanElliott.net
Cc: Winnie Wong WWong@mmibi.com



Alan,

Check #1025 for \$8,800 was returned from the bank for non sufficient funds. In order to keep the policy from being cancelled due to non payment we will need a money order or cashiers check received in our office by 1/08/10 for the premium amount of \$8,800.

Best regards,

Randy

-----Original Message-----

From: Alan@AlanElliott.net
Sent: Monday, December 28, 2009, 4:38pm
To: Randy Tyrrel; Winnie Wong
Cc:
Subject: FW: the check is in the mail...

literally.
here is the receipt...
if it isn't there...
let's all make sure to stay on top of it as we can't lost the insurance.
thank you both.
-alan

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
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U.S. Postal Service™ Delivery Confirmation™ Receipt

Postage and Delivery Confirmation fees must be paid before mailing.

Article sent to: (to be completed by mailer)

FROM THE MAILER: **KANDY TYRRELL c/o**

Postmark: **5990 SEPULVEDA #550**

Postmark: **Van Nuys, CA**

POSTAL CUSTOMER: **91411**

Keep this receipt. For inquiries:
Access Internet web site at www.usps.com
or call 1-800-222-1811

Check one (postal use only)
 Priority Mail™ Service

DELIVERY CONFIRMATION NUMBER: **0309 2880 0000 2745 9681**

USPS
OFFICE OF THE ATTORNEY GENERAL
DEC 28 2008

From: **Alan Elliott** alan@alanelliott.net 
Subject: fyi: left you a voice message
Date: November 9, 2009 at 2:00 PM
To: Winnie Wong WWong@mmibi.com



what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliot music project:

<http://www.jemp.org>



From: **Alan Elliott** alan@alanelliott.net 
Subject: fyi..
Date: August 10, 2009 at 11:20 AM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Forster forster@adagegroup.net



thanks winnie.

we look forward to talking at 3.

as discussed, to keep it simple, the issue is "FAIR USE":

can al's records and tapes make the movie without aretha's permission- michael believes we can.

re: any permissions issues:

to be very clear: wb did **NOT** ask for aretha's permission in writing.

al's records and tapes are bound to wb (not ARETHA) on the quitclaim. we have obtained aretha's permission through her agent (in writing) and verbally from the same agent via three different people on multiple occasions.

lastly and legally, re: permission/quitclaim: from herb (my partner, the lawyer!):

"Alan is asking to be insured only on a claim by Aretha Franklin against his company (fair use). Ms Franklin, in all likelihood, lacks standing to base a claim on the agreement between Alan's company and Warners."

what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliot music project:

<http://www.jemp.org>



alslogo.gif

From: **Alan Elliott** alan@alanelliott.net 
Subject: here i am
Date: July 22, 2009 at 10:42 AM
To: WWong@mmibi.com



what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliot music project:

<http://www.jemp.org>



alslogo.gif

From: Alan Elliott alan@alanelliott.net 
Subject: Fwd: here's what we need to make clear to the insurance folks asap...
Date: August 26, 2009 at 10:20 AM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Forster forster@adagegroup.net, Michael Donaldson michael@donaldsoncallif.com



winnie:

we didn't make it clear from our app. so i have amended our app (see attachment) re: question #5, 6, 7 & 8 to better reflect what the insurance people should be focusing on.



E&O Video Film
Produc...6.9.pdf

let us know if this helps.

thanks-

alan

Begin forwarded message:

From: Michael Donaldson <michael@donaldsoncallif.com>
Date: August 26, 2009 5:47:14 AM PDT
To: 'Alan Elliott' <Alan@AlanElliott.net>
Cc: Herb Jordan <jordan@adagegroup.net>
Subject: RE: here's what we need to make clear to the insurance folks asap...

Good reply. Hang in there. We knew this would not be an easy slog.

Michael C. Donaldson, Esq.
Donaldson & Callif
400 South Beverly Drive, Suite 400
Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

From: Alan Elliott [<mailto:Alan@AlanElliott.net>]
Sent: Tuesday, August 25, 2009 9:41 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: here's what we need to make clear to the insurance folks asap...

1) michael's opinion letter states ms. franklin has no viable copyright claim... and so...

2) we have NOT asked for ms. franklin's permission for the movie we are asking to be insured.

yes, we have ms. franklin for permission for ANOTHER movie (the movie we attempted to make with michel gondry- which is not to be confused with the movie we are doing)... but ms. franklin refused to make that movie (a in which ms. franklin was going to do new filming with mr. gondry).

the movie we are making is a different movie (no michel gondry, no asking of ms. franklin)- we need to make this very clear to insurers.

Begin forwarded message:

Begin forwarded message:

From: Winnie Wong <WWong@mmibi.com>
Date: August 25, 2009 12:42:03 PM PDT
To: 'Alan Elliott' <Alan@AlanElliott.net>
Subject: Al's Records and Tapes

Hi Al,

I know you are in a rush to get a quotation. I am trying to negotiate the best quotations I can. Please find the following quotations for your production entitled "Amazing Grace". Please give me a call with any questions.

Kind regards,

Option 1.

This quotation has a \$100,000 retention with regards to claims involving Aretha Franklin. They would like a copy of any emails that you have obtained from Aretha's representatives that agrees to the films release.

Chubb Insurance Company
Limits of Liability:

Each Occurrence/Aggregate: \$1,000,000/\$3,000,000 – DWL

Retention: \$10,000 Each Occurrence

Premium: **\$7,925**

Scheduled Media: The theatrical or television release of the documentary entitled "Amazing Grace" including any supplemental programming including in the DVD, video or internet dissemination of such documentary by the Insured.

Endorsements:

Applicable to Option Number: 1

10-02-1295	Important Notice to Policyholders
14-02-13387	Separate Retention Endorsement--\$100,000 retention for all claims involving Aretha Franklin
14-02-14160	California Amendatory Endorsement
14-02-14161	California Premium Endorsement
14-02-14441	Amend Exclusion A 15 Endorsement
14-02-14563	Producers Liability Omnibus Endorsement
14-02-14564	Producers Title Search and Report Endorsement
14-02-7964	Notice of Loss Control Services

Quote Tentative and Subject to:

1. Completed signed and dated Chubb Multimedia Application.
2. Copy of public endorsement by Aretha Franklin of the film.

Option 2.

The pricing is great but there is currently a failure to obtain licenses, release or consents exclusion. I sent the fair use letter to the underwriter and am waiting for a response.

One Beacon Insurance Company

Limits of Liability:

Each Occurrence/Aggregate: \$1,000,000/\$3,000,000 – DWL

Retention: \$10,000 Each Occurrence

Premium: \$3,773

Scheduled Media: "Amazing Grace".

Endorsements: California Cancellation & Nonrenewal Provisions; Film; Program and Theatrical Producers Amendatory; Named Peril Coverage; Omnibus Exclusionary; Policy Change; Rights Period; Selection of Counsel; Settlement, Music/Title Exclusion; Failure to obtain licenses, releases or consents Exclusion.

Quote Tentative and Subject to:

1. Resumes of the Key Personnel
2. Signed and dated application and warranty statement
3. The application indicates that rights and warranties for music have not been obtained. In order to consider removing this exclusion, please submit music releases and warranties/indemnities for original music commissioned for the program.
4. The application indicates that the insured has attempted and failed to secure releases. Please specify which releases they failed to obtain.
5. Please submit a title clearance report for consideration of removing this exclusion.

Winnie Wong

Vice President

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From: Alan Elliott alan@alanelliott.net
Subject: Re: here's what we need to make clear to the insurance folks asap...
Date: September 16, 2009 at 4:54 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Donaldson michael@donaldsoncallif.com

just to confirm, winnie:
is the chubb quote good for 90 days... 60 days... forever?
is there any way they can rescind it at any time?

On Sep 16, 2009, at 4:28 PM, Michael Donaldson wrote:

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Sent: Tuesday, September 15, 2009 9:58 AM
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Subject: Re: here's what we need to make clear to the insurance folks asap...

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Subject: Re: here's what we need to make clear to the insurance folks asap...
Date: September 17, 2009 at 2:55 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Donaldson michael@donaldsoncallif.com



just so we are clear:

if there is NO litigious issue prior to 10/21, we can purchase the insurance.

is this correct?

On Sep 17, 2009, at 2:53 PM, Winnie Wong wrote:

According to the underwriter 10/21. Please bare in mind if a litigious issue occurs they may be inclined to not honor the quote.

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Winnie

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Wednesday, September 16, 2009 4:55 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: Re: here's what we need to make clear to the insurance folks asap...

just to confirm, winnie:
is the chubb quote good for 90 days... 60 days... forever?
is there any way they can rescind it at any time?

On Sep 16, 2009, at 4:28 PM, Michael Donaldson wrote:

Usually quotes are good for 90 days. You should get that in writing from Winnie. We should all get on the phone again and form a strategy for going forward from here. We need to decide who calls whom and when?

Michael C. Donaldson, Esq.
Donaldson & Callif
400 South Beverly Drive, Suite 400
Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

-----Original Message-----

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Tuesday, September 15, 2009 9:58 AM
To: Michael Donaldson
Cc: Herb Jordan; Michael Forster
Subject: Re: here's what we need to make clear to the insurance folks asap...

thank michael

we are thrilled chubb has us an offer...

is there anything we need to do?

the tone of your email suggests chubb could back out...

we are under the impression (and we have never done this) that the chubb offer is good...

but not sure how long?

what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net <<http://www.alanelliott.net/>>

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliott music project:

<http://www.jemp.org> <<http://www.jemp.org/>>

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As luck would have it, Winnie and I had lunch yesterday with the head underwriter for media E&O for Hiscox Insurance who took a pass on the policy. She passed on it because she talked to a local litigator who estimated minimum defense costs in case Aretha sued in six figures just to get rid of the case and not counting a settlement figure.

Winnie shared that Chubb offered a quote at \$8800 with a \$75,000 deductible. That deductible is a little higher than I was hoping for, but it is still an amount that you can put aside for a rainy day. And it is a lot lower than you were prepared to pay her, so it seems to me that you should take this offer. The premium is quite reasonable. I wouldn't want Chubb to go away and they could get wind of the Hiscox position.

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From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Wednesday, August 26, 2009 10:21 AM
To: Winnie Wong
Cc: Herb Jordan; Michael Forster; Michael Donaldson
Subject: Fwd: here's what we need to make clear to the insurance folks asap...

winnie:

we didn't make it clear from our app. so i have amended our app (see attachment) re: question #5, 6, 7 & 8 to better reflect what the insurance people should be focusing on.

No virus found in this incoming message.

Checked by AVG - www.avg.com

Version: 8.5.409 / Virus Database: 270.13.100/2373 - Release Date: 09/15/09 13:37:00

Winnie Wong

Vice President

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.2735 / F: 818.933.2793

E: WWong@mmibi.com

www.momentousins.com

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<image9aa6c1.jpg@371263be.2b144acb>

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<image857e87.jpg@c4c63e67.6783418a>

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<image823839.jpg@9221b6af.56fa4a50>

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From: Alan Elliott alan@alanelliott.net 
Subject: Re: here's what we need to make clear to the insurance folks asap...
Date: September 17, 2009 at 2:56 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Donaldson michael@donaldsoncallif.com



thank you!

what i'm doing:

www.alanelliott.blogspot.com

web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

support the jack elliot music project:

<http://www.jemp.org>



On Sep 17, 2009, at 2:55 PM, Winnie Wong wrote:

YES.

From: Alan Elliott [mailto:Alan@alanelliott.net]
Sent: Thursday, September 17, 2009 2:56 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: Re: here's what we need to make clear to the insurance folks asap...

just so we are clear:

if there is NO litigious issue prior to 10/21, we can purchase the insurance.

is this correct?

On Sep 17, 2009, at 2:53 PM, Winnie Wong wrote:

According to the underwriter 10/21. Please bare in mind if a litigious issue occurs they may be inclined to not honor the quote.

From: Alan Elliott [mailto:Alan@alanelliott.net]
Sent: Thursday, September 17, 2009 9:37 AM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: Re: here's what we need to make clear to the insurance folks asap...

great.
and you said on saturday that chubb has accepted the aretha "permission" issues...
how long is the quote good for?

On Sep 16, 2009, at 5:08 PM, Winnie Wong wrote:

I already presented the Chubb quotations to you. They were sent via email 2 weeks ago.

From: Alan Elliott [mailto:Alan@AlanElliott.net]
Sent: Wednesday, September 16, 2009 5:08 PM
To: Winnie Wong
Cc: Herb Jordan; Michael Donaldson
Subject: Re: here's what we need to make clear to the insurance folks asap...

here's the questions:
do we have the quote, in writing?
if so, how long is it good for?

On Sep 16, 2009, at 5:03 PM, Winnie Wong wrote:

Hi Alan,

Usually, Chubb is pretty flexible about their quotations once quoted it is good for 90 days. However with regards to this quotation, I do not believe it can be available forever. The problem as time passes...notoriety of the project can get out in the open and /or litigious issues could arise in where the carrier will not honor your quotation

the carrier will not honor your quotation.

Please let me know if you have any questions.

Kind regards,

Winnie

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Sent: Wednesday, September 16, 2009 4:55 PM

To: Winnie Wong

Cc: Herb Jordan; Michael Donaldson

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To: Winnie Wong
Cc: Herb Jordan; Michael Forster; Michael Donaldson
Subject: Fwd: here's what we need to make clear to the insurance folks asap...

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Version: 8.5.409 / Virus Database: 270.13.100/2373 - Release Date: 09/15/09 13:37:00

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<[image9aa6c1.jpg@371263be.2b144acb](#)>

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<image857e87.jpg@c4c63e67.6783418a>

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<image8ecce2.jpg@46b024ee.aceb43f6>

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From: Alan Elliott alan@alanelliott.net 
Subject: here's what we need to make clear to the insurance folks asap...
Date: August 25, 2009 at 9:41 PM
To: Winnie Wong WWong@mmibi.com
Cc: Herb Jordan jordan@adagegroup.net, Michael Donaldson michael@donaldsoncallif.com

1) michael's opinion letter states ms. franklin has no viable copyright claim... and so...

2) we have NOT asked for ms. franklin's permission for the movie we are asking to be insured.

yes, we have ms. franklin for permission for ANOTHER movie (the movie we attempted to make with michel gondry- which is not to be confused with the movie we are doing)... but ms. franklin refused to make that movie (a in which ms. franklin was going to do new filming with mr. gondry).

the movie we are making is a different movie (no michel gondry, no asking of ms. franklin)- we need to make this very clear to insurers.

Begin forwarded message:

Begin forwarded message:

From: Winnie Wong <WWong@mmibi.com>
Date: August 25, 2009 12:42:03 PM PDT
To: 'Alan Elliott' <Alan@AlanElliott.net>
Subject: Al's Records and Tapes

Hi Al,

I know you are in a rush to get a quotation. I am trying to negotiate the best quotations I can. Please find the following quotations for your production entitled "Amazing Grace". Please give me a call with any questions.

Kind regards,

Option 1.

This quotation has a \$100,000 retention with regards to claims involving Aretha Franklin. They would like a copy of any emails that you have obtained from Aretha's representatives that agrees to the films release.

Chubb Insurance Company
Limits of Liability:

Each Occurrence/Aggregate: \$1,000,000/\$3,000,000 – DWL

Retention: \$10,000 Each Occurrence

Premium: **\$7,925**

Scheduled Media: The theatrical or television release of the documentary entitled "Amazing Grace" including any supplemental programming including in the DVD, video or internet dissemination of such documentary by the Insured.

Endorsements:

Applicable to Option Number: 1

- | | |
|-------------|--|
| 10-02-1295 | Important Notice to Policyholders |
| 14-02-13387 | Separate Retention Endorsement--\$100,000 retention for all claims involving Aretha Franklin |
| 14-02-14160 | California Amendatory Endorsement |
| 14-02-14161 | California Premium Endorsement |
| 14-02-14441 | Amend Exclusion A 15 Endorsement |
| 14-02-14563 | Producers Liability Omnibus Endorsement |
| 14-02-14564 | Producers Title Search and Report Endorsement |
| 14-02-7964 | Notice of Loss Control Services |

Quote Tentative and Subject to:

1. Completed signed and dated Chubb Multimedia Application.
2. Copy of public endorsement by Aretha Franklin of the film.

Option 2.

The pricing is great but there is currently a failure to obtain licenses, release or consents exclusion. I sent the fair use letter to the underwriter and am waiting for a response.

One Beacon Insurance Company

Limits of Liability:

Each Occurrence/Aggregate: \$1,000,000/\$3,000,000 – DWL

Retention: \$10,000 Each Occurrence

Premium: **\$3,773**

Scheduled Media: "Amazing Grace".

Endorsements: California Cancellation & Nonrenewal Provisions; Film; Program and Theatrical Producers Amendatory; Named Peril Coverage; Omnibus Exclusionary; Policy Change; Rights Period; Selection of Counsel; Settlement, Music/Title Exclusion; Failure to obtain licenses, releases or consents Exclusion.

Quote Tentative and Subject to:

1. Resumes of the Key Personnel
2. Signed and dated application and warranty statement
3. The application indicates that rights and warranties for music have not been obtained. In order to consider removing this exclusion, please submit music releases and warranties/indemnities for original music commissioned for the program.
4. The application indicates that the insured has attempted and failed to secure releases. Please specify which releases they failed to obtain.
5. Please submit a title clearance report for consideration of removing this exclusion.

Winnie Wong

Vice President

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From: Alan Elliott alan@alanelliott.net 
Subject: here's where we are with insurance...
Date: August 7, 2009 at 8:06 PM
To: Herb Jordan jordan@adagegroup.net
Cc: Winnie Wong WWong@mmibi.com



you, me, winnie and the underwriter will get on the phone to explain to the underwriter the situation.
if, after our conversation, we need michael, we will do that.
winnie is gonna find some times for us for monday and we will go from there.
thanks again winnie.

what i'm doing:

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alslogo.gif



From: alan elliott Alan@AlanElliott.net 
Subject: Fwd: Insured: AI's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin
Date: May 22, 2018 at 10:53 AM
To: Walter Aldave waldave@chubb.com
Cc: Winnie Wong WWong@mmibi.com

hi walter and winnie
i am checking in on this.
thank you.
-alan

phone: 323 988 9692

peace and love.

Begin forwarded message:

From: alan@alanelliott.net
Subject: FW: Insured: AI's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin
Date: May 14, 2018 at 10:18:34 AM PDT
To: Walter Aldave <waldave@chubb.com>
Cc: Winnie Wong <WWong@mmibi.com>

hi walter

as you requested, attached are three documents that explain the current situation. (if you wish to see other documents in the two related cases, they are available here: <http://alsrecordsandtapes.com/amazinglaw/wbdocs/>). as you'll see, the 2015 claim Ms. franklin filed against me in colorado is a direct extension/continuation of the 2011 claim she filed in los angeles. warner bros. discovered the contract ms. franklin signed, authorizing it to use the footage, only after that settlement was reached.

since we stipulated to the injunction in colorado, we have offered ms. franklin two separate contracts for exactly what she asked for (and more). (see emails below). she refused those offers and has discontinued all discussions.

thus, we now need to reopen the case to defend the claims she filed against us. we have no other remedy.

we will not reopen the court case without first trying, once again, to make a deal with ms. franklin.

thank you,

alan

From: Cantor, Jon D. [<mailto:JDCantor@dykema.com>]
Sent: Monday, February 08, 2016 5:22 PM
To: Wendy Jaffe (wjaffe@lionsgate.com); Tom McGuire
Subject: Amazing Grace

Wendy/Tom:

I am attaching to this e-mail only those portions of the Agreement that I have redlined.
A vast majority of my redlines are for consistency purposes only.
As to the balance there are 2 areas of concern that need to be cleared:

1. It appears from the language that all agreements are effective upon the deposit of Summit's money in the Chase Escrow Agreement. That is really not the case. It is not until the money is authorized to be released by Summit to Ms. Franklin; and
2. There has been discussions but no agreement on how Ms. Franklin's name is going to appear in the up-front credits, i.e. "Amazing Grace-Featuring Aretha Franklin" or something similar. I do not want to leave this up for Summit's discretion.

I think absent Tom's comments, if any, I will be good to go.
Hopefully we can get this finished and have Ms. Franklin sign this week.

Jon

Jon D. Cantor

Member

JDCantor@dykema.com

213-457-1795 Direct

213-457-1800 Main

855-223-7058 Fax

818-269-9099 Mobile

333 South Grand Avenue, Suite 2100

Los Angeles, California 90071

www.dykema.com

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thank you.

-alan

phone: 323 988 9692

peace and love.



On May 8, 2018, at 11:27 AM, Aldave, Walter N <waldave@chubb.com> wrote:

Good Afternoon Alan,

In follow up to our telephone conversation on 4/25/18, you were going to provide me with a copy of the settlement agreement that you entered into with Aretha Franklin, a copy of the subsequent declaratory relief action filed by Aretha Franklin in Colorado and any other documents relating to the above captioned matter after the settlement for our review for coverage under the Policy. To date I have not received any of this information from you.

Please be advised that upon receipt of the information requested, we will review it and provide you with our coverage position in writing. In the interim, we reserve all rights under the policy and applicable law.

Thanks and best regards,

Walt Aldave

CHUBB

Walter N. Aldave

Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E Walter.Aldave@chubb.com

Chubb. Insured.™

From: alan elliott [<mailto:alan@alanelliott.net>]
Sent: Thursday, May 03, 2018 4:04 PM
To: Aldave, Walter N <waldave@chubb.com>
Subject: Re: [EXTERNAL] Re: AI's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

hi walter

I am checking back with you on this. I have an attorney in Denver name Steven Zansberg who I would like to get on this as soon as possible. Please let me know about next steps.

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.



On Apr 25, 2018, at 6:18 AM, Aldave, Walter N <waldave@chubb.com> wrote:

2 PM ET is good. I will await your call.

Thanks,

Walt

CHUBB

Walter Aldave
Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E walter.aldave@chubb.com

Chubb. Insured.™

From: alan elliott [<mailto:alan@alanelliott.net>]
Sent: Tuesday, April 24, 2018 9:34 PM
To: Aldave, Walter N <waldave@chubb.com>
Subject: Re: [EXTERNAL] Re: AI's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

is 2pm est ok?

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.



On Apr 24, 2018, at 12:44 PM, Aldave, Walter N <waldave@chubb.com> wrote:

Hi Alan,

I am free tomorrow afternoon, 4//25, between 1:00 PM – 4:00 PM ET. Let me know what time works best for you.

Thanks,

Walt

CHUBB

Walter Aldave
Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E walter.aldave@chubb.com

Chubb. Insured.™

From: alan@alanelliott.net [<mailto:alan@alanelliott.net>]

Sent: Tuesday, April 24, 2018 11:39 AM

To: Aldave, Walter N <waldave@chubb.com>

Subject: [EXTERNAL] Re: Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

hi walter

are you around sometime today to talk on the phone with me about this? please let me know.

thank you.

-alan

phone: 323 988 9692

peace and love.

<image001.gif>

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First Amended
Compl...-15.pdf



signed
settle...se.pdf



Order Granting
Stipula...32].pdf

From: alan elliott Alan@AlanElliott.net 
Subject: Re: Insured: Al's Records and Tapes /Claim No. 266386/Claimant: Aretha Franklin
Date: June 7, 2018 at 5:39 PM
To: Walter Aldave waldave@chubb.com
Cc: Winnie Wong WWong@mmibi.com



hi walter (and winnie)

i am checking on this.

thank you.

-alan

phone: 323 988 9692

peace and love.



On May 14, 2018, at 10:18 AM, alan@alanelliott.net wrote:

hi walter

as you requested, attached are three documents that explain the current situation. (if you wish to see other documents in the two related cases, they are available here: <http://alsrecordsandtapes.com/amazinglaw/wbdocs/>). as you'll see, the 2015 claim Ms. franklin filed against me in colorado is a direct extension/continuation of the 2011 claim she filed in los angeles. warner bros. discovered the contract ms. franklin signed, authorizing it to use the footage, only after that settlement was reached.

since we stipulated to the injunction in colorado, we have offered ms. franklin two separate contracts for exactly what she asked for (and more). (see emails below). she refused those offers and has discontinued all discussions.

thus, we now need to reopen the case to defend the claims she filed against us. we have no other remedy.

we will not reopen the court case without first trying, once again, to make a deal with ms. franklin.

thank you,

alan

From: Cantor, Jon D. [<mailto:JDCantor@dykema.com>]
Sent: Monday, February 08, 2016 5:22 PM
To: Wendy Jaffe (wjaffe@lionsgate.com); Tom McGuire
Subject: Amazing Grace

Wendy/Tom:

I am attaching to this e-mail only those portions of the Agreement that I have redlined.

A vast majority of my redlines are for consistency purposes only.
As to the balance there are 2 areas of concern that need to be cleared:

1. It appears from the language that all agreements are effective upon the deposit of Summit's money in the Chase Escrow Agreement. That is really not the case. It is not until the money is authorized to be released by Summit to Ms. Franklin; and
2. There has been discussions but no agreement on how Ms. Franklin's name is going to appear in the up-front credits, i.e. "Amazing Grace-Featuring Aretha Franklin" or something similar. I do not want to leave this up for Summit's discretion.

I think absent Tom's comments, if any, I will be good to go.
Hopefully we can get this finished and have Ms. Franklin sign this week.

Jon

<image001.jpg>

Jon D. Cantor Member JDCantor@dykema.com	213-457-1795 Direct 213-457-1800 Main 855-223-7058 Fax 818-269-9099 Mobile	333 South Grand Avenue, Suite 2100 Los Angeles, California 90071 www.dykema.com
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thank you.

-alan

phone: 323 988 9692

peace and love.

<Attachment-1.gif>

On May 8, 2018, at 11:27 AM, Aldave, Walter N <waldave@chubb.com> wrote:

Good Afternoon Alan,

In follow up to our telephone conversation on 4/25/18, you were going to provide me with a copy of the settlement agreement that you entered into with Aretha Franklin, a copy of the subsequent declaratory relief action filed by Aretha Franklin in Colorado and any other documents relating to the above captioned matter after the settlement for our review for coverage under the Policy. To date I have not received any of this information from you.

Please be advised that upon receipt of the information requested, we will review it and provide you with our coverage position in writing. In the interim, we reserve all rights under the policy and applicable law.

Thanks and best regards,

Walt Aldave

CHUBB

Walter N. Aldave
Senior Claim Director, North America Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
O 860-408-2529 F 860-408-2851
E Walter.Aldave@chubb.com

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From: alan elliott [<mailto:alan@alanelliott.net>]

Sent: Thursday, May 03, 2018 4:04 PM

To: Aldave, Walter N <waldave@chubb.com>

Subject: Re: [EXTERNAL] Re: AI's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

hi walter

I am checking back with you on this. I have an attorney in Denver name Steven Zansberg who I would like to get on this as soon as possible. Please let me know about next steps.

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.



On Apr 25, 2018, at 6:18 AM, Aldave, Walter N <waldave@chubb.com> wrote:

2 PM ET is good. I will await your call.

Thanks,

Walt

CHUBB™

Walter Aldave

Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA

O 860-408-2529 F 860-408-2851

E walter.aldave@chubb.com

Chubb. Insured.™

From: alan elliott [<mailto:alan@alanelliott.net>]

Sent: Tuesday, April 24, 2018 9:34 PM

To: Aldave, Walter N <waldave@chubb.com>

Subject: Re: [EXTERNAL] Re: AI's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

is 2pm est ok?

thank you.

-alan

phone: [323 988 9692](tel:3239889692)

peace and love.



On Apr 24, 2018, at 12:44 PM, Aldave, Walter N <waldave@chubb.com> wrote:

Hi Alan,

I am free tomorrow afternoon, 4//25, between 1:00 PM – 4:00 PM ET. Let me know what time works best for you.

Thanks,

Walt

CHUBB

Walter Aldave
Senior Claims Director, North American Financial Lines Claims

82 Hopmeadow Street, Simsbury, CT 06070, USA
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E walter.aldave@chubb.com

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From: alan@alanelliott.net [<mailto:alan@alanelliott.net>]
Sent: Tuesday, April 24, 2018 11:39 AM
To: Aldave, Walter N <waldave@chubb.com>
Subject: [EXTERNAL] Re: Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

hi walter

are you around sometime today to talk on the phone with me about this? please let me know.

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<image001.gif>

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<First Amended Complaint for a Declaratory Judgment and Preliminary and Permanent Injunctive Relief (w-Exhs 1-9) - 09-13-15.pdf>

<signed settlement agreement resolving los angeles case.pdf>

<Order Granting Stipulated Motion for Permanent Injunction [Doc.32].pdf>

From: alan elliott (ucla) alanelliott@g.ucla.edu
Subject: is there a good time to talk today?
Date: February 3, 2017 at 7:57 AM
To: Winnie Wong WWong@mmibi.com



thank you.

-alan

phone: [323 988 9692](tel:3239889692)
peace and love.

<http://songsoundrecord.tumblr.com>

From: alan elliott Alan@AlanElliott.net 

Subject: RE: Re: [EXTERNAL] Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

Date: June 14, 2018 at 11:03 AM

To: Walter Aldave waldave@chubb.com

Cc: Winnie Wong WWong@mmibi.com



hi walter

good speaking with you today.

as a distillation:

the settlement agreement reached with me and aretha franklin under the chubb policy was key to the denver federal court allowing for a 14-day injunction in denver in 2015.

in fact, that earlier resolution from 2011 was pleaded in ms. franklin's complaint and was referenced by her attorney at the tro hearing.

aretha franklin and i settled the 2011 chubb insured litigation by entering into an agreement with aretha franklin that we would each negotiate in good faith in order to reach a deal to allow this film to go forward.

subsequently to this, we have agreed to TWO separate deals with her attorneys, however, these attorneys were unable to get a signature.

ms. franklin has breached that 2011 deal, thereby preventing the parties from achieving a commercially reasonable deal to compensate Aretha and let the film proceed.

here's a digital dossier:

<http://alsrecordsandtapes.com/amazinglaw/wbdocs/>

aretha's contract is here:

[http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968%20Aretha%20Franklin%20Recording%20Agreement%20\(Atlantic%20and%20Warner%20Bros.%20Seven%20Arts\).pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968%20Aretha%20Franklin%20Recording%20Agreement%20(Atlantic%20and%20Warner%20Bros.%20Seven%20Arts).pdf)

and here is a timeline:

Amazing Grace timeline:

In 1972, Warner films filmed "Amazing Grace"- a documentary film of the recording of the album of the same name. Warners hired Academy Award nominated director Sydney Pollack. The film was made with a film crew, a gospel choir and in a church. All members of the production signed releases/contracts. Ms. Franklin was under "personal service contract" with Warner films.

The release of the documentary was either to be a feature film or a television special and was intended and the film is made mention of inside the film and is included in the album's liner notes.

The movie was unable to be finished due to technical problems (syncing audio and video).

153 mins of the 20+hours of shooting were able to be put together.

Warner Films and Atlantic Records used the 153 minutes in at least two films:

"Atlantic Records 25th Anniversary" in 1973

"Aretha Franklin: Queen of Soul; American Masters" in 1986

Both films are produced by Warner films. "American Masters" was produced by Ms. Franklin and released jointly by Atlantic Records and Warner Films.

in 2007, Warner Films gave me quitclaim.

in 2010, new technology allowed for sync between the film with the audio.

Major points:

The film was made as a promotional film- common at the time. (Aretha made similar films which are currently

available, including “Soul Sister,” “Live at the Concertgebouw,” “Live at the Fillmore”- all made between 1968-1972 and covered by the existing contract.) (<http://teachrock.org/resources/video/embed/aretha-franklin-abc-news-closeup-1968/>) (<http://www.concertvault.com/aretha-franklin/fillmore-west-march-05-1971.html>) (<http://www.grooves-inc.com/franklin-aretha-live-1968-the-concertgebouw-amsterdam-rodeo-media-dvd-video-album-pZZa1-859540375.html>)

In 1972, Atlantic Records (record company) and Warner Severn Arts (film company) were under Warner Communications

Why the film was not released in 1972:

The pre-digital limitation to sync the film and audio caused Warners to shelve the project in 1972. Over time, and with the sale of the music company, and because of the rerelease of the assets over time, the physical assets were spread out between the film and film companies. Many assets either needed sorting or could not be found when resurrection of the project began in 2007.

Timeline:

In 1967, Aretha Franklin signed a recording contract with Atlantic Records. Later that same year, 1967, Atlantic was sold to Warner Bros.

In 1968, Aretha Franklin was the biggest artist at Atlantic Records and renegotiated a more wide ranging “personal services contract” that triangulates Ms. Franklin, Warner Films and Atlantic Records. (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/judy%20noack%201998%20amazing%20grace.pdf>)

In January, 1972, Sydney Pollack, a film crew, musicians, choir and locations were hired (with unique documentation) by Warner Films to make “Amazing Grace.” (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/amazing%20releases%20church%20choir.pdf>) (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/wb%20legal%20pollack%20payment.pdf>) (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/wb%20cinemobile%20rental.pdf>)

The co-star of the film, Reverend James Cleveland says during filming that “If you see all these cameras around, they are getting it together for Warner Brothers.”

In August, 1972, the “Amazing Grace” LP was released by Atlantic Records. Ms. Franklin has approval over liner notes and art as per the 1968 Warner/Atlantic contract. The back of the album reads:

“Look for the film by Sydney Pollack.”

(<http://alsrecordsandtapes.com/amazinglaw/wbdocs/amazingliner.jpg>)

In 1972, Mr. Pollack could not finish the film as the audio and film could not be put together to make a film. ([http://alsrecordsandtapes.com/amazinglaw/wbdocs/wb%20memo%20for%20lip%20sync%20\\$\\$\\$.pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/wb%20memo%20for%20lip%20sync%20$$$.pdf))

In September, 1972, due to technical difficulties, Warner Films “wrote off” the film. (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/wb%20write%20off.pdf>)

Over the years, excerpts of the “Amazing Grace” film have been used; including but not limited to: “Atlantic 25: The History of Atlantic Records” in 1973

(<http://alsrecordsandtapes.com/amazinglaw/wbdocs/ATLANTAFILMFESTIVAL.tiff>); [Aretha Franklin’s American Masters: Aretha, the Queen of Soul in 1986](#) (produced by Ms. Franklin (<http://www.pbs.org/wnet/americanmasters/aretha-franklin-about-aretha-franklin/598/>)). All usages are done in reliance of the 1968 agreement between Ms. Franklin, Atlantic and Warners, with Atlantic Records and Warner Films (owners and distributors of the above two films). Clips from “Amazing Grace” are used across countless media since the original release of the footage in 1973 without any further documentation.

In 2003, Time Warner sold the Warner Music Group. (From 1967 until 2003, Warner Films and Atlantic Records were under the Time Warner umbrella.)

In In 2007, I gained quitclaim of all assets, including all contracts and releases for “Amazing Grace” from Warner Films. Warner Films could not locate Ms. Franklin’s personal service contract. In my quitclaim, Warners asked for permission from Ms. Franklin. (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/A-7,%202007%20Quitclaim%20Agreement.pdf>)

The 2011 agreement Ms. Franklin sued Mr. Elliott. Because Ms. Franklin claimed there was no contract and because we could not get access to her contract, a private settlement was reached without court jurisdiction.

In 2013, Warner Films discovered and provided (as per quitclaim) Ms. Franklin's contract to Mr. Elliott, providing proof of Ms. Franklin's legal permission to make the film.

In 2013, Warner Films discovered Ms. Franklin's contract. Warner Films affirmed that the 1968 contract fulfilled Ms. Franklin's permission. ([http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968%20Aretha%20Franklin%20Recording%20Agreement%20\(Atlantic%20and%20Warner%20Bros.%20Seven%20Arts\).pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968%20Aretha%20Franklin%20Recording%20Agreement%20(Atlantic%20and%20Warner%20Bros.%20Seven%20Arts).pdf))

After discovering the contract, Todd Musburger, attorney for Mr. Elliott, advised Arnold Reed, attorney for Ms. Franklin, that the 2011 settlement was no longer applicable as it could not be enforced due to the ongoing exploitation of the film assets by Warner Films and others (including Ms. Franklin). These film assets had, in fact, been exploited since 1972 by Warner Films, Atlantic Records and Ms. Franklin.

In April, 2015, Mr. Elliott advised Rick Levy, Ms. Franklin's agent, that Mr. Elliott would premiere the film at the Telluride Film Festival in September, 2015.

On August 20, 2015, Mr. Reed and Ms. Franklin's interview with the Detroit Free Press was published. In the article, Ms. Franklin said, "I love the film." Mr. Reed. (<http://www.freep.com/story/entertainment/music/brian-mccollum/2015/08/20/aretha-franklin-possible-injunction-amazing-grace-toronto/32078407/>) The article states, two weeks before the Telluride Film Festival and three weeks prior to the Toronto Film Festival that "The film is already one of the most buzzed-about documentaries on the Toronto docket."

On September 4, 2015, Ms. Franklin received a 14 day injunction from the tenth circuit based upon the 2013 settlement done under the chubb policy..

Continuance stipulations were entered which specifies "good faith negotiations."

The film was purchase by Lionsgate Films following the Toronto Film Festival in September, 2015.

Negotiations:

Between 2007 and the present, Mr. Elliott and his representatives have tried to negotiate with seven or more lawyers over four different law firms, five different agents across two different agencies, many different publicists/managers/friends of Ms. Franklin.

Ms. Franklin asked for 50% of film and \$1m advance but is not sharing record royalties. The film (me) does not share in record receipts (estimated by wmg as \$3-5m over five years).

After 15 consecutive months post-Telluride, 2015, on December 30, 2016, Ms. Franklin turned down \$1.125m and 50% of Mr. Elliott's shares in the film.

Errors from the hearing:

1.

- Q: "When did you become aware that this film would be shown at the Telluride Film Festival?"
- A (Ms. Franklin): A few days ago. I read about it online.

Truth: Ms. Franklin gave an interview with the Detroit Free Press two weeks prior in which they discussed the film being shown at the film festival. The headline reads: **Aretha Franklin considers legal action to halt film**

Further: Mr. Elliott had a meeting with Ms. Franklin's representative Rick Levy Of ICM on April 22, 2015 where Mr. Elliott informed Mr. Levy of the Telluride and Toronto Film Festivals.

Mr. Elliott's lawyer Todd Musburger negotiated with Ms. Franklin's attorney Arnold Reed over the intervening time between the Elliott/Levy meeting.

Mr. Reed, when presented with Ms. Franklin's contract by Mr. Musburger, affirmed the contract.

2.

- A (Ms. Franklin): They didn't have my approval... he was going to use my name and likeness and use my name to reap financial benefits.
- Q: You mentioned your name and likeness. Is that important to you?
- A (Ms. Franklin): Oh, absolutely. For them to show that film and to... ignore me where my name and reputation, my concern, would be terrible."

Ms. Franklin, in the Detroit Free Press interview, said, "I love the film."

3.

- Q: Do you allow people to videotape your concerts?
- A (Ms. Franklin): No, not without my approval.

In the liner notes for Ms. Franklin's "Amazing Grace" album (notes she has approval over contractually), it reads: "The recording of this album was filmed by Warner Brothers, Inc. with Sidney Pollack directing."

- warners selling the record company and not having contract
- warners/atlantic withholding the contract

4.

- In Ms. Franklin's affidavit, she claims in 3. that "The recording of "Amazing Grace" was videotaped."

There was a 16mm film crew with five cameras and an Oscar nominated director, Sydney Pollack.

While videotape is similar for film, the planning to have Mr. Pollack's, his crew, the coordinating and cooperation of Warner Films and Atlantic Records, the audio crew, the location planning, the setting up of lights, the planning and execution of contracts and setting up of obstreperous equipment of the day (1972) was a big undertaking.

5.

- In Ms. Franklin's affidavit, she claims in 5. that she "never gave permission... to any entity granting permission to use my name and likeness for commercial purposes with regards to the "Amazing Grace" film, or any film footage or audio recording..."

The audio recording of "Amazing Grace" has been the best selling Gospel album of all time since its release by Atlantic Records in 1972, amongst many untruths about this statement.

[http://alsrecordsandtapes.com/amazinglaw/wbdocs/\[10-11%20Affidavit%20of%20Aretha%20Franklin%20\(01499915xA6534\).pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/[10-11%20Affidavit%20of%20Aretha%20Franklin%20(01499915xA6534).pdf)

6.

- In Ms. Franklin's affidavit, she claims in 8. that "In August 2015, I discovered that Mr. Elliott plans to show the film at the Toronto Film Festival. Mr. Elliott gave me no notice of his intent to show the film at the Toronto Film Festival. I found out after seeing it on the internet."
- In Ms. Franklin's affidavit, she claims in 9. that "On September 3, 2015, I discovered that Alan Elliott plans to show the film at the Telluride Film Festival"
- In Ms. Franklin's affidavit, she claims in 10. that "No representatives of the Toronto Film Festival or the Telluride Film Festival have contacted me regarding their planned showing of the film."

Mr. Elliott had a meeting with Ms. Franklin's representative Rick Levy Of ICM on April 22, 2015 where Mr. Elliott informed Mr. Levy of the Telluride and Toronto Film Festivals.

Mr. Elliott's lawyer Todd Mushburger negotiated with Ms. Franklin's attorney Arnold Reed continually over the

Mr. Elliott's lawyer Todd Musburger negotiated with Ms. Franklin's attorney Arnold Reed continually over the intervening time between April 22, 2015 and the day Mr. Reed was fired days before the trial. Mr. Reed, when presented with Ms. Franklin's contract by Mr. Musburger, affirmed the contract.

Ms. Franklin, in a published interview with the Detroit Free Press two weeks prior to the Telluride Film Festival, the article reads: "'Amazing Grace,' which captures a star-studded gospel service headlined by Franklin in 1972, is scheduled to premiere on opening night of September's prestigious Toronto International Film Festival."

Ms. Franklin's lawyers, including Arnold Reed and David Bennett were both informed months before the festivals and Mr. Reed negotiated. Mr. Reed discussed the pending festivals in an interview with the Detroit Free Press.

[http://alsrecordsandtapes.com/amazinglaw/wbdocs/\[10-11%20Affidavit%20of%20Aretha%20Franklin%20\(01499915xA6534\).pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/[10-11%20Affidavit%20of%20Aretha%20Franklin%20(01499915xA6534).pdf)

7.

- In Ms. Franklin's affidavit, she claims in 11., that "I believe that the right as to when my concert footage should be seen publicly, and under what conditions, is a right that belongs to me. I have never given that right with respect to the 1972 concert to anyone else."

Ms. Franklin's contract is specific.

"4. **All recording hereunder and all derivates made therefrom, together with the performances embodied thereon, shall be entirely Company's property.**

Artist grants to Company ...(b) the right to use and publish, and to permit others to use and publish, the Artist's name and likeness...

This is the only contract which continues, since 1968, to be relied upon by Ms. Franklin, Atlantic Records and Warner Films.

Film of this specific concert has been used and licensed countless times by Ms. Franklin, Atlantic Records and Warner Films and continues to be displayed across all media as it has since 1973, including, but not limited to:

- commercial films
- documentary films
- television
- film clips
- YouTube

Aretha Franklin's personal service contract with Warner Films and Atlantic Records:

Warner Bros. and Atlantic Records continue to rely upon Ms. Franklin's personal service contract as they have for 49 years. The personal service contract covers all aspects of Ms. Franklin's "personal services" including film, tv, videos and recordings. This contract has been used to make LPs, Cds, Digital downloads, Videos, Cassettes, DVDs and whatever other coming reproductions. Ms. Franklin's personal service contract is what Warner Films, Atlantic Records and Ms. Franklin relied upon to make the film.

Ms. Franklin was always aware since the initial filming in 1972 of Warner Films' intent to make and distribute "Amazing Grace." She has never produced any documentation showing otherwise.

Ms. Franklin's contract is specific.

"4. **All recording hereunder and all derivates made therefrom, together with the performances embodied thereon, shall be entirely Company's property.**

Artist grants to Company ...(b) the right to use and publish, and to permit others to use and publish, the Artist's name and likeness...

(c) the sole and exclusive rights in, title to and ownership, including, but not limited to, the right to use and control all masters, matrices, records or other reproductions of the performances embodied in such recordings by any method, electronic, magnetic, mechanical or other, now or hereafter know, obtained from recordings made here- under the performances embodied therein;

(d) the sole and exclusive right, if Company so desires, to to permit the public performances thereof, by means of radio broadcast or otherwise;"

Why the film was never released:

The reason the film was written off by Warner Brothers was because, due to technical difficulties, the film and music could not be put in sync. (document).

Telluride:

Ms. Franklin's contract, while hard to digest in an emergency session.

Atlantic Records refused Mr. Elliott access to Ms. Franklin's contract. Warner Films produced their copy of the personal service contract in 2013 after which Mr. Elliott, with the blessing of Warner Films, moved forward to finish the film for sale.

Plainly, there are releases for everyone in the production. The amount of information in terms of releases, contracts and planning are thorough and detailed. Every musician, choir member (even POTENTIAL choir members- those who could be possible replacements) are documented and accounted for with separate releases. Every 16 track tape, every 2 track tape, every piece of film was accounted for by, at the time, the largest film and music companies. Warners and Atlantic had a success a year prior with "Woodstock" and they were intent on duplicating a "synergy" between the film and music companies and had all ready used the blueprint (and would use it again and again).

Ms. Franklin presented to the court that she had no contract. However, after years of investigation, it is indisputable that Warner Films and Atlantic Records relied upon her personal services contract to make and distribute "Amazing Grace."

Fallout:

Ms. Franklin's offense rests on Warner Films mislabeling her contract when the company digitized it's paperwork from 40 years prior.

Ms. Franklin brought nuisance suits against Mr. Elliott, bullying him into agreements through threats, when in fact she had a contract which was being used the entire time and which she continues to collect on to this day.

Ms. Franklin took advantage of Mr. Elliott's lack of access to her contract.

- Detroit Free Press (<http://www.freep.com/story/entertainment/music/brian-mccollum/2015/08/20/aretha-franklin-possible-injunction-amazing-grace-toronto/32078407/>):

"Franklin's attorney cast doubt on the validity of the 1972 contract Elliott said he has since turned up.

'The Titanic will surface before this letter surfaces,' said Reed, adding that he has advised Elliott's attorney not to proceed with the Toronto screening.

Such a contract would be irrelevant anyway, Reed said, because of the 2011 settlement agreement."

--

- every defense presented by Ms. Franklin has been done under false pretense:
 - she has a contract.
 - I would never have signed reed agreement if she had disclosed contract.
 - clearly every other thing is covered in ms franklin's contract. records, film, television.
 - wb either paid aretha the rate in the contract or considered it "promotional."
 - no responsibility to interpret what might have been negotiated- no proof there was any

intended payment.

- can't disentangle/carve out of this specific film- there is no other documents.
- fillmore east is currently being sold.
- abc documentary: 30 mins.: <http://teachrock.org/resources/video/embed/aretha-franklin-abc-news-closeup-1968/>
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Because this recording was made for both the film and record companies, there was a thorough delineation and separation of assets.

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It is equally clear that Warners and Ms. Franklin relied upon her personal service contract with Warner Films and Atlantic Records for her participation in the film.

the court ruling is too broad- the film was shown... is shown... and Elliott's partnership with warner brothers

In addition, Warner Seven Arts and Atlantic relied upon Ms. Franklin's contract on at least two occasions to distribute the film in different iterations, including "American Masters: the Queen of Soul" which Ms. Franklin produced.

In addition, Ms. Franklin's concerts from the Fillmore West are currently for sale at Wolfgang's Vault at http://www.concertvault.com/aretha-franklin/video/respect_1203725099.html.

other docs:

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options:

- 1) she could buy the film from me.
- 2) i would not release it while she is alive if she would like to negotiate that.
- 3) go to court

thank you.

-alan

phone: 323 988 9692

peace and love.



From: alan elliott Alan@AlanElliott.net 

Subject: RE: Re: [EXTERNAL] Al's Records and Tapes / Amazing Grace, LLC adv. Aretha Franklin / Hiscox reference no. 170001444 [CC-US1.FID360802] - CHUBB 82213781

Date: April 25, 2018 at 2:28 PM

To: Walter Aldave waldave@chubb.com

Cc: Winnie Wong WWong@mmibi.com



hi walter

good speaking with you today.

as a distillation:

the settlement agreement reached with me and aretha franklin under the chubb policy was key to the denver federal court allowing for a 14-day injunction in denver in 2015.

in fact, that earlier resolution from 2011 was pleaded in ms. franklin's complaint and was referenced by her attorney at the tro hearing.

aretha franklin and i settled the 2011 chubb insured litigation by entering into an agreement with aretha franklin that we would each negotiate in good faith in order to reach a deal to allow this film to go forward.

subsequently to this, we have agreed to TWO separate deals with her attorneys, however, these attorneys were unable to get a signature.

ms. franklin has breached that 2011 deal, thereby preventing the parties from achieving a commercially reasonable deal to compensate Aretha and let the film proceed.

here's a digital dossier:

<http://alsrecordsandtapes.com/amazinglaw/wbdocs/>

aretha's contract is here:

[http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968%20Aretha%20Franklin%20Recording%20Agreement%20\(Atlantic%20and%20Warner%20Bros.%20Seven%20Arts\).pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968%20Aretha%20Franklin%20Recording%20Agreement%20(Atlantic%20and%20Warner%20Bros.%20Seven%20Arts).pdf)

and here is a timeline:

Amazing Grace timeline:

In 1972, Warner films filmed "Amazing Grace"- a documentary film of the recording of the album of the same name. Warners hired Academy Award nominated director Sydney Pollack. The film was made with a film crew, a gospel choir and in a church. All members of the production signed releases/contracts. Ms. Franklin was under "personal service contract" with Warner films.

The release of the documentary was either to be a feature film or a television special and was intended and the film is made mention of inside the film and is included in the album's liner notes.

The movie was unable to be finished due to technical problems (syncing audio and video).

153 mins of the 20+hours of shooting were able to be put together.

Warner Films and Atlantic Records used the 153 minutes in at least two films:

"Atlantic Records 25th Anniversary" in 1973

"Aretha Franklin: Queen of Soul; American Masters" in 1986

Both films are produced by Warner films. "American Masters" was produced by Ms. Franklin and released jointly by Atlantic Records and Warner Films.

in 2007, Warner Films gave me quitclaim.

in 2010, new technology allowed for sync between the film with the audio.

Major points:

The film was made as a promotional film- common at the time. (Aretha made similar films which are currently

available, including “Soul Sister,” “Live at the Concertgebouw,” “Live at the Fillmore”- all made between 1968-1972 and covered by the existing contract.) (<http://teachrock.org/resources/video/embed/aretha-franklin-abc-news-closeup-1968/>) (<http://www.concertvault.com/aretha-franklin/fillmore-west-march-05-1971.html>) (<http://www.grooves-inc.com/franklin-aretha-live-1968-the-concertgebouw-amsterdam-rodeo-media-dvd-video-album-pZZa1-859540375.html>)

In 1972, Atlantic Records (record company) and Warner Severn Arts (film company) were under Warner Communications

Why the film was not released in 1972:

The pre-digital limitation to sync the film and audio caused Warners to shelve the project in 1972. Over time, and with the sale of the music company, and because of the rerelease of the assets over time, the physical assets were spread out between the film and film companies. Many assets either needed sorting or could not be found when resurrection of the project began in 2007.

Timeline:

In 1967, Aretha Franklin signed a recording contract with Atlantic Records. Later that same year, 1967, Atlantic was sold to Warner Bros.

In 1968, Aretha Franklin was the biggest artist at Atlantic Records and renegotiated a more wide ranging “personal services contract” that triangulates Ms. Franklin, Warner Films and Atlantic Records. (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/judy%20noack%201998%20amazing%20grace.pdf>)

In January, 1972, Sydney Pollack, a film crew, musicians, choir and locations were hired (with unique documentation) by Warner Films to make “Amazing Grace.” (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/amazing%20releases%20church%20choir.pdf>) (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/wb%20legal%20pollack%20payment.pdf>) (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/wb%20cinemobile%20rental.pdf>)

The co-star of the film, Reverend James Cleveland says during filming that “If you see all these cameras around, they are getting it together for Warner Brothers.”

In August, 1972, the “Amazing Grace” LP was released by Atlantic Records. Ms. Franklin has approval over liner notes and art as per the 1968 Warner/Atlantic contract. The back of the album reads:

“Look for the film by Sydney Pollack.”

(<http://alsrecordsandtapes.com/amazinglaw/wbdocs/amazingliner.jpg>)

In 1972, Mr. Pollack could not finish the film as the audio and film could not be put together to make a film. ([http://alsrecordsandtapes.com/amazinglaw/wbdocs/wb%20memo%20for%20lip%20sync%20\\$\\$\\$.pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/wb%20memo%20for%20lip%20sync%20$$$.pdf))

In September, 1972, due to technical difficulties, Warner Films “wrote off” the film. (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/wb%20write%20off.pdf>)

Over the years, excerpts of the “Amazing Grace” film have been used; including but not limited to: “Atlantic 25: The History of Atlantic Records” in 1973

(<http://alsrecordsandtapes.com/amazinglaw/wbdocs/ATLANTAFILMFESTIVAL.tiff>); [Aretha Franklin's American Masters: Aretha, the Queen of Soul in 1986](#) (produced by Ms. Franklin (<http://www.pbs.org/wnet/americanmasters/aretha-franklin-about-aretha-franklin/598/>)). All usages are done in reliance of the 1968 agreement between Ms. Franklin, Atlantic and Warners, with Atlantic Records and Warner Films (owners and distributors of the above two films). Clips from “Amazing Grace” are used across countless media since the original release of the footage in 1973 without any further documentation.

In 2003, Time Warner sold the Warner Music Group. (From 1967 until 2003, Warner Films and Atlantic Records were under the Time Warner umbrella.)

In In 2007, I gained quitclaim of all assets, including all contracts and releases for “Amazing Grace” from Warner Films. Warner Films could not locate Ms. Franklin’s personal service contract. In my quitclaim, Warners asked for permission from Ms. Franklin. (<http://alsrecordsandtapes.com/amazinglaw/wbdocs/A-7,%202007%20Quitclaim%20Agreement.pdf>)

The 2011 agreement Ms. Franklin sued Mr. Elliott. Because Ms. Franklin claimed there was no contract and because we could not get access to her contract, a private settlement was reached without court jurisdiction.

In 2013, Warner Films discovered and provided (as per quitclaim) Ms. Franklin's contract to Mr. Elliott, providing proof of Ms. Franklin's legal permission to make the film.

In 2013, Warner Films discovered Ms. Franklin's contract. Warner Films affirmed that the 1968 contract fulfilled Ms. Franklin's permission. ([http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968%20Aretha%20Franklin%20Recording%20Agreement%20\(Atlantic%20and%20Warner%20Bros.%20Seven%20Arts\).pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/4-1-1968%20Aretha%20Franklin%20Recording%20Agreement%20(Atlantic%20and%20Warner%20Bros.%20Seven%20Arts).pdf))

After discovering the contract, Todd Musburger, attorney for Mr. Elliott, advised Arnold Reed, attorney for Ms. Franklin, that the 2011 settlement was no longer applicable as it could not be enforced due to the ongoing exploitation of the film assets by Warner Films and others (including Ms. Franklin). These film assets had, in fact, been exploited since 1972 by Warner Films, Atlantic Records and Ms. Franklin.

In April, 2015, Mr. Elliott advised Rick Levy, Ms. Franklin's agent, that Mr. Elliott would premiere the film at the Telluride Film Festival in September, 2015.

On August 20, 2015, Mr. Reed and Ms. Franklin's interview with the Detroit Free Press was published. In the article, Ms. Franklin said, "I love the film." Mr. Reed. (<http://www.freep.com/story/entertainment/music/brian-mccollum/2015/08/20/aretha-franklin-possible-injunction-amazing-grace-toronto/32078407/>) The article states, two weeks before the Telluride Film Festival and three weeks prior to the Toronto Film Festival that "The film is already one of the most buzzed-about documentaries on the Toronto docket."

On September 4, 2015, Ms. Franklin received a 14 day injunction from the tenth circuit based upon the 2013 settlement done under the chubb policy..

Continuance stipulations were entered which specifies "good faith negotiations."

The film was purchase by Lionsgate Films following the Toronto Film Festival in September, 2015.

Negotiations:

Between 2007 and the present, Mr. Elliott and his representatives have tried to negotiate with seven or more lawyers over four different law firms, five different agents across two different agencies, many different publicists/managers/friends of Ms. Franklin.

Ms. Franklin asked for 50% of film and \$1m advance but is not sharing record royalties. The film (me) does not share in record receipts (estimated by wmg as \$3-5m over five years).

After 15 consecutive months post-Telluride, 2015, on December 30, 2016, Ms. Franklin turned down \$1.125m and 50% of Mr. Elliott's shares in the film.

Errors from the hearing:

1.

- Q: "When did you become aware that this film would be shown at the Telluride Film Festival?"
- A (Ms. Franklin): A few days ago. I read about it online.

Truth: Ms. Franklin gave an interview with the Detroit Free Press two weeks prior in which they discussed the film being shown at the film festival. The headline reads: **Aretha Franklin considers legal action to halt film**

Further: Mr. Elliott had a meeting with Ms. Franklin's representative Rick Levy Of ICM on April 22, 2015 where Mr. Elliott informed Mr. Levy of the Telluride and Toronto Film Festivals.

Mr. Elliott's lawyer Todd Musburger negotiated with Ms. Franklin's attorney Arnold Reed over the intervening time between the Elliott/Levy meeting.

Mr. Reed, when presented with Ms. Franklin's contract by Mr. Musburger, affirmed the contract.

2.

- A (Ms. Franklin): They didn't have my approval... he was going to use my name and likeness and use my name to reap financial benefits.
- Q: You mentioned your name and likeness. Is that important to you?
- A (Ms. Franklin): Oh, absolutely. For them to show that film and to... ignore me where my name and reputation, my concern, would be terrible."

Ms. Franklin, in the Detroit Free Press interview, said, "I love the film."

3.

- Q: Do you allow people to videotape your concerts?
- A (Ms. Franklin): No, not without my approval.

In the liner notes for Ms. Franklin's "Amazing Grace" album (notes she has approval over contractually), it reads: "The recording of this album was filmed by Warner Brothers, Inc. with Sidney Pollack directing."

- warners selling the record company and not having contract
- warners/atlantic withholding the contract

4.

- In Ms. Franklin's affidavit, she claims in 3. that "The recording of "Amazing Grace" was videotaped."

There was a 16mm film crew with five cameras and an Oscar nominated director, Sydney Pollack.

While videotape is similar for film, the planning to have Mr. Pollack's, his crew, the coordinating and cooperation of Warner Films and Atlantic Records, the audio crew, the location planning, the setting up of lights, the planning and execution of contracts and setting up of obstreperous equipment of the day (1972) was a big undertaking.

5.

- In Ms. Franklin's affidavit, she claims in 5. that she "never gave permission... to any entity granting permission to use my name and likeness for commercial purposes with regards to the "Amazing Grace" film, or any film footage or audio recording..."

The audio recording of "Amazing Grace" has been the best selling Gospel album of all time since it's release by Atlantic Records in 1972, amongst many untruths about this statement.

[http://alsrecordsandtapes.com/amazinglaw/wbdocs/\[10-11%20Affidavit%20of%20Aretha%20Franklin%20\(01499915xA6534\).pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/[10-11%20Affidavit%20of%20Aretha%20Franklin%20(01499915xA6534).pdf)

6.

- In Ms. Franklin's affidavit, she claims in 8. that "In August 2015, I discovered that Mr. Elliott plans to show the film at the Toronto Film Festival. Mr. Elliott gave me no notice of his intent to show the film at the Toronto Film Festival. I found out after seeing it on the internet."
- In Ms. Franklin's affidavit, she claims in 9. that "On September 3, 2015, I discovered that Alan Elliott plans to show the film at the Telluride Film Festival"
- In Ms. Franklin's affidavit, she claims in 10. that "No representatives of the Toronto Film Festival or the Telluride Film Festival have contacted me regarding their planned showing of the film."

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Mr. Elliott's lawyer Todd Musburger negotiated with Ms. Franklin's attorney Arnold Reed continually over the intervening time between April 22, 2015 and the day Mr. Reed was fired days before the trial. Mr. Reed, when presented with Ms. Franklin's contract by Mr. Musburger, affirmed the contract.

Ms. Franklin, in a published interview with the Detroit Free Press two weeks prior to the Telluride Film Festival, the article reads: "'Amazing Grace," which captures a star-studded gospel service headlined by Franklin in 1972, is scheduled to premiere on opening night of September's prestigious Toronto International Film Festival."

Ms. Franklin's lawyers, including Arnold Reed and David Bennett were both informed months before the festivals and Mr. Reed negotiated. Mr. Reed discussed the pending festivals in an interview with the Detroit Free Press.

[http://alsrecordsandtapes.com/amazinglaw/wbdocs/\[10-11%20Affidavit%20of%20Aretha%20Franklin%20\(01499915xA6534\).pdf](http://alsrecordsandtapes.com/amazinglaw/wbdocs/[10-11%20Affidavit%20of%20Aretha%20Franklin%20(01499915xA6534).pdf)

7.

- In Ms. Franklin's affidavit, she claims in 11., that "I believe that the right as to when my concert footage should be seen publicly, and under what conditions, is a right that belongs to me. I have never given that right with respect to the 1972 concert to anyone else."

Ms. Franklin's contract is specific.

"4. **All recording hereunder and all derivates made therefrom, together with the performances embodied thereon, shall be entirely Company's property.**

Artist grants to Company ...(b) the right to use and publish, and to permit others to use and publish, the Artist's name and likeness...

This is the only contract which continues, since 1968, to be relied upon by Ms. Franklin, Atlantic Records and Warner Films.

Film of this specific concert has been used and licensed countless times by Ms. Franklin, Atlantic Records and Warner Films and continues to be displayed across all media as it has since 1973, including, but not limited to:

- commercial films
- documentary films
- television
- film clips
- YouTube

Aretha Franklin's personal service contract with Warner Films and Atlantic Records:

Warner Bros. and Atlantic Records continue to rely upon Ms. Franklin's personal service contract as they have for 49 years. The personal service contract covers all aspects of Ms. Franklin's "personal services" including film, tv, videos and recordings. This contract has been used to make LPs, Cds, Digital downloads, Videos, Cassettes, DVDs and whatever other coming reproductions. Ms. Franklin's personal service contract is what Warner Films, Atlantic Records and Ms. Franklin relied upon to make the film.

Ms. Franklin was always aware since the initial filming in 1972 of Warner Films' intent to make and distribute "Amazing Grace." She has never produced any documentation showing otherwise.

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Artist grants to Company ...(b) the right to use and publish, and to permit others to use and publish, the Artist's name and likeness...

(c) the sole and exclusive rights in, title to and ownership, including, but not limited to, the right to use and control all masters, matrices, records or other reproductions of the performances embodied in such recordings by any method, electronic, magnetic, mechanical or other, now or hereafter know, obtained from recordings made here- under the performances embodied therein;

(d) the sole and exclusive right, if Company so desires, to to permit the public performances thereof, by means of radio broadcast or otherwise;"

Why the film was never released:

The reason the film was written off by Warner Brothers was because, due to technical difficulties, the film and music could not be put in sync. (document).

Telluride:

Ms. Franklin's contract, while hard to digest in an emergency session.

Atlantic Records refused Mr. Elliott access to Ms. Franklin's contract. Warner Films produced their copy of the personal service contract in 2013 after which Mr. Elliott, with the blessing of Warner Films, moved forward to finish the film for sale.

Plainly, there are releases for everyone in the production. The amount of information in terms of releases, contracts and planning are thorough and detailed. Every musician, choir member (even POTENTIAL choir members- those who could be possible replacements) are documented and accounted for with separate releases. Every 16 track tape, every 2 track tape, every piece of film was accounted for by, at the time, the largest film and music companies. Warners and Atlantic had a success a year prior with "Woodstock" and they were intent on duplicating a "synergy" between the film and music companies and had all ready used the blueprint (and would use it again and again).

Ms. Franklin presented to the court that she had no contract. However, after years of investigation, it is indisputable that Warner Films and Atlantic Records relied upon her personal services contract to make and distribute "Amazing Grace."

Fallout:

Ms. Franklin's offense rests on Warner Films mislabeling her contract when the company digitized it's paperwork from 40 years prior.

Ms. Franklin brought nuisance suits against Mr. Elliott, bullying him into agreements through threats, when in fact she had a contract which was being used the entire time and which she continues to collect on to this day.

Ms. Franklin took advantage of Mr. Elliott's lack of access to her contract.

- Detroit Free Press (<http://www.freep.com/story/entertainment/music/brian-mccollum/2015/08/20/aretha-franklin-possible-injunction-amazing-grace-toronto/32078407/>):

"Franklin's attorney cast doubt on the validity of the 1972 contract Elliott said he has since turned up.

'The Titanic will surface before this letter surfaces,' said Reed, adding that he has advised Elliott's attorney not to proceed with the Toronto screening.

Such a contract would be irrelevant anyway, Reed said, because of the 2011 settlement agreement."

--

- every defense presented by Ms. Franklin has been done under false pretense:
 - she has a contract.
 - I would never have signed reed agreement if she had disclosed contract.
 - clearly every other thing is covered in ms franklin's contract. records, film, television.
 - wb either paid aretha the rate in the contract or considered it "promotional."
 - no responsibility to interpret what might have been negotiated- no proof there was any

intended payment.

- can't disentangle/carve out of this specific film- there is no other documents.
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options:

- 1) she could buy the film from me.
- 2) i would not release it while she is alive if she would like to negotiate that.
- 3) go to court

thank you.

-alan

phone: 323 988 9692

peace and love.



From: Alan Elliott alan@alanelliott.net
Subject: reminder re: next steps on "amazing grace" insurance.
Date: May 19, 2014 at 11:29 AM
To: Winnie Wong WWong@mmibi.com



thank you.

-alan

phone: 323 988 9692

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From: Alan Elliott alan@alanelliott.net 
Subject: Re: silly but necessary question on aretha franklin/sydney pollack policy...
Date: November 6, 2009 at 1:57 PM
To: Stephanie Geyer SGeyer@mmibi.com
Cc: Winnie Wong WWong@mmibi.com



winnie has the info...
attached are the quotes (maybe that has the info you need?):



200909011433
30740.pdf

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web site:

www.alanelliott.net

aim: alanelllll

phone: 323 988 9692

cell: 323 841 1120

skype: alsrecordsandtapes

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On Nov 6, 2009, at 1:52 PM, Stephanie Geyer wrote:

What is the name that your policy is under? I couldn't find anything in our system (It may not yet be set up.), so I'm not sure which type of policy(ies) you have in place. If it's an E&O policy, unfortunately, the premium has to be paid in one lump sum. If it's production insurance (ProdPkg, GL, Auto, WC), then we can arrange financing through out outside premium financing company.

If you would like to see a financing quote, please advise the name of your account, and I can prepare it for you.

Regards,

From: Alan Elliott [mailto:Alan@alanelliott.net]

Sent: Friday, November 06, 2009 12:39 PM

To: Stephanie Geyer

to: Stephanie Geyer

Subject: silly but necessary question on aretha franklin/sydney pollack policy...

hi Stephanie

question to you since Winnie is out:

can we make payments on insurance...

or do we need it all in one lump sum (as we don't have financing yet and it is coming out of my personal pocket)?

thank you.

-alan

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<alslogo.gif>

Stephanie Geyer

Account Manager

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.9873 / F: 818.933.9893

E: SGeyer@mmibi.com

www.momentousins.com

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<image9226f4.jpg@41ecb8a2.b6f94c8f>

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From: Stephanie Geyer SGeYer@mmibi.com 
Subject: RE: silly but necessary question on aretha franklin/sydney pollack policy...
Date: November 6, 2009 at 1:53 PM
To: Alan Elliott Alan@alanelliott.net
Cc: Winnie Wong WWong@mmibi.com

SG

What is the name that your policy is under? I couldn't find anything in our system (It may not yet be set up.), so I'm not sure which type of policy(ies) you have in place. If it's an E&O policy, unfortunately, the premium has to be paid in one lump sum. If it's production insurance (ProdPkg, GL, Auto, WC), then we can arrange financing through out outside premium financing company.

If you would like to see a financing quote, please advise the name of your account, and I can prepare it for you.

Regards,

From: Alan Elliott [mailto:Alan@alanelliott.net]
Sent: Friday, November 06, 2009 12:39 PM
To: Stephanie Geyer
Subject: silly but necessary question on aretha franklin/sydney pollack policy...

hi Stephanie
question to you since Winnie is out:
can we make payments on insurance...
or do we need it all in one lump sum (as we don't have financing yet and it is coming out of my personal pocket)?
thank you.
-alan

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Stephanie Geyer
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From: **Alan Elliott** alan@alanelliott.net 
Subject: silly but necessary question...
Date: November 6, 2009 at 12:36 PM
To: Winnie Wong WWong@mmibi.com



can we make payments on insurance...
or do we need it all in one lump sum (as we don't have financing yet and it is coming out of my personal pocket)?

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From: **Alan Elliott** alan@alanelliott.net 
Subject: Fwd: thank you!
Date: August 10, 2009 at 4:12 PM
To: Winnie Wong WWong@mmibi.com



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alslogo.gif

Begin forwarded message:

From: Michael Donaldson <michael@donaldsoncallif.com>
Date: August 10, 2009 4:11:29 PM PDT
To: 'Alan Elliott' <Alan@AlanElliott.net>
Subject: RE: thank you!

Thanks. I thought it went a bit better than I expected. We will see what the quote is when it comes back.

Michael C. Donaldson, Esq.
Donaldson & Callif
400 South Beverly Drive, Suite 400
Beverly Hills, CA 90212
phone 310.277.8394 ext.23
fax 310.277.4870
www.donaldsoncallif.com

From: Alan Elliott [<mailto:Alan@AlanElliott.net>]
Sent: Monday, August 10, 2009 4:02 PM
To: Michael Donaldson
Subject: thank you!

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From: **Alan Elliott** alan@alanelliott.net 
Subject: Re: the check is in the mail...
Date: January 5, 2010 at 9:29 AM
To: Randy Tyrrel RTyrrel@mmibi.com
Cc: Winnie Wong WWong@mmibi.com



what!?
let me get on this...
sorry.

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On Jan 5, 2010, at 9:26 AM, Randy Tyrrel wrote:

Alan,

Check #1025 for \$8,800 was returned from the bank for non sufficient funds. In order to keep the policy from being cancelled due to non payment we will need a money order or cashiers check received in our office by 1/08/10 for the premium amount of \$8,800.

Best regards,

Randy

-----Original Message-----

From: Alan@AlanElliott.net

Date: Monday, December 20, 2009, 4:00 PM

Sent: Monday, December 28, 2009, 4:38pm
To: Randy Tyrrel; Winnie Wong
Cc:
Subject: FW: the check is in the mail...

literally.
here is the receipt..
if it isn't there..
let's all make sure to stay on top of it as we can't lost the insurance.
thank you both.
-alan

Randy Tyrrel
Account Manager
Momentous Insurance Brokerage, Inc.
5990 Sepulveda Blvd. Suite 550
Van Nuys, CA 91411
P: 818.933.9874 / F: 818.933.9894
E: RTyrrel@mmibi.com
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<insura~3.pdf>

From: Alan Elliott alan@alanelliott.net

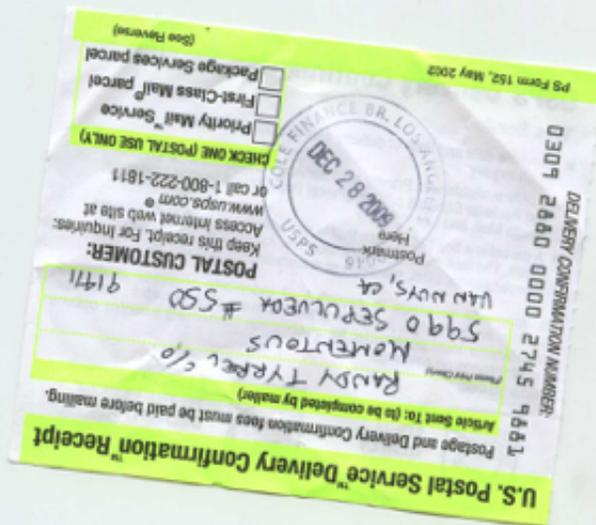
Subject: the check is in the mail...

Date: December 28, 2009 at 4:39 PM

To: Randy Tyrrel RTyrrel@mmibi.com, Winnie Wong WWong@mmibi.com



literally.
here is the receipt...
if it isn't there...
let's all make sure to stay on top of it as we can't lost the insurance.
thank you both.
-alan



From: **Randy Tyrrel** RTyrrel@mmibi.com
Subject: RE: the check should be there...
Date: December 29, 2009 at 3:53 PM
To: Alan Elliott alan@alanelliott.net
Cc: Winnie Wong WWong@mmibi.com



Hi Alan,

Yes, I just confirmed with Accounting that the check was delivered today.

Thank you and have a Happy New Year!

Randy

From: Alan Elliott [mailto:alan@alanelliott.net]
Sent: Tuesday, December 29, 2009 3:51 PM
To: Randy Tyrrel
Cc: Winnie Wong
Subject: the check should be there...

according to the post office web site, it arrived.
can you please confirm?
thank you.

The screenshot shows a Safari browser window displaying the USPS Track & Confirm website. The address bar shows the URL: http://trkcnfrm1.smi.usps.com/PTSIInternetWeb/InterLabelInquiry.do. The page title is "USPS - Track & Confirm". The main content area is titled "Track & Confirm" and shows search results for a specific item. The search results include the following information:

- Search Results**
- Label/Receipt Number: 0309 2880 0000 2745 9881
- Scheduled for Delivery: Tuesday, December 29, 2009
- Class: Priority Mail®
- Service(s): Delivery Confirmation™
- Status: Out for Delivery or Available at PO Box

Your item is out for delivery or available at a PO Box at 8:38 AM on December 29, 2009 in VAN NUYS, CA, 91406.

Detailed Results:

- Out for Delivery or Available at PO Box, December 29, 2009, 8:38 am, VAN NUYS, CA 91406
- Sorting Complete, December 29, 2009, 8:08 am, VAN NUYS, CA 91406
- Arrival at Post Office, December 29, 2009, 7:22 am, VAN NUYS, CA 91406
- Processed through Sort Facility, December 29, 2009, 2:35 am, SANTA CLARITA, CA 91383
- Acceptance, December 28, 2009, 3:50 pm, LOS ANGELES, CA 90046

Notification Options

Track & Confirm by email
Get current event information or updates for your item sent to you or others by email.

The footer of the page contains the following text: Site Map, Customer Service, Forms, Gov't Services, Careers, Privacy Policy, Terms of Use, Business Customer Gateway. Copyright © 2009 USPS. All Rights Reserved. No FEAR Act/EEO Data. FOIA. Postal Inspectors Preserving the Trust. Inspector General Promoting Integrity.

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Randy Tyrrel

Account Manager

Momentous Insurance Brokerage, Inc.

5990 Sepulveda Blvd. Suite 550

Van Nuys, CA 91411

P: 818.933.9874 / **F:** 818.933.9894

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From: **Alan Elliott** alan@alanelliott.net
Subject: the check should be there...
Date: December 29, 2009 at 3:50 PM
To: Randy Tyrrel RTyrrel@mmibi.com
Cc: Winnie Wong WWong@mmibi.com



according to the post office web site, it arrived.
can you please confirm?
thank you.

The screenshot shows a Safari browser window displaying the USPS Track & Confirm website. The address bar shows the URL: http://trkcnfrm1.smi.usps.com/PTSIInternetWeb/InterLabelInquiry.do. The page header includes the USPS logo and navigation links for Home, Help, and Sign In. Below the header are buttons for Track & Confirm and FAQs. The main content area is titled "Track & Confirm" and contains a "Search Results" section. The search results for label number 0309 2880 0000 2745 9881 show it is a Priority Mail item scheduled for delivery on Tuesday, December 29, 2009, with a status of "Out for Delivery or Available at PO Box". Detailed results include: "Out for Delivery or Available at PO Box, December 29, 2009, 8:38 am, VAN NUYS, CA 91406", "Sorting Complete, December 29, 2009, 8:08 am, VAN NUYS, CA 91406", "Arrival at Post Office, December 29, 2009, 7:22 am, VAN NUYS, CA 91406", "Processed through Sort Facility, December 29, 2009, 2:35 am, SANTA CLARITA, CA 91383", and "Acceptance, December 28, 2009, 3:50 pm, LOS ANGELES, CA 90046". There are also links for "Notification Options" and "Track & Confirm by email". A footer contains various site links and copyright information.

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From: Alan Elliott alan@alanelliott.net

Subject: today's mail from chubb...

Date: October 28, 2011 at 3:40 PM

To: Walter Adave waldave@chubb.com

Cc: Winnie Wong WWong@mmibi.com, Chiemi Karasawa chiemi@isotopefilms.com



hi walter-

i received this today but am not sure what it means, what if anything needs to be done...

can you please let us know.

thank you and have a good weekend-

alan



Scan.pdf

From: Lisa Callif lisa@donaldsoncallif.com

Subject: RE: two things i need asap:

Date: September 20, 2011 at 1:23 PM

To: Alan Elliott alan@alanelliott.net, Winnie Wong WWong@mmibi.com, Chris Perez chris@donaldsoncallif.com

Cc: Chiemi Karasawa chiemi@isotopefilms.com, Jeff Jampol jeff@jamincla.com

LC

Hi Alan,

A defendant has 20 days to respond to a complaint in federal court. This can usually be easily extended by just asking the other lawyer for an extension. The fact that you may not have been served properly will also extend that time.

Next steps are for the insurer to appoint counsel.

Winnie, would it be possible to get a list of attorneys so we can choose?

Lisa A. Callif

Donaldson & Callif

400 S. Beverly Dr., Suite 400

Beverly Hills, CA 90212

O 310-277-8394

F 310-277-4870

lisa@donaldsoncallif.com

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From: Alan Elliott [mailto:alan@alanelliott.net]

Sent: Monday, September 19, 2011 6:42PM

To: Winnie Wong; Lisa Callif; Chris Perez

Cc: Chiemi Karasawa; Jeff Jampol

Subject: two things i need asap:

can you guys please let me know:

- 1) response time for the stuff that was filed
- 2) your thoughts on what next steps are

thank you.

phone: 323 988 9692

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From: Alan Elliott alan@alanelliott.net

Subject: two things i need asap:

Date: September 19, 2011 at 6:41 PM

To: Winnie Wong WWong@mmibi.com, Lisa Callif lisa@donaldsoncallif.com, chris@donaldsoncallif.com

Cc: Chiemi Karasawa chiemi@isotopefilms.com, Jeff Jampol jeff@jamincla.com



can you guys please let me know:

- 1) response time for the stuff that was filed
- 2) your thoughts on what next steps are

thank you.

phone: 323 988 9692

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From: Alan Elliott alan@alanelliott.net
Subject: Will call tomorrow.
Date: December 8, 2009 at 6:59 PM
To: Winnie Wong WWong@mmibi.com



I am sorry to miss you today.
Been slammed all day.

Phone: 323 988 9692
Cell: 323 841 1120
AIM: alanelllll
Skype: alsrecordsandtapes

From: Alan Elliott alan@alanelliott.net 
Subject: will have wire transfer for you thursday.
Date: January 5, 2010 at 9:34 PM
To: Winnie Wong WWong@mmibi.com
Cc: Randy Tyrrel RTyrrel@mmibi.com



thank you.

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From: Alan Elliott alan@alanelliott.net
Subject: winnie is gonna send us some times for insurance...
Date: May 20, 2014 at 5:01 PM
To: Winnie Wong WWong@mmibi.com
Cc: Brian Musburger Brian@musburger.com, Todd W. Musburger todd@musburger.com



thank you.

-alan

phone: 323 988 9692

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