

Sir :

Please to take notice that the within is a true copy of a this day duly made and entered herein in the office of the Clerk of

Dated, New York, 193

Yours, etc,

DONOVAN, LEISURE, NEWTON & LUMBARD

Attorneys for

(Office and Post Office Address)

90 BROAD STREET

Borough of Manhattan New York City

To , Esq.,

Attorney for

Sir : Please to take notice that a of which the within is a true copy will be presented for settlement and entry herein to Mr. Justice

at of this Court at

in the Borough of City of New York,

on the day of 193

at o'clock in the noon,

Dated, New York, 193

Yours, etc.,

DONOVAN, LEISURE, NEWTON & LUMBARD

Attorneys for

(Office and Post Office Address)

90 BROAD STREET

Borough of Manhattan New York City

To , Esq.,

Attorney for

Index No. E 79-312

Year

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JESSICA M. HILL,

Plaintiff,

-against-

FEDERAL BROADCASTING CORPORATION,

Defendant.

ANSWER

DONOVAN, LEISURE, NEWTON & LUMBARD

Attorneys for Defendant,

(Office and Post Office Address)

2 BROAD STREET

Borough of Manhattan

New York City

To , Esq.,

Attorney for

Due and proper service of a copy of the within is hereby admitted.

Dated, New York, 193

MAR 26 1938

Attorney for

*Copy Recd  
March 26 1938  
Attorney for Hill*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
JESSICA M. HILL,

Plaintiff, :

-against- :

FEDERAL BROADCASTING CORPORATION,

Defendant. :

----- x  
Defendant, Federal Broadcasting Corporation, by its attorneys, Donovan, Leisure, Newton & Lumbard, makes its answer to the complaint herein as follows:

FIRST: Denies that it has any knowledge or information sufficient to form a belief as to any of the allegations of Paragraphs "3", "4", "5", "6", "7", "8", "9", "10", "11", "13", "21" and "22".

SECOND: Denies each and every allegation contained in Paragraphs "12", "14" and "16" of the complaint.

THIRD: As to Paragraph "15" of the complaint, denies that the defendant maintained any broadcasting station, but admits that the defendant announced to the public by newspaper advertisements, announcements, bulletins and in such other manner or by such other means as to draw the attention of all possessors of receiving and radio apparatus, programs of the particular intelligence to be transmitted and the particular musical works which were to be performed or which were to be transmitted over Station W.M.C.A. And save as so denied and admitted, denies knowledge or information sufficient to form a belief as to the remaining allegations of Paragraph "15" of the complaint.

FOURTH: As to Paragraph "17" of the complaint admits the allegations thereof.

FIFTH: As to Paragraph "18" of the complaint, denies that the defendant owned, maintained, operated or controlled said broadcasting station known as W.M.C.A. Denies having knowledge or information sufficient to form a belief that the broadcasting station was designated for and intended as a medium of advertising and publicity and as a means of bringing its program sponsor's products to the attention of the public as a method of stimulating, promoting and assisting the sponsor's products, as aforesaid. And admits that through certain arrangements, the defendant caused certain products and businesses to be advertised.

SIXTH: As to Paragraph "19" denies that the defendant transmitted and broadcasted the plaintiff's composition and denies that said acts were done and committed by defendant and procured and caused by defendant and aided and abetted by defendant, and, save as so denied, denies knowledge or information sufficient to form a belief as to the remaining allegations of Paragraph "19" of the complaint.

SEVENTH: As to Paragraph "20" of the complaint, defendant denies that performances alleged were given under the control of defendant or that the defendant realized increased revenue as a result of such performances.

WHEREFORE, the above-named defendant herein respectfully prays that the complaint be dismissed upon the merits, together with the costs and disbursements of this action.

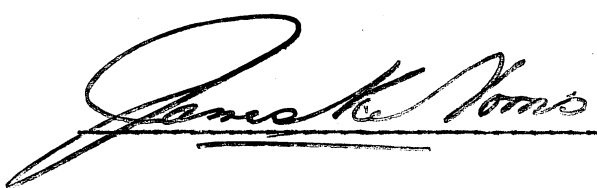
DONOVAN, LEISURE, NEWTON & LUMBARD,  
Attorneys for Defendant,  
Office & P. O. Address:  
No. 2 Wall Street,  
Borough of Manhattan,  
City of New York.


STATE OF NEW YORK     )  
                                      : SS.:  
COUNTY OF NEW YORK    )

JAMES K. NORRIS, being duly sworn, says: That he is the *Vice President* of Federal Broadcasting Corporation, the defendant above-named; that he has read and knows the contents of the foregoing answer; that the same is true of his own knowledge except as to the matters therein stated to be alleged on information and belief and as to those matters he believes it to be true.

That the reason why this verification is made by deponent and not by defendant is because defendant is a domestic corporation and deponent is one of its officers, to wit:  
*Vice President*

Sworn to before me this  
*25<sup>th</sup>* day of March, 1935.

  
James K. Norris

  
JOHN A. MORHOUS  
NOTARY PUBLIC, Nassau County  
N. Y. Co. Clks. No. 1053, Reg. No. 5M629  
Commission expires March 30, 1935