

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-X

JESSICA M. HILL,

Plaintiff,

-against-

SAM H. HARRIS, SAM H. HARRIS
THEATRICAL ENTERPRISES, INC.,
IRVING BERLIN and MOSS HART,

Defendants.

-X

The defendant, SAM H. HARRIS THEATRICAL ENTERPRISES, INC., by its attorneys, O'BRIEN, DRISCOLL & RAFFERTY, answering the amended complaint herein, respectfully alleges:

FIRST: Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "1" of the amended complaint.

SECOND: Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in paragraphs numbered "6", "7" and "8" of the amended complaint.

THIRD: Upon information and belief, denies each and every allegation contained in paragraph "9" of the amended complaint.

FOURTH: Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "10" of the amended complaint.

FIFTH: Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "11" of the amended complaint.

SIXTH: Denies any knowledge or information sufficient to form a belief as to each and every allegation con-

tained in paragraph "12" of the amended complaint, except that upon information and belief denies that Jessica M. Hill is the owner of said copyright.

SEVENTH: Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "13" of the amended complaint, except that upon information and belief denies that Jessica M. Hill is the owner of said copyright.

EIGHTH: Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "14" of the amended complaint.

NINTH: Denies each and every allegation contained in paragraph "15" of the amended complaint.

TENTH: Denies each and every allegation contained in paragraphs numbered "16", "17" and "18" of the amended complaint.

WHEREFORE, defendant "Sam H. Harris Theatrical Enterprises, Inc., demands judgment against the plaintiff dismissing the complaint herein as to said defendant, together with the costs and disbursements of this action.

O'BRIEN, DRISCOLL & RAFFERY,
Attorneys for Defendant, Sam H.
Harris Theatrical Enterprises, Inc.
Office & P. O. Address:
152 West 42nd Street,
Borough of Manhattan,
New York City.

Verified by Max Siegel on the 11th day of February, 1935.

Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph numbered "10" of the amended complaint.

SIXTH: Denies any knowledge or information sufficient

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JESSICA M. HILL,

Plaintiff,

-against-

SAM H. HARRIS, SAM H. HARRIS THEATRICAL
ENTERPRISES, INC., IRVING BERLIN and
MOSS HART,

Defendants.

The defendant, SAM H. HARRIS, by his attorneys,
O'BRIEN, DRISCOLL & RAFFERTY, answering the amended com-
plaint herein, respectfully alleges:

UPON INFORMATION AND BELIEF:

FIRST: Denies any knowledge or information suffi-
cient to form a belief as to each and every allegation con-
tained in paragraph numbered "1" of the amended complaint
herein.

SECOND: Denies each and every allegation contain-
ed in paragraphs numbered "4" and "5" of the amended com-
plaint.

THIRD: Denies any knowledge or information suffi-
cient to form a belief as to each and every allegation con-
tained in paragraphs numbered "6", "7" and "8" of the
amended complaint.

FOURTH: Upon information and belief, denies each
and every allegation contained in paragraph numbered "9" of
the amended complaint.

FIFTH: Denies any knowledge or information suffi-
cient to form a belief as to each and every allegation con-
tained in paragraph numbered "10" of the amended complaint.

SIXTH: Denies any knowledge or information suffi-

cient to form a belief as to each and every allegation contained in paragraph numbered "11" of the amended complaint.

SEVENTH: Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "12" of the amended complaint, except that defendant, upon information and belief, denies that Jessica M. Hill is now the owner of said copyright.

EIGHTH: Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in paragraph "13" of the amended complaint, except that defendant, upon information and belief, denies that Jessica M. Hill is now the owner of said copyright.

NINTH: Denies each and every allegation contained in paragraph numbered "15" of the amended complaint.

TENTH: Denies each and every allegation contained in paragraphs numbered "16" and "17" and "18" of the amended complaint.

WHEREFORE, defendant, SAM H. HARRIS, demands judgment against the plaintiff, dismissing the amended complaint herein, together with the costs and disbursements of this action.

O'BRIEN, DRISCOLL & RAFTERY
Attorneys for Defendant, Sam H. Harris
Office & P. O. Address
152 West 42nd Street
Borough of Manhattan
New York City

Verified by Benjamin Pepper on the 11th day of February, 1935.

AND: Upon information and belief, denies each and every allegation contained in paragraph 7 of the complaint.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
complaint.
JESSICA M. HILL, :

Plaintiff, :

-against- :

SAM H. HARRIS, SAM H. HARRIS THEATRICAL :
ENTERPRISES, INC., IRVING BERLIN and :
MOSS HART, ::

Defendants. :
-----X

The defendant, IRVING BERLIN, by his attorneys
O'Brien, Driscoll & Raftery, answering so much of the amended
complaint as is directed to him, respectfully shows:

UPON INFORMATION AND BELIEF:

FIRST: Denies any knowledge or information suffi-
cient to form a belief as to each and every allegation con-
tained in Paragraph 19 of the amended complaint.

SECOND: Defendant Berlin admits that he wrote the
lyrics and the music of the dramatico-musical production
known as "As Thousands Cheer", and that said dramatico-
musical production was presented as a commercial enterprise
for profit and was presented for the entertainment and amuse-
ment of the public, and except as herein admitted denies
each and every allegation contained in Paragraph 21 of the
amended complaint.

THIRD: Denies any knowledge or information suffi-
cient to form a belief as to each and every allegation con-
tained in Paragraphs 6, 7 and 8 of the amended complaint.

FOURTH: Upon information and belief, denies each
and every allegation contained in Paragraph 9 of the complaint.

FIFTH: Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in Paragraphs 10 and 11, 12 and 13 of the amended complaint.

SIXTH: Denies any knowledge or information sufficient to form a belief as to each and every allegation contained in Paragraph 14 of the amended complaint.

SEVENTH: Denies each and every allegation contained in Paragraphs 24 and 25, and 16, 17 and 18 of the amended complaint.

WHEREFORE, defendant IRVING BERLIN, demands judgment against the plaintiff herein dismissing the amended complaint herein, together with the costs and disbursements of this action.

O'BRIEN, DRISCOLL & RAFTERY
Attorneys for defendant, Irving
Berlin
Office & P. O. Address
152 West 42nd Street
Borough of Manhattan
City of New York

Verified by Benjamin Pepper on the 31st day of
July, 1935.