

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JESSICA M. HILL,
Plaintiff,

- against -

SAM H. HARRIS, et al,
Defendants.

ORDER WITH NOTICE
OF SETTLEMENT

MCKERCHER & LINK
Attorneys for Plaintiff

17 JOHN ST.
BOROUGH OF MANHATTAN
NEW YORK CITY
APR 20 1935
COPY RECEIVED

Sir:

Please take notice that the within is a copy of a

duly made and entered herein and filed on the day of _____, 19____, in the office of the Clerk of _____, Dated, N. Y. _____, 19____

Yours, etc.
MCKERCHER & LINK
Attorneys for

17 John Street
Manhattan Borough
New York City.
Esq.,
TO

Attorneys for
Sir:
Please take notice that the within is a copy of an *Order*

which will be presented for settlement and entry herein to ~~the~~ *Judge* ~~at the~~ *at the* ~~Clerk's~~ *at the* ~~Office~~ *at the* ~~of this~~ *of this* Court at ~~the~~ *at the* ~~Post-Office~~ *Post-Office* ~~Building~~ *Building*

on the *19th* day of *April* 1935, at *11* o'clock *AM*
Dated, N. Y. *April 17* 1935
Yours, etc.

MCKERCHER & LINK
Attorneys for *PEH.*
17 John Street
Manhattan Borough
New York City.

TO *Office, District Attorney Esq.*
Attorneys for *Sam H. Harris*
Subscribes, Rec.

Rec'd 202

Rec'd at 3 PM, 1935
April 17
Sam H. Harris
PEH

At a motion term of the United States District Court for the Southern District of New York held in the Post Office Building, Borough of Manhattan, City of New York, on the 19th day of April, 1935.

PRESENT:

HON William Bondy,
Judge

----- X

JESSICA M. HILL,

Plaintiff,

- against -

Equity #78-350

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

Defendants.

----- X

The plaintiff herein having moved this court for an order directing the defendant Sam H. Harris Theatrical Enterprises, Inc. to answer certain interrogatories and to produce certain documents, and ordering further upon a failure or refusal to comply with such direction that the answer of said defendant Sam H. Harris Theatrical Enterprises, Inc. shall be stricken out,

NOW, upon reading and filing plaintiff's notice of motion dated April 4, 1935, the affidavit of George Link, jr., sworn to April 8, 1935, together with proof of due service thereof, the memorandum in opposition to certain numbered interrogatories, and upon the pleadings and the proceedings heretofore had herein, and said motion having

upon filing the opinion of the court,

NOW, upon motion of McKercher & Link, attorneys for the plaintiff, it is

ORDERED, that the motion hereby is granted and it is further,

ORDERED, that the defendant Sam H. Harris Theatrical Enterprises, Inc. be and it hereby is directed to serve and file its answers to the following interrogatories propounded by the plaintiff within fifteen days after the date of service of a copy of this order with notice of entry thereof:

(a) Whether Sam H. Harris is the owner of more than 50% of the issued and outstanding stock of Sam H. Harris Theatrical Enterprises, Inc.

(b) Whether Sam H. Harris is the general manager of said Sam H. Harris Theatrical Enterprises Inc.

(c) Whether the tune hereinafter set forth and/or any variation thereof was played or sung in the skit "World's Wealthiest Man Celebrates 95th Birthday" as presented in the production "As Thousands Cheer":

GOOD-MORNING TO ALL.

To be sung standing.

Brightly.

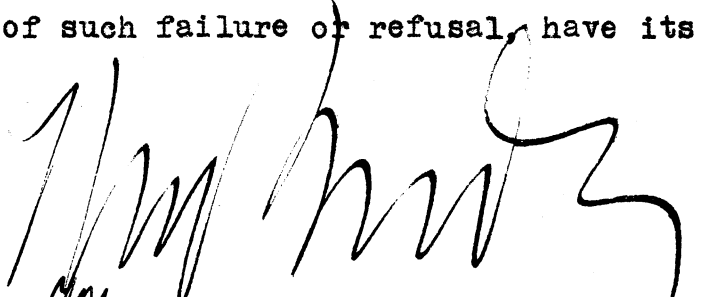
The image shows the first two staves of a musical score for the song "Good-Morning to All." The first staff is a treble clef with a key signature of one sharp (F#) and a 3/4 time signature. The melody begins with a quarter note G4, followed by quarter notes A4, B4, and C5. The second staff is a bass clef with the same key signature and time signature, providing a harmonic accompaniment. The lyrics "Good - morn - ing - to you. Good - morn - ing to" are written below the first staff.

THE COURT, IN THE ORDER HEREIN, IS DIRECTED TO
LET THE DEFENDANT, IN THE
CASE, SHOW REASON WHY HE SHOULD NOT BE
HOLD RESPONSIBLE FOR THE COSTS.

(d) If such tune and/or variation thereof was played or sung in the aforesaid skit, set forth a musical score thereof.

And it is further,

ORDERED, that if the defendant fails or refuses to serve and file its answers as above directed, said defendant shall, upon proof of such failure or refusal, have its answer stricken out.



United States District Judge