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8
9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF LOS ANGELES**

11 In the Matter of

12
13 THE PACIFIC TRUST

14
15 ROGER MARTIN CORMAN, an individual; and
16 BRIAN WILLIAM CORMAN, an individual,
17
18 *Petitioners,*

19 v.

20 JULIE ANN CORMAN, an individual; ROGER
21 WILLIAM CORMAN, an individual; NEW
22 HORIZONS PICTURE CORP., a California
23 corporation; SHOUT! FACTORY, LLC, a
24 Delaware limited liability company; ACE FILM
25 HK COMPANY LIMITED, a Hong Kong private
26 limited company; and DOES 1 -50, inclusive,

27
28 *Respondents.*

CASE NO.: SP007923
(Related Case Nos. SP007983 & SP007984)

Hon. Clifford L. Klein

**PETITION TO PRESERVE AND
RECOVER TRUST ASSETS
COMPRISING FILM LIBRARY:**

1. **DECLARATORY RELIEF;**
2. **QUIET TITLE;**
3. **SLANDER OF TITLE;**
4. **CONVERSION; and**
5. **RECOVERY OF TRUST
PROPERTY**

[Probate Code §§ 850, et seq., 17000 et seq.]

Date:
Time:
Dept: 9

1 Petitioners Roger Martin Corman (“Roger Martin”) and Brian William Corman (“Brian”)
2 (collectively, “Petitioners”), as beneficiaries of The Pacific Trust dated June 30, 1978 (the
3 “Trust” or “Pacific Trust”), for their Petition to Preserve and Recover Trust Assets Comprising
4 Film Library, allege on information and belief as follows:

5 **NATURE OF PETITION**

6 1. This Petition is to quiet title and for slander of title, theft, conversion and recovery
7 of trust assets involving certain film works and related properties owned by the Pacific Trust.
8 These assets include, but are not limited to, the tangible and intangible properties comprising the
9 works known or described as *The Arena*, *Black Scorpion TV Series*, *Bloodfist VI: Ground Zero*,
10 *Dillinger and Capone*, *House of the Damned*, *Humanoids from the Deep*, *In the Head of Passion*
11 *II: Unfaithful*, *Nightfall*, *Not Like Us*, *Piranha*, *Shakedown*, and/or *Star Quest* (together with
12 other such works referred to as the “Stolen Film Properties”).¹

13 2. The Stolen Film Properties and other works comprising the library of films owned
14 by the Pacific Trust (the “Film Library”) were produced or acquired for the Trust under the
15 direction and supervision of Respondent Roger William Corman (“Roger William”) or
16 Respondent Julie Ann Corman (“Julie”), or both, and distributed by Respondent New Horizons
17 Picture Corp., previously known as Concorde-New Horizons Corp. (“New Horizons”), a film
18 distribution company owned directly or indirectly by Roger William and Julie Corman
19 (sometimes referred to as the “Cormans” and together with New Horizons as the “Corman
20 Respondents”). The Cormans are also aware of the Trust assets comprising its Film Library by
21 _____

22 ¹ The Black Scorpion Television Series comprises multiple episodes based on the motion
23 pictures, *Black Scorpion* and *Black Scorpion II*, which are owned by the Pacific Trust, and these
24 episodes as registered with the U.S. Copyright Office include: *Black Scorpion No. 1: Armed and*
25 *Dangerous*; *Black Scorpion No. 2: Wave Goodbye*; *Black Scorpion No. 3: Blinded by the Light*;
26 *Black Scorpion No. 4: Home Sweet Homeless*; *Black Scorpion No. 5: Love Burns*; *Black*
27 *Scorpion No. 6: Out of Thin Air*; *Black Scorpion No. 7: No Stone Unturned*; *Black Scorpion No.*
28 *8: Crime Time*; *Black Scorpion No. 9: An Officer and a Prankster*; *Black Scorpion No. 10: No*
Sweat; *Black Scorpion No. 11: Roses Are Red, You’re Dead*; *Black Scorpion No. 12: Live’s a*
Gas; *Black Scorpion No. 13: Fire and Brimstone*; *Black Scorpion No. 14: Virtual Vice*; *Black*
Scorpion No. 15: Bad Sport; *Black Scorpion No. 16: Power Play*; *Black Scorpion No. 17: He*
Who Laughs Last; *Black Scorpion No. 18: Kiss of Death*; *Black Scorpion No. 19: Photo Finish*;
Black Scorpion No. 20: Face the Music; *Black Scorpion No. 21: Zodiac Attack No. 1*; and *Black*
Scorpion No. 22: Zodiac Attack No. 2.

1 reason of their respective positions from approximately 1978 through June 2014, as trustees for
2 the Trust. Despite this knowledge, the Corman Respondents purported to pass off the Stolen
3 Film Properties as part of the catalog of films owned by New Horizons in connection with a sale
4 of its catalog to Respondent Shout! Factory, LLC (“Shout! Factory”) and Respondent Ace Film
5 HK Company Limited (“Ace Film”), each of which also knew or should have known that the
6 purported sale of the New Horizons catalog included film properties owned by the Trust. All of
7 them have further falsely asserted in press releases and trade publications that Trust assets
8 comprising the Stolen Film Properties are now owned by Shout! Factory and Ace Film as part of
9 their acquisition of New Horizons’ film catalog.

10 3. The Corman Respondents’ purported sale of the Stolen Film Properties is not only
11 wrongful, but in bad faith. For more than a decade, Julie has waged a campaign to effectively
12 revoke, at least partially, the irrevocable trusts that she and Roger William established many
13 years ago to pass their wealth to their children, and prevailed upon Roger William (who is 91
14 years of age) to do the same through her influence and control over him. These efforts include
15 the wrongful taking, concealment and disposition of trust assets, which now includes the
16 purported sale of Stolen Film Properties to Shout! Factory and Ace Film. Indeed, Julie’s own
17 prior testimony demonstrates her knowledge that assets comprising the Stolen Film Properties
18 are owned by the Trust:

19 Q. Do you know who owns the copyright to the Black Scorpion
20 movies and television series?

21 A. I do.

22 Q. Who owns the copyright?

23 A. Pacific Trust.

24 *See* Reporter’s Transcript of Proceedings of August 21, 2012. To the Cormans, however, as the
25 former guardian ad litem has also previously observed, the Pacific Trust assets are theirs to do
26 with as they wish. *See* Guardian Ad Litem’s MSC Brief and Trial Brief dated July 6, 2012 (“The
27 Corman parents treat the Pacific Trust ... as extensions of themselves, to do with as they please
28”). In that vein, the Corman Respondents purportedly sold the Black Scorpion properties to
Shout! Factory and Ace Film along with other Trust assets comprising the Stolen Film

1 Properties.

2 4. A diligent review of available information, including the records on file with the
3 U.S. Copyright Office, shows that films purportedly included in the sale to Shout! Factory and
4 Ace Films involve properties belonging to the Trust, and no buyer with experience in the
5 industry would have reasonably and in good faith believed otherwise based on information
6 available from conducting due diligence as usually and customarily conducted in connection
7 with such transactions. That includes Respondents Shout! Factory and Ace Film, which either
8 were aware that films purportedly included in the sale to them involved properties owned by the
9 Pacific Trust or acted in reckless disregard with respect thereto, including, but not limited to, the
10 trust assets comprising the Stolen Film Properties.

11 5. Petitioners therefore bring this Petition pursuant to Probate Code §§ 850, *et seq.*,
12 and 17000, *et seq.*, for the preservation and recovery of trust assets comprising the Film Library,
13 including, but not limited to, the Stolen Film Properties. Petitioners seek a declaration of the
14 Trust's rights, title and interests in the properties comprising the Stolen Film properties, as well
15 as damages and other relief, including injunctive relief and attorneys' fees, to make the Trust
16 whole and preserve its assets comprising the Film Library.

17 **JURISDICTION AND VENUE**

18 6. Jurisdiction and venue are proper in this Court pursuant to Probate Code §§ 800,
19 850(a)(3), 17000, 17003, 17004 and 17005, and Civil Procedure Code §§ 395, 395.5, 410.10, as
20 the Pacific Trust is administered in Los Angeles County, California, the parties reside, have their
21 principal place of business and/or regularly and systematically conduct business in Los Angeles
22 County, California, and the acts and omissions giving rise to this Petition arose and occurred in
23 substantial part in Los Angeles County, California. Further, once probate jurisdiction has
24 attached to a trust proceeding under Probate Code § 17000(a), the probate department has
25 concurrent jurisdiction over other controversies, including actions or proceedings involving
26 trustees and third persons, even if such controversies would otherwise be outside its jurisdiction
27 if asserted independently. *See* Prob. Code § 17000(b)(3).
28

PARTIES

7. Petitioner Brian William Corman is a beneficiary of the Pacific Trust.

8. Petitioner Roger Martin Corman is a beneficiary of the Pacific Trust.

9. Respondent Roger William Corman resides in Los Angeles County, California and is a former trustee of the Pacific Trust.

10. Respondent Julie Ann Corman resides in Los Angeles County, California resident and is a former special trustee of the Pacific Trust.

11. Respondent New Horizons Picture Corp. is a California corporation, which has its principal place of business and conducts business in Los Angeles County, California.

12. Respondent Shout! Factory, LLC, is a Delaware corporation, which has its principal place of business and conducts business in Los Angeles County, California.

13. Respondent Ace Film HK Company Limited is a Hong Kong private limited company, which conducts business in Los Angeles County, California.

14. Petitioners are unaware of the true names and capacities of the Respondents sued herein as Does 1 through 50, inclusive, and therefore sue such Respondents by such fictitious names. Petitioners will amend their Petition to allege the true names and capacities of such fictitiously named Respondents upon ascertaining the same. Petitioners are informed and believe, and upon that basis allege, that each fictitiously named Respondent is legally responsible in some manner for and proximately caused the harm and damages alleged.

GENERAL ALLEGATIONS

A. The Pacific Trust Film Library

15. The Pacific Trust is an irrevocable trust established June 30, 1978, by Roger William, as Trustor and Trustee, with Julie and Bank of America as Special Trustees of the Trust.

16. Petitioners and their sisters Catherine Ann Corman (“Catherine”) and Mary Tessa Corman (“Mary”), are beneficiaries of the Pacific Trust.

17. Roger William, an internationally famous director and producer, previously provided services for the Pacific Trust, including the creation and development of film works for

1 the Pacific Trust, and did so for the benefit of his children as beneficiaries of the Trust. These
2 works comprise certain copyrights and other intangible and tangible properties comprising the
3 Pacific Trust Film Library, including, but not limited to, those properties included in the Stolen
4 Film Properties.

5 **B. Julie's Revolt against the Corman Estate Plan**

6 18. The Pacific Trust was one of several irrevocable trusts or devices established by
7 the Cormans as part of their estate plan for purposes of passing their wealth to their children.
8 Other such trusts include the Tessa Trust, which Roger William and Julie established, as trustors,
9 on or about December 27, 1987, with Julie as trustee and Roger William as special trustee, and
10 the MG Trust, which Roger William and Julie established as trustors and trustees, on or about
11 December 30, 1993.

12 19. Among other things, the Cormans used trust assets to produce films, which
13 collectively earned millions upon millions of dollars directly and pursuant to investment of the
14 proceeds thereof. In or about the early to mid-2000s, as Roger William approached 80 years of
15 age, he decided that he wanted to give a large portion of the assets to his children before his
16 death. Julie disapproved of this plan, however, became abusive towards her husband and other
17 family members, and commenced to undermine the beneficial interests held by the children
18 notwithstanding the irrevocability of the trusts. Unlike in the past, when Roger William
19 encouraged meetings or discussions with the children about family finances and their interests as
20 beneficiaries of the trusts, Julie insisted that he refrain from discussing such matters with their
21 children, and berated and abused Roger William to force him to succumb to her wishes. These
22 observations are not merely those of Petitioners, but also their sisters. As explained by Mary in a
23 sworn statement that she made in 2009:

24 My father has always openly discussed financial matters with my siblings and me.
25 From a young age, we were made aware of our financial situation to an
26 appropriate degree. Our father believed including us in financial discussions
27 would better prepare us for the future. As we grew up, our parents encouraged
28 our further involvement in matters involving the trusts. Family meetings were
held, where our parents asked our opinions regarding our trusts and the family
would discuss their views regarding distributions and other matters of the trusts.

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Once my siblings reached their mid-twenties, my mother’s temperament regarding the children’s involvement with the trust and these scheduled distributions changed drastically. While my father wanted to continue our family discussions regarding the trust, my mother began acting erratically during these meetings. She would often yell at my father for no apparent reason and our meetings regularly devolved to such a degree that she would become hysterical and leave.

While my siblings had moved out of the house at this point, I was still living under the same roof as my parents and became increasingly aware of her verbal attacks against my father. After dinners when the trusts were mentioned, she would regularly attack my father later in the evening over his willingness to discuss the trusts with members of the family. This verbal abuse was so extreme that several times my father became physically ill as a result.

As the years progressed, my mother’s badgering became a nightly occurrence. My mother no longer believed that any of the children should get the distributions my father had wanted to give us. Because my father still felt strongly that these distributions should be made, my mother continued to yell at him nightly over this. My father would often pled with her to stop and on several occasions offered to resign and give her complete control over finances if she would just stop badgering him.

A true and correct copy of Mary’s sworn statement made July 24, 2009, is attached hereto as Exhibit 1 and incorporated herein by this reference.

20. Mary’s observations regarding Julie’s abuse are consistent with those of Petitioners’ other sister, Catherine:

My father has always been very open with the entire family about financial matters. My mother has stated many times that she would like to come to decisions with my father in secret, and not disclose financial information to my siblings and myself. Her demands for secrecy have grown vastly in recent years, to the point where she stops my father mid-sentence if he is about to discuss our finances with us, and throws tantrums if she finds out he has spoken to us about financial matters.

Last summer my father said that he wanted to make major distributions to us. He took me to lunch and told me this. He also said the same thing to Brian and Roger. My mother did not want the distributions made, and stopped him from even discussing the distributions with us, much less making them.

... In sum, I am extremely concerned by my mother’s words (especially those which have been false or misleading), and actions (especially those which involve secrecy, pressuring my father, or taking legal measures to hide financial information regarding our trusts), which reveal her not to be acting in our interest, but in fact working against the interests of the beneficiaries of the trusts of which she is trustee, and that of which she is special trustee.

A true and correct copy of Catherine’s sworn statement made July 24, 2009, is attached hereto as Exhibit 2 and incorporated herein by this reference.

21. In addition to the relentless abuse of her elderly husband, Julie has also been

1 known to turn her anger and abuse towards her children:

2 Last night at dinner at a restaurant, my mother, Julie Corman, had a cocktail, a
3 glass of champagne, and a glass of wine. She became argumentative at the dinner
4 table, at certain times raising her voice, making sarcastic comments, and crying.
5 She was petulant toward my sister and myself, criticizing and mocking us.

6 As I do not drink, I was completely sober, but because I am on New York time, I
7 was too tired to drive, so she drove home. She seemed to be in control of the
8 vehicle, but continued badgering my sister, Mary Corman, who at this point was
9 sobbing in the back seat of the car. My mother continued to verbally attack my
10 sister for miles, not acknowledging the fact that Mary was crying the whole way
11 home.

12 When we returned home, I told my mother she could not treat my sister like that,
13 and that she should stay away from Mary until she could control herself. My
14 sister had gone into her room, and my mother was standing outside my sister's
15 room, now turning her anger toward me, as I was standing in front of my sister's
16 room, telling my mother she could not go in. She would not leave, and I
17 continued to try to halt my mother's emotional abuse of my sister, telling her she
18 could not continue treating each member of our family the way she has been
19 treating us. She became more and more volatile, and her words became more
20 hostile. She hit me in the face, leaving a large red mark where she had struck me,
21 and I cried out.

22 A true and correct copy of Catherine's sworn statement made October 26, 2009, is attached
23 hereto as Exhibit 3 and incorporated herein by this reference.

24 22. The origin of Julie's abuse of her family, and the reason for her about-face in
25 undermining the irrevocable trusts that she helped to establish with Roger William for the benefit
26 of their children, stems from her belief that she and Roger William have been too generous, at
27 her expense, in providing for their children:

28 Several years ago, my mother and I took a trip to Paris. We stayed at the Ritz
Hotel and my mother upgraded us to the F. Scott Fitzgerald Suite. When I
commented on the lavish accommodations, she told [me] she might as well spend
the money now since none of it was going to her anyway. When I asked her what
she meant by this, my mother told me that she would only be getting \$10 million
dollars when my father dies. When I told her not to talk about such things as my
father's death, she said she needed to think about it because by that time she
would be in her seventies and that would not be enough money for her to live on.
Later in the trip, my mother told me that there was too much money in the trusts
for her children and she did not believe children should have more money than
their parents.

See Exhibit 2.

23. In the spring of 2008, Roger William informed the Corman children that at the
end of the summer or fall, there would be substantial distributions to them in the collective
amount of approximately \$120 million to \$160 million, with each beneficiary's share to be

1 between approximately \$30 million to \$40 million. When Roger William made the
2 announcement, Julie became visibly upset, engaging in a heated argument with Roger William
3 about his wishes for such distributions. Among other things, Julie insisted to the children that
4 assets in the Trusts belong to her, that she is tired for working for free, and that the distributions
5 vowed by Roger William would not happen. Julie also insisted that none of the Corman children
6 could meet privately with their father, even for lunch or dinner.

7 **C. The Litigation and the Cormans' Resignation as Trustees**

8 24. Because of Julie's actions, Roger Martin eventually requested an accounting of
9 the Trusts on December 30, 2008, which was rejected. Roger Martin therefore filed a Petition on
10 August 25, 2009, for an accounting of the Trust and removal of the Cormans as trustees. *See*
11 *Petition for Verified Accounting of the Pacific Trust, etc.* filed August 25, 2009. Brian joined
12 Roger Martin in filing a First Amended Petition for such relief on November 3, 2009. *See* First
13 Amended Petition for Verified Accounting of the Pacific Trust, etc. dated November 3, 2009.

14 25. Shortly after the proceedings were commenced, the Corman children and their
15 father negotiated a resolution or settlement that would have avoided the ensuing litigation. Julie
16 opposed the compromise, however, including the provision for her removal as a Special Trustee
17 of the Pacific Trust, and by order dated March 5, 2010, the Court appointed Christopher Carico
18 as guardian ad litem to represent any minor and unascertained beneficiaries of the trusts in
19 connection with the proposed settlement and otherwise. *See* Order Appointing Counsel dated
20 March 5, 2010.

21 26. The guardian ad litem investigated the Cormans' activities including as trustees of
22 the Pacific Trust, filed certain claims against them for breaches of their fiduciary duties as
23 trustees of the Pacific Trust and ultimately reached a settlement with them in which the guardian
24 ad litem agreed to dismiss all claims against the Cormans in exchange for, among other things,
25 their irrevocable resignation as trustees of the Pacific Trust. *See* Order Approving Settlement
26 Agreement dated May 13, 2014. Before reaching this settlement, the guardian ad litem filed
27 multiple reports detailing "a variety of breaches of fiduciary duties by the parents" (*see* Report of
28 Guardian Ad Litem, etc. dated December 8, 2011) and why the Cormans are "unfit as Trustees."

1 See Guardian Ad Litem’s MSC Brief and Trial Brief dated July 6, 2012. In support, the guardian
2 ad litem explained that “the Cormans wealth-transfer strategy had one major problem. It was
3 based on tax fraud.” *Id.* As for the Pacific Trust itself, the guardian ad litem also observed, “The
4 Corman parents simply take money from the Pacific Trust for themselves as needed, making up
5 reasons as they go. As likeable and charming as they are, the Cormans create and rescind
6 transactions to fit their fancy with no regard for the actual written terms of any document.” *Id.*

7 27. On or about May 13, 2014, the Court approved the settlement between the
8 guardian ad litem and the Cormans for their irrevocable resignation as trustees of the Pacific
9 Trust, and the Court then appointed Goldman Sachs Trust Company, N.A. (“Goldman Sachs”) as
10 Trustee and Special Trustee of the Pacific Trust, by order dated June 25, 2014. *See* Order
11 Appointing Successor Trustee dated June 25, 2014. Bank of America also resigned as Special
12 Trustee pursuant to a stipulation on the record dated July 30, 2013.

13 **D. The Respondents’ Conversion of Pacific Trust Film Assets**

14 28. Despite their resignations as trustees of the Pacific Trust, the Cormans have
15 continued to undermine and interfere with the Trust’s rights in its Film Library. Among other
16 things, the Cormans refused to cooperate in identifying assets comprising the Film Library
17 notwithstanding their continuing fiduciary obligations in providing for the orderly transition and
18 administration of the Trust. To make matters worse, Roger William more recently advised that
19 he and Julie arranged for the sale of trust assets, including, but not limited to the Stolen Film
20 Properties, by falsely claiming that such properties do not belong to the Pacific Trust, but rather
21 are owned by New Horizons or other entities owned or controlled by the Cormans.

22 29. On or about March 15, 2018, Respondents issued or authorized the publication of
23 a press release announcing the sale of 270 films to Shout! Factory and Ace Films, which
24 purportedly includes properties comprising the Stolen Film Properties. This transaction was
25 reported in various trade publications or other media outlets such as *Hollywood Reporter*,
26 *Variety*, *Deadline*, *The Wrap*, *Gizmodo* and *Paste Magazine*, and those publications include
27 statements to the effect that properties purportedly sold to Shout! Factory and Ace Film include
28 films comprising the Stolen Film Property. Those statements are false, however, because those

1 properties are owned by the Pacific Trust.

2 30. Petitioners therefore bring this Petition for the preservation and recovery of trust
3 assets comprising the Film Library, including, but not limited to, the Stolen Film Properties, and
4 related relief including restitution of all of the Trust's interest in such assets, damages for all
5 losses and expenses proximately caused by Respondents' acts or omissions, injunctive relief to
6 preserve the Trust's interests the Film Library, the imposition of a constructive trust over all of
7 Respondents' ill-gotten gains including from the sale or disposition of the Trust's assets, double
8 damages against the Corman Respondents, attorney's fees, and punitive damages.

9 **FIRST CAUSE OF ACTION FOR DECLARATORY RELIEF**

10 **(Against All Respondents)**

11 31. Petitioners re-allege and incorporate by reference herein, as though fully set forth
12 herein, each and every allegation contained in paragraphs 1 through 30 above.

13 32. An actual controversy has arisen and now exists between and among the parties
14 regarding the Pacific Trust's rights, title and interests in properties comprising the Film Library
15 and the parties' respective rights and obligations concerning such properties.

16 33. Among other things, Petitioners claim that assets of the Trust comprising the Film
17 Library include the Stolen Film Properties, that the Pacific Trust possesses sole ownership rights
18 in such properties, that none of the Corman Respondents had any right to sell or transfer any
19 such properties to any person, including Respondents Shout! Factory and Ace Film, and that
20 Respondents are obligated to restore or transfer to the Trust any and all properties comprising the
21 Film Library that are in their possession, custody or control, including, but not limited to, all
22 Stolen Film Properties that are in their possession custody or control. Petitioners are informed
23 and believe, and based thereon allege, that Respondents dispute these contentions.

24 34. A judicial determination is necessary and appropriate in order to resolve the
25 parties' respective rights and obligations in the film works comprising the Stolen Film Properties
26 and avoid further risk and uncertainty and further disputes between the parties regarding such
27 properties.

28 **SECOND CAUSE OF ACTION FOR QUIET TITLE**

1 by any of Respondents.

2 **THIRD CAUSE OF ACTION FOR SLANDER OF TITLE**

3 **(Against All Respondents)**

4 41. Petitioners re-allege and incorporate by reference herein, as though fully set forth
5 herein, each and every allegation contained in paragraphs 1 through 40 above.

6 42. The Pacific Trust owns and has at all relevant times owned the intangible and
7 tangible properties comprising the Film Library, including, but not limited to, the Stolen Film
8 Properties.

9 43. The Corman Respondents, and each of them, have falsely stated, represented
10 and/or asserted to third parties, including Respondents Shout! Factory and Ace Film, that the
11 Trust has no right, title or interest in properties comprising the Film Library, including, but not
12 limited to, the Stolen Film Properties, and/or have authorized, approved, adopted and/or ratified
13 such false statements, representations and assertions of fact.

14 44. Respondents, and each of them, further have falsely stated, represented and/or
15 asserted in a press release issued on or about March 15, 2018, and in articles published on or
16 about such date by members of the media, such as the articles published by *Hollywood Reporter*,
17 *Variety*, *Deadline*, *The Wrap*, *Gizmodo*, *Paste Magazine* and other media outlets as alleged
18 herein, that persons other than the Pacific Trust own properties comprising its Film Library,
19 including, but not limited to, the Trust assets comprising the Stolen Film Properties, and/or
20 authorized, approved, adopted and/or ratified such false statements, representations and
21 assertions of fact..

22 45. Respondents' statements, representations and/or assertions as alleged herein are in
23 fact false in that the Pacific Trust owns all properties comprising the Film Library, including, but
24 not limited to, the Stolen Film Properties, and caused doubt to be cast on the Trust's ownership
25 of such properties.

26 46. Respondents, and each of them, knew that the statements, representations and/or
27 assertions alleged herein were false at the time they were made, authorized, approved, adopted
28 and/or ratified by such Respondents, or acted with reckless disregard of the truth or falsity as to

1 whether the Pacific Trust owns the properties comprising the Film Library, including, but not
2 limited to, the Stolen Film Properties.

3 47. Respondents' slander of title as alleged herein has made it reasonably necessary
4 for Petitioners to bring this Petition to clear title held by the Pacific Trust to properties
5 comprising its Film Library, including, but not limited to, the Stolen Film Properties, so as to
6 incur and entitle Petitioners to recovery of costs and expenses, including attorneys' fees, in
7 connection therewith.

8 48. Respondents' slander of title as alleged herein has further impaired the Pacific
9 Trust's title in properties comprising its Film Library, including, but not limited to, the Stolen
10 Film Properties, in an amount in excess of the jurisdictional limit according to proof at trial.

11 49. As a further direct and proximate result of Respondents' slander of title as alleged
12 herein, Petitioners are entitled to the imposition of a constructive trust over all things derived by
13 Respondents, or any of them, from their misconduct as alleged herein, including, but not limited
14 to, all proceeds from any sale of any properties comprising the Film Library, including the Stolen
15 Film Properties, declaring that they hold such properties, including the proceeds thereof, in trust
16 for the Pacific Trust and compelling Respondents to restore, transfer and convey to the Pacific
17 Trust all such properties, including the proceeds thereof, and to execute and deliver all
18 documents reasonably necessary to effectuate such transfer or conveyance to the Pacific Trust.

19 50. As a further direct and proximate result of Respondents' slander of title as alleged
20 herein, including their continuing to slander title of the Pacific Trust in assets comprising the
21 Film Library, Petitioners are entitled to injunctive relief, including a preliminary and/or
22 permanent injunction, enjoining Respondents and any person acting in concert with them from
23 interfering with the Pacific Trust's rights, title or interests in properties comprising the Film
24 Library, including, but not limited to, in connection with any sale or disposition of the Stolen
25 Film Properties or any exploitation thereof by any of Respondents.

26 51. Petitioners have no adequate remedy at law to prevent Respondents from
27 wrongfully interfering with the Pacific Trust Film Library, including, but not limited to, in
28 connection with any sale or disposition of the Stolen Film Properties or any exploitation thereof

1 by any of Respondents.

2 52. The Corman Respondents, and each of them, have knowingly acted in conscious
3 disregard of the Pacific Trust's rights, and their conduct therefore constitutes oppression, fraud,
4 and/or malice. Petitioners therefore request that the Corman Respondents be ordered to pay
5 punitive damages in an amount to be determined at trial pursuant to California Civil Code
6 Section 3294.

7 **FOURTH CAUSE OF ACTION FOR CONVERSION**

8 **(Against All Respondents)**

9 53. Petitioners re-allege and incorporate by reference herein, as though fully set forth
10 herein, each and every allegation contained in paragraphs 1 through 52 above.

11 54. The Pacific Trust owns, is entitled to possess and has at all relevant times owned
12 and been entitled to possess the intangible and tangible properties comprising the Film Library,
13 including, but not limited to, the Stolen Film Properties.

14 55. Respondents, and each of them, have wrongfully converted and continue to
15 wrongfully convert assets of the Trust comprising the Film Library, including, but not limited to,
16 the Stolen Film Properties, by interfering with the Pacific Trust's ownership and possession of
17 such properties, preventing the Pacific Trust from having access to such properties, refusing to
18 turn over such properties to the Pacific Trust despite demand therefor, falsely claiming right and
19 title in such properties other than in the name and for the benefit of the Pacific Trust, and
20 otherwise wrongfully exercising dominion over such properties to the exclusion of the Pacific
21 Trust.

22 56. At all relevant times, the Corman Respondents, and each of them, knew that the
23 Pacific Trust owned and was entitled to possession of the properties comprising the Film
24 Library, including, but not limited to, the Stolen Film Properties, and nonetheless, despite such
25 knowledge, purposefully, deliberately, intentionally and wrongfully converted such properties as
26 alleged herein, with the intention and for the purpose of depriving the Pacific Trust of its rights
27 in such properties and of enriching themselves at its expense. In furtherance thereof, the Corman
28 Respondents, and each of them, agreed to and did wrongfully conspire with each other to convert

1 or cause the conversion of assets of the Trust comprising the Film Library, including, but not
2 limited to, the Stolen Film Properties as alleged herein, and did further aid and abet each other in
3 wrongfully converting such properties, including, but not limited to, by intentionally and actively
4 encouraging and substantially assisting in the conversion of properties comprising the Film
5 Library, including the Stolen Film Properties, as alleged herein.

6 57. As a direct and proximate result of Respondents' conversion as alleged herein, the
7 Pacific Trust has been damaged and is entitled to recovery of compensatory damages in an
8 amount in excess of the jurisdictional limit according to proof at trial.

9 58. As a further direct and proximate result of Respondents' conversion as alleged
10 herein, Petitioners are entitled to the imposition of a constructive trust over all properties
11 comprising the Film Library, including the Stolen Film Properties, in the possession, custody or
12 control of any of Respondents, or otherwise held by any of them, declaring that they hold such
13 properties, including the proceeds thereof, in trust for the Pacific Trust and compelling
14 Respondents to restore, transfer and convey to the Pacific Trust all such properties, including the
15 proceeds thereof, and to execute and deliver all documents reasonably necessary to effectuate
16 such transfer or conveyance to the Pacific Trust.

17 59. As a further direct and proximate result of Respondents' conversion as alleged
18 herein, including their continuing misappropriation and conversion of properties comprising the
19 Film Library, Petitioners are entitled to injunctive relief, including a preliminary and/or
20 permanent injunction, enjoining Respondents and any person acting in concert with them from
21 interfering with the Pacific Trust's rights, title or interests in assets of the Trusts comprising the
22 Film Library, including, but not limited to, in connection with any sale or disposition of the
23 Stolen Film Properties or any exploitation thereof by any of Respondents.

24 60. Petitioners have no adequate remedy at law to prevent Respondents from
25 wrongfully interfering with the Pacific Trust Film Library, including, but not limited to, in
26 connection with any sale or disposition of the Stolen Film Properties or any exploitation thereof
27 by any of Respondents.

28 61. The Corman Respondents, and each of them, have knowingly acted in conscious

1 disregard of the Pacific Trust's rights, and their conduct constitutes oppression, fraud, and/or
2 malice. Petitioners therefore request that the Corman Respondents be ordered to pay punitive
3 damages in an amount to be determined at trial pursuant to California Civil Code Section 3294.

4 **FIFTH CAUSE OF ACTION FOR RECOVERY OF TRUST PROPERTY**

5 **AND DOUBLE DAMAGES**

6 (Against All Respondents)

7 62. Petitioners re-allege and incorporate by reference herein, as though fully set forth
8 herein, each and every allegation contained in paragraphs 1 through 61 above.

9 63. Petitioners are each an interested person within the meaning of Probate Code
10 Section 850(a)(3).

11 64. The Trustee of the Pacific Trust is in possession of or holds title to properties
12 comprising the Film Library, including, but not limited to, the Stolen Film Properties, which are
13 claimed to belong to another by one or more of Respondents within the meaning of Probate Code
14 Section 850(a)(3)(A), and/or has a claim to such properties in which title or possession is held by
15 another within the meaning of Probate Code Section 850(a)(3)(B).

16 65. Petitioners are entitled to an order directing Respondents, and each of them, to
17 execute a transfer or conveyance to the Pacific Trust of all properties comprising the Film
18 Library, including, but not limited to, the Stolen Film Properties, together with any profits
19 thereon and the fruits and proceeds thereof, which are in their possession, custody or control or
20 in which title is held or claimed to be held by any of them.

21 66. The Corman Respondents, and each of them, have in bad faith wrongfully taken,
22 concealed or disposed of property belonging to the Pacific Trust, including properties of the
23 Trust comprising the Film Library, so as to be liable for twice the value of such property and for
24 reasonable attorneys' fees and costs pursuant to Probate Code Section 859, in addition to any
25 other remedies available in law under Part 19 of the Code.

26 67. In addition to compensatory damages according to proof, the Corman
27 Respondents, and each of them, are liable for reasonable attorney's fees and costs in connection
28 with this litigation.

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13 New Horizons Picture Corp.
14 11600 San Vicente Blvd.
15 Los Angeles, CA 90049

16 Shout! Factory, LLC
17 2034 Armacost Avenue, Floor 1
18 Los Angeles, CA 90025

19 Ace Film HK Company Limited
20 Unit 1904
21 460 Hennessy Road Causeway Bay
22 Bowrington
23 Hong Kong

24 71. Petitioners are not aware of any request for special notice.

25 **PRAYER FOR RELIEF**

26 WHEREFORE, Petitioners pray for an order and entry of judgment against Respondents,
27 and each of them, inclusive of the following:

- 28 1) For an order directing Respondents to execute a transfer or conveyance returning
any and all Film Library assets to the Pacific Trust, including, but not limited to, those
comprising the Stolen Film Properties;
- 2) For a judicial determination of the parties' respective rights and obligations
relating to the properties comprising the Film Library, including, but not limited to, a declaration
that the assets of the Trust comprising the Film Library include the film works comprising the
Stolen Film Properties, that the Pacific Trust possesses sole ownership rights in such properties,
that none of the Corman Respondents had any right to sell or transfer any such properties to any

1 person, including Respondents Shout! Factory and Ace Film, and that Respondents are obligated
2 to restore or transfer to the Trust any and all properties comprising the Film Library that are in
3 their possession, custody or control, including, but not limited to, all Stolen Film Properties that
4 are in their possession, custody or control;

5 3) For compensatory or restitutionary damages in an amount according to proof at
6 trial;

7 4) For the imposition of a constructive trust over all properties comprising the Film
8 Library, including the Stolen Film Properties, in the possession, custody or control of any of
9 Respondents, or otherwise held by any of them, declaring that they hold such properties,
10 including the proceeds thereof, in trust for the Pacific Trust and compelling Respondents to
11 restore, transfer and convey to the Pacific Trust all such properties, including the proceeds
12 thereof, and to execute and deliver all documents reasonably necessary to effectuate such transfer
13 or conveyance to the Pacific Trust;

14 5) For injunctive relief, including a preliminary injunction and/or a permanent
15 injunction, enjoining Respondents and any person acting in concert with them from interfering
16 with the Pacific Trust's rights, title or interests in assets of the Trusts comprising the Film
17 Library, including, but not limited to, any sale or offer to sell any such assets to any person;

18 6) For an award of twice the value of the properties wrongfully taken, concealed or
19 disposed of by Respondents in bad faith, including but not limited to, the properties comprising
20 the Stolen Film Properties;

21 7) For punitive damages in an amount to be determined at trial;

22 8) For costs including attorneys' fees to the fullest extent allowable by law,
23 including as allowed pursuant to Probate Code Section 859; and

24 9) For such other relief as the Court deems just and proper.
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Dated: April 2, 2018

VENABLE LLP

By: _____
Alex M. Weingarten
Attorneys for Petitioners
ROGER MARTIN CORMAN and
BRIAN WILLIAM CORMAN

Deadline

VERIFICATION

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I am a Petitioner in the above-captioned proceeding and a beneficiary of the Pacific Trust.

I have read the foregoing PETITION TO PRESERVE AND RECOVER TRUST ASSETS COMPRISING FILM LIBRARY, and know its contents.

The matters stated in the foregoing document are true of my own knowledge, or I am informed and believe that such allegations are true, and make such allegations on the basis of my information and belief.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, at Los Angeles, California.

Brian William Corman

VENABLE LLP
2049 CENTURY PARK EAST, SUITE 2300
LOS ANGELES, CA 90067
310-229-9900

Deadline

VERIFICATION

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, at _____.

Roger Martin Corman

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Deadline