

COPYRIGHT INFRINGEMENT CLAIMS

HARRY POTTER AND THE DEATHLY HALLOWS

In this section, the title “Harry Potter and the Deathly Hallows” (**HPDH**) or the initials “HPDH” is/are used to refer to the July 2007 JK Rowling book of the same name. The initials “**HPDHp1**” are used to refer to the 2010 Warner Brothers film “Harry Potter and the Deathly Hallows, Part 1”, adapted from the HPDH book. The initials HPDHp2 are used to refer to the 2011 Warner Brothers film “Harry Potter and the Deathly Hallows, Part 2”, which also adapted from the HPDH book. However, at times, for general purposes, the initials HPDH may refer to the book or either film adaptation.

The Harry Potter And The Deathly Hallows book and films infringe 66 unique expressions, story structures and elements of the Plaintiff’s screenplay “Butterfly Driver,” or one of its early versions, titled “Uberopolis: City of Light.” The following list should be contemplated

1. as an aggregate protectable collection of non-protectable elements,
2. because several of the story structures are original ideas, they should also be considered, both, individually and in tandem, because, although a single original idea is not copyrightable, two or more original ideas are copyrightable
3. and because many of the following enumerated structure/expressions involve numerous elements, and may, therefore, be separately copyright protectable expressions.

The **64 story aspects** that HPDH book and films infringe from the Plaintiff’s screenplay Butterfly Driver and Uberopolis: City of Light are enumerated, on the following list, under the following heading the following 64 **bold** headings, as follows, with description:

**PLAINTIFF’S FIRST SET OF 64 COPYRIGHT INFRINGEMENT
CLAIMS AGAINST WARNER BROS’ & J.K. ROWLING’S FOR**

“HARRY POTTER AND THE DEATHLY HALLOWS”

The following is a list enumerates each noteworthy story structure, expression, element, idea or aspect of the Plaintiff’s work, which the Plaintiff found replicated in the Defendants’ HPDH book and/or films. To reduce confusion and redundancy, the Plaintiff’s “Plot”, “Hero” and “Villain” claims are found at the end of the following list.

1. HERO WHO REPRESENTS HOPE; Or “Hero Represents Hope To The World”.

The Plaintiff showed that Arlo, the hero of Plaintiff’s screenplay (Butterfly Driver AKA Uberopolis: City of Light) represented “hope”, broadly, and to the oppressed people of the zones, by using several strategies, involving recurring dialogue about hope, and visual symbolism:

A. On pages 14 and 15 of Butterfly Driver the plaintiff included the following dialogue:

TAMARA
(shaking her head)
Faith comes from our unreasonably **hopeful** nature. How
we survive. I put [my] unreasonable **hopes** in my A-Cell.

B. On page 17, the Plaintiff included a key piece of dialogue about hope, which informs the audience that the Butterfly symbolizes hope:

TAMARA
A lot of slang in the zones ... I guess you call exiles "butterflies"
because we're weak, chased by the wind from a thousand predators?
ARLO
(shrugging)
Maybe it's cause you represent **hope**.
Tamara shrugs, satisfied with the alternative.

C. After establishing that butterflies symbolize hope, on page 54 of Butterfly Driver, Arlo notices that Benni is wearing a **butterfly** dream catcher. Then, on page 65, Benni gives Arlo her **butterfly** dream catcher.

D. All of this leads to the final exchange on “hope” (pages 63 and 64 of Butterfly Driver):

Arlo opens the box, quickly, to find ...

ARLO (CONT'D)

The A-Cell.

Benni moves closer to see the A-cell -in perfect condition.

BENNI

How can it be here?

ARLO

Dylan sent it... I forgot.

BENNI

This means

ARLO

(whispering)

Hope is unreasonable.

BENNI

It means you can still help Tamara change the **world**.

Because the viewers/readers know that the State has killed Tamara, the viewers/readers are informed that Arlo is now **the last HOPE** to bring the A-cell to the world’s attention, and save billions of lives. Arlo represents hope. He is hope incarnate. The Plaintiff further reinforces that Arlo represents hope to the world by showing rioters and protesters, around the world, protesting Arlo’s arrest (see Uberopolis: City of Light, pp 19, 24), and by showing people, around the world, cheer for Arlo, as he fights Drexler (see Uberopolis: City of Light, pp 93, 94, 95).

Harry Potter and the Deathly Hallows infringes the Plaintiff’s unique concept of a hero who represents hope (and/or who represents hope to the world), by including several plain statements to this effect, and by including each of the following aspects (and more):

- a. Throughout the HPDH book the fact that Harry represents hope is expressed repeatedly, such as in chapter 3 (p 41, pb), as Dedalus Diggle tells Harry, “**The hopes of the wizarding world rest on your shoulders.**”
- b. 20 minutes, 40 seconds into Deathly Hallow (Part 1) Kingsley says that Dumbledore’s last words to him and Lupin were: “**Harry is the best HOPE we have. Trust him.**”

- c. 1:56:12 into Deathly Hallows (Part 1) Luna’s father, Xenophilius Lovegood, tells Harry Potter: “You are my only **HOPE.**”
- d. Page 441 of HPDH (pb), while talking on a radio show “Potterwatch,” Lupin says that if Harry died, “...it would stike a deadly blow to those resisting the new regime. ‘The Boy Who Lived’ remains a symbol of everything for which we are fight: the triumph of good, the power of innocence, the need to keep resisting.” These things are the essence of hope.
- e. At 1:39:44 into HPDHp2, when Harry appears to be dead, Voldemort tells the Hogwarts students, parents and faculty: “Harry Potter is dead! From this point forth, you put you faith in me!” **This means, “now that Harry is dead, you have no hope.”**
- f. To reinforce that Harry represents hope to the entire world, at 11:45 (approx) into HPDHp1, The Defendants included the following dialogue between Harry Potter and Kingsley (who provides security to the Prime Minister of the UK):

HARRY
I thought you were looking after the Prime Minister?
KINGSLEY
You are more important.

Thus, viewers understand that Harry’s life is the most important life; more important than the Prime Minister, because only Harry can defeat Voldemort. If Harry falls, hope is lost.

This infringes the Plaintiff’s hero who represents hope, or represents hope to the World.

2. The Villain Owns A Media Empire And Controls Information And Spreads Disinformation.

The Plaintiff’s screenplay, Butterfly Driver, shows that the villain Drexler owns a media empire; in fact, he owns many networks and news stations, and he uses those stations to disseminate disinformation, fake news and propaganda.

The Defendants’ HPDH book and films infringe the Plaintiff’s story structure, as we see

in the first few chapters of HPDH, Voldemort comes into control of the *Daily Prophet*, the primary newspaper of the wizard world (the wizard world does not have TV), and he quickly uses the Daily Prophet to publish false stories about Harry Potter and the deceased Dumbledore.

- In the previous 6 HP books, Voldemort never discussed owning a media empire. **This aspect was added to infringe the Plaintiff's work.**

3. The Villain Uses Media Outlets (Which He Controls), And Uses The Government/Police (Which He Controls) To Frame The Hero For Killing A Secondary Heroic Character —Who Was One Of The Villain's Adversaries.

Page 22 of the Plaintiff's Butterfly Driver screenplay shows, just hours after the villains government murdered the environmental energy scientist Tamara Gwynn, Drexler abuses his TV news outlets to produce a false story, accusing Arlo Grainer of kidnapping and killing Tamara:

ON THE MONITOR: film footage of Arlo's apprehension, surrender, and arrest replays.

REPORTER (V. 0.)

Moments before Tamara Gwynn's court appearance, Arlo Grainer brazenly kidnapped the researcher, to access her fortune to fund Z.R. terrorists. Sadly, Gwynn was killed in a high speed crash when The State attempted to save her, moments before Grainer's surrender ...

Following the Plaintiff's exact formula, in the end of the sixth HP book, ***Harry Potter and the Half-Blood Prince***, Dumbledore (Harry's mentor) is murdered (by Snape, long story). But about one-quarter through the next book, HPDH (chap 11, p 207, pb), we learn Voldemort's Death Eaters have taken over the *Daily Prophet* newspaper, and published a frontpage story (with the headline: "**Wanted For Questioning About The Death Of Albus Dumbledore,**" over a photo of Harry Potter); thus, framing Harry Potter with Dumbledore's murder. On the very next page (208, pb) we learn Voldemort now has full control of the Ministry of Magic; thus, he is effectively the President of the Wizard World, and we soon learn Voldemort's police are and bounty hunters are after Harry Potter. Thus, The Defendants further infringe the Plaintiff's work.

4. In The Final Act, As The Villain And Hero Prepare To Battle, The Villain Confesses That He Ordered The Murder Of A Secondary Heroic Character (Whom The Hero Was Framed For Killing).

In the Plaintiff's screenplay, Butterfly Driver (page 93), when the hero and villain meet for their climatic grand battle (which initiates the third and final act), the villain admits that he ordered the murder of the secondary heroic character (the brave and brilliant scientist, Tamara Gwynn), whose murder Arlo was framed for.

The Defendants' HPDH (book and films) infringe the Plaintiff's story structure, as we see in the final pages of HPDH, in the final act confrontation between Voldemort and Harry Potter, Voldemort admits he ordered the killing of the secondary heroic character (Albus Dumbledore), a murder Voldemort's media and police frame Harry for. Voldemort makes this confession in chapter 36 (HPDH, p 740, pb), proclaiming, "I brought about the death of Albus Dumbledore!"

5. The Villain's Confession To Ordering The Murder Of The Secondary Hero (Whom The Hero Was Framed For Killing) Occurs In Front Of MANY WITNESSES—On The Side Of Good.

In the Plaintiff's screenplay, Butterfly Driver (page 93), unbeknownst to Drexler (the villain), when he admits to killing the secondary heroic character (Tamara Gwynn), the TV cameras are still rolling; thus, his confession is televised around the world, to millions of viewers, who believed the lies that Drexler's media had published—framing Arlo for the murder.

The Defendants' HPDH book and films infringe the Plaintiff's story structure, as we see in HPDH (chapter 36), and as we see in the film (HPDHp2), in the final confrontation between Voldemort and Harry Potter, as Voldemort admits to ordering Dumbledore's murder¹, there are dozens of good witches and wizards present, who believed the lies Voldemort had published in the publications he controls.

¹ Although Voldemort ordered Draco to murder Dumbledore, Dumbledore and Snape agreed that Snape would kill Voldemort.



6. SKY-CYCLE (Flying Motorcycle, With Sidecar).

- NOTE: This item shows Defendants considered any idea conceived by the Plaintiff to be so superior to any other party's ideas that they remodelled Rowling's flying motorcycle (from 1997) after the Plaintiff's "sky-cycle"—a flying motorcycle with sidecar.

In *Butterfly Driver*, the hero, Arlo, rides a sky-cycle (flying motorcycle-like vehicle WITH A SIDECAR) on pages 6, 8, 10, 11, 12, 17, 18, 20, and on the satellite city of Uberopolis, on pages 85, 88, 90, 91. Page 6 of *Butterfly Driver*, the Plaintiff described the sky-cycle:

THE GARAGE-REC ROOM

followed by John Carl. Arlo walks to a small vehicle, called a SKY-CYCLE (resembling a **large motorcycle** with a **sidecar**) parked in the rear of the garage. As Arlo mounts the sky-cycle, John Carl opens the garage door.

Harry Potter and the Deathly Hallows infringes this, as the character Hagrid appears on a flying motorcycle WITH A SIDECAR. However, the infringement is even more flagrant....

In 1997 (nine years before the Plaintiff's flying motorcycle with sidecar), in *Harry Potter and Sorcerer's Stone* (HPSS) Hagrid rode a flying motorcycle, described on page 16 of the paperback edition. In the book, the motorcycle does not have a sidecar. In fact, the motorcycle has no description other than it is "a huge motorbike." Rowling's only description is (page 16):

"...as they both looked up at the sky - and a **huge motorbike** fell out of the air and landed on the road in front of them.

If the **motorbike** was **huge**, it was nothing to the man sitting astride it."

Because sidecars are rare, if there were a sidecar on Hagrid's motorcycle in 1997, J.K.

Rowling would have said so. But, should there be doubt, the fact that Hagrid's motorcycle had no sidecar is confirmed **in the 2001 FILM, *Harry Potter and Sorcerer's Stone***; when we final see Hagrid's motorcycle; faithful to the book, it does NOT have a sidecar.



Above: Hagrid's motorcycle, in *Harry Potter and the Sorcerer's Stone* (film, 2001); no sidecar.

But, after the Plaintiff revealed his sky-cycle's sidecar in 2006, when Rowling released her book, *Harry Potter and the Deathly Hallows*, July 2007, suddenly her motorcycle had a **sidecar**, (mentioned perhaps 10 times, from pages 45 to 59). This sidecar was also prominently featured, in a minutes long chase, in the 2010 film, *Harry Potter and the Deathly Hallow, Part 1* (below).



Rowling's concept of a flying motorcycle is not copyrightable by itself, for two reasons: (1) because the idea may not be original or creative enough to earn protection; (2) because Rowling is not the first to conceive a flying motorcycle (Ghost Rider, 1972, etc.).

Conversely, because the Plaintiff's concept of a flying motorcycle (WITH A SIDECAR) is more unusual, and more elaborate and specific, the Plaintiff believes that his concept may qualify as an independently copyrightable expression.

7. **Scene: Sky-Cycle (A Flying Motorcycle-With-Skycycle) Racing Through The Stormy Night (Sky Cycle Scene #1).**

- NOTE: The 2001 film, *Harry Potter and the Sorcerer's Stone*, Hagrid's flying motorcycle (without sidecar) was only shown flying for approximately **4 seconds**. Likewise, the 1997 *Sorcerer's Stone* book only focused on the flying motorcycle for a few lines. However, after the Plaintiff introduced his shy-cycle—with sidecar, fall 2006, in *Butterfly Driver* (featuring breath-taking scenes of the sky-cycle racing through stormy night skies), the Defendants re-introduced their flying motorcycle—but added a sidecar, in the 2007 HPDH book, which featured the flying motorcycle-with-sidecar, in an extended chase through stormy skies (also featured in the 2010 film, HPSHp1.

Butterfly Driver, page 8, describes Plaintiff's sky-cycle racing across a stormy night sky:

EXT. SKY ABOVE ZONE 242 - NIGHT

Above slum-like housing, **Arlo streaks across a stormy sky, looking at his omni-corn's screen to track Roddy's location.** Below, he spots two sky-cycles, on top of an old three-story office building. Arlo speaks into his omni-com.

ARLO

Their cycles are on the roof of the old Beckler building.

DYLAN (on the phone)

OK. Wait for Gomez and Drake ... Arlo ignores
Dylan and glides down to the rooftop.

On pages 10 to 11, the Plaintiff described the sky-cycle racing through the night sky, again:

Arlo races to his sky cycle and hurls into the **stormy sky**.

EXT. SKY OVER ZONE 242 - NIGHT

The **rain pounds against the windshield as Arlo races home.** He pulls out his omni-com and pushes a button.

HPDH infringes the Plaintiff's specific chase scene: a *sky-cycle (flying motorcycle-with-sidecar)*, *racing through stormy night sky* scene(s), as HPDH book (chapter 4, pp 55-61, pb) and film HPSHp1, show Harry Potter and Hagrid racing on a flying motorcycle-with-sidecar, through stormy night skies (replete with lighting flashes), in an extended chase **scene**.

8. (Sky Cycle Scene #2) The Hero AND A COMPANION Race On A Sky-Cycle (Flying Motorcycle With Sidecar) Through The Skies & Streets Of A Big City, While They Are Chased By The Villains Forces.

- This *scene* is separate and distinct from the previous sky-cycle scene claim (item 2).

The Plaintiff's Butterfly Driver, featured a spellbinding chase, in which the hero and a companion race on a sky-cycle (flying motorcycle-with-sidecar) through the skies and streets of a big city (Los Angeles), while chased by the villain's police forces. (See EX A, pp 20, 21).

As explained earlier, in the 2001 HP film, *HPSS*, Hagrid's flying motorcycle (without a sidecar) was shown flying for about 4 seconds, and the 1997 HPSS book only focused on the motorcycle for a few lines of text, (chap 1, p 14, pb). However, after the Plaintiff introduced his sky-cycle-with-sidecar, the Defendants re-introduced their flying motorcycle—but added a sidecar for the 2007 HPDH book, which showcased the *flying motorcycle- with-sidecar* in a 7 pages extended chase, pp 55-62. The book's chase did **not** go into a city; but the 2010 movie HPDHp1 shows Harry and companion, Hagrid (at 16:33 to 17:30), on a flying motorcycle-with-sidecar, in race through the skies and streets of a big city, as the villain's forces pursue.

This flagrantly infringes, BOTH, the Plaintiff's sky-cycle, and his very specific chase, showing the hero and a companion racing a sky-cycle-with-sidecar) through the skies and streets of the large city, as they are chased by the villains forces.



Above: Harry and Hagrid race through the streets and skies of a big city, HPDHp1 (2010)

9. Selfless Hero Inspires Many Oppressed People To Fight back.

The Plaintiff's hero inspired many oppressed people to fight back against tyranny.

On page 21 of *Butterfly Driver*, Arlo is arrested in dramatic fashion, on live TV. Then, on page 24, we learn, responsive to Arlo's arrest, people in "the zones" are rioting:

ANEESH

We've had some riots in the zones since we arrested Grainer. We thought having you lead our investigation might calm things down.

But we also learn (on page 22 of *Butterfly Driver*), that this is not the first time Arlo inspired people, as TV reporter explains that 14 years earlier Arlo Grainer inspired millions of people to fight back against the new government, after America fell in a cataclysmic war:

REPORTER

-- 14 years ago after allied sanctions forced the U.S. to join The State, Grainer declared Stockton, California, a 'zone' outside State authority. Six hundred cities soon followed. To evade arrest Grainer went into hiding --

But the most immediate example of Arlo's inspirational impact is seen in Uberopolis: City of Light, as Arlo battle with the villain, Drexler, on live television, and the people of the zones repeatedly cheer when Arlo gets gets the better of Drexler (this is examined closer in item 9).

This is reinforced when Benni tells Arlo, "You inspired millions of us." Reminding him that he inspired millions in the Resistance to fight the evil President Drexler. (BD, Ex A, p 61.)

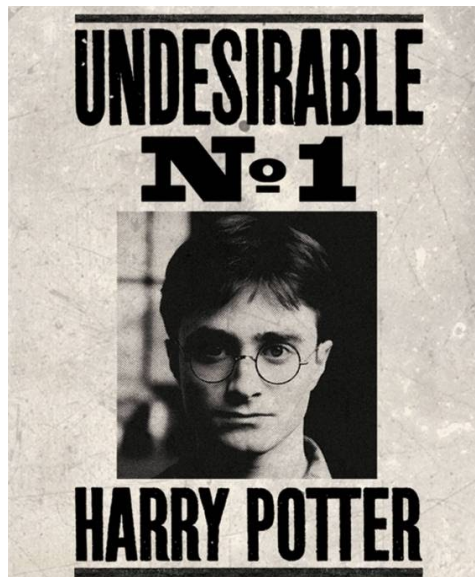
HPDH infringes this at every turn, as characters gush about how Harry has inspired them:

- a. In HPDH (chap 3, page 40), when Hestia sees how disrespectfully Harry is treated by his family she asks Harry, "Don't these people realize.... The unique position position you hold in the hearts of the anti-Voldemort movement?"
- b. Page 441 of HPDH (pb), Lupin says Harry is, "...a symbol of everything for which we are fight: the triumph of good, the power of innocence, the need to keep resisting."
- c. Dedalus tells Harry, "The hopes of the wizarding world rest on your shoulders." (*Id*, p 41)

- d. HPDHp2 (film) Neville says, “It doesn’t matter that Harry is gone. People die everyday. Friends. Family. Yeah, we lost Harry tonight. But he’s still with us, in here.” (Gesturing toward his heart.) “So is Fred, Remus, Tonks... They didn’t die in vain.” (Turning to Voldemort.) But you will. Because you are wrong! Harry’s heart did beat for us; for all of us! This is not Over!” (After Neville speaks, all of the good Wizards re-engage in battle.) All of this infringes the Plaintiff’s work.

10. Hero Who Is A “Most Wanted” Fugitive

The Plaintiff screenplay, *Butterfly Driver*, explains that Arlo Grainer is a fugitive, and is likely the most wanted man in the world, by having bounty hunters give up chasing the person they were pursuing—and killing two innocent men, in the hope of killing or capturing Arlo. Page 12 of *Uberopolis: City of Light* explains that the reward for Arlo is up to \$20Million.



HPDH infringes all of this because in chapter 13, page 252 (pb) shows Harry Potter learn that he is Voldemort’s and the Ministry of Magic’s “No. 1 Undesirable”. This infringes the Plaintiff’s work, and expands a pattern of infringement, by JK Rowling, Scholastic and Warner Brothers, as this “wanted” hero element is absent in all prior Harry Potter books and films.

11. Members Of An Underground “Resistance” (Which Is Inspired By The Hero) Support The Hero, And Help The Hero Get To His Final Destination.

The Plaintiff’s screenplay shows that an underground “Resistance” organization helps the hero. This resistance organization is best seen on pages 57 through 68 of the Plaintiff’s Uberopolis, and/or pages 46 to 66 of Butterfly Driver. In the Uberopolis version of the Plaintiff’s script, the resistance organization is called the AIR Resistance. In the Butterfly Driver version of the Plaintiff’s script, the resistance organization is called the Z.R. (the Zone Resistance). In both versions of the Plaintiff’s script, we see the resistance organization get Arlo clothes, identification, and a ticket to Uberopolis (Arlo’s goal and final destination).

HPDH (chap 22, pp 437 to 445, pb) infringes this, as we see a underground organization (referred to as the “anti-Voldemort movement”) that operates an underground radio show called “Potterwatch,” which informs other “resistors” of what is happening, how they can help the cause, how to stay safe, where they can get help, and provides encouragement and support. The operators of resistance radio show are all people, on the side of good, whom Harry knows: Lee, Lupin, Kingsley, Fred. Throughout the broadcast, and afterward, it is clear that Harry finds the broadcast informative and uplifting. But the most naked example of infringement comes in HPDH, chapter 28 (page 561, pb) when Aberforth (who is part of the resistance) helps Harry, Ron and Hermione get back into Hogwarts. When Aberforth helps, just like the Plaintiff’s screenplay, the situation is urgent, and Harry has few or no remaining options; thus, Harry says (p 561): “You don’t understand. There isn’t much time. We’ve got to get into the castle.” Thus, infringing the Plaintiff’s time sensitive aspect too. But Aberforth gets the heroes into Hogwarts.

By adding the story structure of *a member of an underground resistance group helps Harry Potter to his final destination* the Defendants further infringed the Plaintiff’s work.

- The passage that Aberforth provided the heroes is literally an **underground** tunnel.

12. While Engaged In Battle With The Villain, The Hero Suffers An Explosive Headache, Rendering The Hero Completely Unable To Function Or Defend Himself.

- The Plaintiff believes his hero was the first hero in a sci-fi, action, adventure or thriller to suffer chronic, recurring, short, explosive headaches so severe as to cause the hero to be unable to function or defend himself for a few seconds. **This is an original idea.**

Fall 2005, the Plaintiff added a new element to his hero; giving the hero the horrible disability of suffering ophthalmodynia headaches (AKA “ice pick headaches”; so severe that the pain is likened to being stabbed in the head by an ice pick). These short, explosive headaches render the hero completely unable to function or defend himself. The court can find 3 or 4 of these headache events in the Jan 16, 2020 version of Uberopolis: City of light (Exhibit B; see pp 31, 57, 105). One of these headaches is described on page 9 of Butterfly Driver (EX A):

Arlo suddenly drops to his knees, grabs his head, and GROWLS in pain. His eyes roll back as he fights his way to his feet. The pain subsides as streetlight through the office windows reveals a trickle of blood beneath his nose.

The most astounding headache occurs in the middle of the hero’s battle against the villain, and leaves the hero unable to protect himself for a few seconds; seen on page 109 of BD (Ex A):

As Arlo reaches for the gun a jolt of pain shoots through his head, driving him to one knee -an "ice-pick" headache. Arlo eyes roll in their sockets as he GROANS and struggles to his feet.

"BANG!" A fist smashes Arlo in the face, knocking him to the ground.

Arlo looks up to find Drexler looming over him.

DREXLER

Bad time for a headache.

Page 22 to 23 of Butterfly Driver, Jerry (a detective trying to find Arlo) explains that Arlo got kicked out of the Air Force because his headaches made him unsafe to fly:

HOWARD

You see Grainer's arrest?

JERRY

Hundred times.

HOWARD

Weren't you in the service together?

JERRY

Flight school, for a year. He got kicked out cause he got "ice-picks".
Howard looks at Jerry, dumbstruck.

JERRY (CONT'D)

Ophthalmodynia. Short, terrible headaches. Like being
stabbed in the brain with an ice pick ... They said he
was unsafe to fly and made him a flatfoot ...

- **Harry Potter** suffered pain from the scar on his forehead, when Voldemort was near.

This was scar pain, not a headache. Prior to the Plaintiff's work, Harry's scar pain was always manageable, and never left him completely unable to function or defend himself.

The first time Harry feels scar pain occurs in the first HP book, HPSS; the passage reads:

It happened very suddenly. The hooked-nosed teacher looked past Quirrel's turban straight into Harry's eyes — and a sharp, hot pain shot across the scar on Harry's forehead.

"Ouch!" Harry clapped a hand to his head.

"What is it?" asked Percy.

"N-nothing." The pain had gone as quickly as it had come.

Harry felt scar pain in HP books #1, #4, #5, #7. (Voldemort, contemporarily, was not in book #2, #3, or #6, thus there was no scar pain in those books). HP books #1, #2, #3, #4, and #5 predate the Plaintiff's Uberopolis/Butterfly Driver. In all of the HP books before HPDH (#7), when Harry felt scar pain he never lost his ability to function or to defend himself.

But, in HPDH (chap 4, p 61) Harry's scar pain is so sever that he passes out while he is driving a flying motorcycle-with-sidecar, as he and Hagrid are being chased by Voldemort! By having this pain event occur as Harry is flying a flying motorcycle-with-sidecar, the Defendants endeavored to capture the spirit of Arlo, who flies sky-cycles and hover-jets to feed his family—painfully aware that he could die any moment. Thus, by making Harry's scar pain so acute that he is unable to function or defend himself, the Defendants infringed the Plaintiff's work.

13. CENTRAL IMMIGRATION ISSUE - The Story Shows The Collapse Central Social Structures Force Western Citizens To Become Immigrants.

- The Plaintiff believes he is the first fiction writer to execute this plot structure (he certainly the first writer to use this concept in a future-set sci-fi work).

Immigration was a central theme in Plaintiff's work. At the time, 2005 to early 2006, immigration was an uncommon subject in mainstream film and literature; thus, on April 29, 2006, when asked what book he was working on, Tom Wolfe, one of America's most celebrated writers said (during a lecture titled, "What's Southern Today?"): "I'm working on a book on immigration. Now last year, if somebody asked what I was doing and I said I'm working on a book on immigration, this was the reaction..." (Wolfe closes his eyes, drops his head, pretending to sleep.) "They would go to sleep standing up, like a horse. This year it seems to have a little more interest. I don't know what to say." But for some reason, after the Plaintiff's immigration themed screenplay, it became one of the hotter topics in film and literature.

The Plaintiff addressed immigration in a compassionate and **UNPRECEDENTED AND ORIGINAL** way: In Uberopolis: City of Light, he took a proud Western, first-world, former American family, then showed this family reduced to immigrating into the wealthy and powerful "State" for life-saving medical attention for the hero's daughter. The Plaintiff made the unprecedented and creative choice to make the immigrants Westerners to give immigration deeper meaning to Westerners and "first-world" audiences. **The Plaintiff describes this idea as unprecedented, original and brilliant**, because never before in sci-fi, fantasy, action, adventure genre history had a Western family been depicted as immigrants, reduced to fleeing to a safer foreign country. The Plaintiff tackled immigration through numerous scenes

On pp 13, 14 of Butterfly Driver, as the Plaintiff showed Arlo saying goodbye to his family, as they prepared to depart to a safer place—while Arlo was forced to stay, to perform a

dangerous mission, to pay for his family's transport and immigration into the "State":

INT. WAREHOUSE DOCK - HOVER-TRUCK - NIGHT

Arlo hands Franny's sleeping body to Rianna, who sits

IN THE REAR OF A HOVER-TRUCK

huddled with John Carl, among the boxes. Arlo hands Rianna a money card.

ARLO

Here's another 150 grand. She'll wire
the rest when I get her to L.A.

Rianna takes the card, nervously.

John Carl keeps a brave face. Without proper words Arlo strokes John Carl's
face, the way only a proud father might.

The hover-jet pilot waves from the cockpit, "ready". Arlo looks at his family
through the cargo door.

ARLO (CONT'D)

Love you.

Arlo closes the hull door.

But the most riveting and genre-altering scenes series is seen from pages 35 to 73, as we witness Arlo's grueling journey from Earth, up to the beautiful streets of Uberopolis, with all of Drexler's forces after him.

HPDH (book and films) infringe the Plaintiff's various immigrations scenes and themes as HPDH (book and corresponding films) repeatedly depict Western (and White) citizens who are facing social expulsion and death. Such as the following scenes:

- a. In HPDH (chap 13, pp 258-267, pb) a White European woman, Mrs Cattermole, faces the possibility of being kicked out (deported) of Wizard society. (In the HPDHp1 film Mrs Cattermole is depicted as perhaps Mediterranean, but in the book, she has no accent, and is described as "white-faced," p 259). When Mrs. Cattermole worries about her children, the court (Yaxley) informs her "The brats of mudbloods do not stir our sympathies."
- b. HPDH (chap 13, p 263, pb) Harry Potter orders Mrs Chattermole to "Go home, grab your children, and get out, get out of the country if you have to." Harry then assures her that "...you won't get anything like a fair hearing here."

- c. And in the film HPDHp1, 37 seconds into the film, we see Dudley and Uncle Vervon Dursley hastily exiting their house and getting into their car (towing a trailer full of their belongings), as Uncle Vernon and Dudley share the following exchange:

UNCLE VERNON
Come on, Dudley! Hurry up!
DUDLEY
I still don't understand why we have to leave.
UNCLE VERNON
Because it is not safe for us here anymore.

HPDH repeats these immigration scenes/motifs many times. All of this is an infringement of the Plaintiff's work, and betrays the original tone and direction of the Harry Potter series.

14. A FLOWER and BUTTERFLY Are Centrally Featured In A Dream, Or Dream-like Vision Scene, Just Before The Hero Kills The Villain. (This Dream Inform's The Hero Of What He Must Do To Prevail.)

The Plaintiff used butterflies and flowers, for specific symbolic purposes, repeatedly in Butterfly Driver. On page 113 of Butterfly Driver, the Plaintiff used both a YELLOW FLOWER and a BUTTERFLY, in a dream sequence that tells the hero (Arlo) how to defeat the villain:

INT. DREAM SEQUENCE - SHUTTLE - (CONTINUOUS)

Arlo turns left to find a gaunt, pale child, sitting in Jerry's pilot seat, with a respirator mask over his face.

The child rises, smiles, and hands Arlo a yellow flower, then turns and walks to the rear of the cockpit, and disappears through the airlock window.

WATER SPLASHES through the airlock window. Arlo moves to the airlock, to discover it's sealed by a steelbar grate. Beyond the grate he sees 'Spike', the dolphin, swimming in the cargo hull. Arlo tugs at the bars to free Spike, to no avail. A voice calls:

VOICE (V.O.)
There's no way out.

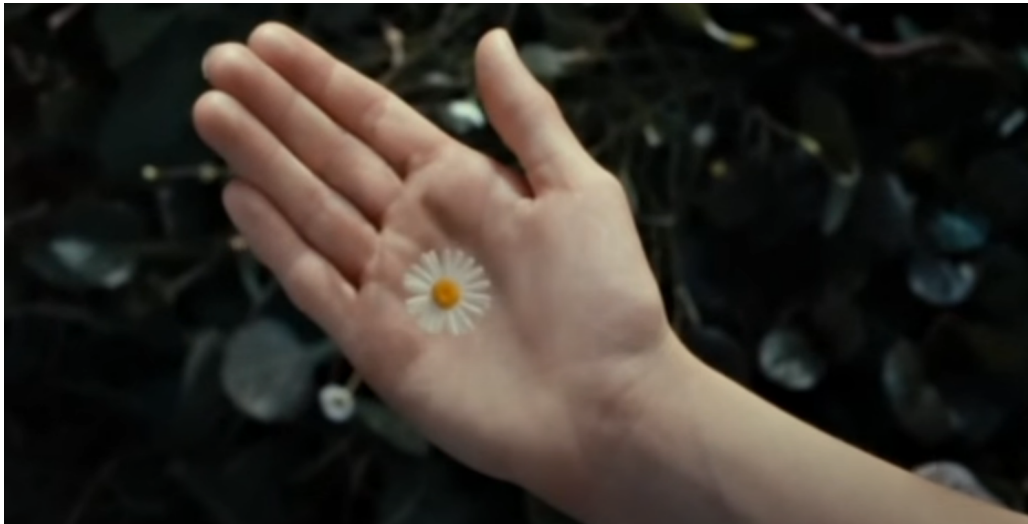
A RED LIGHT FLASHES in the cargo hull.

An ALARM BLARES. Deep in Spike's eye, Arlo sees the spiral of Benni's yellow butterfly dream catcher.

END DREAM SEQUENCE

The film HPDHp2 infringes this entire story structure of *a flower and a butterfly in a dream (or dream-like vision) sequence that informs the hero what he must do to defeat the*

villain. This dream/vision scene is seen near the end of HPDHp2 film, when, after suffering a huge defeat and witnessing many deaths, Harry drops Snape's tears into Dumbledore's Pensieve, dips his head into the water, and sees a dream-like vision, that prominently features a flower (with YELLOW center) and a butterfly, flying from Snape to Lily (Harry's mother). **TIME**



Above: A Floating Flower In Dream-like Vision, In Deathly Hallows



Above: In dream-like vision, Harry Potter's mother, as a young girl, holds a butterfly

- NOTE: Prior to the Plaintiff's work, the prior Harry Potter books/films NEVER featured a flower or a butterfly in any known or memorable scene.

15. While Most Media Outlets In The Story Are Controlled By The Villain, One Or More Of The Media Outlets Supports The Hero.

The Plaintiff's screenplay, *Butterfly Driver*, shows that the villain Drexler owns many TV networks. But the screenplay also show that there is at least one powerful opposition network (Riordan Network) which the oppressed people of the world prefer. (See *Butterfly Driver*, pp 76, 10, etc)

The Defendants' HPDH book and films infringe the Plaintiff's story structure, as we see that Voldemort controls The Daily Prophet, the Wizarding Wireless Network News (and other radio stations), and a book publishing company, but a smaller newspaper, the Quibbler, and an underground radio station, called "Potterwatch," both support Harry Potter. This infringes the Plaintiff's story structure.

16. The Story Explores And Pivots On A Disturbing Misapplication of the Concept Of "THE GREATER GOOD."

The Plaintiff's screenplay pivoted around the idea of "the greater good" of society (see BD Ex A, pp 84, 86, 93, 96; or Uber, Ex B p 90), although the villain distorted this idea to support his sociopathic beliefs. The villain says "the greater good," on page 93 (BD, Ex A), but several conversations hinged on the idea. That central passage of *Buttefly Driver* (Ex A) reads:

Arlo crawls amid the glass and twisted metal, holding his knee, wounded.

ARLO

I know ...

(grimacing in pain)

... you killed ... Tamara Gwynn.

DREXLER

A painful choice, made for **the greater good**.

Arlo brings himself to a seated position.

ARLO

And everyday you dump hundreds of prisoners into space.

(breathing heavily)

Arlo struggles to his knees.

DREXLER

To offset escalating birthrates and overpopulation in the zones.

ARLO

You kill zoners and prisoners for transplant organs.

DREXLER

Shouldn't those who injure society, also heal it?

The greater good is also explore (without saying the phrase) on page 96.

ARLO

Tamara didn't want you to have it.

DREXLER

(disgusted)

Tamara would have destroyed the energy industry and our economy for her cause. I've planned a thirty year phasing; allowing industry to adjust ...

Drexler swings the briefcase top open, shielding Arlo's view of the briefcase contents.

ARLO

Thirty years? Billions more will die.

DREXLER

But the quality of life is preserved. **There's a bigger picture to consider.**

And Drexler discusses the greater good on page 86:

HANNA TROWERS (on TV)

But in expelling the religious from The State, how are you less guilty than they of committing holy war?

DREXLER (on TV)

Ten thousand wars they waged against mankind.

I waged one, to prevent ten thousand more.

HPDH mercilessly infringes the Plaintiff's central contemplation of *the greater good*. In

HPDH (chapter 18, pp 353-360) the book dedicated a CHAPTER within a chapter to the subject,

naming that internal chapter "The Greater Good," and repeatedly using the phrase. But most

disturbingly, and most tellingly, the characters in this section (and most places in HPDH)

misapply the concept, and apply it in the same hateful way that Drexler did.

In HPDH (chap 28, p 566, pb) as Aberforth and Harry discuss Albus Dumbledore, and Aberforth says:

"Grand plans for the benefit of all Wizardkind, and if one girl got neglected, what did that matter, when Albus was working **for the greater good?**"

And on page 568 (pb, HPDH) as the conversation continues, Aberforth asks Harry:

“How can you be sure, Potter, that my brother wasn’t more interested in **the greater good** than in you?”

This prompts Harry to say, a few line later (HPDH, chap 28, p 566, pb):

“Sometimes you’ve got to think about **the greater good**. This is war.”

- There is no discussion of “the greater good” in the HP books that predate the Plaintiff’s work.

In all of this, the Defendants clearly infringed of the Plaintiff’s work. Further, just like the Plaintiff’s villain misapplied the concept of *the greater good* to support his hateful belief that only the needs of his preferred people should be considered, the Defendants also misapply the concept to support Voldemort’s ilk’s hateful belief system. This is a fingerprint of theft.

17. Hero Who Admits His Fear

- **Prior To The Plaintiff’s Work, Harry Potter Was Fearless; Never Showing, Or Admitting Fear. He was repeatedly said to have only a “fear of fear”.**

In Butterfly Driver, the Plaintiff did something that was wholly unique and unusual for a hero sci-fi, fantasy, action-adventure hero, **as explained in the introduction**: he created a hero that openly admitted his fears. **Today, 15 years after many film Studios have stolen this element, this may seem fairly routine; but in 2005, 2006, it was not done.** On pages 60 and 61 of Butterfly Driver Arlo confesses the deep fear he lives with, always :

BENNI (CONT'D)

Weird to hear the fearless Arlo Grainer say he's afraid.

ARLO

Fearless? I got fears. They keep me smart... on my toes.

BENNI

What fears could you have?

ARLO

Fear I won't live to see my kids grow up ... Fear I'll outlive 'em... Or I'll fail 'em... Like I failed Tamara.

BENNI
You did all you could.
ARLO
Fear of my own mistakes.
BENNI
What? You inspired millions of us --
ARLO
It was a mistake.
Benni's jaw drops with shock and disillusionment.
ARLO (CONT'D)
I wouldn't have declared Stockton a free zone if I knew
how many zone fighters would die ... for a mistake.
Benni's eyes grow wet with tears.
BENNI
It's not mistake. My parents died for this.

The Plaintiff added the “honest hero who admits his fear” element to his script (and added the character *Tamara Gwynn*) in mid 2006, to illustrate that fear keeps us alive and smart. Soon, seemingly every “writer” in Hollywood created copycat honest heroes who admit their fears, (who usually knew their fear kept them alive). But the reality that the Plaintiff’s hero was the first is an observable fact: There are no non-comedic celluloid heroes that openly admit their fears (not including battlefield confessionals, scenes) prior to the Plaintiff’s work (2006). Period.

JK Rowling was one of the first to **infringe** the Plaintiff’s new type of hero. In *Deathly Hallows*, Harry Potter transformed, from a hero who never shows fear, to a hero who has fear and can openly discuss them. In *Harry Potter* adventures, prior to the Plaintiff’s work, Harry never admitted or showed fear, and Rowling was determined to cast Harry as fearless; consider:

- a. In the *Sorcerer’s Stone* (film) the sorting hat says Harry has “plenty of courage.”
- b. 1:45:48 into *Sorcerer’s Stone* (film) Harry accuses Draco of being afraid.
- c. 1:46:42 into *Sorcerer’s Stone* (film) Draco runs from Voldemort, but Harry does not.
- d. At the end of *Sorcerer’s Stone* (film), Voldemort recognizes Harry’s fearlessness, saying:
“Bravery. Your parents had it too.”

- e. In the Sorcerer's Stone (film), at the closing awards ceremony, Dumbledore awards Harry the most points (60), for his "pure nerve and outstanding courage."
- f. In Chamber of Secrets (film) during a combat demonstration, Draco accuses: "Scared, Potter?" But, as Harry Potter is never scared, Harry replies: "You wish!"

These examples of Rowling's hackneyed "ever-brave, never-doubting" hero **abound** in ALL Harry Potter works that pre-date the Plaintiff's work. But a year after the Plaintiff introduced his hero who admits his fear, but always pushes himself to overcome his them, Rowling fundamentally altered Harry Potter. Suddenly, on pages 59 and 60 of HPDH, Harry feels fear: "But Harry was **afraid**: The hooded Death Eater had shouted "It's the real one!"; how had he known?"" (p 59); "But Harry was not convinced: **Fear** lapped at him as he looked left and right for pursuers he was sure would come...." (p 60). And Harry memorably and openly addresses his fear, to asks Sirius if dying hurts (page 699 of HPDH, book; or about 1:29:00 into the film HPDHp2). All of this infringes the Plaintiff's hero, and none of this adheres to the original Harry Potter character.

18. Setting: Ruins And Rubble Of Building(s) Destroyed In War.

- Plaintiff believes this setting is an original concept, not featured in any sci-fi/fantasy work, prior to his script. This setting has since been used countless dozens of times, in films and video games. Of course, there have been buildings ruined in war scenes in sci-fi films and books. But the Plaintiff is the first to use the ruins as a non-wartime and/or non-battlefield settings; used only because the look is so jarring and compelling.

On page 46 of Butterfly Driver, the Plaintiff describes his ruined, crumbling building(s):

EXT. ZONE 115 - **DAWN**

Sunlight barely penetrates the drizzling sky as Arlo walks a desolate street of zone 115.

Thunder claps in the distance as he steps off the main road and stumbles over the

ruins of an old multi-storied building.

Arlo proceeds over the **rubble**, to a surviving portion of the ruined building. He suddenly falls to one knee and grabs his head, stricken by an "ice-pick" headache. He GROWLS.

Eyes rolled back, Arlo rises to his feet, holding his temple, as if defying the pain to stop him. The pain quickly subsides. Arlo staggers forward.

INT. **RUINED** BUILDING - DAWN

Arlo enters the gutted building, confused, as if trying to make sense of the **ruins**.

Harry Potter and the Deathly Hallows (Part 2) infringes this setting, as the final 25 minutes of the film transpires in Hogwarts rubble.



Above: Harry Potter, walking in Hogwarts' rubble; Deathly Hallows (Part 2)



Above: Harry, Ron and Hermione, standing amid the Hogwarts' ruins; Deathly Hallows (Part 2)



Above: Voldemort, dying near the Hogwarts' rubble; Deathly Hallows (Part 2)

- It is important note that just prior to this building rubble battle scene (above), a massive night battle occurred; but the writers and producers waited until DAWN to film the battle amid the building rubble; which further infringes the Plaintiff's work, as the Plaintiff specifically called for this transfixing shot to be filmed at dawn (see previous page). This speaks to how impactful this setting was/is.
- Prior to the Plaintiff's work, building rubble had not been featured as a setting in any prior Harry Potter film or book written before the Plaintiff's script.

19. Villain Meets At Table With A Large Number (15-30) Of His Subordinate Leaders, Discussing Government Policy, And In This Meeting The Villain Humiliates One Of His Subordinate Leaders.

Page 72 of Uberopolis: City of Light, the villain Drexler meets with his subordinate

leaders:

“INT. UBEROPOLIS, DREXLER MEDIA BUILDING, CONFERENCE ROOM -- MOMENTS LATER

Near the top of the Drexler media center president Peter Drexler sits at a huge table with about 30 business leaders, of all ethnicities, in a very elegant conference room. Security guards surround the perimeter of the room.

ANGLE ON: ON A LARGE DIGITAL SCREEN BEHIND PETER IS A MAP OF THE WORLD.”

Drexler and his powerful State official discuss managing their new world government, when one of the subordinate officials (Nick) suggests altering the State tax system. This invites Drexler's wrath, and Drexler quickly threatens and humiliates the subordinate (page 72):

BUSINESSMAN #1 / NICK

I agree. I'd just like to see a balanced tax system.

PRES. PETER DREXLER

Are you suggesting we increase taxes on the rich?

Peter's expression flattens. He [Drexler] examines a few documents in front of him.

PRES. PETER DREXLER

Nick, population rates are way up in region 386 and 453 and markets are down. And the voting there is trending against us. Bring your regions in line or I'll zone them unsecured. Don't expect the rich to subsidize your failures.

Nick sits in humbled silence.



Harry Potter and the Deathly Hallows (Part 1) infringes this entire scene and concept, as 4 minutes and 33 seconds into the film Voldemort is seen sitting at the head of the table, with 23 of his subordinate leaders, as they discuss their sweeping new social and political policies that will be implemented when Voldemort has full control of the the Ministry of Magic (this is done more elaborately, of course, in the book). We then learn that Voldemort's team now has Pius Thicknesse in their evil grip (Thicknesse is Head of the Department of Magical Law Enforcement). The action then moves further down the table, where Voldemort humiliates Lucius Malfoy by asking for his wand, a Wizard's most prized and personal possession (Voldemort did this because Lucius Malfoy's son, Draco, failed to kill Dumbledore in the previous book). To

further humiliate Lucius Malfoy, Voldemort immediately snaps and breaks his wand.

All of this (the villain at the large table with 20-30 of his subordinate leaders, the discussion of social and political policy, the villain humiliating one of the subordinate leaders) infringes the Plaintiff's screenplay.

20. A Heroic Central Character Unexpectedly Pulls A Gun (Wand) On Another Character, To Stress That Healthy Paranoia Is Necessary To Survive, In Times Of War. (HEALTHY PARANOIA, IN TIMES OF WAR).

The Plaintiff's Butterfly Driver/Uberopolis shows that to survive for years in times of war and on the brink of war, some healthy paranoia is required. The Plaintiff executed the powerful element by showing Arlo suddenly shove a gun in a peaceful cleric's face, when he is startled by the cleric's sudden motion (p 58 of Butterfly Driver):

....The cleric pulls the I.D. off the printer and quickly turns to hand it to Arlo. The cleric's sudden motion startles Arlo. In a reflexive motion **Arlo pulls out the black handgun (stolen from Louis) and shoves it an inch from the cleric's face.** The cleric doesn't flinch, no stranger to danger. The security guards draw their guns on Arlo.

BENNI

What are you doing?!

ARLO

(breathing heavily)

I thought it was a gun ...

The cleric reveals Arlo's identification card in his hand.

CLERIC

Your I.D.

ARLO

Tell them to drop the guns.

The pastor gestures for the security guards to lower their weapons. The guards lower their guns, cautiously.

GURU

Surviving the war and fourteen years underground requires some **healthy paranoia**. But you're safe here.

Once again, Harry Potter and the Deathly Hallows (Part 1) infringes the Plaintiff's unique story element, as 22 minutes and 5 seconds into the film, under pressure of **imminent** war, Remus Lupin suddenly pulls out his wand and shoves it inches from Harry Potter's face, then demands

Harry prove his identity by asking Harry, “What creature sat in the corner the first time that Harry Potter visited my office?” Harry answers correctly, and Kingsley explains that he had to make sure that Harry was not an imposter. Two seconds later, Remus Lupin charges out of the door and brandishes his wand on Kingsley and demands he answer a similar question.



By creating a scene in which a character suddenly draws his wand (rather than a gun) and holds it to the face of another character, to show that healthy paranoia is required to survive in times of war, the Defendants, again, infringed the Plaintiff’s work.

21. Brutal Military Police Gather Oppressed/Undesirable People Up

In Butterfly Driver we repeatedly hear about and see the government’s **military police** gathering up oppress, undesirable people (intelligent people who do not pass the competency tests, and religious people) into giant **military police** hover-trucks, and dumping these people, men women and children, **en masse**, into the dangerous and impoverished “zones”, to fend for themselves. This is probably seen most vividly on page 53 of Butterfly Driver:

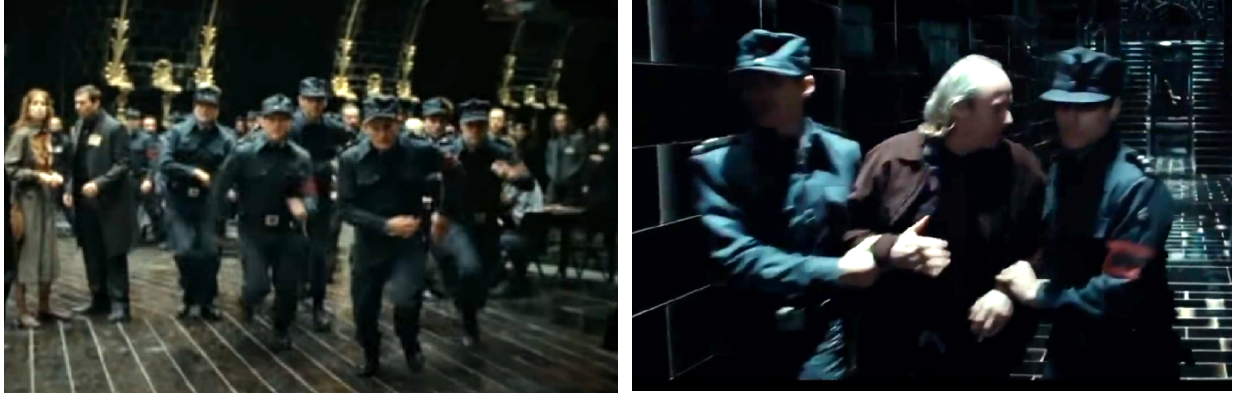
A large, heavily armed, State **Army hover-truck** suddenly descends to the street ahead of them. A gate opens, **releasing dozens of weak and gaunt women and children**. Arlo and Benni watch unflinchingly, familiar with the State’s practice of dumping religious prisoners in the zones.

Military vehicles slowly cruise over the zones on page one of Uberopolis: City of Light. Page 52 of Butterfly Driver, Benni explains how military police killed her parents:

BENNI

My dad's. He was arrested in a police sweep. I'm sure they killed him. Mom was killed when they bombed this building.

Descriptions of military police brutality go on, throughout Butterfly Driver and Uberopolis.



HPDH infringes the Plaintiff's story structure. In HPDHp1 we repeatedly see the **military police** of Voldemort's new government gather up people to expel or kill. These police, in Voldemort's new Ministry of Magic wear military-like uniforms. No military police (or regular police) were ever seen in the Harry Potter books and films that predate the Plaintiff's work.

22. The Hero Is "Tracked" By The Government

Page 26 of Butterfly Driver, the government inserts a tracking device into the hero's body.

In HPDH (chapter 4), after never suggesting in the prior 6 books that the government (the Ministry) is able to track Harry and the other students, suddenly in HPDH, we learn the government has been tracking and monitoring Harry and the other students all along. 12 minutes and 6 seconds (12:06) into the film, Mad-Eyes explains:

MAD-EYE

"Potter, you're underage. That means you've still got the trace on you.

HARRY

What's "the trace"?"

MAD-EYE

If you sneeze, the ministry will know who wiped your nose.

In HPDH (chapter 13, page 252, pb) we learn that the government is able to track adults

(over 17) at all times. Tracking comes up again in the film HPDHp1, at 39:55, as Harry, Ron and Hermione wonder how the evil Ministry knew where to send Death Eaters to try to catch Harry:

HARRY
How is it that they were here?
HERMIONE
Maybe you still have the trace on you?
RON
Can't be. The trace breaks at 17.

Ministry of Magic tracking the students goes against the all prior Harry Potter books and films. Many of the earlier adventures (which involve the 3 young heroes travelling far from school, after hours, without permission) would have been impossible. This “trace” tracking system that allows the Ministry of Magic to follow Harry, infringes on the Plaintiff’s work.

23. SCENE: The Hero Is Trapped Under Water, And Desperately Fights To Get To The Surface, For Air.

Page 113 of Butterfly Driver, Arlo is trapped underwater, desperate, he struggles to find air:

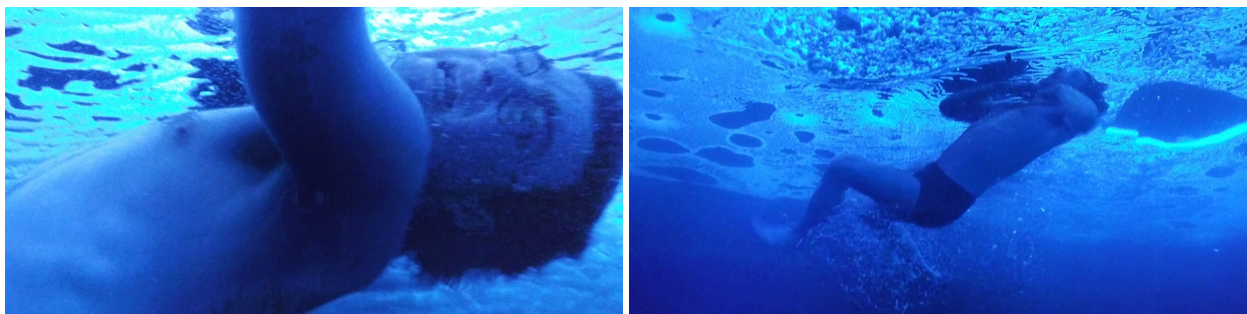
INT. HARBOR UNDERWATER - CONTINUOUS

Swimming underwater, Arlo makes it to the far wall of the harbor. Blood swirls in the water, from a BULLET WOUND in his leg.

Arlo desperately searches for the freshwater inlet, where he and David Levine had lunch together.

Oxygen dwindling, a scar-nosed dolphin pokes Arlo in the stomach. Spike! Arlo follows Spike a few yards to the inlet hole, still covered by the grate.

HPDH (and HPDHp1) infringes this element, as Harry becomes trapped under ice, oxygen dwindling, desperately struggling for air, but he is serenditously saved by his friend Ron.



Above: Harry Potter is trapped under ice, in Harry Potter and the Deathly Hallows

24. As The Hero And Villain Engage In Their Final Battle, The Hero And Villain Fall From A Tall Building Or Tower, And Fight Each Other As They Fall.

Page 97 to 98 of Butterfly Driver describe Arlo and Drexler's fight, going out of a window on the 57th floor of a skyscraper, down to the city street:

EXT. DREXLER MEDIA CENTER - THROUGH BROKEN WINDOW - NIGHT
Drexler dives through the broken window, after the A-cell.

Arlo leaps out the window after Drexler. Drexler's fingers comes inches from the A-cell, but Arlo seizes Drexler's left ankle with his right hand.

Fifty seven stories up, holding Drexler's foot in his right hand, Arlo grabs the window frame with his left, and flings Drexler, with all of his might, toward the city floor. As Drexler falls, Arlo kicks off the wall -after the A-cell. Arlo seizes the A-cell in his finger tips, just before his 'gravity garments' pull him down toward the city floor.

"BANG!" Drexler fires his gun at Arlo, as he falls, missing.

The gunfire draws the attention of the crowds on the street below, sending them screaming in all directions, and Arlo Drexler hurl down.

The backfire of the gun throws Drexler into a spin as he falls, causing him to lose control of the gun and drop it.

In the movie *Harry Potter and the Deathly Hallows, Part 2* (at 1:47:04) Harry Potter grabs Voldemort and leaps off a high very high Hogwarts tower, and as Voldemort and Harry Potter fall they immediately engaged and pitched battle. Fighting while falling from a tall building/tower is extremely unusual. Yet, once again, this element is infringed by **the Defendants**.

25. DRESSED IN DISGUISE, The Hero Infiltrates An Important Institution Of The Villain's Closed Society. (The Hero Is Not Welcome In The Villain's Closed Society).

Page 76, 78 and 79 of Butterfly Driver show Arlo disguise himself as a police officer, in order infiltrate an important institution in the villain's evil society (the villain's hospital, where Arlo hopes to find medicine for his daughter).

HPDH infringes this scene and concept as **TWICE**, as Harry, Ron and Hermione disguises themselves as different people to infiltrate one Voldemort's newly acquired Ministry of Magic (about 52 minutes into HPDHp1), and again (in HPDHp2) to infiltrate Gringotts bank.

- There are no other “**infiltrate institution in disguise**” scenes in the prior Harry Potter films and books. In HPSS (chapter 12) Harry and Ron disguised themselves as Crabbe and Goyle, but they just went to the Slytherin common room (inside Hogwarts) and spoke to Malfoy; they never left Hogwarts; thus, there was no infiltration of institutions.

26. Hero(s)’s Disguise(s) Are “Blown”, When He/They Are Recognized; Sending The Hero(s) Fleeing For His/Their Lives.

On page 83 of *Butterfly Driver*, Arlo, disguised as a police officer, is recognized and his “cover is blown”. Thus, Arlo races off, narrowly avoiding being shocked by a guard’s stun-gun.

Harry Potter and the Deathly Hallows TWICE infringes this element of the Plaintiff’s work, as, in *Deathly Hallows (Part 1)*, after infiltrating the Ministry of Magic in disguise, Harry, Ron and Hermione’s “covers are blown” and are recognized, and sent fleeing by police and security personnel, who give chase and fire magic spells. This happens AGAIN in *Deathly Hallows (Part 2)*, when, after infiltrating Gringotts bank in disguise, Harry, Hermione and Ron’s “covers are blown,” when they are recognized, and goblins fire magic blasts at them, sending the three heroes racing to escape—on the back of a dragon. [Note: Warner Brother and Rowling could have executed this scene by having the heroes infiltrate the institutions without “having their cover blown” and being recognized; but in both instances, they chose to follow the Plaintiff’s compelling model (which is not seen in prior Harry Potter books and films).]

27. Near The End Of The Story, In The Third Act Climax, The Hero Appears To Die, But COMES BACK TO LIFE To Save The Day.

In both stories, near the end, the hero appears to die, but comes back to life to save the day.

Arlo appears to die after he is shot in the neck (*Butterfly Driver*, pp 114-115).

In *HPDH*, Voldemort appears to kill Harry on page 726 (pb); but Harry, faking his death, comes back to life on page 744. In this, again, the Defendants infringe the Plaintiff’s work.

28. The Hero(s) Is/Are Pursued By Bounty Hunters, And Narrowly Avoids Being Captured By These Bounty Hunter (Snatchers).

Page 10 of the Plaintiff's Butterfly Driver explains that bounty hunters are in zone 242, looking for Arlo. Page 11 shows Arlo race home to save his family from the bounty hunters. Page 13 shows the bounty hunters die, in a booby-trap set by Arlo.

Harry Potter and the Deathly Hallows infringes this, as Ron is almost capture by bounty hunters (called snatchers). As Ron Weasley explains on page 382:

“Snatcher,” Ron said. They’re everywhere — gangs trying to earn gold by rounding up Muggle-borns and blood traitors, there’s a reward from the ministry for everyone captured. I was on my own and I look like I might be school age; they got really excited, thought I was a Muggle-born in hiding. I had to talk fast to get out of being dragged to the Ministry.”

These “snatcher” bounty hunters are discussed twice in HPDHp1 (film); in the scene described in the previous paragraph and at approximately 1:11:30.

29. The Villain Is A Calm, Serene Master-Planner, Who Orchestrates Government Affairs, Business Affairs And Mass Murders, Simultaneously, Without Raising His Voice.

- Voldemort had been a baffoon and cartoony, reckless villain, whose plans never work out (for the first 6 HP books). But suddenly, in HPDH, Voldemort (like Drexler) becomes a calm, expert planner, statesman-businessman, who calmly orders mass murders.

In Butterfly Driver, we see the Plaintiff's villain, Drexler, is a calm, serene, master planner, who orchestrates government affairs, business affairs and mass murders, often simultaneously, without raising his voice (see BD, **Exhibit A**, pp 75, 86, 93, 96), and who, in the middle of a chaotic evacuation, even remembered to order one last mass execution (“disposal”), without raising his voice (BD, Exhibit A, p 105):

Drexler turns away from the phone to yell at the officers searching the water for Arlo.

DREXLER

Shit!! Get outta here! Evacuate!

Drexler returns to his phone conversation with the radio dispatcher.

DREXLER (CONT'D)

Tell Warden Arnold to set the prisoner evacuation for disposal.

We see the Defendants infringed the Plaintiff's concept of a villain who is a calm, serene, master planner, who orchestrates government affairs, business affairs and mass murders, often simultaneously, without raising his voice, in the first chapter of HPDH, as Voldemort sits a table with his subordinate leaders, and Voldemort calmly orchestrates government, business and authorizes mass murder.

Prior to the Plaintiff's work, the Defendant's Voldemort was a loquacious, unemployable and uneven maniac, who lived in a boarded-up room in his murdered father's house, and whose plans always fail. Consider Voldemort in the 5 books that he appeared in prior to HPDH:

- a. In the opening of HPSS we learn that Voldemort tried to kill a baby (Harry Potter) and was blown up (and assumed dead). 10 years later, at the end of HPSS, we learn Voldemort now lives as a parasite on the back of the head of a wizard named Quirrell. Undaunted by this disadvantage, Voldemort appears in less than three pages of HPSS (pp 293 to 295, pb) before Harry vanquishes him; but not before Voldemort screams the standard cliches: "Seize him! SEIZE HIM! (p294); "AAAARGH!" and "KILL HIM! HILL HIM!" (p295).
- Voldemort is not in HPCS; just his blurry, scheming teen self, Tom Riddle. But once Ginny Weasley is taken (p 293, pb), Harry defeats Riddle (p322) within a few hours—but not before Riddle lobs a few cliches: "KILL HIM!" (p 319); "KILL THE BOY!" (p 320).
- b. For most of HPGF, Voldemort is a small, ugly, half human, half snake-like thing, too weak to walk, living in a boarded up room of his murdered father's house. At the end of HPGF, when Voldemort finally gets his old human body back, he spends most of his 26 pages

(643-669) complaining about being bodiless for 10 years. But he declares two goals: 1.

“conquer death” (p 653); 2. “killing [Harry Potter] here and now” (p 658). He fails both.

c. In HPOP, Voldemort plans for his minions to steal a prophecy orb from Harry. But when Voldemort arrives to collect his orb, he learns Neville dropped and broke the orb. Thus, Voldemort tries to kill Harry, but Dumbledore intercedes and fights Voldemort to a draw.

- In HPHBP, Voldemort only appears in flashbacks (chap 20). We see him as Tom Riddle, at 18, working an entry-level job at an antique store. And we see him 10 years later, as *Voldemort*, interview for a job at Hogwarts. Dumbledore declines.

30. The Story Uses The Term “Resistance”, “Resist” And “Resisting” To Refer To People, (Or Their Actions) Who Support The Hero And Actively Disobey, Object to, And/Or Fight Against, The Oppressive Government—and The Villain.

In the Plaintiff’s screenplay, *Uberopolis: City of Light*, a large group of people take inspiration from the hero and work together to “resist” (disobey and go against) the villain and his evil government. These resistance fighters are called the **AIR Resistance** (later called Zone Resistance). This *Resistance* is mentioned on page 17 of *Uberopolis: City of Light*:

NEWS ANCHORWOMAN

But in 2106, when America joined the Unified World Nation, Arlo announced that only the American flag would fly over his town, and declared his city a sovereign region, challenging other regions to join his Alliance of Independent Regions. **The "AIR" resistance.** Within a year there were more than 300 "AIR" regions, now called unsecured sectors or zones...

On page 57 (**Uber; EX B**), Arlo explains that he’s a member of the AIR Resistance:

ARLO

I'm not going to hurt you. I'm **AIR resistance**,
too. Arlo Grainer.

Arlo removes his hand from the kid's mouth.

HPDH infringes the Plaintiff’s language of “resistance,” as suddenly in HPDH Harry Potter is assisted by an underground group, inspired by Harry Potter, and who have an

underground radio show, “Potterwatch,” and these underground resistors talk about “resisting”.

In HPDH (chap 11, p 208), Remus Lupin explains that Voldemort worried that Harry Potter was:

“sure to be the symbol and rallying point for any **resistance** to Voldemort.”

And on page 441 of HPDH (pb), Lupin says that if Harry died:

“...it would stike a deadly blow to those **resisting** the new regime. ‘The Boy Who Lived’ remains a symbol of everything for which we are fight: the triumph of good, the power of innocence, the need to keep **resisting**.”

All of this infringes, and expands a the Defendants’ infringement, of the Plaintiff’s work.

- In all HP books that predate the Plaintiff’s work, there is no discussion of “resistance”.

31. The Story Features A Central Transparent Dome, And The Central Setting Is Covered By This Transparent Dome (For Some Period Of Time).

Butterfly Driver features a magnificent city that orbits Earth, in space, which is covered by a transparent dome.

Harry Potter and the Deathly Hallows (Part 2) infringes the Plaintiff’s highly unusual and improbable story element (of a central setting that is inside a dome enclosure), as, for a lengthy portion of the films (9 minutes), the central setting of all Harry Potter books and film, Hogwarts school, is covered in an transparent DOME **force-field**, that the Hogwarts wizards and witches create to protect the school and the students, about 43 minutes into the film.



Above: In Deathly Hallows, The Hogwarts Teachers Create A Protective Dome Over Hogwarts.

32. Dome That Covers The Central Setting Is Destroyed, In Spectacular Fashion.

Near the end of the film *Butterfly Driver*, the dome covering the satellite city of Uberopolis is destroyed, in spectacular fashion, when two mini-nuclear bombs and a space-shuttle train explode/crash into it.

Harry Potter and the Deathly Hallows infringes the highly unusual and improbable story element, of a dome that is destroyed, in spectacular fashion, when the villain Voltemort and his minions fire magic bursts at the protective dome force-field, until it disintegrates and burn.

- Before *Deathly Hallows* there was never a dome over Hogwarts.



Above: The Protective Dome Over Hogwarts Collapses.

33. SCENE: Central Heroic Character Uses His HAND PRESSURE To Try To Stop PROFUSE BLEEDING Coming From Another Central Character's NECK.

In *Butterfly Driver*, from page 110 to 115, after Arlo is shot in their neck, and is bleeding profusely, the central and heroic character Jerry works to help stop the bleeding, by helping Arlo apply pressure to the neck wound.

In *HPDHp2*, after Snape is repeatedly bitten by Nagini (Voldemort's giant snake), and lies bleeding profusely from a fang wound to the neck, the hero, Harry Potter, uses his fingers to apply pressure to the neck wound. (*HPDH*, book, chapter 32, pb, p 657.)

34. The Villain Kills A Female Character Because Her Progressive Beliefs Go Against

Villain's Social Vision.

On page 22 of Butterfly Driver, we learn that the villain, Drexler, has killed the brave and brilliant Tamara Gwynn, and framed Arlo Grainer. On page 96, Drexler explains that he killed Tamara because her plans went against Drexler's vision:

DREXLER
(disgusted)

Tamara would have destroyed the energy industry and our economy for her cause. I've planned a thirty year phasing; allowing industry to adjust ...

HPDH (Part 1) infringes the Plaintiff's story structure (again), as 8 minutes and 50 seconds into the film, Voldemort explains how Charity Burbage's (a Hogwart's teacher, hovering above the lengthy meeting table, alive but unable to move) progressive views violate his social vision. Voldemort explains that Burbage believes muggles (non-magical humans) and Wizards are not so different. Finally, Voldemort explains, "She would, given her way, have us mate with them." Voldemort then allows his giant snake, Nagini, to eat Charity Burbage.

This infringes the Plaintiff's work, and expands a pattern of infringement, outlined herein, by JK Rowling, Scholastic and Warner Brothers.

35. The Villain Openly Discusses And Approves Mass Killings, To Improve Society.

The Plaintiff's Butterfly Driver villain, Drexler, freely admits to approving mass murders, *for the good of society*, as we see in Butterfly Driver (p 86), as Drexler conducts a TV interview:

HANNA TROWERS (on TV)
But in expelling the religious from The State, how are you less guilty than they of committing holy war?

DREXLER (on TV)
Ten thousand wars they waged against mankind. I waged one,
to prevent ten thousand more.

On page 93 Butterfly Driver, Drexler admit to other mass murders, for the good of society:

ARLO

I know ... (grimacing in pain) ... you killed ... Tamara Gwynn.

DREXLER

A painful **choice, made for the greater good.**

Arlo brings himself to a seated position.

ARLO

And everyday you dump hundreds of prisoners into space.

(breathing heavily)

Arlo struggles to his knees.

DREXLER

To offset escalating birthrates and overpopulation in the zones.

ARLO

You kill zoners and prisoners for transplant organs.

DREXLER

Shouldn't those who injure society, also heal it? ...

The Defendants infringe the Plaintiff's concept, as on pages 10 to 11 of HPDH,

Voldemort approves mass killings for the good of the society he's building.

"Many of our oldest family trees become a little diseased over time," he said as Bellatrix gazed at him, breathless and imploring. "You must prune yours, must you not, to keep it healthy? Cut away those parts that threaten the health of the rest."

"Yes, my Lord," whispered Bellatrix, and her eyes swam with tears of gratitude again. "At the first chance!"

"You shall have it," said Voldemort. "And in your family, so in the world...we shall cut away the canker that infects us until only those of the true blood remain..."

- Never before in the previous 6 HP books did Voldemort express an intent to commit mass murder for the good of society (or to commit mass murder at all). This was added after the Plaintiff's work, and added only to infringe.

36. The Hero Feels Tremendous Regret, Guilt And Sorrow That So Many People Have Died For His/Her Cause.

The Plaintiff's hero, Arlo, feels tremendous guilt that so many zone resistance fighters have died for his cause, as seen on page 61 of Butterfly Driver:

BENNI

What? You inspired millions of us --

ARLO

It was a mistake.

Benni's jaw drops with shock and disillusionment.

ARLO (CONT'D)

I wouldn't have declared Stockton a free zone if I knew
how many zone fighters would die ... for a mistake.
Benni's eyes grow wet with tears.

BENNI

It's not mistake. My parents died for this.
Arlo's face goes flaccid, horrified that he's hurt Benni.

Harry Potter and the Deathly Hallow infringes this story element, as suddenly Harry feels tremendous guilt and sorrow that people are dying and being persecuted for his cause, as seen on the bottom of page 648 of Harry Potter and the Deathly Hallows:

He raised his wand, but a dull hopelessness was spreading though him: how many more lay dead that he did not yet know about; he felt as though his soul had already half left his body.

37. The Villain Imposes Social Testing (Failure Can Result In Social Expulsion).

In Butterfly Driver, Drexler's new government expels the intellectually unfit: thus, on page 95, Drexler brags that State IQ average is up to 128. And on page 84 of Butterfly Driver, we find Drexler promoting his new strenuous new voter competency testing:

HANNA TROWERS

But your voter competency test, and sterilization plan for the poor,
some say they're intended to eradicate the intellectually challenged...

DREXLER

....Voter testing and my sterilization plan deserve debate. For thousands of years our social progress has been stunted by the intellectual limits of the masses. We've subsidize them while they've over-populated us to extinction's brink ...

HPDH infringes this story structure too, as 46 minutes and 50 seconds into the film Death Hallows (Part 1), the new Minister of Magic arrives to Hogwarts and announces there will be new (and widespread) "evaluations". These evaluations are simply a purity test, as all muggles (non-magic humans) and mudbloods (half-human Wizards) are "evaluated" for social expulsion. This evaluation does not exist in any of the Harry Potter works that predate the Plaintiff's work.

38. Near The End Of The Story, In The Third Act Climax, The Hero Appears To Die, But COMES BACK TO LIFE To Save The Day.

In both stories, near the end, the hero appears to die, but comes back to life to save the day.

Arlo appears to die after he is shot in the neck (Butterfly Driver, pp 114-115).

In HPDH, Voldemort appears to kill Harry on page 726 (pb); but Harry, faking his death, comes back to life on page 744. In this, again, the Defendants infringe the Plaintiff's work.

39. Because They Lack Money And Resources, The Members Of The Underground Resistance (That Helps The Hero) Use Less Sophisticated Technology.

The Plaintiff's screenplay shows that the underground resistance fighter who help the hero have poor, less sophisticated equipment. This can be seen in Uberopolis: City of Light (EX B), on page 63, as the Plaintiff wrote:

The room is full of recycled hi-tech equipment, computers monitors and various gadgets needed for the tech war against U.W.N. tyranny.

This can also be seen in Butterfly Driver (EX A), on page 63, as the Plaintiff wrote:

The Z.R. Center is little more than a basement apartment full of recycled hi-tech equipment.

The Defendants infringe this story structure also, as in HPDH the unnamed resistance force that helps Harry, Ron and Hermione use very substandard, cheap equipment, as we see in chapter, page 438, Ron spend weeks tapping his cheap little radio, trying to guess the proper code, before he finally picks up the weak "Potterwatch" signal. This further infringes the Plaintiff's work.

40. Multiple Dialogues About HOPE

Both stories feature multiple dialogues about hope. This is done, in both stories, to establish and emphasize that the hero represents hope to the oppressed people/group.

Prior to the Plaintiff's script, there were NO stories and films with multiple dialogues about hope, or they were extremely uncommon (after the Plaintiff's script's ideas about the power and

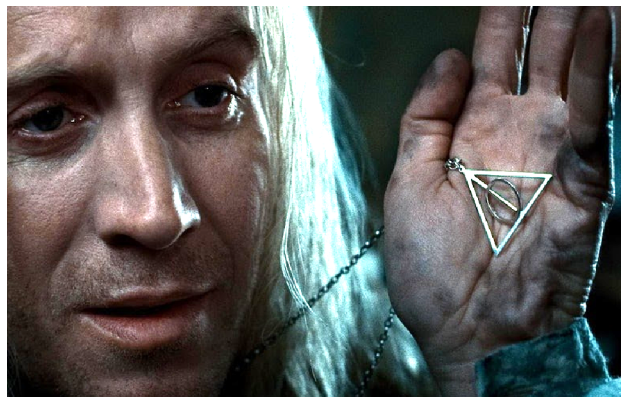
importance of hope became common and pervasive).

None of the Harry Potter films and books that were produced before the Plaintiff's screenplay feature any central contemplation of hope, and none feature multiple dialogues about the subject.

41. Necklace Pendant That Features A Recurring Symbol

Butterfly Driver featured a necklace with a pendant (worn by Benni) in the shape of a butterfly, a symbolic recurring animal, representing hope.

Harry Potter and the Deathly Hallows infringes this, as it features a necklace pendant (worn by Xenophilius Lovegood) with an unusual symbol, which represents the Deathly Hallows).



Prior to the Plaintiff's work, no Harry Potter book featured any use of symbolism, and prior to the Plaintiff's work, JK Rowling showed zero interest in, or facility for, symbolism. Symbolism was simply not a instrument in her toolbox.

42. Discussion Of "Sacrifice For/Of Power"

On page 96 of Butterfly Driver, the villain Drexler speaks of sacrifices of/for power:

DREXLER (CONT'D)

The anguish of **power**: sometimes **sacrifice** is the only option.
I **sacrificed** religion for peace. You can do this -for your daughter ...

JK Rowling and Warner Brothers infringe this aspect also, as 30 minutes and 22 seconds into Harry Potter and the Deathly Hallows (Part 2), Aberforth Dumbledore discusses Aldous

Dumbledore's sacrifice for power:

ABERFORTH

My brother **sacrificed** many things
on his journey to find **power**.

43. Central Discussion Of Faith

Page 15 of Butterfly Driver, Arlo speculates about God to a character who reveals her thoughts about faith:

ARLO

Nah. The religious killed each other the first couple years the State dumped 'em here, but stopped when they got their own sectors. They're not dangerous if you keep them apart.

TAMARA

Progress ... So, you're religious?

ARLO

Nah. Maybe there's a God, though ... You religious?

TAMARA

(shaking her head)

Faith comes from our unreasonably hopeful nature. How we survive. I put unreasonable hopes in my A-Cell.

Harry Potter and the Deathly Hallows infringes this story aspect, as in Harry Potter and the Deathly Hallows (Part 1), Ron Weasley gets lost from Harry and Hermione, but he explains that he found them after a light crashed through his chest. Ron explains that following the light was test of his **faith**.

44. Use Of Multiple Forms Of Mass Media Publications, Within The Story, To Advance The Story; Including (And Uniquely) Using False Mass Media Publications/Stories.

The Plaintiff's Butterfly Driver uniquely utilized numerous forms of mass media (TV news, commercials, radio...) publications to advance the storyline. Some of these media stories are intended to be true (to advance the storyline and clarify the world in which the characters exist), and some of these media stories are intended to be false (to show how Drexler's government maintained power through disinformation and propaganda). The Plaintiff used TV

commercials, TV news programs, giant billboards, public address system infomercials, and film footage that was obtained through a central investigator's **detective work**.

Harry Potter and the Deathly Hallows infringes this unique story element, as the Deathly Hallows films (and book) advance the storyline with radio stories, newspaper stories, "wanted" posters, a weird communication "light ball" (HPDHP2, at 35:35) and multi-media personal files (Ministry of Magic files on Dumbledore and Hermione, with moving pictures) that are obtained through the **detective work** of Harry Potter. AND, further infringing the Plaintiff's work, in Deathly Hallows, some of these media stories are intended to be true (to advance the storyline and clarify the world in which the characters exist), and some of these media stories are intended to be false (to show how Voldemort's new government are ceizing and abusing power, via disinformation and propaganda).

- Prior to the Plaintiff's work, the few times that Rowling and Warner Brothers used newspaper stories to advance the storyline, these stories were always accurate. Using disinformations was a huge departure from Rowling's and Harry Potter's story approach.

45. Corrupt Government Propaganda & Disinformation Story Structure.

The Plaintiff's Butterfly Driver repeatedly showed how the villain's evil government used extreme media disinformation to control minds of the public. The Plaintiff executed this by including continual disinformation newscasts, behind-the-scenes TV production room scenes, and behind-the-scenes government propaganda "apparatus" scenes.

Harry Potter and the Deathly Hallows infringes this story element of the Plaintiff's work, as Deathly Hallows uses continual radio newscasts and newspaper headlines, to inform the viewers/readers of how the government is using disinformation and propaganda.

This corrupt government propaganda and disinformation theme was such a departure from

previous Harry Potter works, that to execute this, JK Rowling and Warner Brothers had to have the character “Ron” carry a battery operated radio everywhere, so that Ron, Hermione and Harry could listen to the government’s propaganda. But this is a more than just an awkward character change (resulting in Ron suddenly toting a radio everywhere), because prior to this radio, radios (and TVs and computers) did not seem to exist in the Harry Potter and Hogwarts world.

46. Downtrodden, Tough People Populate The Streets Of A Central Setting.

Throughout the Plaintiff’s screenplay he described the characters and inhabitants of the zones as impoverished, downtrodden, poor and tough, etc. The Plaintiff also explained, through narrative and dialogue, that the lack of resources created a crime problem in the zones. Among the many places that the Plaintiff showed this is page 3 of Butterfly Driver:

EXT. CITY STREET - NIGHT

In an impoverished city, known as Zone 242, a teenage boy (JOHN CARL, 15) jogs down a crowded street, carrying a small bag, weaving through thugs, hustlers, hookers and homeless.

The Plaintiff shows this again on page 53:

EXT. ZONE 115 - MORNING

A light rain falls. Benni and Arlo hasten down the dreary streets of Zone 115 as a few down-trodden people emerge from the doorways of the endless rundown buildings.

A large, heavily armed, State Army hover-truck suddenly descends to the street ahead of them. A gate opens, releasing dozens of weak and gaunt women and children. Arlo and Benni watch unflinchingly, familiar with the State's practice of dumping religious prisoners in the zones.

BENNI

When the State started dumping the religious in our zone,
it wasn't long before they started killing each other.

Cargo emptied, the army hover-truck quickly flies away.

Harry Potter and the Deathly Hallows infringes all of this, in the most contrived and inexplicable way, as the first 6 Harry Potter 5 Harry Potter films and books depicted the local townspeople, on “Diagon Alley” as healthy, vibrant, upbeat, colorfully dressed and well-fed.



But suddenly and bizarrely in Harry Potter and the Deathly Hallows, the townspeople are presented as tough, poor, dangerous and menacing.

47. Social Minority Character(s) Wearing Headphones.

The Plaintiff's screenplay repeatedly mentioned characters who live in the zones (who were largely social minorities, outcast by the State), who wear headphones. Page 1 of Uberopolis: City of Light, as the screenplay describes life in the zones, it mentions headphone (or headsets) 3 times:

On the streets around them futuristic police and military vehicles hover ominously above the street as they cruise slowly about, belching ever-more pollution into the air; homeless people burn fires in trash cans and barrels to keep warm; children run in and out of rundown tenement housing; a few teens wearing **headphones** sniff paint from a plastic bag in the shadows; other shabbily dressed teen-aged boys wearing **headsets** and **headphones** stand eerily on the corners and stoops, scanning the street predatorily for some unsuspecting prey.

And page 90 and 91 of Uberopolis: City of Light, Drexler explains the importance of headphones and cheap entertainment:

PRES. PETER DREXLER
Hopeless! Your whole war is hopeless!
(yelling)

Do you know why?!
(collecting himself)

Because I own the minds of your youth. I've seen to it that they have plenty of cheap **headphones**, T.V./phones, and plenty of mindless programs and video games to amuse them. All to distract them from...

Harry Potter and the Deathly Hallows infringes this element of the Plaintiff's script, as, about **37 minutes and 16 seconds** into Deathly Hallows (Part 1), as young "muggle" waitress in London, of Middle Eastern descent, rudely serves Harry, Hermione and Ron, as loud music pours out of her headphones, which she never removes from her ears.

- There are no characters that wear headphones in prior Harry Potter books or films.



Above: A character wearing headphones, in Deathly Hallows, Part 1

- NOTE: The Plaintiff thinks it is no accident that Hermione, near the end of this restaurant scene, breaks character to scream at this Middle Eastern woman: "Go! Leave!"

The Plaintiff believes this was subtextual, hateful demand, from Warner Bros and JK Rowling for people of Islamic descent to leave the UK, and leave the West.

48. Using Multiple Visual Symbols, To Support Central Story Concepts.

Using visual symbols in film and young adult literature is uncommon (but became more common after the plaintiff's 2006 script). But using multiple symbols is quite uncommon. Prior to Deathly Hallows, none of the prior Harry Potter books or films featured visual symbols. (This concept was infringed, and introduced after the Plaintiff's work.)

In Butterfly Driver the Plaintiff uses 2 or 3 symbols: (1) butterflies, (2) flowers, (3) a dolphin. These symbols represent hope (secondarily, they represent life, which is threatened by

extreme pollution and hatred, in the screenplay), and they reinforce the Plaintiff's emphasis of the importance of hope, and they reinforce the fact that the hero represents hope.

Harry Potter and the Deathly Hallows infringes this by using three symbolic items:

1. the conjoining of a line, triangle and a circle; which represents the Deathly Hallows;
 2. A doe (deer), which represents Harry's mother's enduring love, and/or Snape's enduring love for Harry mother;
 3. A giant statue is featured in the film, showing humans being crushed by a huge cement block, which represents "muggles in their rightful place."
- Again, using visual symbols is a dramatic change for Rowling, who used no visual symbols in her previous books and films.
 - Warner Bros and Rowling are so pleased with their sudden "knack" for symbolism that at 48:10 into HPDHP1 a radio voice says: "Many of you are wondering, now that the most powerful **symbol** of opposition..." (referring to the fall of the Ministry of Magic).
 - And in HPDH (chap 7), Scrimgeour gives Harry the Snitch willed by Dumbledore, and asks, "You think this is a mere **symbolic** keepsake, then?"
 - And in HPDH, chap 22, p 441 (pb), Lupin says, "...'The Boy Who Lived' remains a symbol of everything for which we are fight: the triumph of good, the power of innocence, the need to keep resisting."

49. Imposing And AMPLIFYING Modern Politics & Social Issues Onto A Sci-Fi/Fantasy Canvas

With Butterfly Driver, the Plaintiff several unprecedented things. First, against every prior convention, the Plaintiff took a panoply of our most divisive social and political issues and imposed them on a sci-fi canvas, where people struggle with the same political and social issues they struggle with today. Second, Plaintiff AMPLIFIED these issues; meaning, he made them

more pronounced. Two of the current central issues that the Plaintiff imposed on a sci-fi canvas and amplified were America's (and the world's) class conflict, and immigration. (these political aspects —class conflict, immigration— are explored separately, herein).

HPDA infringes the plaintiff's amplification of politics on a sci-fi/fantasy landscape, as HPDA imposes and amplifies a deadly class conflict and immigration storylines into its previously escapist world. Prior to the Plaintiff's work, Harry Potter showed low-level conflict (suitable for a children's book) between the wizards/witches and muggles (non-magical humans). Because HPDH involves witches and warlocks it does not mirror or amplify actual modern politics. Rather, it depicts politics and social issues that are analogous of modern politic and social issues. However, by using the same **unprecedented** methods that the Plaintiff used in his screenplay (e.g., showing police and military using force on citizens, using multiple forms of mass media to convey a state of social stress and unrest, having social leaders confer about social and political issues, showing chaotic scenes of social groups in conflict—such as riots and protests) the Defendants achieved the exact effect of “imposing and amplifying modern politics & social issues onto a sci-fi/fantasy canvas,” thereby infringing on the Plaintiff's work.

50. The Hero Is Pursued By ALL Of The Villain's Police Forces And Army.

In the Plaintiff's email to Zero Gravity Management, logline/synopsis of Uberopolis conclude by talking describing how all of the villain's security and military are after the hero, Arlo. The Plaintiff wrote:

Soon, Arlo is racing **security forces** down the crowded, silver streets of Uberopolis -with time, President Drexler and the **armies** of the world against him.

The Defendant's HPDH infringes the Plaintiff's structure of a hero who is pursued by in feel and substance, as says they specifically say that all of Voldemort's army and police are after

Harry Potter; writing: “**the whole of the Ministry and all of their informers are looking for him.**” Thus, the Defendants’ further infringe the Plaintiff’s work.

51. Keep Off The Carpet; Keep Off The Dirigible Plums.

The Plaintiff sprinkled humor into his script in a variety of ways. One such method that the Plaintiff added humor to his script came on page 63 of *Butterfly Driver*, when, in the middle of life-or-death race against time, as a the central detective, racing to find the hero before he is killed by the government, is asked by a woman to keep off the carpet:

Jerry steps back at Rianna's yells, [sic] stepping off the plastic carpet cover and onto the carpet. Rianna's mother reacts.

MRS. RAMIREZ

Please, don't step on the carpet.

JERRY

Sorry.

HPDH infringes this, as, in the middle of life-or-death race against time to learn the meaning of a symbol (which may be the key to stopping defeating Voldemort’s army), Harry, Ron and Hermione rush to Xenophile Lovegood’s home, where, before they enter the house, the notice a sign, reading: “Keep Off The Dirigible Plums.” This sign is substantially similar to, and adds the same, brief, humorous break as the Plaintiff’s work.

52. Open Mention Of “Politics” (To Articulate That The Film Intends To Import Modern Politics Onto A Sci-fi/Fantasy Canvas).

In *Uberopolis; City of Light* the Plaintiff had a few characters mention politics. This was done to reinforce the fact that the Plaintiff was deliberately trying to parallel and amplify current, modern political issues, and export them onto a science fiction canvas. On page 28 of *Uberopolis: City of Light*, the Plaintiff mentions politics, to emphasize his intent.

ARLO

But how do you know which one you'll be on?

DAVID

All the political prisoners get on the left shuttle....

Harry Potter and the Deathly Hallows infringes this story element, as about 6 minutes into the Harry Potter and the Deathly Hallows (Part 1), Voldemort responds to a Ministry of Magic political appointee, named Pius: “**Spoken like a true politician.**” With this, Warner Brothers and Rowling wink to adult Potter fans, that the film’s amplified political overtones are no accident.

- Politics is not mentioned in any prior Harry Potter book (or film).

53. The Villain’s Evil Government Restricts The Freedoms Of An Oppressed Group, Causing Instability, Anxiety, And Predictions Of Social Uprising.

On page 25 of Butterfly Driver, Aneesh worries that a hot war will break out:

ANEESH

Jerry, we're trying to avoid a **hot war** here.
Get on board and I'll buy your kid's filter.

On page 19 of Uberopolis: City of Light, the oppressed rioting, protest, and throw bottles:

The monitor shows a flurry of media attention concerning Arlo Grainer. In the poor sectors of the unified nation, people are shown **rioting** and **throwing rocks and bottles** at military forces, **waving signs** reading "FREE ARLO NOW".

Page 24 of Uberopolis: City of Light shows growing unrest, as the oppressed protest:

...news reporter stands in front of a court house where Arlo is being charged.
Speaking into a microphone, amid hundreds of protesting Arlo Grainer supporters.

On page 24 of Butterfly Driver a State official describes increasing riots:

ANEESH

We've had some **riots** in the zones since we arrested Grainer.
We thought having you lead our investigation might calm things down.

The HHOP movie infringes this as Hagrid worries that the Ministry of Magic’s restrictions and encroachment on the Centaurs’ land and freedoms will lead to an uprising.

HAGRID

“If the Ministry restricts their territory much more, they’re going to have a full uprising on their hands.”

54. Villain Discusses Ruling A New World, Or Creating A New World

The Plaintiff's screenplay, Butterfly Driver, shows the villain speak of leading and/or build a "new world." On page 89 to 90 of Uberopolis: City of Light (Ex 45) the villain Drexler explains:

PRES. PETER DREXLER

They look for wealth, and fame -not wisdom or character. Peter was wealthy and famous. I didn't kill him for his money. I did it because he had the trappings I needed to be elected. But I had the political skills to understand this and lead our world to greatness... America had no chance to win -and the **new world** would need a great leader.

And further, on the line of the villain's plan to build a new world, on page 91 of Uberopolis: City of Light, Drexler says:

PRES. PETER DREXLER

...I keep them safe from the knowledge of their own destruction. It's hard work creating heaven on Earth, Arlo... For now, Uberopolis is MY nation's paradise. Our City Of Light. A reminder of what we'll be when your kind is gone and we reclaim our Earth.

The Defendants' HPDH book and films infringe the Plaintiff's story structure, as we see in HPDH (chapter 36, p729, pb) Voldemort talks of his plans to build a "new world" as he gives the surviving pureblood witches and wizards at Hogwarts one final chance to join him, saying: "...kneel before me, and you shall be spared. Your parents and children, your brothers and sisters will live and be forgiven, and you will join me in the **new world** we shall build together."

- In the previous 6 HP books, Voldemort never discussed building a new world. This aspect was added to infringe the Plaintiff's work.

55. An Animal That Is Imbued With Spiritual Significance Helps The Hero In A Moment Of Need (In A Scene That Involves The Hero Being Trapped Under Water).

On page 103 and 104 of Butterfly Driver, as Arlo is trapped underwater and can't find a hole in the ceiling through which to get air, a dolphin that Arlo befriended earlier (a dolphin that

has spiritual significance to the story) guides Arlo to an air hole:

INT. HARBOR UNDERWATER - CONTINUOUS

Swimming underwater, Arlo makes it to the far wall of the harbor. Blood swirls in the water, from a BULLET WOUND in his leg.

Arlo desperately searches for the freshwater inlet, where he and David Levine had lunch together.

Oxygen dwindling, a scar-nosed dolphin pokes Arlo in the stomach. Spike! Arlo follows Spike a few yards to the inlet hole, still covered by the grate.

Arlo pulls forcefully at the steering wheel sized grate latch that keeps the opening shut. It breaks free. Arlo pulls the grate open and climbs through.

EXT. CONSTRUCTION ZONE (UBEROPOLIS) - DAY

Arlo emerges from the water, gasping and coughing, on the prison construction side of the harbor wall.

HPDHP1 infringes, but inverts, this structure. In HPDHP1, with time running out and Voldemort's forces growing more dangerous, a doe petronus comes to Harry in the woods at night.



The deer leads Harry to the Sword of Gryffindor, which is in a pond, covered in ice. Harry breaks the ice, dives in, and swims down and grabs the sword. But because of the horcrux locket, Harry becomes trapped under the sheet of ice and desperately fights to get air, and futilely bangs against the ice. When it seems certain that Harry will drown, Ron happens along (in the middle of an uncharted forest, at night) and breaks the ice, saving Harry.

56. When Questioned By Law Enforcement Officers, A Tough Character Defiantly Mocks The Interrogating Law Enforcement Officer(s), By Asking If They Are Going To Send Tough Character To Prison.

In Butterfly Driver (Ex A, p 37) when Jerry (an investigator who works for the evil State) questions a State prisoner named Lespi about his connections to a possible crime, Lespi

defiantly mocks Jerry and asks if Jerry is going to lock him up (the joke being that Lespis is already incarcerated; thus, he has no reason to cooperate).

JERRY

Jerry Matthiessen ... Seems we found your hand in a crater.

LESPI

Gonna arrest me?

In HPDH (**chap 28, p 558**, pb) the Defendants replicate the Plaintiff's dialogue/scene, by have the tough character, Aberforth, defiantly mock about six Death Eaters (the villain Voldemort's powerful minions who now enforce Voldemort's orders throughout Voldemort's new government) looking for Harry Potter, who ask Aberforth if he used a certain magical charm, and Aberforth responds by defiantly asking if the Death Eaters are going to send him to prison (Azkaban). The exchange reads:

"You set off a Caterwauling Charm?" [Death Eater]

"What if I did? Going to cart me off to Azkaban?" [Aberforth]

This expands the Defendants' infringement of the Plaintiff's work.

- In the 6 prior HP books, there is no other exchange in which a character mocks Ministry of Magic security personnel, asking if they are going to send the defiant character to jail.

57. HERO'S ULTIMATE DESTINATION (Where The Hero Hopes To Obtain The Item He Is Looking For) Is Heavily Guarded, Inside And Out.

In the Plaintiff's Butterfly Driver/Uberopolis the hero's ultimate destination is Uberopolis; a 3-mile wide, orbiting satellite-city for the super-rich. As we see through Arlo's journey, passage to this satellite city (the shuttle-port) is heavily guarded, and can only be reached by people who are part of the evil State and who have enough money to live there or to travel there, and all entrants must have proper identification, and a subject to a security search. Through Arlo's journey, once Arlo arrives to the Satellite city, we see that Uberopolis is also heavily guarded **inside**. Thus, **Arlo's ultimate destination is heavily guarded, inside and out.**

The Defendants' HPDH infringes this story structure, as we see, **first**, at the end of chapter 27, when Harry learns that the final horcrux (which he must find to stop Voldemort) is hidden in Hogwarts—but Harry is far from Hogwarts, at the time; thus, the final destination in his quest to find and destroy the horcruxes is Hogwarts. (Note: Harry's goal from the beginning of HPDH until he finally faces off against Voldemort, was to find and destroy all of the horcruxes.) But when Harry gets to Hogsmead (the town nearest Hogwarts) he learns Hogwarts is suddenly extremely heavily guarded (HPDH, chap 26, p 569, pb), as Aberforth explains:

“There's only one way in now,” Aberforth explained. “You must know they've got all the old secret passageways covered at both ends, dementors all around the boundary walls, regular patrols inside the school from what my sources tell me. The Place has never been so heavily guarded. How you expect to do anything once you get inside it, with Snape in charge and the Carrows as his deputies...”

Prior to the Plaintiff's work, only once in the previous 6 HP books was the exterior of the school heavily guarded (by dementors, in HPOP); but the interior of the school was not heavily guarded. In HPDH the Defendants made Hogwarts well-guarded, inside and out, only to infringe the Plaintiff's work.² *

58. Hero Has A Spiritual DREAM (Or DREAM-Like Experience), In The Middle Of The Climax, At A Point When The Hero Appear Physically Dead.

The Plaintiff's Butterfly Driver features a powerful dream sequence, which occurs in the middle of the climax, at a point when the hero appears to be physically dead. The “climax” begins when the hero and villain engage in their battle to the finish, and concludes when the battle is over. Prior to the Plaintiff's work, the Plaintiff is NOT aware of any film that featured a spiritual dream in the middle of the climax—at a point when the hero appeared to be dead (the

² It should be noted that only a moment after Aberforth gave his speech (in the previous citation) about how impossibly well-guarded Hogwarts was, Harry, Ron and Hermione simply walked through a secret tunnel, hidden behind a painting of Aberforth's sister. The Plaintiff draws this to the Court's attention to demonstrate that the Defendants seemed determined to infringe any idea the Plaintiff created, even, as in this case, it added no value to *their* story.

Plaintiff is aware of several films that have executed this approach, in the years since the Plaintiff wrote Uberopolis). The climax of Butterfly Driver (Ex A) begins on page 92 (when Arlo crashes into Drexler's TV studio, and confronts Drexler). The dream occurs on page 113 (Ex A). The climax ends on page 114. The climax of Uberopolis: City of Light (Ex B) begins on page 88. The dream occurs on page 108 (Ex A). The climax ends on page 110.

In HPDH (chap 35) Harry has an a DREAM, in the middle of the climax, in which he talks to Dumbledore, who killed months earlier. The dream fills in some plot hole, and informs Harry that he has a strong chance of defeating Voldemort, once and for all, if he chooses to go back. By utilizing a dream-in-mid-climax climax infringes the Plaintiff's original work.

59. A Dream (Or Dream-Like Vision) Informs The Hero Of How He Can Defeat The Villain.

In the Plaintiff's Butterfly Driver and/or Uberopolis script, after Arlo is shot in the neck, and while he sits bleeding to death in a space shuttle that is being chased by two nuclear warheads, Arlo has a dream that informs him of how he can defeat the villain.

In HPDH, after a huge battle that Harry and his forces lose, Harry goes and collects Snape's tears (moments before Snape dies). Harry pours the tears into the "Pensieve" to see Snape's **dream-like memories**, which inform Harry of what he must do to defeat Voldemort. This dream, or dream-like vision or Snape's memories infringe the Plaintiff's work.

60. Themes

Wikipedia's entry for Harry Potter and the Deathly Hallows claims the book's themes are:

- a. Death and the overwhelming importance of continuing to love in the face of death;
- b. Living in a corrupted society.
- c. Oppression
- d. Survival

- e. Overcoming imposing odds.

Specifically, the “Major Themes” section of Deathly Hallows’ Wikipedia entry states:

Death

In a 2006 interview, J. K. Rowling said that the main theme of the series is Harry dealing with death, which was influenced by her mother's death in 1990, from multiple sclerosis. Lev Grossman of Time stated that the main theme of the series was the **overwhelming importance of continuing to love in the face of death**.

Living in a corrupted society

Academics and journalists have developed many other interpretations of themes in the books, some more complex than others, and some including political subtexts. Themes such as normality, **oppression, survival, and overcoming imposing odds** have all been considered as prevalent throughout the series....

Additionally, the Plaintiff’s work contains all of the evident themes that HPDH has; HOWEVER, there are many themes that the Plaintiff’s Butterfly Driver screenplay has that HPDH and the other Harry Potter books and films do NOT have.

61. MOOD.

The Mood of the two work are similar: dark and serious. The first five Harry Potter books (and films) are regarded by many parents as suitable for children as young as 5 years old. But most parents and critics consider Deathly Hallows better for older children and adults.

62. GENRE

Both stories have elements that place them secondarily within action-adventure, drama and fiction genres. The Plaintiff’s work falls primarily into the *science fiction* genre, while Harry Potter falls primarily into the the “fantasy” genre, as it lacks any basis in science. HOWEVER, Peacock (the cable streaming service that distributes Harry Potter films) places Harry Potter in both “science fiction” and “fantasy” genre.

63. PLOT Infringement

HPDH infringes the following 22 plot aspects (and many others) from *Butterfly Driver*:

- The following aspects diverge from the original harry potter & voldemort formula.

- a. The villain controls the government AND most of the media.
- b. The villain uses the government and police that he controls to frame the hero for murdering a secondary heroic character—who was one of the villain’s adversaries.
- c. The secondary heroic character (who is murdered) is well known, admired and respected.
- d. The villain oppresses, brutalizes and kills one or more groups/classes of society.
- e. The hero is loved by members of the groups/classes that are oppressed and brutalized.
- f. To weaken the hero’s public support, the villain uses his media outlets to publish false reports that the hero killed the secondary heroic character.
- g. But, in truth, the villain ordered the murder of the secondary hero;
- h. The villain places a bounty on the hero;
- i. Thus, the hero is pursued by bounty hunters.
- j. Although the villain’s media empire smears the hero, one or more good media outlets continues to publish the truth.
- k. Good citizens continue to support the hero—thanks, in part, to truthful media outlet(s).
- l. In the final act, the villain confesses that the hero did not murder the secondary hero; rather, the villain ordered his minion(s) to murder the secondary hero.
- m. The villain’s confession occurs in front of many observers on the side of good.
- n. While Engaged In Battle With The Villain, The Hero Suffers An Explosive Headache, Rendering The Hero Completely Unable To Function Or Defend Himself.
- o. The villain orders the mass executions of people whom he regards as undesirable.
- p. While riding with a companion in a flying motorcycle with a sidecar, the hero chased **through the skies and streets** of a big city by the villain’s forces.
- q. Underground resistance fighters assist the hero.

- r. The villain's evil government restricts the freedoms of an oppressed group, causing instability, anxiety, and predictions of social uprising.
- s. Members of an underground "resistance" group (inspired by the hero) support the hero, and help the hero get to his final destination.
- t. Because They Lack Resources, The Members Of The Underground Network/Resistance Use Less Sophisticated Technology.
- u. Brutal military police brutalize and gather up oppressed/undesirable people.
- v. As the hero and villain engage in their final battle, the hero and villain fall from a tall building or tower, and fight each other as they fall.
- w. A flower and butterfly are centrally featured in a dream, or dream-like vision/scene (which reveals how to defeat the villain), just before the hero kills the villain.
- x. The story features a transparent dome that encloses a primary setting (at least temporarily), and that enclosed setting is an unusual, attractive location, where hundreds or thousands of people can live (uberopolis city or hogwarts castle).
- y. The story uses of multiple forms of mass media publications, within the story, to advance the plot; including using false, mass media disinformation stories.

These aspects infringe, or establish a pattern of infringement of, the Plaintiff's work.

64. HERO Infringement

- The following 15 characteristic (listed below, "a" to "o") apply to "Arlo Grainer." the hero of the Plaintiff's Butterfly Driver. All of the following aspects also apply to "Harry Potter," the hero of the Defendants' book/film HPDH, the final Harry Potter book/films. However, these aspects do not apply to Harry Potter in the first 6 Harry Potter books. Thus, these aspects prove willful copyright infringement. Much of the evidence to

support these claims in present earlier, herein; some evidence is provided below. The infringing aspects follow.

- a. The hero represents hope.
- b. The hero rides in a sky-cycle, or flying motorcycle, with a sidecar.
- c. The hero has spiritual dream in the climax, which helps the hero defeat the villain.
- d. The hero is tracked by the government.
- e. The hero, in disguise, infiltrates an important institution of the villain's society.
- f. The hero's disguise is "blown", when he is recognized; thus, the hero flees for his life.
- g. The hero is a "most wanted" fugitive.
- h. The hero feels tremendous guilt and sorrow that so many people have died for his cause.
- i. The hero(s) is/are pursued by bounty hunters, and narrowly avoids being captured by bounty hunter (snatchers).
- j. While Engaged In Battle With The Villain, The Hero Suffers An Explosive Headache, Rendering The Hero Completely Unable To Function Or Defend Himself.
- k. Near the end of the story, in the climax, the hero appears to die, but comes back to life to save the day.
- l. The hero is trapped under water and desperately fights to get to the surface for air.
- m. An animal that is imbued with spiritual significance helps the hero, in a moment of need (in a scene that involves the hero being trapped under water, fighting to get air).
- n. The hero is assisted by underground fighters.
- o. The hero admits his fear and confronts his fear.
- p. While riding with a companion in a flying motorcycle with a sidecar, the hero chased through the skies and streets of a big city by the villain's forces.

65. VILLAIN Infringement

The following 15 aspects/structures, listed below (“a” to “m”) apply, both, to Drexler (villain of the Plaintiff’s Butterfly Driver) and to Voldemort (villain of the Defendant’s HPDH).

- The Court will notice that none of the following aspects applied to Voldemort in the first six (6) Harry Potter books. All of the aspects (below) only apply to Voldemort in HPDH.
 - a. the villain is a calm, serene master-planner, who orchestrates government affairs, business affairs and mass murders, simultaneously, without raising his voice.
 - b. the villain wants to exterminate people he thinks are inferior to him.
 - c. the villain controls the government & most of the media;
 - d. villain discusses, and approves mass killing to improve society.
 - e. villain discusses ruling/creating a new world
 - f. the villain uses the government and police that he controls to frame the hero for murdering a secondary heroic character—who was one of the villain’s adversaries.
 - g. to weaken the hero’s public support, the villain uses his media outlets to publish false reports that the hero killed the secondary heroic character.
 - h. but, in truth, the villain ordered the murder of the secondary hero;
 - i. the villain orders the mass executions of people whom he regards as undesirable.
 - j. the villain places a bounty on the hero;
 - k. in the final act, the villain confesses that the hero did not murder the secondary hero; rather, the villain order his minion(s) murder the secondary hero .
 - l. the villain’s confession occurs in front of many observers on the side of good.
 - m. villain meets at a large conference table with a large number (15-30) of his subordinate leaders, discussing government policy, and in this meeting the villain humiliates one of

his subordinate leaders.

- n. the villain kills a female character because he disagrees with her progressive vision.
- o. the villain imposes social testing (failure can result in social expulsion).

66. The Story Shows The Collapse Central Social Structures Force Western Citizens To Become Immigrants.

- The Plaintiff believes he is the first fiction writer to execute this plot structure (he certainly the first writer to use this concept in a future-set sci-fi work).

Immigration was a central theme in Plaintiff's work. At the time, 2005 to early 2006, immigration was **an uncommon subject in mainstream film and literature; thus,** on April 29, 2006, when asked what book he was working on, **Tom Wolfe, one of America's most celebrated writers said (during** a lecture titled, "What's Southern Today?): **"I'm working on a book on immigration. Now last year, if somebody asked what I was doing and I said I'm working on a book on immigration, this was the reaction..."** (Wolfe closes his eyes, drops his head, pretending to sleep.) **"They would go to sleep standing up, like a horse. This year it seems to have a little more interest. I don't know what to say."** But for some reason, after the Plaintiff's immigration themed screenplay, it became one of the hotter topics in film and literature.

The Plaintiff addressed immigration in a compassionate and **UNPRECEDENTED AND ORIGINAL** way: In Uberopolis: City of Light, he took a proud Western, first-world, former American family, then showed this family reduced to immigrating into the wealthy and powerful "State" for life-saving medical attention for the hero's daughter. The Plaintiff made the unprecedented and creative choice to make the immigrants Westerners to give immigration deeper meaning to Westerners and "first-world" audiences. **The Plaintiff describes this idea as *unprecedented, original and brilliant***, because never before in sci-fi, fantasy, action, adventure genre history had a Western family been depicted as immigrants, reduced to fleeing to a safer

foreign country. The Plaintiff tackled immigration through numerous scenes

On pp 13, 14 of *Butterfly Driver*, as the Plaintiff showed Arlo saying goodbye to his family, as they prepared to depart to a safer place—while Arlo was forced to stay, to perform a dangerous mission, to pay for his family’s transport and immigration into the “State”:

INT. WAREHOUSE DOCK - HOVER-TRUCK - NIGHT

Arlo hands Franny's sleeping body to Rianna, who sits

IN THE REAR OF A HOVER-TRUCK

huddled with John Carl, among the boxes. Arlo hands Rianna a money card.

ARLO

Here's another 150 grand. She'll wire
the rest when I get her to L.A.

Rianna takes the card, nervously.

John Carl keeps a brave face. Without proper words Arlo strokes John Carl's face, the way only a proud father might.

The hover-jet pilot waves from the cockpit, "ready". Arlo looks at his family through the cargo door.

ARLO (CONT'D)

Love you.

Arlo closes the hull door.

But the most riveting and genre-altering scenes series is seen from pages 35 to 73, as we witness the grueling, death-defying saga of Arlo’s journey to find a way from the impoverished “zones” of Earth, up to the beautiful streets of Uberopolis, with all o Drexler’s forces after him.

HPDH (book and films) infringe the Plaintiff’s various immigrations scenes and themes as HPDH (book and corresponding films) repeatedly depict Western (and White) citizens who are facing social expulsion and death. Such as the following scenes:

- d. In HPDH (chap 13, pp 258-267, pb) a White European woman, Mrs Cattermole, is facing being kicked out of Wizard society (perhaps killed). (In the film she is depicted as perhaps from Southern Europe, but in the book, she has no accent and it at one point described as “white-faced,” p 259. When she worries about her children, the court (Yaxley) informs her “The brats of mudbloods do not stir our sympathies.”

- e. HPDH (chap 13, p 263, pb) Harry Potter orders Mrs Chattermole to “Go home, grab your children, and get out, get out of the country if you have to.” Harry then assures her that “....you won’t get anything like a fair hearing here.”
- f. This immigration theme is fortified with scenes of Voldemort’s government rounding people up.
- g. And in the film HPDHp1, 37 seconds into the film, we see Dudley and Uncle Vernon Dursley hastily exiting their house and getting into their car (towing a trailer full of their belongings), as Uncle Vernon and Dudley share the following exchange:

UNCLE VERNON
Come on, Dudley! Hurry up!
DUDLEY
I still don’t understand why we have to leave.
UNCLE VERNON
Because it is not safe for us here anymore.

HPDH repeats these immigration themes and scenes many more times. All of this is an infringement of the Plaintiff’s work, and betrays the original tone and direction of the Harry Potter series.

67. “Ultimate Importance Of Family” Story Arch/Theme; Expressed By The Hero & Central Characters Fighting For And Looking Out For Family.

Both works have an “ultimate importance of family” story arch/theme. As explained earlier, prior to the Plaintiff’s work, this story element was uncommon. This story structure is observable in several scenes, such as when Mrs. Weasley risks her own life to stop Bellatrix Lestrange from killing her daughter (Ginny), saying, “Not my daughter, you bitch!” Then Mrs Weasley summons the ability to kill the seemingly unbeatable Bellatrix.

All of these themes are present in the Plaintiff’s Butterfly Driver/Uberopolis.

This theme is a substantial departure from JK Rowling's prior works, which follow a common European fairytale pattern of tearing children away from their parents, and placing the child with abusive surrogate parents (Cinderella, Snow White, Rapunzel, Hansel & Gretel). In Harry's case he is placed with ridiculously cruel Aunt, Uncle and cousin, who seemingly spend every moment mistreating Harry, making him cook their meals, while denying Harry his meals, making him sleep under the staircase, locking him in a room, etc. In fact, Deathly Hallows movie, the absurdly abusive Dursley family are such a contradiction to the thought that Harry Potter books and films contain any family values that Rowling and Warner Brothers have the Dursleys escape the country in the first 2 minutes of Harry Potter and the Deathly Hallows (Part 1), without taking Harry—who is left to face Voldemort, without any remaining family.

68. Painful Sacrifice For Family Theme.

The Plaintiff's Butterfly Driver featured a "painful sacrifices for family" theme (which links to the "Ultimate Importance of Family" or "Family Over All" theme) as Arlo repeatedly risked great personal harm to protect his family from any harm at all.

Harry Potter and Deathly Hallows infringes this element from the Plaintiff, as in the opening moments of Deathly Hallows film (Part 1), 2 minutes and 40 seconds into the film, we see Hermione cast an "Obliviate" spell over her parents, which erases any memory of Hermione from their minds, and erases Hermione from their family photos. Hermione does this to protect her parents from the devastation that Hermione's death would cause her parents, should she be killed by Voldemort, in the coming war.

69. The Story Has Numerous Overt Spiritual Elements (Which, Prior To The Plaintiff's Work, (2004-2006) Were Not Present In Mainstream Sci/Fi And Action Adventure Films.

The Plaintiff's Butterfly Driver is unique in that it has numerous overt spiritual elements,

including 1. overt and open discussion of God and religion, 2. characters who talk about their dreams being their religion, 3. a journey to a place called Faith House to meet and confer with a Rabbi, a Cleric, a Guru and a Pastor, 4. Discussions of soul-mates, 5. a dream that appears to be a divine message to the hero, and 5. the hero doubting that everyone earns a soul. At the time that the Plaintiff included these aspects into his work (Dec 2003 or Jan 2004 to Sept 2006) these overt and modern spiritual elements had NEVER (or extremely seldomly) been included in a sci-fi or adventure book or film (although they had appeared in conventional dramas).

Harry Potter and the Deathly Hallows (Part 2) infringes the Plaintiff's work, again, as it departs from the prior works and has numerous spiritual elements and discussions about the soul, faith and spirituality (elements that are not present in Harry Potter works that pre-date the Plaintiff's work). These spiritual elements include: 1. Ron experiencing a faith journey, 2. Harry and Dumbledore discussing whether heaven, souls or the hereafter exist outside of the mind, 3. A deer patronus (which resembles a deer soul) that comes to Harry, a guides him to what he is seeking (the sword or Gryffindor), 4. the souls of Harry parents appearing to him, just before his final battle with Voldemort, and assuring Harry that they will be with him in the end—as they have been with him always. None of these spiritual aspects are present in Harry Potter works that predate the Plaintiff's work.

70. Imposing And AMPLIFYING Modern Politics & Social Issues Onto A Sci-Fi/Fantasy Canvas

See if used Add this to item #1