



Samuel French

235 Park Avenue South • New York, NY 10018 • (866) 598-8449

June 20, 2014

TUTS – THEATRE UNDER THE STARS

Attn: Mr. John C. Breckenridge

Mr. C. Gregory Harper

Mr. Bruce Lumpkin

800 Bagby, Suite 200

Houston, TX 77002-2525

Sent Via E-Mail and Registered Mail

RE: HANDS ON A HARDBODY (CEASE AND DESIST NOTIFICATION)

Mr. John C. Breckenridge, Mr. C. Gregory Harper and Mr. Bruce Lumpkin:

On behalf of our authors, Doug Wright, Amanda Green and Trey Anastasio, I must call your urgent attention to the following critical matter.

Samuel French, Inc. is the agent of the copyright owners of HANDS ON A HARDBODY in the United States and Canada. It has come to our attention that Theatre Under The Stars has violated the terms of its license agreement to produce HANDS ON A HARDBODY. Specifically, we find that Theatre Under The Stars has made unauthorized textual changes to HANDS ON A HARDBODY for the purposes of its production. Be reminded that the license issued to Theatre Under The Stars states that you may not make changes as part of its terms and conditions without the prior written consent of Samuel French, Inc.

"6.8 No abridgement or enlargement of the Property, no changes in music, lyrics, dialogue, period, setting, characters (including their gender), and/or characterizations in the Property, and no changes in running time, placement of intermission, number or order of scenes, etc., may be made without prior written permission from Samuel French."

Further, your agreement states:

"7. Termination. Failure to strictly comply with any of the terms and conditions of this Agreement, including but not limited to the provisions of Sections 2 and/or any other agreement between Samuel French and Licensee, may result in the immediate termination of this Agreement and/or any such other agreements by Samuel French in its sole and absolute discretion. In the event of termination, all amounts owing under this Agreement remain payable in full and shall be retained by Samuel French in addition to any other rights or remedies that Samuel French may be entitled to assert for breach of contract."



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As a result of your theatre's breach of contract Samuel French hereby revokes Theatre Under The Stars' license to produce HANDS ON A HARDBODY. Accordingly, demand is made that you immediately cease and desist from the advertising, promotion, presentation and performance of any production of HANDS ON A HARDBODY, cancel all remaining performances and confirm your compliance with this demand in writing to the undersigned no later than close of business today, Friday, June 20, 2014.

Failure to do so will expose Theatre Under The Stars, and all individuals acting in concert with these parties, to actions for willful copyright and trademark infringement and other legal claims.

As agent for Madam Green and Messrs. Wright and Anastasio we reserve all of their rights in law and equity including but not limited to pursuit of all available federal statutory damages under The Copyright Act of 1976 (Title 17 of the United States Code) against you, Theatre Under The Stars, and your and their assigns, licensees, licensors, employees, partners, sponsors, collaborators, producers, board members and investors.

Finally, it is imperative that you contact me without delay to acknowledge receipt of this communication as well as take the necessary steps to comply with all demands contained herein.

Sincerely,

Lori Thimsen | Director of Licensing Compliance
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cc: Bruce Lazarus
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