

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MALEK JANDALI,)	
)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION
)	NO. 1:11-cv-01484 (RBW)
)	
AMERICAN-ARAB ANTI-DISCRIMINATION)	
COMMITTEE)	
1732 Wisconsin Avenue, NW,)	
Washington, DC 20007)	
)	
Defendant.)	
_____)	

PLAINTIFF MALEK JANDALI'S INITIAL DISCLOSURES

Plaintiff Malek Jandali hereby makes his initial disclosures in accordance with Federal Rule of Civil Procedure 26(a)(1) and Local Rule 26.2 based on information currently available to him. Plaintiff reserves the right to supplement his disclosures. In addition, Plaintiff makes these disclosures subject to and without waiving the attorney-client privilege, the work product doctrine or any other applicable privileges. Plaintiff also expressly reserves the right to object to other discovery procedures involving or relating to the persons or documents identified in these disclosures.

A. Rule 26(a)(1)(A) Witness Disclosures

The following persons are likely to have discoverable information that Plaintiff may use to support his claims or defenses:

1. Mr. Malek Jandali. Mr. Jandali has knowledge regarding his creation of the subject work "Watani Ana," his ownership of all right, title and interest in and to the work, and that no license was granted to the Defendant to perform the work following the revocation of his invitation to perform at the Defendant's national convention. Mr. Jandali may be contacted through counsel.

2. Mr. Nabil Mohamad, 1732 Wisconsin Avenue, NW, Washington DC, 20007 (Tel. 202.244.2990). Mr. Mohamad has knowledge of the Defendant's offer to the Plaintiff to perform at the ADC annual convention in June 2011, the revocation of the invitation, the decision to perform the Plaintiff's work "Watani Ana" at the annual convention without the permission of the Plaintiff, and the Plaintiff's profits from the American-Arab Anti-Discrimination Committee ("ADC") annual convention at which the Plaintiff's work was performed.

3. Mr. Safa Rifka, 1732 Wisconsin Avenue, NW, Washington DC, 20007 (Tel. 202.244.2990). Mr. Rifka has knowledge of the Defendant's offer to the Plaintiff to perform at the ADC annual convention in June 2011, the revocation of the invitation, the decision to perform the Plaintiff's work "Watani Ana" at the annual convention without the permission of the Plaintiff, and the Plaintiff's profits from the American-Arab Anti-Discrimination Committee ("ADC") annual convention at which the Plaintiff's work was performed.

4. Attendees to the 2011 ADC national convention. These individuals have knowledge of the performance of Plaintiff's work "Watani Ana" at the annual convention

without the permission of the Plaintiff, and the Plaintiff's profits from the ADC annual convention at which the Plaintiff's work was performed.

5. **Witnesses identified by the ADC.**

Discovery has not yet begun and, accordingly, Plaintiff reserves his right to supplement its disclosures as provided by Federal Rule of Civil Procedure 26(e).

B. Rule 26(a)(1)(B) Document Disclosures

The following comprises a description by category and location of documents, data, compilations and tangible things that are in the possession, custody and control of Federal that it may use to support its claims or defenses:

1. Documents evidencing and related to Plaintiff's creation of "Watani Ana";
2. Documents related to Plaintiff's federal application to register the copyright in "Watani Ana";
3. Documents reflecting Plaintiff's correspondence with the Defendant regarding his invitation and Defendant's revocation of the invitation to perform at the 2011 ADC Annual Convention.

Copies of the non-privileged documents identified above will be made available for inspection at a time and place to be agreed upon by counsel and pursuant to entry of an appropriate protective order pursuant to Fed. R. Civ. P. 26(c). Plaintiff also reserves the right to rely on any document identified by Defendant in its initial disclosures. Plaintiff also reserves all of its objections to the admission, use, and relevance of disclosed documents. Plaintiff further reserves the right to supplement its initial identification of documents based on information obtained during discovery as provided by Federal Rule of Civil Procedure 26(e).

C. Rule 26(a)(1)(C) Damage Disclosures

Plaintiff has not yet conducted a computation of its damages caused by the Defendant's conduct, and the full extent of Defendant's infringement of his rights in the "Watani Ana" work is still to be determined. Furthermore, much of Plaintiff's investigation is dependent upon information to be provided by Defendant, including information related to Defendant's profits from the 2011 ADC Annual Convention at which the "Watani Ana" work was performed without license or permission.

Plaintiff anticipates that its total damages will be derived from the following categories of damages:

1. Disgorgement of Defendant's profits from its infringement of the Plaintiff's work;
2. Plaintiff's actual damages;
3. Prejudgment interest on the total damage award at an annual rate established under section 6621(a)(2) of the Internal Revenue Code of 1986; and
4. The reasonable attorneys' fees and costs incurred by Plaintiff in this action.

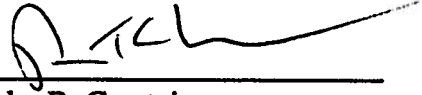
Plaintiff reserves the right to supplement the above-listed category of damages and his computation of damages as discovery progresses.

D. Rule 26(a)(1)(D) Insurance Agreement Disclosures

Not applicable.

Dated: November 15, 2011

Respectfully submitted,



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 15, 2011, I caused PLAINTIFF MALEK JANDALI'S INITIAL DISCLOSURES to be served by email and by U.S. Mail, postage prepaid, and properly addressed to the following counsel of record.

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