

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
LINDSAY LOHAN,

Plaintiff,

Index No: 156443-2014

-against-

**AMENDED
VERIFIED COMPLAINT**

TAKE-TWO INTERACTIVE SOFTWARE, INC.,
ROCKSTAR GAMES, ROCKSTAR GAMES, INC.
AND ROCKSTAR NORTH,
Defendants.

-----X

Plaintiff, **LINDSAY LOHAN**, by her attorneys, **THE PRITCHARD LAW FIRM**, for her Amended Verified Complaint, alleges as follows:

NATURE OF ACTION

1. This is an action for damages by the plaintiff, **LINDSAY LOHAN**, against the Defendants for violation of her Civil Rights to privacy under the laws of the State of New York. Plaintiff is recognized in social media and is a celebrity actor, who has been regularly depicted in television, tabloids, blogs, movies, fashion related magazines, talk shows and theatre for the past 15 (fifteen) years. Plaintiff has been engaged in sponsorships, endorsements and licensing of her celebrity persona. For many years, the Plaintiff has had an integral role in the merchandising of her own consumer products. This business of the Plaintiff is no different than any other celebrity, actor, singer or athlete who has cultivated their professional career. A common interest among all celebrities, actors, singers, and athletes has undoubtedly been to protect their likenesses and personas from misappropriation by unscrupulous merchandisers who purely seek financial gain without compensation to the deserving celebrities, actors, singers, and athletes. The Defendants have misappropriated Plaintiff's image, likeness, voice and persona without consent from the

Plaintiff purely for commercial trade purposes and financial gain. The Defendants mass-produced video game units contained the Plaintiff's images. These images of the Plaintiff were used to promote the product and are prominently displayed on both discs (CDs) of the video game unit. The images of the Plaintiff have also been displayed on websites, t-shirts, posters, billboard advertising, coffee mugs, and other merchandise. Furthermore, the Defendants have employed multi-million-dollar advertising, marketing and merchandising programs utilizing the above mentioned characteristics of the Plaintiff. The Defendants have used the Plaintiff's images, portraits and voice in large advertising and marketing campaigns, as well as, in the merchandising of GTA V (Grand Theft Auto Five, hereafter, "GTA V"). This use of the Plaintiff's image, portrait, voice, and likeness in the stream of commerce (See, Exhibit B-7, annexed) is not protected by the First Amendment (Freedom of Speech) and is in violation of the New York Civil Rights statutes and case law.

THE PARTIES

2. Plaintiff is an individual and resident of the City of New York, County of New York, and the State of New York.

3. That upon information and belief and at all times hereinafter mentioned the Defendant, **TAKE-TWO INTERACTIVE SOFTWARE, INC.**, was and now is at all relevant times a foreign corporation authorized to do business and was doing business in New York with a usual place of business located at 622 Broadway, New York, NY 10012.

4. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR GAMES**, was and now is at all relevant times a foreign corporation authorized to do business and was doing business in New York with a usual place of business located at 622 Broadway, New York, NY 10012.

5. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR GAMES, INC.**, was and now is at all relevant times a foreign corporation authorized to do business and was doing business in New York with a usual place of business located at 622 Broadway, New York, NY 10012.

6. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR NORTH**, was and now is at all relevant times a foreign corporation authorized to do business and was doing business in New York with a usual place of business located at 622 Broadway, New York, NY 10012.

7. That upon information and belief and at all times hereinafter mentioned Defendant, **TAKE-TWO INTERACTIVE SOFTWARE, INC.**, was and now is at all relevant times a domestic corporation authorized to do business and was doing business in New York with a usual place of business located at 622 Broadway, New York, NY 10012.

8. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR GAMES**, was and now is at all relevant times a domestic corporation authorized to do business and was doing business in New York with a usual place of business located at 622 Broadway, New York, NY 10012.

9. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR GAMES, INC.**, was and now is at all relevant times a domestic corporation authorized to do business and was doing business in New York with a usual place of business located at 622 Broadway, New York, NY 10012.

10. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR NORTH**, was and now is at all relevant times a domestic corporation authorized to do business and was doing business in New York with a usual place of business located at 622

Broadway, New York, NY 10012.

11. That upon information and belief and at all times hereinafter mentioned Defendant, **TAKE-TWO INTERACTIVE SOFTWARE, INC.**, was a business entity duly and existing under and by virtue of the laws of the State of New York with a usual place of business located at 622 Broadway, New York, NY 10012.

12. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR GAMES**, was a business entity duly and existing under and by virtue of the laws of the State of New York with a usual place of business located at 622 Broadway, New York, NY 10012.

13. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR GAMES, INC.**, was a business entity duly and existing under and by virtue of the laws of the State of New York with a usual place of business located at 622 Broadway, New York, NY 10012.

14. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR NORTH**, was a business entity duly and existing under and by virtue of the laws of the State of New York with a usual place of business located at 622 Broadway, New York, NY 10012.

15. That upon information and belief and at all times hereinafter mentioned Defendant, **TAKE-TWO INTERACTIVE SOFTWARE, INC.**, was and still is a corporation authorized to do business under and by virtue of the laws of the State of New York with a usual place of business located at 622 Broadway, New York, NY 10012.

16. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR GAMES**, was and still is a corporation authorized to do business under and by

virtue of the laws of the State of New York with a usual place of business located at 622 Broadway, New York, NY 10012.

17. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR GAMES, INC.**, was and still is a corporation authorized to do business under and by virtue of the laws of the State of New York with a usual place of business located at 622 Broadway, New York, NY 10012.

18. That upon information and belief and at all times hereinafter mentioned Defendant, **ROCKSTAR NORTH**, was and still is a corporation authorized to do business under and by virtue of the laws of the State of New York with a usual place of business located at 622 Broadway, New York, NY 10012.

19. That upon information and belief and at all times hereinafter mentioned Defendant(s), **TAKE-TWO INTERACTIVE SOFTWARE, INC, ROCKSTAR GAMES, ROCKSTAR GAMES, INC., and ROCKSTAR NORTH**, are engaged in the business and practice of developing video games and publishing them for profit. Upon information and belief, Grand Theft Auto Five (GTA V) is a video game published by **ROCKSTAR GAMES**.

PLAINTIFF'S FIRST CAUSE OF ACTION

20. On or about September 17, 2013, Grand Theft Auto Five (GTA V) was released for the Play Station and XBOX 360 video consoles for which the video game is played.

21. That upon information and belief and at all times hereinafter mentioned, Defendant(s), multi-billion dollar businesses, transacted and conducted business within the State of New York or contracted to supply goods in the State of New York.

22. That upon information and belief and at all times hereinafter mentioned, Defendant(s), regularly do solicit business or engage in other persistent courses of conduct or derive substantial revenue from goods sold in the State of New York.

23. Defendant(s) are engaged in the business and practice of developing, trading and selling, advertising and marketing and distributing certain products for consumer use and specially publishing products known as “video games” for profit.

24. On or about June 30, 2013 Defendants announced the Plaintiff’s name in association with a “look-a-like side mission”, which can be found inter alia in gaming blogs for the specific and unequivocal purpose of promoting, advertising GTA V for trade purposes, before the release of the game without consent of the Plaintiff.

25. The Defendants’ agents, servants and employees announced to the general public and media venues that the game features a mission where the Plaintiff’s look-a-like asks another character to take her home and escape the paparazzi.

26. On or about June 30, 2013 the Defendant(s) announced to the general public the Plaintiff’s name in the media in association with advertising a “Lindsay Lohan look-a-like side mission” before GTA V was released for purposes of trade, advertising and promotion of their product without the lawful consent of the Plaintiff in violation of her Civil Rights under the New York State Constitution and Statutes.

27. On or about September 17, 2013, Defendant(s) in the course of its trade and business made available for sale, marketing and distribution certain video games, specially a certain video game “Grand Theft Auto Five (“GTA V”)), which said video games were distributed to and sold by numerous and various retailers nationally and internationally, including retailers within the City and State of New York.

28. The Defendants prominently displayed an image, portrait, likeness of the Plaintiff in an arrest pose known as the "Stop and Frisk" on the cover of Disc 2 of the video game (See, Exhibit A-1, Copy of Lindsay Lohan portrait on CD/Disc).

29. The Defendants appropriated the Plaintiff's likeness in that, said portrait as depicted in Exhibit A-1, is identical to the facial features, facial structure, body type, hair and physical appearance of the Plaintiff (See, Exhibit A-2 to A-4, annexed).

30. The Defendants capitalized on the use of the Plaintiff's clothes style by adorning the GTA V Disc 2 cover character (See, Exhibit A-1) with the Plaintiff's likeness, image and portrait by using Plaintiff's Fedora, Sunglasses, Jeans, White Shirt, and Jewelry (See, Exhibit A-2 to A-4, annexed).

31. The Defendants knowingly and purposely used suggestive references to the Plaintiff, Lindsay Lohan, by prominently displaying the letter "L" and a skull-shaped letter "O", on the White T-shirt of the image in the foreground of the shirt overtly and subliminally suggesting "LO" for Lohan (See, Exhibit A-1).

32. Upon information and belief, the Defendants, their agents servants and/or employees purposefully and intentionally obscured the remaining letters of the words "Love Fist or Fest" (See, Exhibit A-1).

33. The Defendant(s) knowingly and purposefully evoked Plaintiff's likeness, and appropriated her images as demonstrated in Exhibit A-2, in which the Plaintiff wore her hat with there being multiplicities of photos, photo shoots where the Plaintiff wears the Fedora style hat (See, Exhibit A-2, annexed).

34. The Defendants knowingly and purposefully used Plaintiff's face, hair, and sunglasses in Exhibit A-1, that evoke the Plaintiff's persona and established that the image in

Exhibit A-1 is clearly and unequivocally Lindsay Lohan (See, Exhibits A-1 to A-4, annexed).

35. The Defendants knowingly and purposefully used the Plaintiff's clothing ensemble on Disc 2 (See, Exhibit A-1) including hair length, necklaces, denim jeans, and white-shirt without her consent (See, Exhibit A-4, 'Lindsay Lohan for JAG Jeans', annexed).

36. Defendant(s), **TAKE TWO INTERACTIVE SOFTWARE, INC.**, has knowingly, and without Plaintiff's prior consent, violated Plaintiff's right of privacy by misappropriating Plaintiff's likeness by displaying her portraits, voice and "screen persona" in its video games, advertising and marketing of the video game, merchandising related products displaying Plaintiff's portraits.

37. Defendant(s), **ROCKSTAR GAMES**, has knowingly, and without Plaintiff's prior consent, violated Plaintiff's right of privacy by misappropriating Plaintiff's likeness by displaying her portraits, voice and "screen persona" in its video games, advertising and marketing of the video game, merchandising related products displaying Plaintiff's portraits.

38. Defendant(s), **ROCKSTAR GAMES, INC.**, has knowingly, and without Plaintiff's prior consent, violated Plaintiff's right of privacy by misappropriating Plaintiff's likeness by displaying her portraits, voice and "screen persona" in its video games, advertising and marketing of the video game, merchandising related products displaying Plaintiff's portraits.

39. Defendant(s), **ROCKSTAR GAMES NORTH**, has knowingly, and without Plaintiff's prior consent, violated Plaintiff's right of privacy by misappropriating Plaintiff's likeness by displaying her portraits, voice and "screen persona" in its video games, advertising and marketing of the video game, merchandising related products displaying Plaintiff's portraits.

40. The appropriation of Plaintiff's likeness was unauthorized and without the prior consent of Plaintiff.

41. Defendants' aforesaid acts, both in concert and severally, have caused and are causing great and irreparable hardship and damage to Plaintiff, and unless preliminarily and permanently restrained by this Court, an irreparable injury will continue.

42. As a result of the Defendants' knowing violation of the New York Civil Rights Law Sections 50 and 51, punitive damages should be assessed against Defendants.

43. In violating New York Civil Rights Law Sections 50 and 51, Plaintiff also seeks to recover her damages sustained as a result of Defendants' unlawful acts, together with an accounting of Defendants' profits arising from such unlawful activities, and that the Court exercise its discretion and enter a judgment for such additional sums as the Court shall deem just according to the egregious nature of the acts of Defendant(s).

PLAINTIFF'S SECOND CAUSE OF ACTION

44. Upon release of the aforesaid video game, GTA V, the Defendant(s) used a look-a-like model to evoke the persona and image of the Plaintiff, Lindsay Lohan in order to sell its videogame (See, Exhibit B-1, GTA V Disc 1, annexed).

45. The Defendants knowingly and purposefully used Plaintiff's bikini photo shoot, using Plaintiff's color and style bikini, shoulder length blonde hair, jewelry and cell phone and signature "peace sign" pose (See, Exhibit B-2, and compare Exhibit B-1 and B-2, annexed).

46. The Plaintiff has been using the peace sign hand gesture for years before and after its use in the video game (See Exhibits B-1 to B-5, annexed).

47. The Defendants use of the Plaintiff's image incorporating her photo shoot, style of bikini, cell phone and other details including her ring (Exhibit B-6) have cumulatively evoked the Plaintiff's images, portrait and persona and that Plaintiff was clearly the intended referent of

the images used (See Exhibits B-1 to B-6, annexed).

48. Defendants' unauthorized use of Plaintiff's image is a violation of Plaintiff's statutory right of privacy pursuant to sections 50 and 51 of the New York Civil Rights Law.

49. Defendant(s), **TAKE TWO INTERACTIVE SOFTWARE, INC.**, has knowingly, and without Plaintiff's prior consent, violated Plaintiff's right of privacy by appropriating Plaintiff's likeness by including her portraits and 'screen persona' in its video games.

50. Defendant(s), **ROCKSTAR GAMES**, has knowingly, and without Plaintiff's prior consent, violated Plaintiff's right of privacy by appropriating Plaintiff's likeness by including her portraits and 'screen persona' in its video games.

51. Defendant(s), **ROCKSTAR GAMES, INC.**, has knowingly, and without Plaintiff's prior consent, violated Plaintiff's right of privacy by appropriating Plaintiff's likeness by including her portraits and 'screen persona' in its video games.

52. Defendant(s), **ROCKSTAR GAMES NORTH**, has knowingly, and without Plaintiff's prior consent, violated Plaintiff's right of privacy by appropriating Plaintiff's likeness by including her portraits and 'screen persona' in its video games.

53. The appropriation of Plaintiff's likeness was unauthorized and without the prior consent of Plaintiff.

54. Defendants' aforesaid acts, both in concert and severally, have caused and are causing great irreparable hardship and damage to Plaintiff, and unless preliminarily and permanently restrained by this Court, an irreparable injury will continue.

55. As a result of the Defendants' knowing violation of the Civil Rights Law, punitive damages should be assessed against Defendants.

56. In violating New York Civil Rights Law Sections 50 and 51, Plaintiff also seeks to recover her damages sustained as a result of Defendants' unlawful acts, together with an accounting of Defendants' profits arising from such unlawful activities, and that the Court exercise its discretion and enter a judgment for such additional sums as the Court shall deem just according to the egregious nature of the acts of Defendant(s).

PLAINTIFF'S THIRD CAUSE OF ACTION

57. The Plaintiff alleges and incorporates herein by reference each and every allegation set forth in the foregoing paragraphs.

58. Defendant(s) used Plaintiff's portraits and voice without Plaintiff's written consent in a side mission of the GTA V video game in which a Lindsay Lohan avatar requests a ride from the game player to escape paparazzi and the avatar was clearly using the Plaintiff's voice and accent as heard from the voice tracks stated by the avatar in the mission (See, Exhibit C, Look-a-like side mission audio and visual clip).

59. Defendant(s) used Plaintiff's portraits and voice without Plaintiff's knowledge or consent.

60. Defendant(s) used Plaintiff's portraits and voice in GTA V side mission to be generally published and distributed nationally and internationally for trade and advertising purposes without the written consent of the Plaintiff.

61. The portraits and voice of the Plaintiff used in the side mission by Defendants were unauthorized and unlawful.

62. The portraits and voice of the Plaintiff in the side mission incorporated her image, likeness, clothing, outfits, for sale to the public at least two years before the Defendants release

of the GTA V game.

63. The game in general, also features hotel Chateau Mormont in West Hollywood, a place where the Plaintiff once lived and often frequents.

64. Defendant(s) misappropriated Plaintiff's portrait and voice in GTA V for the purposes of advertising or trade in that the GTA V character incorporated numerous personal aspects of the Plaintiff's life and identity.

65. The Plaintiff's GTA V character(s) is/are not only portraits of the Plaintiff's likeness but the aforesaid "Lacey Jonas" side mission tells a story in GTA V which contains identical events to the Plaintiff's life.

66. Defendant(s) used Plaintiff's likeness in the GTA V character's mission/storyline that is substantially similar to place, location and events in Plaintiff's life making it unequivocal that the Plaintiff was the intended referent in the mission.

67. Defendant(s) knowingly, willfully and intentionally used, displayed, published the portraits and voice in the Lacey Jonas side mission in such a manner that was forbidden and unlawful.

68. Defendant(s) have benefited and been unjustly enriched by the use of Plaintiff's portraits, images and likeness without obtaining her consent.

69. Multiple people in the general public have reached out to the Plaintiff believing the character was the Plaintiff, creating consumer confusion in the market place.

70. It is unequivocal that the Plaintiff was the intended referent in the GTA V game by using her likenesses, portraits, and voice solely to advertise the game for trade purposes and by specifically announcing the Plaintiff's name in the media as a "Lindsay Lohan look-a-like side mission" at least two months before the release of the game purely to promote and hype the

game to attract sales of the Defendants' video game.

71. Sections 50 and 51 of the New York Civil Rights Law prohibits the use of a person's name, portrait, picture or voice for the purpose of advertising or trade without the written consent of the subject.

72. Defendant(s) acts of using Plaintiff's name and likeness in the aforesaid video game were solely to attract customers and generate sales.

73. Defendant(s) aforesaid acts done without Plaintiff's consent constitute a blatant violation of the Civil Rights Law of the State of New York.

74. Upon the release of the actual videogame in late 2013, the Defendants continued to violate the Plaintiff's Civil Rights by republication of the Plaintiff's images, portraits in the game format in which Plaintiff's images were re-published without permission and prominently displayed inside the jacket (See, Exhibit B-8) of the video game and on each video game disc (See, Exhibits A-1 and B-1). The Defendants modified Plaintiff's images to fit on the game Disc and published the game in it's video game format for the paying gaming consumer.

75. The republication exception to the one-year statute of limitation of New York Civil Rights Law Sections 50 and 51 was satisfied upon the modification of the Plaintiff's images on the video game Disc 1 (See, Exhibit B-1) and Disc 2 (See, Exhibit A-1) from the first release of the actual game to the paying consumer audience.

PLAINTIFF'S FOURTH CAUSE OF ACTION

76. The Plaintiff alleges and incorporates herein by reference each and every allegation set forth in the foregoing paragraphs.

77. The Defendants unauthorized appropriation of the Plaintiff's images, portraits, persona and voice in the GTA V video game and their advertising and merchandising campaigns

are violations of Plaintiff's statutory right of privacy pursuant to Sections 50 and 51 of the New York Civil Rights Law.

78. The Defendants' portraits of Lindsay Lohan are not transformative art and are insufficient to invoke the free speech protections of the First Amendment.

79. The Defendants mass production of the Plaintiff's portraits to promote the GTA V game and brand were purely for advertising and trade purposes.

80. The Defendants' mass production of the Plaintiff's unauthorized images to promote the GTA V video game and brand lack First Amendment Free Speech considerations and protections.

81. The Defendants were in the business of selling games as opposed to artists displaying artwork in galleries for profit where unauthorized images or portraits of individuals were reproduced in limited editions as opposed to the mass production for commercial promotion and financial gain.

82. The Defendants unauthorized use of Plaintiff's images on merchandise such T-shirts and coffee mugs violates the Plaintiff's right to privacy under the New York Civil Rights Law Sections 50 and 51 (See, Exhibits D-1 to D-5 annexed).

83. The Defendants unauthorized appropriation of the Plaintiff's images, portraits, and persona on billboards, posters, buses, bus stops, buildings and web sites was exclusively used for advertising, marketing, promoting and merchandising the game (See, Exhibits D-1 to D-5, E-1 to E-5 and F, annexed).

84. Defendant(s), **TAKE TWO INTERACTIVE SOFTWARE, INC.**, has knowingly, and without Plaintiff's prior consent, violated Plaintiffs right of privacy by appropriating Plaintiff's likeness by including her portraits and "screen persona" in its video games.

85. Defendant(s), **ROCKSTAR GAMES**, has knowingly, and without Plaintiff's prior consent, violated Plaintiff's right of privacy by appropriating Plaintiff's likeness by including her portraits and "screen persona" in its video games.

86. Defendant(s), **ROCKSTAR GAMES, INC.**, has knowingly, and without Plaintiff's prior consent, violated Plaintiff's right of privacy by appropriating Plaintiff's likeness by including her portraits and "screen persona" in its video games.

87. Defendant(s), **ROCKSTAR GAMES NORTH**, has knowingly, and without Plaintiff's prior consent, violated Plaintiff's right of privacy by appropriating Plaintiff's likeness by including her portraits and "screen persona" in its video games.

88. Defendants' aforesaid acts, both in concert and severally, have caused and are causing great and irreparable hardship and damage to Plaintiff, and unless preliminarily and permanently restrained by this Court, an irreparable injury will continue.

89. As a result of the Defendants' knowing violation of the Civil Rights Law, punitive damages should be assessed against Defendants.

90. In violating New York Civil Rights Law Sections 50 and 51, Plaintiff also seeks to recover her damages sustained as a result of Defendants' unlawful acts, together with an accounting of Defendants' profits arising from such unlawful activities, and that the Court exercise its discretion and enter a judgment for such additional sums as the Court shall deem just according to the egregious nature of the acts of Defendant(s).

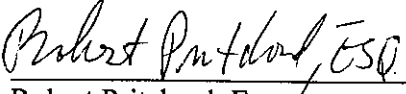
WHEREFORE, Plaintiff demands judgment against the Defendants for:

- 1) Damages in a sum that exceeds the jurisdictional limits of all lower courts;
- 2) Restraining the use of Plaintiff's image, name, likeness and voice;

- 3) Awarding punitive damages;
- 4) Requiring Defendants to account to Plaintiff for all proceeds derived from their wrongful conduct;
- 5) Such other and further relief as to the Court may seem just and proper.

Dated: New York, New York
October 8, 2014

Yours etc.,



Robert Pritchard, Esq.
THE PRITCHARD LAW FIRM
Attorneys for Plaintiff
Lindsay Lohan
30 Wall Street, 8th Floor
New York, New York 10007
(212) 859-5027

ATTORNEY VERIFICATION

STATE OF NEW YORK)
 ss.
COUNTY OF NEW YORK)

ROBERT PRITCHARD., an attorney-at-law, duly admitted to practice in the Courts of this State, affirms under the penalties of perjury that:

He is the attorney for the Plaintiff in the above-entitled action. That he has read the foregoing **AMENDED VERIFIED COMPLAINT** and knows the contents thereof, and upon information and belief, deponent believes the matters alleged therein to be true.

The reason this verification is made by deponent and not by Plaintiff is that the Plaintiff herein resides in a County other than the one in which Plaintiffs' attorneys maintain their office.

The source of deponent's information and the grounds of his belief are communications, papers, reports and investigations contained in the file.

Dated: New York, New York
October 8, 2014


ROBERT PRITCHARD, ESQ.

EXHIBIT A-1

XBOX 360

Do not make illegal copies of this disc

Disc 2

PAL

Microsoft

grand theft auto



© 2013 Rockstar Games, Inc. All rights reserved. Microsoft, Xbox 360, and the Xbox logo are either registered trademarks or trademarks of Microsoft Corporation in the United States and/or other countries.

Grand Theft Auto V is a trademark of Rockstar Games, Inc. Grand Theft Auto V is a registered trademark of Rockstar Games, Inc. in the United States and other countries.

Rockstar Games
Grand Theft Auto V
Rockstar Games, Inc.

Rockstar Games
Grand Theft Auto V
Rockstar Games, Inc.

EXHIBIT A-2



Polaroid

RHOU

EXHIBIT A-3

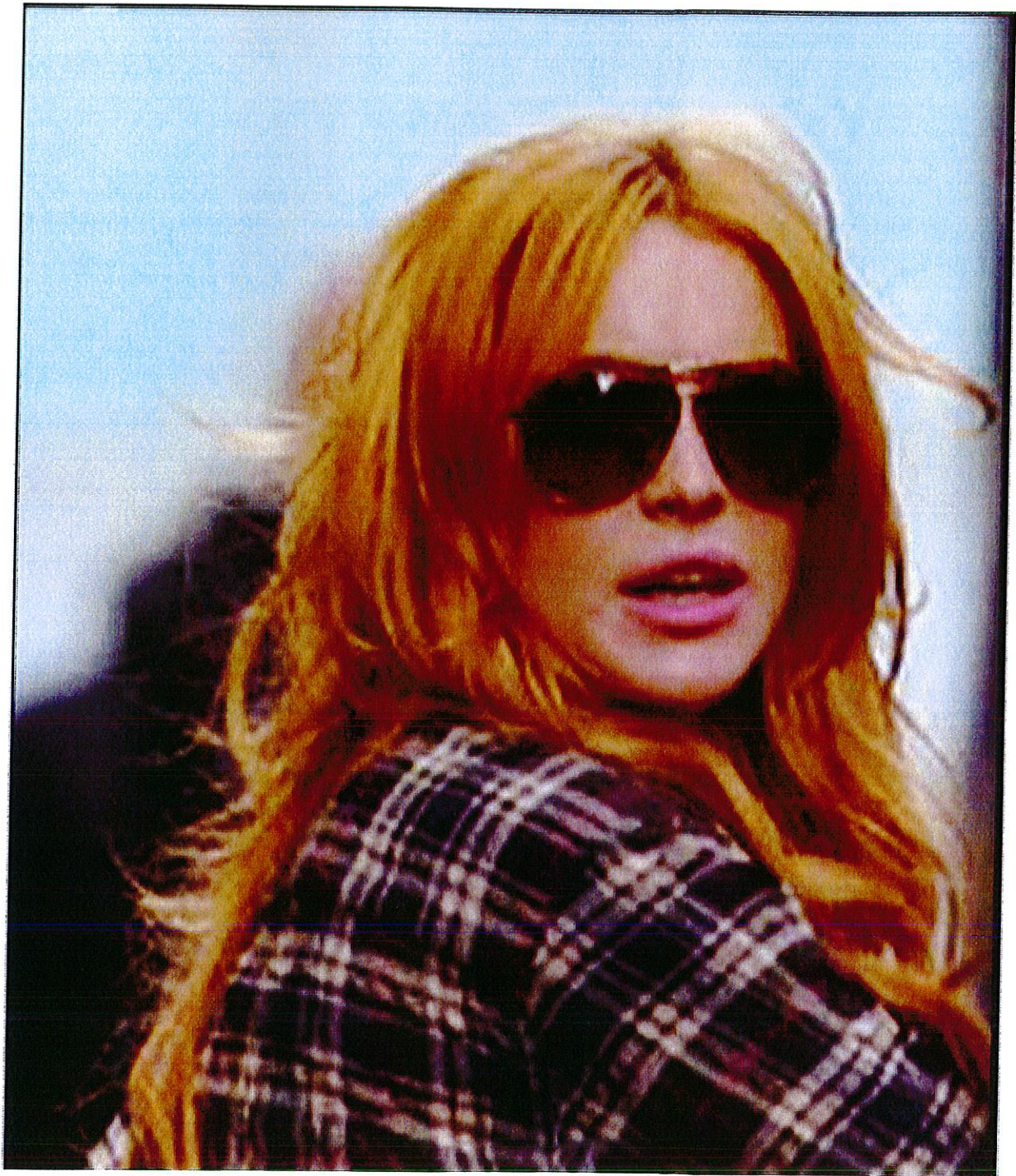


EXHIBIT A-4

Lindsay Lohan for JAG jeans

Posted in [Denim Brands](#)

by [Jennifer](#)

12 21 2011

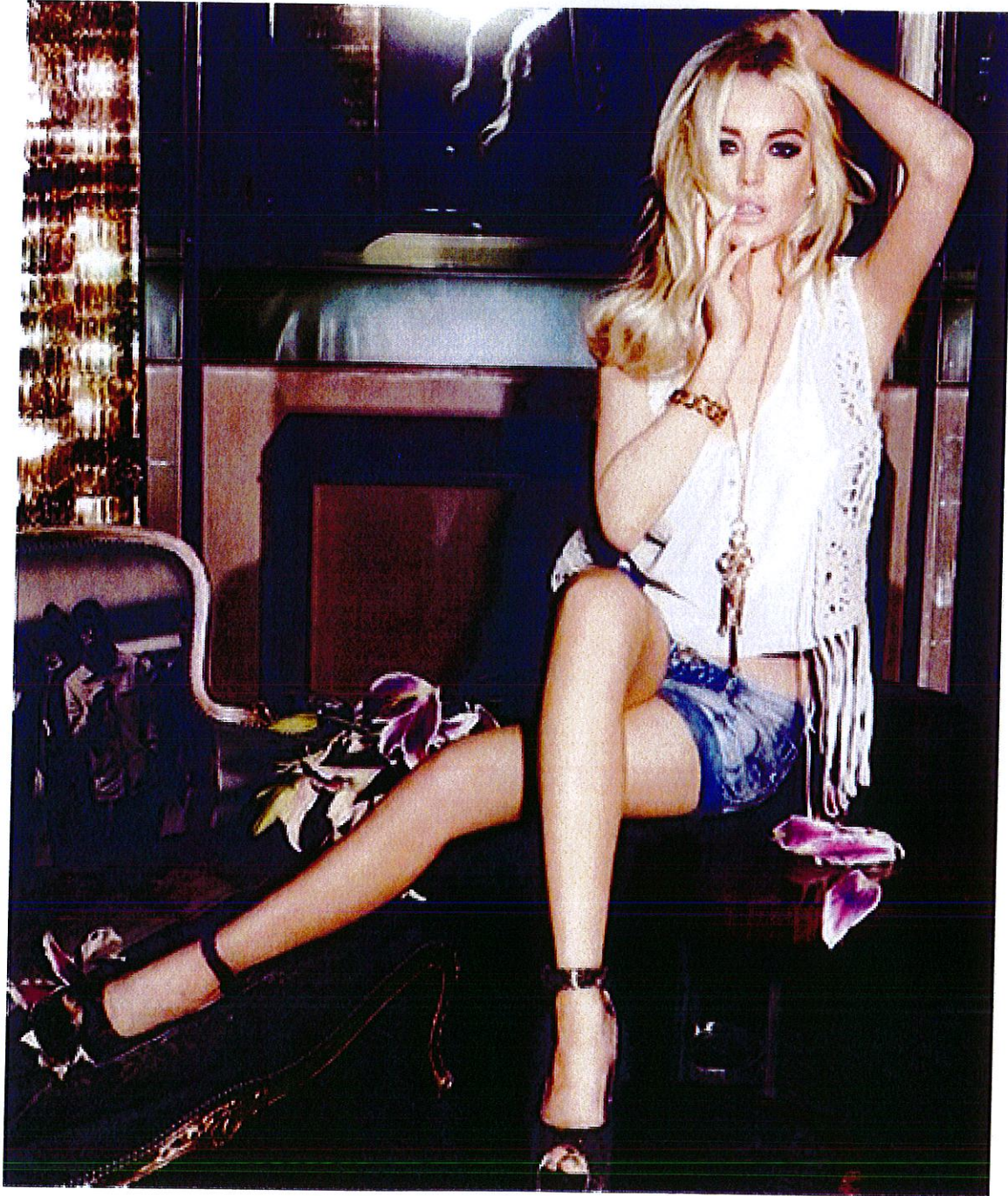


EXHIBIT B-1

Licensed for play on PlayStation 3 computer entertainment system. Unauthorized copying, reproduction, rental, public performance, or distribution of software is prohibited. Game may be subject to applicable laws. Manufactured in U.S.A. BETA COPY/BLUS

Grand Theft Auto



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PS3 and PS are trademarks or registered trademarks of Sony Computer Entertainment Inc. in the U.S.A. and other countries. The double-D symbol is a trademark of Dolby Laboratories. Made in United Kingdom. All rights reserved.

EXHIBIT B-2



© Startraks Photo/REX

EXHIBIT B-3



EXHIBIT B-4



EXHIBIT B-5



Lorraine Schwartz

Lorraine Schwartz

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Lorraine Schwartz

EXHIBIT B-6



EXHIBIT B-7

Lindsay Lohan Should Win Her GTA Lawsuit

Sarah Miller @sarahlovescali July 8, 2014

SHARE

I'm no legal expert, but I know my tabloid stars, and I see the evidence that Grand Theft Auto's Lacey Jonas shares some Lohan DNA



Lindsay Lohan in 2007; Lacey Jonas in 2014

Clark Samuels—Startraks; Rockstar

I don't think anyone in their right mind would suggest that the lawsuit [Lindsay Lohan filed](#) last week against the makers of Grand Theft Auto isn't annoying. Yes, it would be nice if Lindsay would go back to being an actual movie star, rather than wasting precious time insisting that her "unequivocal" similarity to Lacey Jonas, a minor character in Grand Theft Auto 5, entitles her to compensation. And yes it would be nice if this weren't Lohan's [third](#) similar lawsuit. But the fact is, like her or not, the 28-year-old actress/docu-drama subject/paparazzi bait might in fact have a bare, slightly bruised leg to stand on.

Lindsay Lohan is not someone you'd want taking care of your grandmother or even your guppy. But that's not what's in question here. What is—put so well in [Forbes](#) by intellectual property attorney Kim Landsman—is this: "How recognizable is Lindsay Lohan as the Lacey Jonas character? Would it be recognized specifically as her or as a generic, blond, bimbo actress?" It seems to me that the answers are a. very and b. yes.

Obviously there's the fact that the hotel in the game, Gentry Manor, brings to mind Chateau Marmont, a place Lindsay has [frequented](#). Then there's the whole

running away from the paparazzi thing that's pretty Lilo-esque. But let's get to the stuff that's more exclusively her. First of all, Lacey's voice. The way that she makes a declarative, despairing statement "This is a disaster!" and [then rambles](#) "Oh my God, I'm so f—ing fat. Oh my God! They cannot get a shot of me!" and then throws out a generally desperate and kind of unanswerable question "How's my hair? Do I look cute?" Sorry, Rockstar — that is not a "generic" voice, or "generic" speech patterns. No one else sort of wails at the end of everything she says quite like Lohan. And if you don't know what I mean, please enjoy this clip of Lohan on her reality show [upbraiding her assistant](#) for not getting her new keys made fast enough.

Then there are the outfits, which Lacey wears not only in the game but also in promotional material, that the lawsuit mentions explicitly and at great length as being Lohann-y. If I were the Lohan legal team I would forget about the stuff that *sort of* looks like Lohan would wear it — Lohan did not invent or perfect the short-short, high-heels, 800-necklace look — and concentrate instead on the image for Grand Theft Auto's cover, which is a blonde model in a bikini giving the peace sign and taking a selfie. Model [Shelby Welinder](#) posed for the ads in 2012, but the Lohan photo that looks **EXACTLY** like it was taken in 2007. Also, if you said to three million people, "Hey, you know that picture of a blonde chick taking a selfie and giving the peace sign, in a bikini? Who is she?" two million of them would say "What?" but the other million would say "Lindsay Lohan," and the number of people saying, "Oh, isn't that Shelby Welinder?" well, that would be zero.

Finally, there's Lacey's personality. She's demanding, yelling to the poor motorcycle racing protagonist she's forced into giving her a ride "Go faster! Go faster." But demanding is pretty basic. Lacey could just as well be channeling Mariah Carey. Or even Katherine Heigl, if Heigl weren't more of [a stay-at-home complainer](#), with no personality to rip off. If demanding is too broad a category to make GTA 5's work "unequivocally" Lohan-

inspired, then there's the arrogance: Lacey shouts "I'm really famous!" and is generally appalled that the motorcyclist doesn't know who she is. Only a few actors have been caught pulling the [fame card](#), Lindsay among them. (Lindsay's mother [Dina](#) even asked someone "Do you know who I am?")

Lindsay Lohan might not be the classiest person around, but she's special in other ways. Not everyone can say they owe the Chateau Marmont [\\$46,000](#). Not everyone can claim to be America's sweetheart and then run over it all with a limo. And not everyone can [lie to Oprah](#). There is only one Lindsay, and surely, at this point, she's at least got a right to *that*.

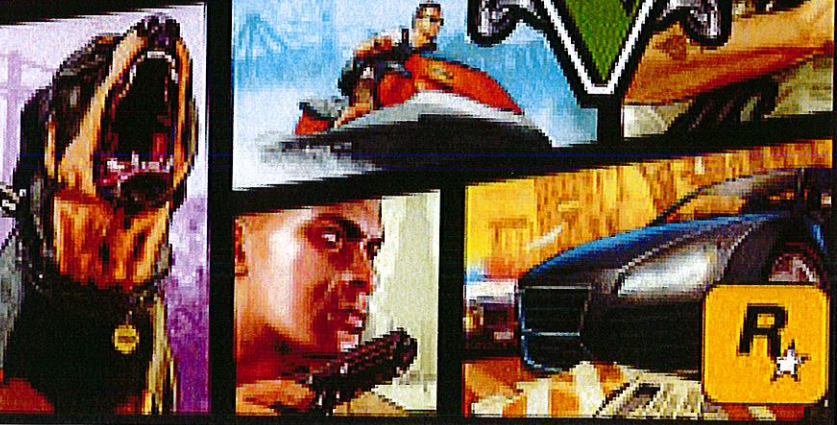
Sarah Miller writes for [NewYorker.com](#) and [The Hairpin](#), among other outlets, and has published two novels, [Inside the Mind of Gideon Rayburn](#) and [The Other Girl](#).

EXHIBIT B-8

XBOX 360



grand theft auto



Audio/Visual file containing Lacey Jonas' voice within GTA V

Shall be served on:

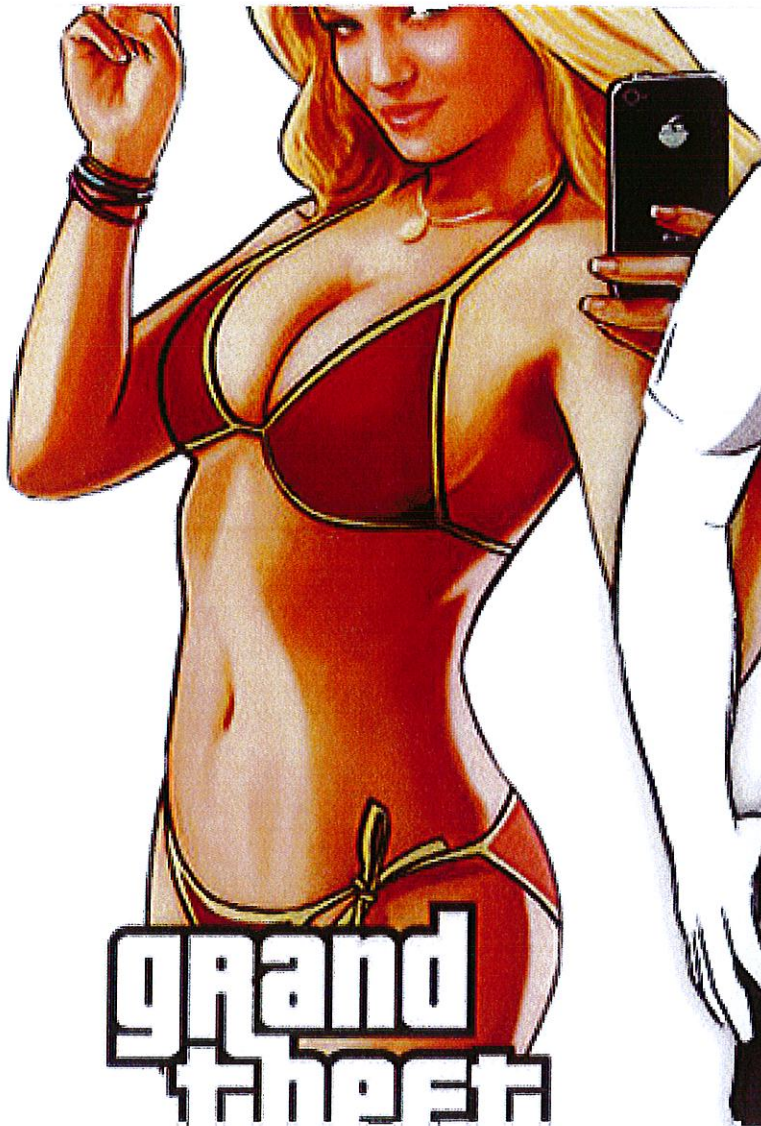
**Defendants; and
Honorable Joan M. Kenney**

EXHIBIT C

EXHIBIT D-1



EXHIBIT D-2



**grand
theft**



**grand
theft
auto**

EXHIBIT D-3



EXHIBIT D-4



grand
theft
auto 

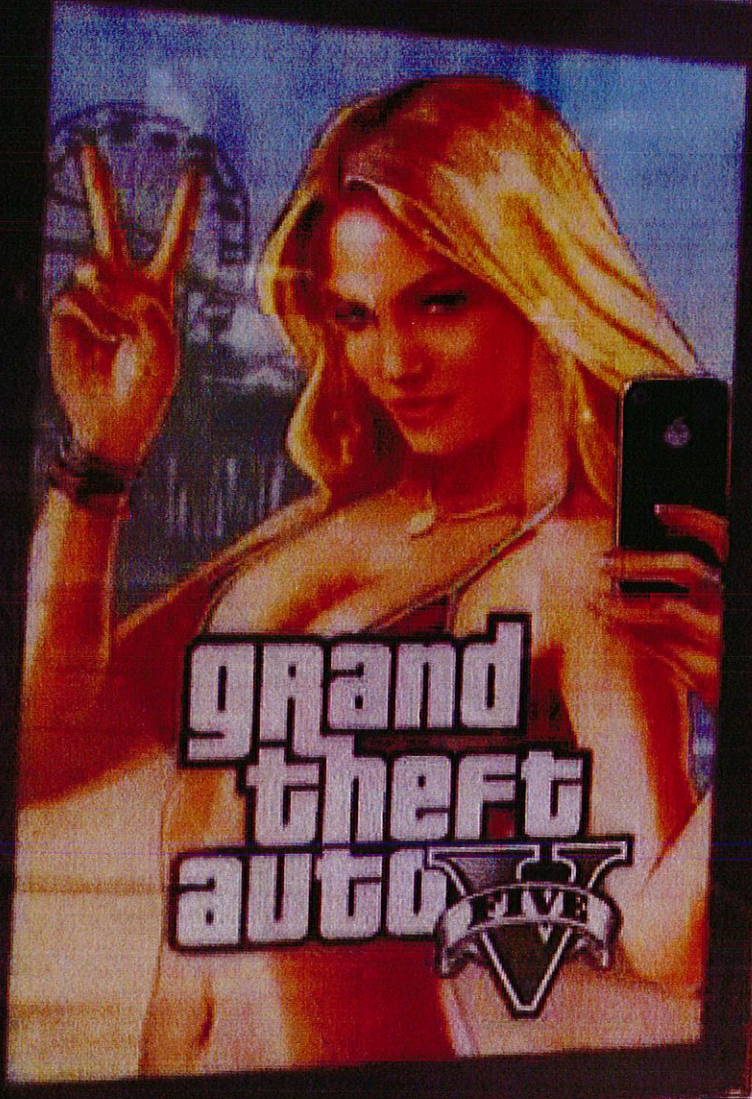
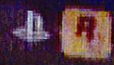
EXHIBIT D-5



EXHIBIT E-1

C CEMUSA

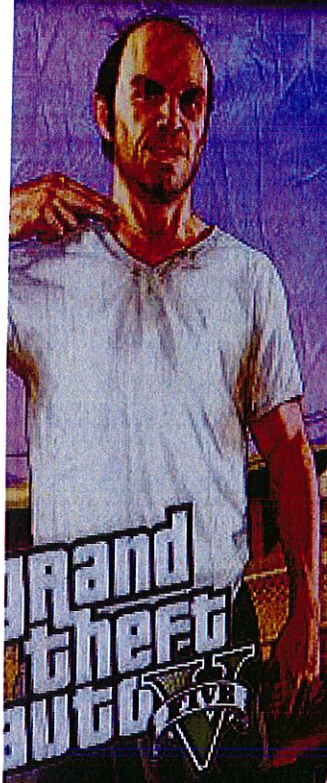
SEPTEMBER 17
ON PLAYSTATION 3



grand
theft
auto **V**



EXHIBIT E-2



Grand
theft
auto V

17 SEPTEMBER



Grand Theft Auto V

grand
theft
auto V

17 SEPTEMBER



Grand Theft Auto V

grand
theft
auto V

17 SEPTEMBER



Grand Theft Auto V

grand
theft
auto V

17 SEPTEMBER



Grand Theft Auto V

grand
theft
auto V

17 SEPTEMBER



Grand Theft Auto V

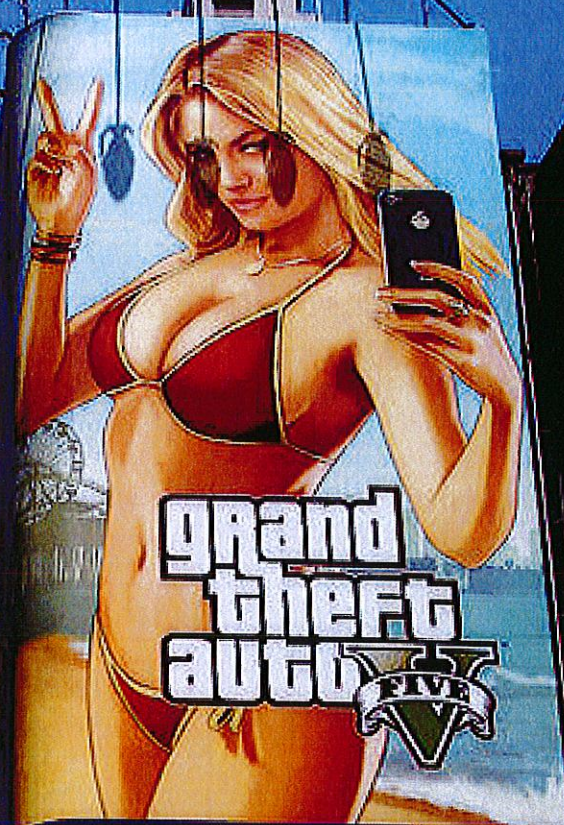
grand
theft
auto V

17 SEPTEMBER

EXHIBIT E-3



EXHIBIT E-4



grand
theft
auto
FIVE
V

9月17日
ON PLAYSTATION 3



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INOA

EXHIBIT E-5



EXHIBIT F

Google

Lindsay Lohan GTA 5



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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
LINDSAY LOHAN,

Plaintiff,

-against-

Index No: 156443-2014

**AMENDED
VERIFIED COMPLAINT**

TAKE-TWO INTERACTIVE SOFTWARE, INC.,
ROCKSTAR GAMES, ROCKSTAR GAMES, INC.
AND ROCKSTAR NORTH,

Defendants.

-----X

THE PRITCHARD LAW FIRM

Attorneys for Plaintiff

Lindsay Lohan

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New York, New York 10007

(212) 859-5027

TO:

Attorney(s) for

Service of a copy of the within is hereby admitted.

Dated,

.....

Attorney(s) for