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February 7, 2011

Via Facsimile & U.S. Mail

GEORGE CHEEKS
Executive Vice President
MTV NETWORKS

[REDACTED]

Re: *Johnny Fratto / "Son of a Gun"*
Cease & Desist Letter
Our File Number. 1544.001

Dear Mr. Cheeks:

Our firm represents Johnny Fratto ("**Mr. Fratto**") and his brand "*Son of a Gun*" (the "**Brand**").

As you should know, the Brand is a globally recognized brand based around the persona of Mr. Fratto, son of the infamous Mafia boss Louis "Cock-Eyed" Fratto. The Fratto family's heritage and long-standing links to Mafia have been well-publicized, including to the present day with the recent arrest one of Mr. Fratto's family members. In addition, Mr. Fratto himself is well-known and has appeared in the media for many years now on such shows as "*The Fabulous Life of Young Hollywood*", "*1 vs. 100*", Spike TV's "*The Deadliest Warrior*" and the HOWARD STERN show.

For the last twenty-five years, Mr. Fratto has invested significant time, money and effort into the Brand, which efforts have included media projects, jewelry, clothing, music, pasta sauce, and web content, all of which have prominently featured the Brand. Mr. Fratto has successfully promoted the Brand globally and on the internet, through the Brand's webpages <www.midwestmafia.com> and <www.beverlyhillschoppers.com>. As just one example, the Brand's pasta sauce was prominently featured on the popular HBO television show *Entourage*. Moreover, the Brand is especially well known to the hip hop community, having been associated over the years with a who's who of African American celebrities and recording artists including Mike Tyson, Snoop Dogg, and Russell Simmons and his companies, PHAT FARM and BABY PHAT. Mr. Fratto also produced the 2003 documentary "*Female American Rap Stars*," and

MOB CANDY MAGAZINE just did a cover story on Mr. Fratto, which included the “*Son of a Gun*” brand. Mr. Fratto has also expended considerable time, money and effort creating and developing for a major cable outlet a television project entitled “*Son of a Gun*,” for which there still exists contractual obligations.

Nevertheless, it has come to our attention that MTV has announced and publicized its intention to air a “*Son of a Gun*” television program in April 2011 (the “**Show**”). Apparently, this Show is to feature a B-list actor/rapper Nick Cannon and a second rapper professionally known as “Gunz”, and is targeted towards the same hip hop community with whom the Brand has long been associated. Based upon a review of Mr. Cannon’s resume, it appears that his primary claim to fame is that he is married to Mariah Carey.

The intentions of MTV, Mr. Cannon and Gunz seem apparent. As is the case with many minor rappers, especially artists with no believable claim to any “street cred” like Mr. Cannon, Mr. Cannon is seeking to associate himself and Gunz with the persona of Mr. Fratto and his alleged connections to the Mafia underworld, in order to provide himself with a “credibility” among hip-hop fans that Nick Cannon’s biography can not provide. In order to do so, however, he and MTV will both obviously create significant consumer confusion and cause irreparable harm to the image, reputation and good-will of Mr. Fratto and his Brand, and permanently disrupt Mr. Fratto’s significant investments in expanding his Brand into the television market.

To make matters worse, Mr. Cannon has copied Mr. Fratto’s intellectual property in promoting the Show, specifically by copying both the style and content of the two “*Son of a Gun*” television pilots prepared by Mr. Fratto. Mr. Cannon accessed said pilots from the Brand websites, <www.midwestmafia.com> and <www.beverlyhillschoppers.com>, where they are prominently featured. This evidences that Mr. Cannon’s actions are intentional and that he had knowledge of Mr. Fratto’s persona and Brand. Mr. Fratto does not want his Brand to be tarnished in any way by it being associated by the public with Mr. Cannon, especially given numerous offensive statements made by Mr. Cannon, including but not limited to racist remarks that white celebrities such as Howard Stern, Chelsea Handler and Eminem were “white trash.”

Accordingly, Mr. Fratto hereby demands that MTV immediately cease and desist any and all efforts to publicize or release a television program which uses the “*Son of a Gun*” mark. Please be forewarned that your failure to do so will result in Mr. Fratto considering all legal remedies to which he is entitled, under the Lanham Act and California law, including but not limited to filing for a temporary restraining order.

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Please contact me at your earliest convenience to discuss your immediate compliance with the foregoing. Mr. Fratto hereby reserves all rights and remedies, and nothing contained herein shall be deemed as a waiver of any of our client's rights at law or in equity, all of which are expressly reserved.

Very truly yours,

SHERMAN LAW GROUP

By: _____
RICHARD LLOYD SHERMAN, ESQ.

cc: Johnny Fratto

