

IN THE HIGH COURT OF JUSTICE

CLAIM NO HC13 FO4688

CHANCERY DIVISION

INTELLECTUAL PROPERTY

BETWEEN;

WARNER RECORDS 90 LIMITED

STEPHEN MORRIS

GILLIAN GILBERT

BERNARD SUMNER

DEBORAH WOODRUFF

PETER HOOK

- and -

JULIA ADAMSON

D E F E N C E

OF JULIA ADAMSON DEFENDANT

Clauses 9 (a) and (b), 21, 22, 23, 24

I was an employee at Strawberry Studios from 1984 to 1989. When Strawberry Studios closed down the staff were busy clearing out the building. There were at least 20,000 copy masters from various bands and the artistes or their agents. They were contacted as to whether they wished to buy the tapes from the Strawberry library because they were clearing out. Mostly the artistes already had their own copies and said Strawberry should dispose of them. Some asked for the copy masters and these were handed over. The remaining copy masters were consigned to the skips. A colleague David Drennan was assigned the task of contacting as many of the clients as possible about their tapes. In the case of Factory Records, David Drennan remembers that they only asked for The Happy Mondays tapes and did not want any others.

(see copy email 'Dave Drennan') Later I discovered that Factory Records had parted company with Joy Division/New Order.

I felt that the tapes of Martin Hannett's work i.e. the ones he produced should not be destroyed. That is why I removed them from the skip and rescued them from landfill. When Warners were threatening court action I contacted Nick Turnbull (see copy email 'Nick Turnbull') who had been the owner of Strawberry Studios and who closed it down. I told him I had the tapes and how I had acquired them. He said he was glad that I had rescued them "doing everybody a favour" Nick Turnbull said as far as he was concerned there was no wrong doing.

It was the practice at Strawberry Studios to use Strawberry tapes and not any other.

CLAUSE 14 (a) (b) and (c)

Martin Hannett made his name producing the Joy Division tapes. He was chosen by Tony Wilson of Factory Records to be the producer and at this point in time was a co-director of Factory Records. Tony Wilson also made his name at this time. Martin Hannett died in 1991 and Tony Wilson died in 2007. This information was written at the time on the boxes containing the copy masters. Unfortunately there was a dispute between Tony Wilson and Martin Hannett and they parted company following a court action. In her book "The Factory Girl" Lindsay Reade (former wife of Tony Wilson) states that the "Unknown pleasures album" was estimated to cost £10,000 and ended up costing £20,000. Factory Records was the client and Tony Wilson paid for this mostly. She has said, Joy Division had made a small profit from their contribution to the Factory Sample which was re-invested in the album (see copy email 'Lindsay Reade').

CLAUSE 9 (b)

I placed the copy masters in the attic of the house of my parents for safe keeping. When my parents decided they were moving in 2007 they asked me to remove my belongings from the attic.

CLAUSE 10 (a) (b) and 19, 20, 21 22 and 23.

I contacted David Sultan, the webmaster of New Order and Joy Division, because I could not contact the band members. I asked if he could give me a contact for the band but he said he was not allowed to give this information out. I explained my position and said I held tapes and copy masters made at Strawberry Studios in the late 70s and early 80s. He expressed interest stating he was a representative of the band. He asked for photographs initially and then asked for an audio in the form of mp3 or other. I sent him only 20 or 30 seconds because of the copyright. At this time I digitally backed up the tapes because of David's request to listen to some audio because he was their representative. I discussed a fee with him of £19,995 which he said he was very interested in because he was a collector and not to offer the tapes to anyone else. This took place via email and also when he came to my home. I picked him up at the airport when he arrived from Miami. After our meeting he left my home saying he had a meeting with Peter Hook that same day but definitely wanted to buy the tapes. He had viewed the tapes and boxes and

listened to the audio. This was the last I heard from him. The same day I was telephoned by Peter Hook and this was a strange and threatening call full of insults. He telephoned me a few times over the next week. He added that David Sultan was not his representative and had nothing good to say about him.. He offered a finder's fee of £2000. He said " you thought you were going to get twenty grand there didn't you." On the telephone one of many things he verbally abused me with was "have you been grovelling around in any skips today?" I asked that we come to some sensible agreement without involving lawyers. When lawyers on behalf of Peter Hook became involved I said the tapes had been stolen from my car because I was frightened and intimidated by the tone and actions taken by Peter Hook and wanted to forget the whole matter.. I did nothing more about the tapes until 2013. I did not infringe any copyright then or since and have no intention of doing so. I have suggested to Warners and their solicitors Russells on many occasions that we come to terms about the future of the tapes without court action. (copy of suggested Agreement sent to Russells and Warner on 21 March 2014).

11 (a) (b) and (c)

In 2013 I was in financial difficulties and applied for a debt relief order which I received on 23 October 2013 number 278787. This caused me considerable worry and stress.

I tried to contact Warner US, Warner UK and Rhino Records to talk to them about the tapes and was unable to be put through because I had no name for the person to whom I wished to speak. There was no response to my emails.

Therefore I asked on my facebook page after explaining how the tapes came into my possession whether anyone would be interested in them. There were hundreds of responses mostly congratulations on saving them from the skip. This prompted Warner to get in touch with me. Also I heard from Peter Hook. He was abusive calling me a thief, a blackmailer, and other slanderous names. I had many financial offers but I wanted the tapes to go to the band or their record company or, if not, to a museum or music school. The band have not made any satisfactory offer and I feel they should reward me for saving the tapes and keeping them safe over the years. My defence is that I am the legal owner of the physical tapes as shown by my account of how they came into my possession.

I have never had any intention of infringing the copyright of the artists. The digital copies were made at the request of the webmaster of the Joy Division site so that he could listen to them and report to the band as their representative. No other person has or will be allowed to hear the digitised recording. I reject the account made in the claim by Warner that I am not the owner of the rescued physical tapes.

I have suffered loss in my business "Invisiblegirl Records" from the time spent on this matter, and my expenses in having to attend the court in London travelling from Stockport.. If possible, I would ask the court to consider awarding me court costs caused by this claim. I am not able to afford a lawyer and Citizens Advice said there was no legal aid for cases such as this.