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P.O. Box  
GEORGETOWN DELAWARE 19947  
TELEPHONE (302) 858-5424  
FACSIMILE (302) 858-5251

WILLIAM B. CHANDLER III  
CHANCELLOR

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**VIA e-FILING**

Joseph A. Rosenthal  
Rosenthal, Monhait,  
**Gross & Goddess, PA.**  
919 North Market Street  
Wilmington, DE 19801

R. Franklin Balotti  
Richards, Layton & Finger  
P.O. Box 551  
Wilmington, DE 19899

Robert K. Payson  
Potter Anderson & Corroon LLP  
P.O. Box 951  
Wilmington, DE 19899

Joel Friedlander  
Bouchard Margules & Friedlander  
222 Delaware Ave., Suite 1102  
Wilmington, DE 1980 1

David C. McBride  
Young Conaway Stargatt & Taylor, LLP  
P.O. Box 391  
Wilmington, DE 19899-0391

A. Gilchrist Sparks, III  
Morris, Nichols, Arsht & Tunnell  
P.O. Box 1347  
Wilmington, DE 19899

Re: *In re The Walt Disney Co. Derivative Litig.*  
Civil Action No. 15452-NC

Dear Counsel:

This letter addresses Michael Ovitz's motion to compel plaintiffs' answers to certain interrogatories before discovery is completed. For the reasons set forth below, I grant the motion.

On **August 26, 2003**, Ovitz served the plaintiffs with eleven interrogatories. The first nine interrogatories are "contention" interrogatories. The tenth interrogatory requests information related to plaintiffs' damages calculations. The eleventh interrogatory requests the number of shares owned by the named plaintiffs. Plaintiffs

understand, before his deposition, the factual basis for the claim against him. Plaintiffs have already completed substantial discovery and should have a **sufficient** basis to answer these interrogatories expeditiously. (Of course, plaintiffs are only required to answer the interrogatories based on the information currently available to them.) Plaintiffs have expressed the concern that responding to the interrogatories would sidetrack them **from** preparing for several depositions scheduled in the coming weeks. But this concern is unavailing as the interrogatories were filed on August 26 and any time pressure caused by this Court's decision is due to plaintiffs' own machinations.

As Ovitz withdrew his motion to compel an answer to the tenth interrogatory (relating to plaintiffs' damages calculations) because of the plaintiffs' representation that the information sought will be provided in the report of plaintiffs' damage expert, my ruling is limited to the first nine interrogatories. I have entered an Order consistent with this decision.

Very truly yours,

**S/William B. Chandler III**

William B. Chandler III

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**oc:** Register in Chancery  
**xc:** Vice Chancellors  
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