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EXHIBIT E

May

2009

COVER READS

• 25 THINGS YOU DO THAT GUYS SECRETLY LOVE, AND SIX THAT FREAK THEM OUT
page 216

• 131 LITTLE WAYS TO YOUR BEST BODY!
pages 58 (celeb inspiration), 115 (easy health-you-ups), 196 and 208 (flattery tricks), 220 (our Body by Glamour plan) and throughout the issue

• PLUS, WHAT TO EAT TO LOSE EIGHT POUNDS THIS MONTH
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• THE SEXIEST SWIMSUIT FOR YOUR EXACT SHAPE
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• AMAZING HAIR: THE 1-2-3 PLANEVERY WOMAN SHOULD KNOW
page 76

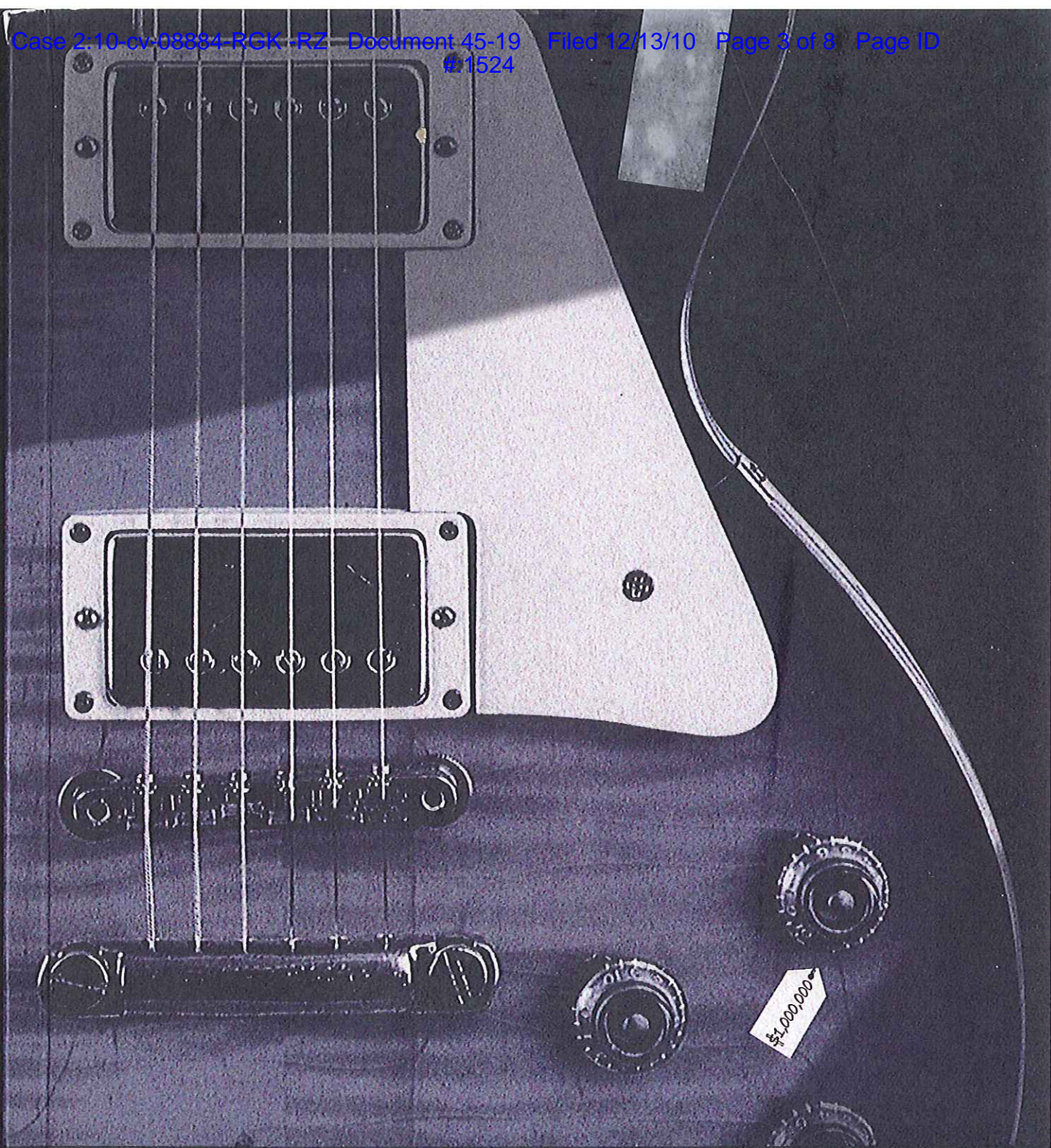
• TOP PRIORITY: THE QUICK CANCER CHECK THAT SAVED 50 READERS' LIVES
page 123

Shop Miley's cover look for less at glamour.com/shopping

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Miley Cyrus is *definitely not a kid anymore*

Zole



MILLION DOLLAR LES PAUL

In Search Of The Most Valuable
Guitar In The World

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TONY BACON



STAR GUITARS

101 GUITARS THAT ROCKED THE WORLD

Dave Hunter

208

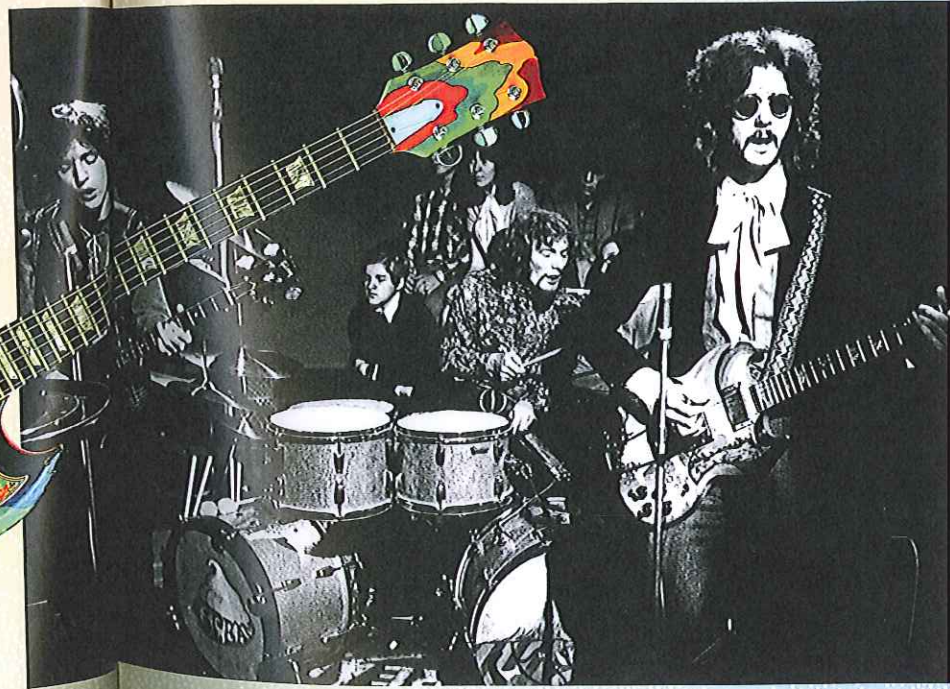
Foreword by Billy F Gibbons

AFTER THE BLUES BREAKERS, Clapton giggered and recorded with a few borrowed Les Pauls, but, unable to find one that he liked as much as his lost "Beano" guitar, eventually settled in with a Gibson SG and an ES-335 for the majority of his work with Cream. The SG, a 1964 or '65 model, became famous for the paint job given to it by the Dutch artists collective known as The Fool, a name also given to the guitar itself. When Clapton owned the guitar, the remains of the framework of its original Maestro "lyre" vibrato tailpiece could still be seen. Todd Rundgren acquired the SG in 1974, and its bridge, tailpiece, and paint job were updated sometime after. It is currently on loan to the Hard Rock Café in San Francisco. ♡

Eric Clapton's 1964-65 Gibson SG, "The Fool" Courtesy Nigel Osborne/ Jon-Bone Press



Cream performs on TV in November 1967. From left: bassist Jack Bruce, drummer Ginger Baker, and Clapton playing "The Fool" Jon Persson/WireImage/Getty Images

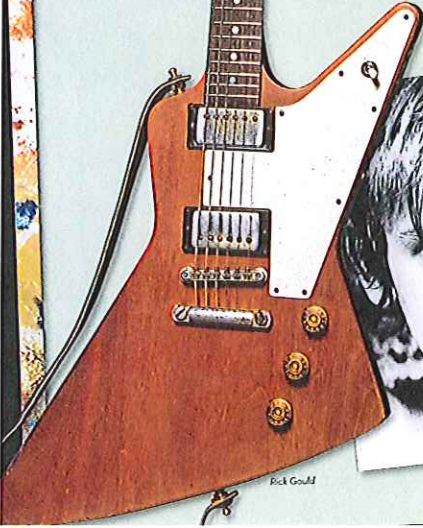


THE FOOL

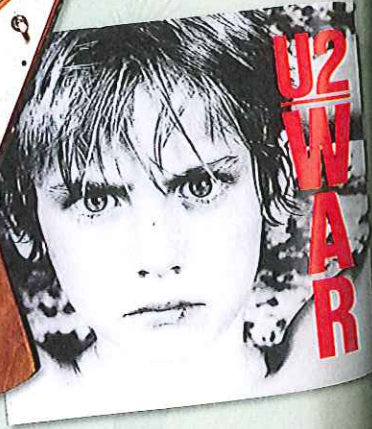
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CALL IT NEW WAVE, POST PUNK, or what you will. The music scene that spawned U2 in the late '70s and early '80s was something of an underground movement (though the band would later move massively, stratospherically above ground), and as such it was not an arena that worshiped flashy guitars or overt showmanship. Picture, then, a young Dave Evans returning home to Dublin from a trip to New York City and opening a hard-shell case before his compatriots in an as-yet unnamed band to reveal one of the showiest guitars of all time. "I actually went in to buy a Les Paul, but I just fell in love with this guitar," Evans recounted for BBC's *The Story of the Guitar* in 2008. "I brought it back and was slightly like, 'Oh, shit, it's a little strange looking. Are the guys in the band going to go, 'What? You're out!' ... But everyone just loved the sound of it."

The guitar in question, a 1976 Gibson Explorer, might indeed have embodied an outlandish rock statement in other hands, but as Evans (soon The Edge) bent it to the development of U2's stark, haunting, rhythmic, and utterly original sound,



Rick Gould



It took on the stance of the anti-guitar hero who wielded it and proved a cornerstone in the early career of one of the world's most popular and influential bands. The Edge used this Explorer on the majority of U2's early recordings, often swapping it for a mid-'70s Fender Stratocaster and partnering the guitars with an Electro-Harmonix Memory Man echo unit and a Vox AC30 amplifier. Not simply either a lead or rhythm guitarist, The Edge's role in the band really incorporated elements of both, often simultaneously, as he set a driving momentum that incessantly propelled songs like "I Will Follow," "Gloria," "Sunday Bloody Sunday," and "New Year's Day" just as much as did Larry Mullen's drums.



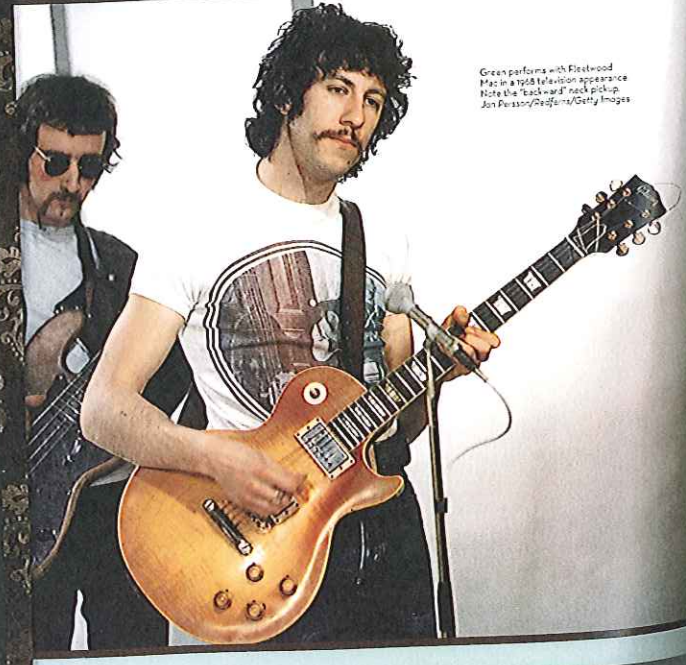
As U2 ascended dizzying heights of success, The Edge indulged in every rock star's prerogative to explore a wide number of makes and models of guitars. He has notably been seen cradling instruments such as a Gretsch White Falcon, 6120, and Country Gentleman; several Gibson Les Pauls; numerous Rickenbackers; and myriad Fenders (the total haul for 2009's 360 Tour numbered more than forty guitars). But the 1976 Explorer remains a standout in the minds of many fans and apparently remains dear to the artist as well. While recording 2000's *All That You Can't Leave Behind*, an album that signaled yet another evolution of the band's sound, The Edge found himself seeking just the right tone for a song that didn't quite want to gel. Out came the Explorer, the echo pedal, and the Vox AC30—and the layered, atmospheric guitar parts to "Beautiful Day" fell right into place. ♡

Royal Oak Theater Royal Oak, Michigan, November 1981. Rick Axford

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MOST INSTRUMENTS WORTHY of star guitar status are notable for the exemplary tones they put forth in the hands of the artists who made them famous. But in the minds of the fans who idolize them, some guitars have been elevated beyond mere celebrity guitar status. Peter Green's 1959 Les Paul Standard is one example that has been thus elevated, as has the tone he achieved with it in the early incarnation of Fleetwood Mac. In 1967, after leaving John Mayall & the Blues Breakers—that crucible of blues-rock guitar stardom—Green founded Fleetwood Mac alongside Mick Fleetwood, John McVie, and Jeremy Spencer (later replaced by

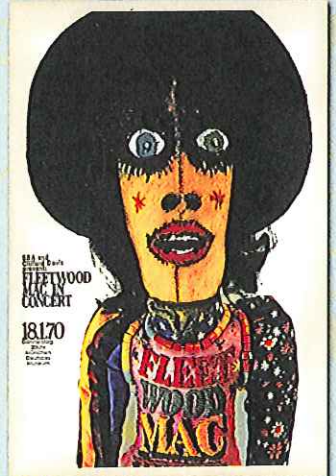
Green performs with Fleetwood Mac in a 1968 television appearance. Note the "backward" neck pickup. Jon Pearson/Redferns/Getty Images



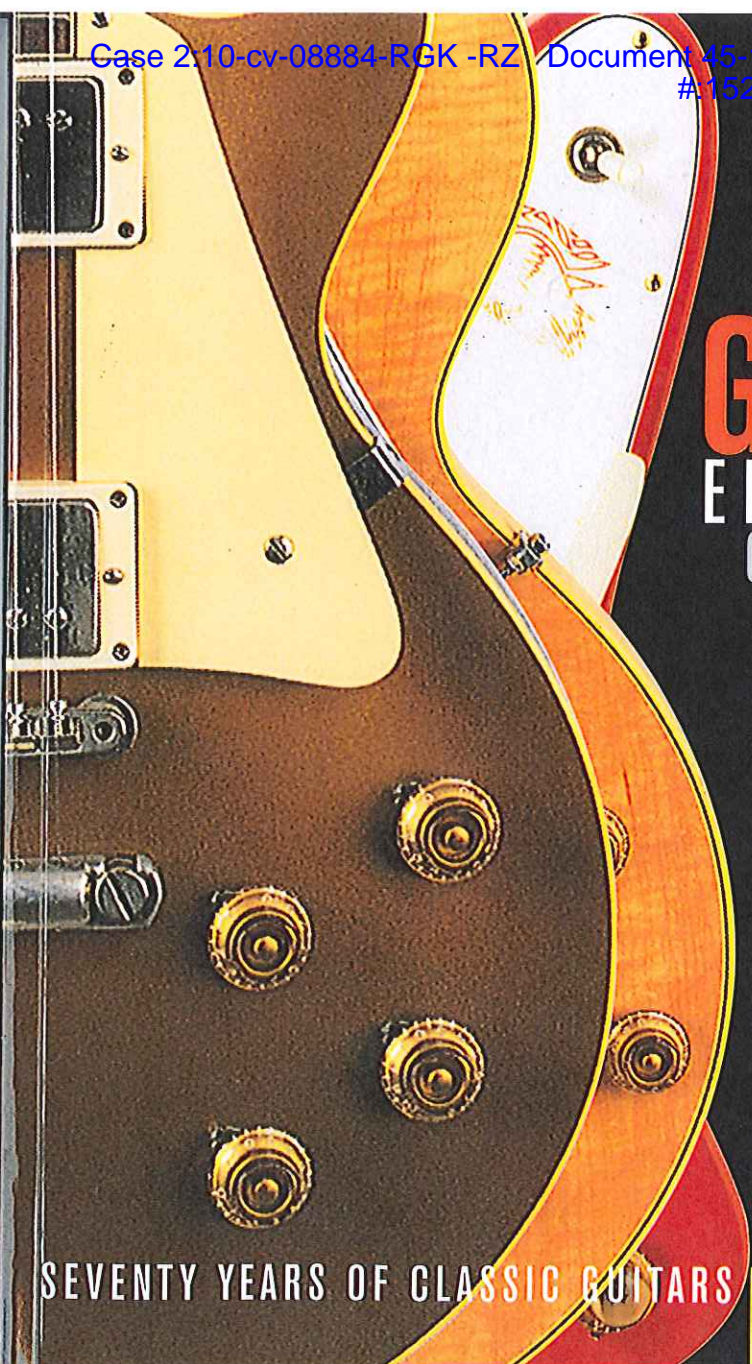
Danny Kirwan) in order to play "pure blues." In their company, Green recorded such classics of tone as "Need Your Love So Bad," "Black Magic Woman," "Albatross," "Oh Well," and several others. Amid a late-'60s scene in which other British blues artists were evolving toward high-gain blues-rock, Green's more purist stance, coupled with his more nuanced and organic tone, delicate touch, and plaintive melodic sense, helped him to stand out from the crowd.

His Les Paul was a standout instrument too, and it quickly drew the eye of many a guitar worshiper. While Green owned it, the guitar still maintained much of the richness of its sunburst finish, as would be expected in a guitar that was then only between eight and eleven years old, but this 1959 'burst is also famous for having faded later to a golden hue that beautifully showed off its gently tiger-striped maple top. Perhaps most notable from early on in Green's stewardship of the instrument, however, is the reversed neck pickup, which not only appears "backward"—with the adjustable pole pieces facing the bridge rather than the fingerboard—but also was rewound to reverse polarity by a misguided repairman. Possibly one of the more fortuitous mistakes in the annals of the electric guitar, the reversed neck pickup gave Green a distinctive out-of-phase tone when both pickups were used together, which helped to cement the mythos of this artist and has been copied by countless other players since.

Peter Green unceremoniously quit Fleetwood Mac in 1970 and faded into an obscurity that bottomed out with the former star being diagnosed with schizophrenia and eventually enduring several bouts of institutionalization. He famously sold his Les Paul to blues-rockers Gary Moore for around £110 (approximately \$200), a paltry sum for a vintage Les Paul Standard even in the mid-'70s. Moore told *Guitarist* magazine in 1995 that Green himself insisted upon the figure because it was the price he had paid for the guitar in the first place. Moore used the Les Paul on several recordings with Thin Lizzy and later as a solo artist, but he eventually sold the guitar. Since the late '90s, Peter Green has reemerged as an artist, recording and performing with his own Peter Green Splinter Group and several collaborative projects. Of his legendary old partner, Green told Rick Batey of *The Guitar Magazine* in 1999, "I'm sick of Les Pauls. . . . You see them everywhere." ♡



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THE Gibson ELECTRIC GUITAR BOOK

SEVENTY YEARS OF CLASSIC GUITARS | *WALTER CARTER*

THE GIBSON ELECTRIC GUITAR BOOK presents the definitive story of Gibson's electric guitars over the last 70 years.

Since the 1930s, Gibson electric guitars have been embedded in our culture as some of the most recognizable icons of jazz, blues, and rock'n'roll music.

The body shapes of the Gibson Les Paul, ES-335, SG, Flying V, and Firebird are as familiar as the artists who played them – from Charlie Christian and Wes Montgomery, to Chuck Berry and B.B. King, through to Jimi Hendrix, Jimmy Page, Frank Zappa, and Bob Marley. Today, Gibson electric guitars are as popular as ever among young musicians seeking the sound that only a Gibson can provide.

Walter Carter is an acknowledged expert on the history of Gibson, and his new book documents the past and the present of these prestigious guitars through a wealth of detailed research and an unsurpassed collection of superb photographs.

As well as the full story of Gibson electrics, the book includes meticulous listings for the player and collector, detailing every Gibson electric guitar model from 1937 to the present day.

Just as Gibson's advertising proudly says, "Only a Gibson is good enough," so *The Gibson Electric Guitar Book* is the only book on the subject you will ever need.

Exhibit 11

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6 Fax (404)963-6231

7 Attorneys for
8 Plaintiff
9 GIBSON GUITAR CORP.,

10 UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

11 GIBSON GUITAR CORP., a Delaware)
12 corporation,)
13 Plaintiff,)
14 vs.)
15 WOWWEE USA, INC., a California)
16 corporation; WAL-MART STORES, INC., a)
17 Delaware corporation; AMAZON.COM, INC.,)
18 a Delaware corporation; BIG LOTS STORES,)
19 INC., an Ohio corporation; K MART)
CORPORATION, a Michigan corporation;)
20 TARGET CORPORATION, a Minnesota)
21 corporation; TOYS "R" US-DELAWARE,)
22 INC., a Delaware corporation; WALGREEN)
23 CO., an Illinois corporation; BROOKSTONE)
24 COMPANY, INC., a New Hampshire)
25 corporation; BEST BUY CO. INC., a)
26 Minnesota corporation; EBAY INC., a)
Delaware corporation, TOYWIZ, INC., a New)
York corporation, HSN, Inc. a Delaware)
corporation, and DOES 1 through 100,)
Defendants.)

Case No. CV10-8884 RGK (RZx)
EX PARTE APPLICATION OF PLAINTIFF
GIBSON GUITAR CORP. FOR A
TEMPORARY RESTRAINING ORDER
AND AN ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION;
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT THEREOF

LOCAL RULES 7-19, 7-19.1

Dept.: 805
Judge: Judge R. Gary Klausner

27 EX PARTE APPLICATION OF PLAINTIFF GIBSON GUITAR CORP. FOR A TEMPORARY
28 RESTRAINING ORDER AND AN ORDER TO SHOW CAUSE RE: PRELIMINARY
INJUNCTION; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

STANDING ORDER ¶ 11

Pursuant to the Standing Order For Newly Cases Assigned To Judge R. Gary Klausner, ¶9 (Ex Parte Applications), Plaintiff has electronically served all the Defendants via facsimile the Application and Notice of the Ex Parte Application For A Temporary Restraining Order And An Order To Show Cause Re: Preliminary Injunction to the Defendants, including notifying Defendants that an opposition shall be filed no later than 3 p.m. on the first business day following service.

MEMO OF KNOWN COUNSEL/DEFENDANT'S CONTACT INFORMATION

WOWWEE USA, INC.

Counsel: Kim Landsman, Patterson Belknap, 1133 Ave. of the Americas,
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2875 Michelle Drive, Suite 100
Irvine, CA 92606
Phone: 800-562-6439
Fax: 800-562-6504

WAL-MART STORES, INC.

Counsel: Rosalyn Mitchell (in house)
Fax: 479-277-5991

Address: 702 SW 8th Street
Bentonville, AR 72716

Registered Agent: The Corporation Trust Company
Corporation Trust Center

1 1209 Orange Street
2 Wilmington, DE 19801
3 Phone: 302-658-7581
4 Fax: 302-655-5049

4 **AMAZON.COM, INC.**

5 Counsel: Not known at this moment

6 Address: 410 Terry Avenue North
7 Seattle, WA 98109-5210

8 Registered Agent: Corporation Service Company
9 2711 Centerville Road, Suite 400
10 Wilmington, DE 19808
11 Phone: 800-927-9800
12 Fax: 302-636-5454

11 **BIG LOTS STORES, INC.**

12 Counsel: Not known at this moment

13 Address: 300 Phillipi Road
14 PO Box 28512
15 Columbus, OH 43228-5311

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17 50 W. Broad Street, Suite 1800
18 Columbus, OH 43215
19 Phone: 800-927-9800
20 Fax: 302-636-5454

20 **KMART CORPORATION**

21 Counsel: Not known at this moment

22 Address: 3333 Beverly Road
23 Hoffman Estates, IL 60179
24 Phone: 847-286-2500
25 Fax: 847-286-5500

25 Registered Agent: The Corporation Company
26 30600 Telegraph Road, Suite 2345

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Bingham Farms, MI 48025

TARGET CORPORATION

Counsel: Michael S. Kroll,
Phone: 612-696-2249
Fax: 612-696-3399
Michael.kroll@target.com.

It is unknown whether he is acting as counsel for this litigation.

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Minneapolis, MN 55403
Phone: 612-304-6073
Fax: 612-696-5400

Registered Agent: No Agent on File With Secretary of State

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Counsel: Not known at this moment

Address: One Geoffrey Way
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Registered Agent: The Prentice-Hall Corporation System, Inc.
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Phone: 302-636-5440
Fax: 302-636-5454

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Counsel: Not known at this moment

Address: 200 Wilmot Road
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Registered Agent: Illinois Corporation Service Company
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Springfield, IL 62703

1 Phone: 888-690-2882
2 Fax: 302-636-5454

3 **BROOKSTONE COMPANY, INC.**

4 Counsel: Not known at this moment

5 Address: One Innovation Way
6 Merrimack, NH 03054

7 Registered Agent: Thomas P. Manson, Esq.
8 1000 Elm Street, 20FI
9 Manchester, NH 03101
Phone: 603-621-7100
Fax: 603-621-7111

10 **BEST BUY CO., INC.**

11 Counsel: Not known at this moment

12 Address: 7601 Penn Avenue South
13 Richfield, MN 55423

14 Registered Agent: C T Corporation System Inc.
15 100 South 5th Street, Suite 1075
16 Minneapolis, MN 55402
17 Phone: 612-333-4315
Fax: 612-333-2524

18 **EBAY INC.**

19 Counsel: Not known at this moment

20 Address: 2145 Hamilton Avenue
21 San Jose, CA 95125

22 Registered Agent: National Registered Agents, Inc.
23 160 Greentree Drive, Suite 101
24 Dover, DE 19904
25 Phone: 302-674-4089
26 Fax: 302-674-5266

26 **TOYWIZ, INC.**

-v-

27 EX PARTE APPLICATION OF PLAINTIFF GIBSON GUITAR CORP. FOR A TEMPORARY
28 RESTRAINING ORDER AND AN ORDER TO SHOW CAUSE RE: PRELIMINARY
INJUNCTION; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

1 Counsel: Not known at this moment

2 Address: 363 Spook Rock Rd. Building K
3 Suffern, NY 10901

4 Registered Agent: Barr, Post & Associates
5 664 Chestnut Ridge Road
6 Spring Valley, NY 10977
7 Phone: 845-352-4080
8 Fax: 845-352-6777

8 **HSN, INC.**

9 Counsel: Not known at this moment

10 Address: 1 HSN Drive
11 St. Petersburg, FL 33729

12 Registered Agent: National Registered Agents, Inc.
13 160 Greentree Drive, Suite 101
14 Dover, DE 19904
15 Phone: 302-674-4089
16 Fax: 302-674-5266

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EX PARTE APPLICATION

1
2 Pursuant to Fed. R. Civ.P. 65, Local Rules 7-19 and 65-1 and Judge R. Gary Klauser, plaintiff
3 Gibson Guitar Corp. ("Gibson"), by its undersigned attorneys, hereby applies to the Court, ex parte,
4 for a Temporary Restraining Order and an Order to Show Cause re: Preliminary injunction to enjoin
5 the Defendants from further acts of trademark infringement in violation of 15 USC 1114 and 1125.
6

7 This application ("Application") is made on the grounds that:

8 1. Gibson is the sole owner of the distinctive Les Paul Body Shape Design®, U.S.
9 Trademark Reg. No. 1782606 (hereinafter "Les Paul Body Shape Design® Trademark"). This
10 Trademark was issued by the U.S. Patent and Trademark Office on July 20, 1993, and has been
11 continuously and exclusively used in commerce by Gibson since 1952.
12

13 2. Gibson is the sole owner of the distinctive The Les Paul Peg-Head Design®, U.S.
14 Trademark Reg. No. 1020485 (hereinafter "Les Paul Peg-Head® Trademark"). This Trademark was
15 issued by the U.S. Patent and Trademark Office on September 16, 1975, and has been continuously
16 and exclusively used in commerce by Gibson since 1922.

17 3. Gibson is the sole owner of the distinctive The Bell Shaped Truss Rod Cover
18 Design®, U.S. Trademark Reg. No. 1022637 (hereinafter "the Bell Cover Design® Trademark").
19 This Trademark was issued by the U.S. Patent and Trademark Office on October 14, 1975, and has
20 been continuously and exclusively used in commerce by Gibson since 1922.
21

22 4. Gibson is the sole owner of the distinctive The Flying V Body Shape Design Body
23 Shape Design®, U.S. Trademark Reg. No. 2051790 (hereinafter "Flying V Body Shape Design®
24 Trademark"). This Trademark was issued by the U.S. Patent and Trademark Office on April 15,
25 1997, and has been continuously and exclusively used in commerce by Gibson since 1958.
26

1 5. Gibson is the sole owner of the distinctive The Explorer Body Shape Design®, U.S.
2 Trademark Reg. No. 2053805 (hereinafter “Explorer Design® Trademark”). This Trademark was
3 issued by the U.S. Patent and Trademark Office on April 22, 1997, and has been continuously and
4 exclusively used in commerce by Gibson since 1958.

5 6. Gibson is the sole owner of the distinctive The Kramer Peg-Head Design®, U.S.
6 Trademark Reg. No. 1567052 (hereinafter “Kramer Peg-Head® Trademark”). This Trademark was
7 issued by the U.S. Patent and Trademark Office on November 21, 1999, and has been continuously
8 and exclusively used in commerce by Gibson since 1958.

9 7. Gibson is the sole owner of the distinctive The SG Body Design®, U.S. Trademark
10 Reg. No. 2215791 (hereinafter “SG Body Design® Trademark”). This Trademark was issued by the
11 U.S. Patent and Trademark Office on January 5, 1999, and has been continuously and exclusively
12 used in commerce by Gibson since 1961.

13 8. Gibson is the sole owner of the distinctive word mark FLYING V®, U.S. Trademark
14 Reg. No. 1216644 (hereinafter “FLYING V® Trademark”). This Trademark was issued by the U.S.
15 Patent and Trademark Office on November 16, 1982, and has been continuously and exclusively used
16 in commerce by Gibson since 1958.

17 9. Gibson is the sole owner of the distinctive word mark LES PAUL®, U.S. Trademark
18 Reg. No. 1539282 (hereinafter “LES PAUL® Trademark”). This Trademark was issued by the U.S.
19 Patent and Trademark Office on May 16, 1989, and has been continuously and exclusively used in
20 commerce by Gibson since 1952.

21 10. Gibson is the sole owner of the distinctive word mark S-G®, U.S. Trademark Reg.
22 No. 1045872 (hereinafter “S-G® Trademark”). This Trademark was issued by the U.S. Patent and

1 Trademark Office on August 10, 1976, and has been continuously and exclusively used in commerce
2 by Gibson since 1975.

3 11. Gibson is the sole owner of the distinctive word mark EXPLORER®, U.S. Trademark
4 Reg. No. 2641548 (hereinafter “EXPLORER® Trademark”). This Trademark was issued by the U.S.
5 Patent and Trademark Office on October 29, 2002, and has been continuously and exclusively used in
6 commerce by Gibson since 1958.

7
8 12. Gibson is the sole owner of the distinctive word mark GIBSON®, U.S. Trademark
9 Reg. No. 1545311 (hereinafter “GIBSON® Trademark”). This Trademark was issued by the U.S.
10 Patent and Trademark Office on June 27, 1989, and has been continuously and exclusively used in
11 commerce by Gibson since 1890.

12 13. Defendants offer for sale and sell products using the Les Paul Body Shape Design®
13 Trademark, the Les Paul Peg-Head® Trademark, the Bell Cover Design® Trademark, the Flying V
14 Body Shape Design® Trademark, the Explorer Body Shape Design® Trademark, the Kramer Peg-
15 Head® Trademark, the SG Body Design® Trademark, the LES PAUL® Trademark, the FLYING
16 V® Trademark, the EXPLORER® Trademark, the GIBSON® Trademark and the S-G® Trademark
17 (“Defendants’ Unauthorized Products”)
18

19 14. Notwithstanding the lack of authorization from Gibson and the fact that said
20 Defendants’ Unauthorized Products otherwise are not authorized to be sold utilizing the Gibson
21 Trademarks, Defendants have made repeated unauthorized use of the Trademark in connection with
22 said Unauthorized Products, with the intent to mislead and confuse consumers into believing that said
23 Defendants’ Unauthorized Products are made directly by Gibson pursuant to Gibson's strict quality
24 control standards or that said Defendants’ Unauthorized Products are otherwise authorized or
25
26

-ix-

1 licensed by Gibson and with the intent of misappropriating, for their own benefit, the tremendous
2 goodwill built up by Gibson in the Gibson Trademarks.

3 15. Defendant WowWee is advertising the FLYING V® Trademark along with the
4 Unauthorized Product bearing the Flying V Body Shape Design® Trademark, the LES PAUL®
5 Trademark along with the Unauthorized Product bearing the Les Paul Body Shape Design®
6 Trademark, the Les Paul Peg-Head® Trademark the S-G® Trademark along with the Unauthorized
7 Product bearing the SG Body Design® Trademark, and the EXPLORER Trademark along with the
8 Unauthorized Explorer Body Shape Design® and the GIBSON® Trademark with the Unauthorized
9 Products on the www.paperjamz.com and www.paperjamzstore.com websites.
10

11 16. The aforementioned misuse of the Gibson Trademarks by Defendants was done by
12 Defendants with the intent of deceiving or misleading customers into mistakenly believing that said
13 Defendants' Unauthorized Products were authorized Gibson products originating from Gibson or its
14 related companies and otherwise misappropriating the goodwill built up by Gibson in the Gibson
15 Trademarks and otherwise attracting and misdirecting consumers looking for genuine or authorized
16 Gibson goods to Defendants' websites.
17

18 17. The misuse of the Gibson Trademarks by Defendants was intended to cause, has
19 caused and is likely to continue to cause consumer confusion, mistake or deception including the
20 misleading of consumers into mistakenly believing that the Defendants' Unauthorized Products are
21 made directly by Gibson pursuant to Gibson's strict quality control standards or Gibson has
22 authorized or licensed the use by Defendants of the Trademark for those products.
23
24
25

26 -x-

27 EX PARTE APPLICATION OF PLAINTIFF GIBSON GUITAR CORP. FOR A TEMPORARY
28 RESTRAINING ORDER AND AN ORDER TO SHOW CAUSE RE: PRELIMINARY
INJUNCTION; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

1 18. The aforementioned misuse of the Trademark by Defendants is damaging to the
2 reputation and goodwill of the Gibson and the Gibson Trademarks and any continued use will cause
3 irreparable harm to Gibson.

4 Plaintiff request that the Temporary Restraining Order and Preliminary Injunction issue with
5 minimal bond or no bond based on Plaintiff's showing of a string likelihood of success on the merits,
6 and on the anticipated low amount of the enjoined Defendants' possible losses should it later turn out
7 that the injunction should not have been granted (Fed. R. Civ.P. 65).
8

9 This Application is based on the Complaint filed in this action, the accompanying Notice of
10 Ex Parte Application for a Temporary Restraining Order and an Order to Show Cause Re Preliminary
11 Injunction and Notice of Opposition Procedure, the Memorandum of Points and Authorities, the
12 Declarations of Henry Juskiewicz, Andrea Bates and Bruce Mitchell, all the records and files in this
13 action and such further oral and documentary matters as may be property placed before the court.
14

15 STATEMENT OF OPPOSING COUNSELS POSITION

16 **WOWWEE USA, INC., a California corporation**

17 Prior to filing the complaint against WOWWEE, Plaintiff Gibson engaged in informal
18 settlement discussions with Kim J. Landsman of Patterson Belknap Webb & Tyler LLP, 1133
19 Avenue of the Americas, NY, NY 10036, Direct Tel: 212.336.2980 Direct Fax: 212.336.2985 E-
20 mail: kjlandsman@pbwt.com.
21

22
23 It is unknown if he has been retained as counsel for this litigation.
24

25 **WAL-MART STORES, INC., a Delaware corporation**

1 Prior to filing the complaint against Wal-Mart, Plaintiff Gibson was contacted by Rosalyn Mitchell,
2 in house counsel for Wal-Mart, indicating that she was looking in to the matter. Her Fax is 479-277-
3 5991.

4 It is unknown if he has been retained as counsel for this litigation.

5 **AMAZON.COM, INC., a Delaware corporation**

6 No known opposing counsel at this time.

7 **BIG LOTS STORES, INC., an Ohio corporation**

8 No known opposing counsel at this time.

9 **KMART CORPORATION, a Michigan corporation**

10 No known opposing counsel at this time.

11 **TARGET CORPORATION, a Minnesota corporation**

12 Prior to filing the complaint against Target, Plaintiff Gibson was contacted by Michael J Kroll, in
13 house counsel for Target, indicating that he was looking in to the matter. His fax is 612-696-3399.

14 It is unknown if he has been retained as counsel for this litigation.

15 **TOYS "R" US-DELAWARE, INC., a Delaware corporation**

16 No known opposing counsel at this time.

17 **WALGREEN CO., an Illinois corporation**

18 No known opposing counsel at this time.

19 **BROOKSTONE COMPANY, INC., a New Hampshire corporation**

20 No known opposing counsel at this time.

21 **BEST BUY CO. INC., a Minnesota corporation**

22 No known opposing counsel at this time.

1 **EBAY INC., a Delaware corporation**

2 No known opposing counsel at this time.

3 **TOYWIZ, INC., a New York corporation**

4 No known opposing counsel at this time.

5 **HSN, Inc. a Delaware corporation, and DOES 1 through 100**

6 No known opposing counsel at this time.

7 **STANDING ORDER**

8 Pursuant to the Standing Order For Assigned Cases ¶ 9 (EX Parte Applications), Plaintiff has
9 served the Defendants via facsimile this Application and Notice of the Ex Parte Application For a
10 Temporary Restraining Order and An Order to Show Cause Re: Preliminary Injunction to the
11 Defendants, including notifying Defendants that an opposition needs to be filed no later 3:00 p.m. on
12 the first business day following such facsimile service.
13

14 **MEMO OF KNOWN COUNSEL/DEFENDANT'S CONTACT INFORMATION**

15 **WOWWEE USA, INC.**

16
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