

Appeal Nos. 11-55863, 11-56034

United States Court of Appeals
FOR THE
Ninth Circuit

Laura Siegel Larson,
Plaintiff, Counterclaim-Defendant, Appellant, and Cross-Appellee

v.

Warner Bros. Entertainment Inc. and DC Comics,
Defendants, Counterclaimants, Appellees, and Cross-Appellants

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA
THE HONORABLE OTIS D. WRIGHT, II
CASE No. CV-04-8400 ODW (RZX)

**DECLARATION OF DANIEL M. PETROCELLI IN SUPPORT OF
MOTION FOR EXTENSION OF DUE DATE FOR
PRINCIPAL AND RESPONSE BRIEF OF CROSS-APPELLANTS AND
APPELLEES WARNER BROS. ENTERTAINMENT INC. AND DC COMICS**

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DECLARATION OF DANIEL M. PETROCELLI

I, Daniel M. Petrocelli, declare and state as follows:

1. I am an attorney licensed to practice in the State of California and admitted to practice before the United States Court of Appeals for the Ninth Circuit. I am a partner at O'Melveny & Myers LLP, counsel of record for cross-appellants and appellees Warner Bros. Entertainment Inc. and DC Comics in the above-entitled action. I make this declaration in support of DC's Motion For Extension Of Due Date For Principal And Response Brief Of Appellants And Appellees Warner Bros. Entertainment Inc. And DC Comics. I have personal knowledge of the matters set forth herein, and if called to testify to those facts, I could and would do so competently.
2. Attached hereto as Exhibit A is a true and correct copy of a letter my colleague Cassandra Seto sent to counsel for appellant and cross-appellee Laura Siegel Larson on February 15, 2012. As of the time of filing, we have not received a response.
3. I completed a three-week bench trial in the Central District of California on February 10, 2012. (*Hollywood Foreign Press Ass'n v. Red Zone Capital Partners II, L.P.*, Case No. CV10-8833 AHM (FMOx).) I began a second bench trial in the Central District of California on February 14, 2012, that is expected to end in early March. (*Allergan, Inc. v. Merz Pharmaceuticals, LLC*,

SACV11-00446 AG (Ex).) I have a third bench trial set to commence on March 26, 2012, in the Southern District of New York. (*Gucci Am. Inc. v. Guess? Inc.*, Case No. 09CV4373 (SAS).)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. This declaration is executed this 17th day of February 2012 in Santa Ana, California.

/s/ Daniel M. Petrocelli
Daniel M. Petrocelli