

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Circuit Mediation Office
Phone (415) 355-7900 Fax (415) 355-8566
<http://www.ca9.uscourts.gov/mediation>

MEDIATION QUESTIONNAIRE

The purpose of this questionnaire is to help the court's mediators provide the best possible mediation service in this case; it serves no other function. Responses to this questionnaire are **not** confidential. Appellants/Petitioners must electronically file this document within 7 days of the docketing of the case. 9th Cir. R. 3-4 and 15-2. Appellees/Respondents may file the questionnaire, but are not required to do so.

9th Circuit Case Number(s): 11-55863

District Court/Agency Case Number(s): CV-04-8400

District Court/Agency Location: Central District of California, Western Division

Case Name: Laura Siegel Larson v. Warner Bros. Entertainment Inc., et al.

If District Court, docket entry number(s) of order(s) appealed from: 669

Name of party/parties submitting this form: Laura Siegel Larson, individually and for the Estate of Joanne Siegel

Please briefly describe the dispute that gave rise to this lawsuit.

This long-standing dispute with defendant DC Comics ("DC") and its effective parent, defendant Warner Bros. Entertainment Inc. arises out of the efforts of the heirs of Superman co-author Jerome Siegel to vindicate their copyright termination rights pursuant to 17 U.S.C. § 304(c). Along with her deceased mother, Joanne Siegel, plaintiff Laura Siegel Larson successfully exercised her right under 17 U.S.C. § 304(c) to recapture her father Jerome Siegel's copyright interests in Superman by terminating his prior Superman copyright grants to DC.

Briefly describe the result below and the main issues on appeal.

This long-standing dispute with defendant DC Comics ("DC") and its effective parent, defendant Warner Bros. Entertainment Inc. arises out of the efforts of the heirs of Superman co-author Jerome Siegel to vindicate their copyright termination rights pursuant to 17 U.S.C. § 304(c). Along with her deceased mother, Joanne Siegel, plaintiff Laura Siegel Larson successfully exercised her right under 17 U.S.C. § 304(c) to recapture her father Jerome Siegel's copyright interests in Superman by terminating his prior Superman copyright grants to DC.

Describe any proceedings remaining below or any related proceedings in other tribunals.

The remainder of this case, for an accounting to plaintiff from defendants, has been stayed pending this appeal. There is an ongoing related case, Siegel v. Time Warner Inc., et al., Case No. 10-CV-8776, related to plaintiff's Superboy notices of termination. There is another ongoing related case, DC Comics v. Pacific Pictures Corp., et al., Case No. 10-CV-03633, a SLAPP suit, wherein DC attempts to retaliate against attorney Marc Toberoff for his longstanding representation of Ms. Larson and the estate of Joseph Shuster, Jerome Siegel's co-author, in connection with the exercise of their termination rights under 17 U.S.C. § 304, and which also relates to that estate's

Provide any other thoughts you would like to bring to the attention of the mediator.

The parties engaged in formal mediation sessions before the Hon. Daniel Weinstein (Ret.) in May-June 2008, September 2009 and April 2010. The parties' efforts were unsuccessful. The parties are currently discussing a further mediation before Judge Weinstein and/or other mediators.

Any party may provide additional information ***in confidence*** directly to the Circuit Mediation Office at ca9_mediation@ca9.uscourts.gov. Please provide the case name and Ninth Circuit case number in your message. Additional information might include interest in including this case in the mediation program, the case's settlement history, issues beyond the litigation that the parties might address in a settlement context, or future events that might affect the parties' willingness or ability to mediate the case.

CERTIFICATION OF COUNSEL

I certify that:

a current service list with telephone and fax numbers and email addresses is attached
 (see 9th Circuit Rule 3-2).

I understand that failure to provide the Court with a completed form and service list
 may result in sanctions, including dismissal of the appeal.

Signature s/ Marc Toberoff

("s/" plus attorney name may be used in lieu of a manual signature on electronically-filed documents.)

Counsel for Laura Siegel Larson, individually and for the Estate of Joanne Siegel

Note: Use of the Appellate ECF system is mandatory for all attorneys filing in this Court, unless they are granted an exemption from using the system. **To file this form electronically** in Appellate ECF, complete the form, and then print the filled-in form to PDF (File > Print > PDF Printer/Creator). Then log into Appellate ECF and choose Forms/Notices/Disclosure > File a Mediation Questionnaire.

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am over the age of eighteen years and not a party to the within action; my business address is: 2049 Century Park East, Suite 3630, Los Angeles, California 90067.

On June 3, 2011, I served the foregoing documents, described as **(1) Mediation Questionnaire and (2) Service List**, on the interested parties in this action as follows:

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15 **BY CM/ECF NOTICE OF ELECTRONIC FILING:** I certify that the
16 foregoing documents are being filed electronically by using the CM/ECF system.
17 As such, the documents will be served electronically on all interested parties whose
18 attorneys are registered CM/ECF users and have consented to electronic service.

19 I declare under penalty of perjury under the laws of the United States of
20 America that the foregoing is true and correct and that I am employed in the office
21 of a member of the bar of this court at whose direction the service was made.

22 || Executed on June 3, 2011, at Los Angeles, California.



Keith G. Adams