



1 law and motion schedule, the hearing date on such a motion would come after  
2 MGA's response is due on April 25, 2011. Accordingly, the ex parte application is  
3 both necessary and justified.

4 Finally, Mattel's point that the application conflicts with the Court's prior  
5 rulings is precisely why plaintiff believed it appropriate to present this matter to the  
6 Court via a motion or application so that there would be a ruling on the record.

7 In light of the ongoing proceedings, plaintiff respectfully requests that the  
8 Court hear counsel on this ex parte application on Tuesday, April 12, 2011, or at  
9 such other time as is convenient to the Court.

10 Dated: April 5, 2011

BLECHER & COLLINS, P.C.  
MAXWELL M. BLECHER  
MARYANN R. MARZANO  
COURTNEY A. PALKO

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14 By: \_\_\_\_\_/s/  
Maxwell M. Blecher  
Attorneys for Plaintiff  
MGA ENTERTAINMENT, INC.  
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