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Attorneys for Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BOURNE CO., :

Plaintiff, :

-against- :

TWENTIETH CENTURY FOX FILM : 07 Civ. 8580 (DAB)
CORPORATION, FOX BROADCASTING : **DECLARATION OF**
COMPANY, TWENTIETH CENTURY FOX : **JACQUES RIMOKH IN SUPPORT OF**
TELEVISION, INC., TWENTIETH : **DEFENDANTS' MOTION FOR**
CENTURY FOX HOME : **SUMMARY JUDGMENT**
ENTERTAINMENT, INC., FUZZY DOOR :
PRODUCTIONS, INC., THE CARTOON :
NETWORK, INC., SETH MACFARLANE, :
WALTER MURPHY, :

Defendants. :

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I, JACQUES RIMOKH, ESQ., hereby declare as follows:

1. I am a partner at the law firm Loeb & Loeb LLP, counsel for Defendants in this action. I have personal knowledge of the facts set forth herein and have been authorized to submit this declaration on Defendants' behalf. I submit this declaration in support of Defendants' motion for summary judgment.

2. Attached hereto as **Exhibit A** is Plaintiff's Responses to Defendant Twentieth Century Fox Film Corporation's First Request for Admissions, dated February 27, 2008, that were served on us by Plaintiff.

3. Attached hereto as **Exhibit B** is as true and correct copy of an excerpt discussing Walt Disney's public reputation as being anti-Semitic from the publicly-available book by Neal Gabler, WALT DISNEY THE TRIUMPH OF THE AMERICAN IMAGINATION 447-458 (Vintage Books 2007) (2006), produced to Plaintiff as Bates Nos. FOX 000282-295.

4. Attached hereto as **Exhibit C** is as true and correct copy of an excerpt discussing Walt Disney's public reputation as being anti-Semitic from the publicly-available book by Marc Eliot, WALT DISNEY HOLLYWOOD'S DARK PRINCE xx-xxi, 48-51, 81, 120-121, 129, 149, 164-165, 208, 236, 246, 281 (Birch Lane Press ed., Carol Publishing Group 1996) (1993), produced to Plaintiff as Bates Nos. FOX 000065-000086.

5. Attached hereto as **Exhibit D** is as true and correct copy of an Internet article from the publicly available website Straightdope.com, Was Walt Disney a Fascist?, <http://www.straightdope.com/mailbag/mdisneyfascist.html> (last visited Dec. 10, 2007), discussing Walt Disney's public reputation as being anti-Semitic, produced to Plaintiff as Bates Nos. FOX 000087-000089.

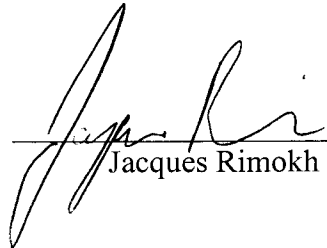
6. Attached hereto as **Exhibit E** is a true and correct copy of an excerpt from Plaintiff Bourne Co.'s 30(b)(6) deposition transcript, dated February 29, 2008.

7. Attached hereto as **Exhibit F** is a true and correct copy of an excerpt from Sandra Wilbur's deposition transcript, dated March 19, 2008.

8. Attached hereto as **Exhibit G** is a true and correct copy of an excerpt from Karyn Soroka's deposition transcript, dated March 4, 2008.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 18 day of April, 2008.



Jacques Rimokh