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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 :  
CORPORATION, FOX BROADCASTING :  
COMPANY, TWENTIETH CENTURY FOX :  
TELEVISION, INC., TWENTIETH :  
CENTURY FOX HOME :  
ENTERTAINMENT, INC., FUZZY DOOR :  
PRODUCTIONS, INC., THE CARTOON :  
NETWORK, INC., SETH MACFARLANE, :  
WALTER MURPHY, :

07 Civ. 8580 (DAB)  
**DECLARATION OF  
JACQUES RIMOKH IN SUPPORT OF  
DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT**

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 and Objections to Defendant Twentieth Century Fox Film Corporation's First Request for the Production of Documents, dated February 22, 2008, that were served on us by Plaintiff.

3. Attached hereto as **Exhibit B** are excerpts of the deposition transcript of Ricky Blitt, dated March 10, 2008.
4. Attached hereto as **Exhibit C** are excerpts from the deposition transcript of Lawrence Ferrara, dated March 6, 2008.
5. Attached hereto as **Exhibit D** are excerpts from the deposition transcript of Jeremiah Horan, dated February 29, 2008.
6. Attached hereto as **Exhibit E** are excerpts from the deposition transcript of Michael Nichols Lazzo, dated March 13, 2008.
7. Attached hereto as **Exhibit F** are excerpts from the deposition transcript of Seth MacFarlane, dated March 10, 2008.
8. Attached hereto as **Exhibit G** are excerpts from the deposition transcript of Walter Murphy, dated March 11, 2008.
9. Attached hereto as **Exhibit H** are excerpts from the deposition transcript of Linda Shima-Tsuno, dated March 12, 2008.
10. Attached hereto as **Exhibit I** are excerpts from the deposition transcript of Lianne Siegel Shattuck, dated March 13, 2008.
11. Attached hereto as **Exhibit J** are excerpts from the deposition transcript of Karyn Soroka, dated March 4, 2008.
12. Attached hereto as **Exhibit K** are excerpts from the deposition transcript of Teresa Tingle-Heppner, dated March 13, 2008.
13. Attached hereto as **Exhibit L** are excerpts from the deposition transcript of Sandra Wilbur, dated March 19, 2008.

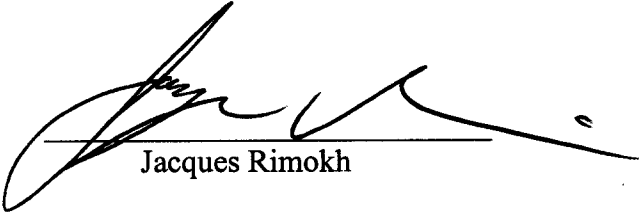
14. Attached hereto as **Exhibit M** are excerpts from the deposition transcript of David Zuckerman, dated March 13, 2008.

15. Attached hereto as **Exhibit N** are excerpts from the deposition transcript of Scott Grodin, dated March 12, 2008.

16. Attached hereto as **Exhibit O** is a true and correct copy of an excerpt from The Walt Disney Company's official website. The Walt Disney Family Museum, The Golden Age of Animation, <http://disney.go.com/disneyatoz/familymuseum/exhibits/articles/goldenage/> (last visited May 31, 2008) (“[T]he music in “Pinocchio” was so successful that one of its songs, “When You Wish Upon a Star,” has since become the official signature tune of The Walt Disney Company.”).

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

Executed on this 4<sup>th</sup> day of June, 2008.

  
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Jacques Rimokh