

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
MARVEL WORLDWIDE, INC., :
MARVEL CHARACTERS, INC. and :
MVL RIGHTS, LLC, :
:
Plaintiffs, : Civil Action No. 10 Civ. 141 (CM) (KNF)
:
- against- :
:
LISA R. KIRBY, BARBARA J. KIRBY, :
NEAL L. KIRBY and SUSAN N. KIRBY, :
:
Defendants. :
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:
LISA R. KIRBY, BARBARA J. KIRBY, :
NEAL L. KIRBY and SUSAN N. KIRBY, :
:
Counterclaimants, :
:
- against- :
:
MARVEL ENTERTAINMENT, INC., :
MARVEL WORLDWIDE, INC., :
MARVEL CHARACTERS, INC., :
MVL RIGHTS, LLC, :
THE WALT DISNEY COMPANY, :
and DOES 1 through 10, :
:
Counterclaim-Defendants. :
-----X

**REPLY DECLARATION OF SABRINA A. PERELMAN IN FURTHER
SUPPORT OF PLAINTIFFS' AND COUNTERCLAIM-DEFENDANTS'
MOTIONS TO EXCLUDE THE EXPERT REPORTS AND TESTIMONY
OF MARK EVANIER AND JOHN MORROW**

I, Sabrina A. Perelman, declare under penalty of perjury as follows:

1. I am an associate at Weil, Gotshal & Manges LLP and am duly admitted to practice in the State of New York and before this Court. Together with the law firms Paul, Hastings, Janofsky & Walker LLP and Haynes and Boone, LLP, I am counsel to Plaintiffs and

Counterclaim-Defendants Marvel Worldwide, Inc., Marvel Characters, Inc., MVL Rights, LLC, Marvel Entertainment, LLC (sued herein as Marvel Entertainment, Inc.) and The Walt Disney Company in this action.

2. Annexed hereto as Exhibit 1 is a true and correct copy of excerpts from the trial proceedings in *In re Marvel Entertainment Group, Inc.*, No. 97-638-RMM (D. Del.), held on November 16, 1999, that are cited in the accompanying Reply Memorandum of Law in Further Support of Plaintiffs' and Counterclaim-Defendants' Motions to Exclude the Expert Reports and Testimony of Mark Evanier and John Morrow, and produced by Marvel as part of discovery in this proceeding and identified by the bates numbers MARVEL0016713-815.

I declare under penalty of perjury that the foregoing facts are true and correct. This declaration was executed on the 8th day of April, 2011 in New York, New York.


Sabrina A. Perelman