

EXHIBIT 4

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK
4

5 MARVEL WORLDWIDE, INC.,)
MARVEL CHARACTERS, INC. and)
6 MVL RIGHTS, LLC,)
) No. 10-141-CMKF
7 Plaintiffs,)
)

8 vs.)
)

9 LISA R. KIRBY, BARBARA J.)
KIRBY, NEAL L. KIRBY and)
10 SUSAN N. KIRBY,)
)
11 Defendants.)
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17 CONFIDENTIAL VIDEOTAPED DEPOSITION OF
18 JOHN V. ROMITA
19 Garden City, New York
20 Thursday, October 21, 2010
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23 Reported by:
24 KRISTIN KOCH, RPR, RMR, CRR, CLR
25 JOB NO. 34124

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October 21, 2010

9:32 a.m.

Confidential Videotaped Deposition
of JOHN V. ROMITA, held at The Garden City
Hotel, 45 7th Street, Garden City,
New York, before Kristin Koch, a Registered
Professional Reporter, Registered Merit
Reporter, Certified Realtime Reporter,
Certified Livenote Reporter and Notary
Public of the State of New York.

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A P P E A R A N C E S:

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ALSO PRESENT:

ELI BARD, Marvel Entertainment, LLC

HENRY MARTE, legal Video Specialist

VIRGINIA ROMITA

1 Romita - Confidential

2 '58 when things started to wind down at Marvel,
3 then you went to DC in 1958. Between 1958 and
4 1963 --

5 A. '64. '65.

6 Q. Between 1958 and the time in mid '65
7 when you went back to Marvel, did you do any
8 work for Marvel?

9 A. No. I wouldn't even answer the
10 phone for the first couple of years.

11 Q. What does that mean?

12 A. Well, at first I didn't want to talk
13 to him. I was mad at him. Secondly, when I
14 did answer the phone, I would ask him how
15 much are you -- I was getting \$44 a page to do
16 love stories and I asked Stan -- he would call
17 up and say "come back to Marvel," and I would
18 say, "how much are you paying a page? He said,
19 "\$25 a page." I said, "Stan, I have got a kid
20 to raise. I'm not gonna do it," and that was
21 it. I had two kids at the time.

22 Q. So during that period you didn't do
23 any work with Marvel?

24 A. No, absolutely.

25 Q. Just to be clear, when you said

1 Romita - Confidential

2 "absolutely," "absolutely I did not"?

3 A. Not during that period.

4 Q. Did you work with Jack Kirby between
5 1958 and 1963?

6 A. No.

7 Q. And, again, when was the first time
8 you met Jack Kirby?

9 A. In '65. Sometime between July and
10 January he was in the office and I was
11 introduced to him.

12 Q. That was the story you recounted --

13 A. Where he was correcting someone's
14 art.

15 Q. Do you know what Jack Kirby was paid
16 per page during the years between 1958 and
17 1963?

18 A. I wouldn't have the slightest clue.

19 Q. Did you ever ask Jack Kirby what his
20 business relationship was with Marvel during
21 those years?

22 A. No. We never asked questions like
23 that of each other.

24 Q. I'd like you to turn to -- back to
25 Exhibit 6, which is the big one.