

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MARVEL WORLDWIDE, INC., MARVEL
CHARACTERS, INC. and MVL RIGHTS, LLC,

Plaintiffs,

-against-

LISA R. KIRBY, BARBARA J. KIRBY,
NEAL L. KIRBY and SUSAN M. KIRBY,
Defendants.

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LISA R. KIRBY, BARBARA J. KIRBY,
NEAL L. KIRBY and SUSAN M. KIRBY,
Counterclaim Plaintiffs,

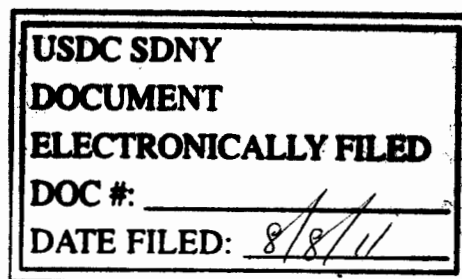
-against-

MARVEL WORLDWIDE, INC., MARVEL
CHARACTERS, INC., MVL RIGHTS, LLC,
MARVEL ENTERTAINMENT, INC., THE WALT
DISNEY COMPANY, and DOES 1 through 10,
Counterclaim Defendants.

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Plaintiffs having moved for summary judgment; defendants having cross-moved for summary judgment, and the matter having come before the Honorable Colleen McMahon, United States District Judge, and the Court, on July 28, 2011, having rendered its Memorandum Opinion and Order granting plaintiffs' motion for summary judgment; denying defendants' cross-motion for summary judgment; granting plaintiffs' motions to strike the expert reports of Mark Evanier and John Morrow, denying plaintiffs' motion to strike the declarations of Sinnott and Steranko and closing the case, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Court's Memorandum Opinion and Order dated July 28, 2011, Plaintiffs' motion for summary judgment is granted; defendants' cross-motion for summary judgment is denied; plaintiffs' motion



10 CIVIL 141 (CM)(KNF)

JUDGMENT

to strike the expert reports of Mark Evanier and John Morrow are granted; plaintiffs' motion to strike the declarations of Sinnitt and Steranko are denied, and judgment is entered is favor of plaintiffs'; accordingly, the case is closed.

Dated: New York, New York
August 8, 2011

RUBY J. KRAJICK

Clerk of Court

BY: _____

Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON _____**