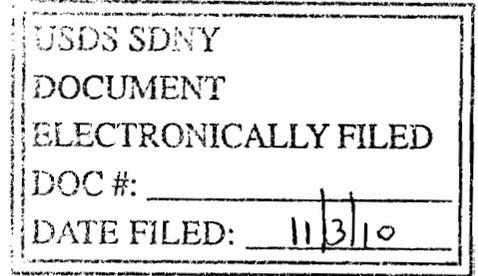


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
UNITED STATES COURTHOUSE  
500 PEARL STREET  
NEW YORK, NEW YORK 10007-1581  
(212) 805-6325



CHAMBERS OF  
COLLEEN MCMAHON  
UNITED STATES DISTRICT JUDGE

TO ALL COUNSEL IN:     Marvel Worldwide, Inc., et. al. v. Lisa R. Kirby, et. al., (10cv141)  
FROM:                     Judge McMahon  
RE:                         October 31, 1986 Agreement  
DATE:                     November 3, 2010

Counsel:

In their Answer and Counterclaims, the Kirbys allege that Marvel and Jack Kirby entered into an agreement on October 31, 1986, whereby Marvel agreed to return to Kirby all of his original artwork still in Marvel's possession or control. (Answer ¶¶ 50-51.) The contract is discussed in the Kirbys' fourth counterclaim and is the basis for the Kirbys' breach-of-contract claim. The contract is not attached to the Kirbys' Answer, and I could not find it in any of the parties' filings. Because the agreement is relied on by the Kirbys in asserting their counterclaim, I ask that either party produce to the Court a copy of the 1986 contract.

A handwritten signature in black ink that reads "Colleen McMahon".

U.S.D.J.

BY ECF TO ALL PARTIES