

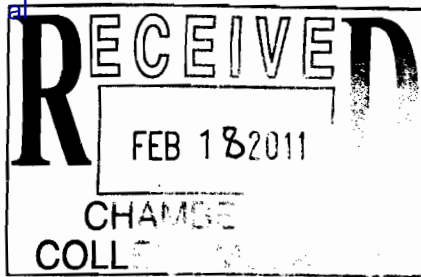
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Marvel Worldwide, Inc. et al. v. Kirby et al.

Weil, Gotshal & Manges LLP

Doc. 59



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BY FACSIMILE

February 18, 2011

Honorable Colleen McMahon  
United States District Judge  
United States District Court for the  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312

MEMO ENDORSED

*DC*  
*Colleen Mc Mahon*  
2/18/11

Re: Marvel Worldwide, Inc. et., al. v. Kirby, et al., 10 Civ. 141 (CM) (KNF)

Dear Judge McMahon:

We represent Plaintiffs Marvel Worldwide, Inc., Marvel Characters, Inc. and MVL Rights, LLC in the above-captioned action. Pursuant to Your Honor's January 31, 2011 endorsed order, Marvel intends to file a motion for summary judgment on or before February 25, 2011.

As an exhibit to their motion for summary judgment, Marvel plans to file a disc containing audio and video clips of interview with Stan Lee, which was previously marked as Exhibit 9 at Mr. Lee's May 13, 2010 deposition. As the format of the files on the disc is not compatible with the Court's Electronic Case Filing system, Marvel respectfully requests permission to file the disc with the Clerk of Court by conventional means.

Respectfully submitted,  
*Randi Singer*  
Randi W. Singer

cc: Marc Toberoff, Esq. (by fax and email)  
David Fleischer, Esq. (by fax and email)  
Jodi Kleinick, Esq. (by fax and email)