

# EXHIBIT K

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 Case No. 10-141-CMKF  
4

5 MARVEL WORLDWIDE, INC.,  
6 MARVEL CHARACTERS, INC., and  
7 MVL RIGHTS, LLC,  
8 Plaintiffs,

9 VS.

10 LISA R. KIRBY, BARBARA J. KIRBY,  
11 NEAL L. KIRBY and SUSAN N. KIRBY,  
12 Defendants.  
13  
14

15 Volume II

16 Videotape Deposition of:

17 Roy Thomas

18 Wednesday, October 27, 2010

19 Orangeburg, South Carolina  
20  
21  
22  
23  
24  
25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

APPEARANCES:

FOR THE PLAINTIFFS:

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

BY: JODI AILEEN KLEINICK  
PAUL HASTINGS JANOFSKY & WALKER  
75 East 55 Street  
New York, NY 10022

-AND-

ELI BARD  
VICE PRESIDENT, DEPUTY GENERAL COUNSEL  
MARVEL ENTERTAINMENT, INC.  
417 Fifth Avenue  
New York, NY 10016

(Appearances continued:)

1 FOR THE DEFENDANTS:

2 LISA R. KIRBY, BARBARA J. KIRBY,

3 NEAL L. KIRBY and SUSAN N. KIRBY

4 BY: MARC TOBEROFF

5 TOBEROFF & ASSOCIATES

6 2049 Century Park East

7 Suite 2720

8 Los Angeles, CA 90067

9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 Thomas

2 same thing.

3 So I don't pay any attention or  
4 didn't take any great recollection of it.

5 Q. Was it your understanding that by  
6 signing the checks, you were acknowledging that  
7 you were signing to Marvel all right, title and  
8 interest in your work?

9 MS. KLEINICK: Objection.

10 A. Yes, I did.

11 Q. Were they putting legends on your  
12 freelance checks when you became editor-in-  
13 chief in 1972?

14 A. I have no recollection at all.

15 That language was written in the  
16 contract.

17 So I wouldn't have paid any  
18 attention to remember whether it was or not.

19 Q. When you began work with Marvel in  
20 1965, which comic book titles did you write  
21 for?

22 A. The first thing I did over the  
23 weekend, after Stan hired me, was a -- to do  
24 the dialogue for an already drawn and plotted  
25 comic called: Modeling With Millie, which was