

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 N. KIRBY, :

Defendants. :

Civil Action No. 10 Civ. 141 (CM) (KNF)

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:  
LISA R. KIRBY, BARBARA J. KIRBY, :  
NEAL L. KIRBY and SUSAN N. KIRBY, :

Counterclaimants, :

- against- :

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

Counterclaim-Defendants. :

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**SUPPLEMENTAL DECLARATION OF RANDI W. SINGER**

I, Randi W. Singer, declare under penalty of perjury as follows:

1. I am a partner of Weil, Gotshal & Manges LLP and am duly admitted to practice in the State of New York and before this Court. Together with the law firms Paul, Hastings, Janofsky & Walker LLP and Haynes and Boone, LLP, I am counsel to Plaintiffs Marvel Worldwide, Inc., Marvel Characters, Inc., MVL Rights, LLC, (collectively, “Marvel”) in this action.

2. Annexed hereto as Exhibit 58 is a true and correct copy of excerpts from the Deposition of John V. Romita conducted on October 21, 2010 cited in the accompanying Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment and Opposition to Defendants' Statement of Material Facts Pursuant to Local Rule 56.1.

3. Annexed hereto as Exhibit 59 is a true and correct copy of excerpts from the Deposition of Roy Thomas conducted on October 26 and 27, 2010 cited in the accompanying Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment and Opposition to Defendants' Statement of Material Facts Pursuant to Local Rule 56.1.

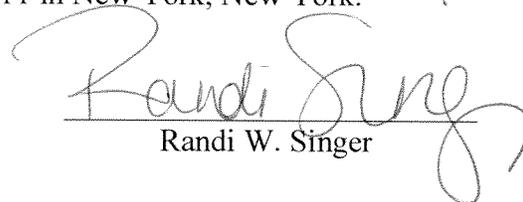
4. Annexed hereto as Exhibit 60 is a true and correct copy of excerpts from the Deposition of Lawrence Lieber conducted on January 7, 2011 cited in the accompanying Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment and Opposition to Defendants' Statement of Material Facts Pursuant to Local Rule 56.1.

5. Annexed hereto as Exhibit 61 is a true and correct copy of excerpts from the Deposition of Neal Kirby conducted on June 30, 2010 cited in the accompanying Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment and Opposition to Defendants' Statement of Material Facts Pursuant to Local Rule 56.1.

6. Annexed hereto as Exhibit 62 is a true and correct copy of excerpts from the Deposition of Susan Kirby conducted on October 25, 2010 cited in the accompanying Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment and Opposition to Defendants' Statement of Material Facts Pursuant to Local Rule 56.1.

7. Annexed hereto as Exhibit 63 is a true and correct copy of excerpts from the Expert Deposition of John Morrow conducted on January 10, 2011 cited in the accompanying Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment and Opposition to Defendants' Statement of Material Facts Pursuant to Local Rule 56.1.

I declare under penalty of perjury that the foregoing facts are true and correct. This declaration was executed on the 25th day of March, 2011 in New York, New York.

  
Randi W. Singer