

# EXHIBIT 62

SUSAN MERYL KIRBY  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARVEL WORLDWIDE, INC., MARVEL)  
CHARACTERS, INC., AND MVL, )  
RIGHTS, LLC, )Civil Action No.:  
)10 CIV. 141  
Plaintiffs,)(CM) (KNF)  
v. )  
)LISA R. KIRBY, BARBARA J. )  
KIRBY, NEIL L. KIRBY, )  
AND SUSAN KIRBY, )  
)Defendants.)  
)  
)

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VIDEOTAPED  
DEPOSITION OF: SUSAN MERYL KIRBY  
DATE: October 25, 2010  
TIME: 10:00 a.m.  
HELD AT: Ethan Allen Hotel  
21 Lake Avenue Extension  
Danbury, Connecticut

By: Sarah J. Miner, LSR

TSG JOB NO. 34010

1 SUSAN MERYL KIRBY

2 Q. Did you ever witness your father opening his  
3 case after a trip to New York and bringing back a  
4 drawing that he had shown to Marvel?

5 A. I must have, but I don't recall an instance,  
6 a particular instance.

7 Q. Do you remember any character that your  
8 father was working on that he corrected or redid?

9 A. No, I don't know which ones.

10 Q. Do you know the basis upon which your father  
11 was paid by any publishers other than Marvel?

12 A. No, not other than Marvel, I don't know.

13 Q. Do you recall whether DC paid your father by  
14 the page?

15 A. I believe he was, yes, paid by the page.

16 Q. Do you recall being aware of your father ever  
17 redoing or correcting any work he had submitted to DC?

18 A. I remember, but I don't remember what  
19 characters, I just remember the arguments between him  
20 and my mother.

21 Q. What was the substance of the argument that  
22 you recall?

23 A. That he wasn't getting paid for the work he  
24 was doing. He was only getting half, and he would  
25 spend all his time working, and not making any money