

EXHIBIT G

1
2 IN THE UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK
4 Civil Action No. 10-141 (CM) (KF)

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

8 Plaintiffs,)

9 vs.)

10 LISA R. KIRBY, BARBARA J.)
11 KIRBY, NEAL L. KIRBY and)
12 SUSAN N. KIRBY,)

13 Defendants.)
14)
15)

16 VOLUME I

17 VIDEOTAPED DEPOSITION OF

18 ROY THOMAS

19 October 26, 2010

20 10:06 a.m.

21 Holiday Inn Express
22 Orangeburg, South Carolina

23 ANNIE O'HARA, CCR-B-2340, SC Notary
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25

1 APPEARANCES OF COUNSEL

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3 On behalf of the Plaintiffs:

4 JODI AILEEN KLEINICK, Esq.
5 Paul Hastings Janofsky & Walker
6 75 East 55th Street
7 New York, New York 10022

8 ELI BARD, Esq.
9 Marvel Entertainment, Inc.
10 417 Fifth Avenue
11 New York, New York 10016

12 On behalf of the Defendants:

13 MARC TOBEROFF, Esq.
14 Toberoff & Associates
15 2049 Century Park East
16 Suite 2720
17 Los Angeles, California 90067

18 Videographer:

19 Michael Arrison

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1 Thomas

2 A. Uh-huh.

3 Q. All of the questions that I'm going to be
4 asking you, unless I specify a different time
5 period, are from -- are dealing with the period from
6 when you first started in July of 1965 to let's say
7 the end of 1972.

8 A. All right.

9 Q. Okay.

10 How did you begin working at Marvel the
11 first time?

12 A. I had wanted to meet Stan Lee because I
13 had been working on this -- the early version of
14 this fan magazine Alter Ego in the early '60s, and I
15 was a big fan of the material that Stan was writing
16 and the artists were drawing. And I had exchanged
17 one or two letters with him. And when so I came to
18 New York to work for DC, I still wanted to meet Stan
19 Lee. And I invited perhaps we could get together
20 for a drink. He knew vaguely who I was and that was
21 about it.

22 And I got back to my hotel room and was
23 told that: Well, he wasn't interested in having --
24 you know, he didn't really socialize that much
25 because he lived out on Long Island. But he'd like

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
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25

1 APPEARANCES:

2 FOR THE PLAINTIFFS:

3 MARVEL WORLDWIDE, INC., MARVEL CHARACTERS,

4 IN.C, and MVL RIGHTS, LLC

5 BY: JODI AILEEN KLEINICK

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9
10 -AND-

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13 ELI BARD

14 VICE PRESIDENT, DEPUTY GENERAL COUNSEL

15 MARVEL ENTERTAINMENT, INC.

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25 (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

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1 Thomas

2 MS. KLEINICK: Objection.

3 A. It was an advance.

4 It was done for, you know, a certain
5 number of pages, or whatever, and figured on a
6 page rate.

7 Q. Oh. But, and it was --

8 A. Pardon me.

9 Q. Strike that.

10 A. Oh. I'm sorry.

11 Q. So prior to the -- you began working
12 at Marvel in July, 1965, correct?

13 A. Yes.

14 Q. And prior to that -- starting at
15 Marvel -- and the short time you were at DC,
16 prior to that -- you had no experience in the
17 comic book industry?

18 A. No. I had also written -- sometime
19 in the turn of 1965, or -- I'm not sure exactly
20 the date -- how that relates to the Jimmy Olsen
21 story that was also done in that pre-New York
22 period, I wrote two scripts for a smaller
23 company called Charlton Company, that was based
24 in Derby, Connecticut.

25 And I had also submitted one or two