

9. Attached as Exhibit 9 is a true and correct copy of excerpts from James Gerberich's deposition testimony.

10. Attached as Exhibit 10 is a true and correct copy of a letter sent from Robert Penchina to Kara Szpondowski on March 10, 2006.

11. Attached as Exhibit 11 is a true and correct copy of a document bearing production number AP 00184, which Defendant produced in this action.

12. Attached as Exhibit 12 is a true and correct copy of documents bearing production numbers AP 0002-A, AP 00002-B, AP 00002-C, AP 00002-D, AP 00001, AP 00002, which Defendant produced in this action.

13. Attached as Exhibit 13 is a true and correct copy of a document bearing production number AP 00185, which Defendant produced in this action.

14. Attached as Exhibit 14 is a true and correct copy of a document bearing production number MC 00198, which Plaintiff produced in this action.

15. Attached as Exhibit 15 is a true and correct copy of a document bearing production number MC 00199, which Plaintiff produced in this action.

16. Attached as Exhibit 16 is a true and correct copy of excerpts from George Galt's deposition testimony.

17. Attached as Exhibit 17 is a true and correct copy of documents bearing production numbers MC 00392 and MC 00380, which Plaintiff produced in this action.

18. Attached as Exhibit 18 is a true and correct copy of documents bearing production numbers AP 00226 and AP 00227, which Defendant produced in this action.

19. Attached as Exhibit 19 is a true and correct copy of documents bearing production numbers AP 00180 through AP 00183, which Defendant produced in this action.

20. Attached as Exhibit 20 is a true and correct copy of excerpts from Charles Sheehan's deposition testimony.

21. Attached as Exhibit 21 are true and correct copies of cases cited in Plaintiff's memorandum that are available on only Lexis and/or Westlaw, including Baraban v. Time Warner, Inc., Batesville Services, Inc. v. Funeral Depot, Inc., Greenberg v. National Geographic

Society, Livnat v. Lavi, Psihoyos v. Fuente, Schiffer Publishing Ltd. v. Chronicle Books, LLC,
and United States Media Corp. v. Edde Entertainment Corp.

22. Attached as Exhibit 22 is a true and correct copy of a demonstrative used in Plaintiff's Opposition Brief to depict Defendant's cropping of the End of Serenity photograph.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed this 19th day of June, 2006, in Chicago, Illinois.

Respectfully submitted,

s/Douglas M. Hall

Douglas M. Hall

Kara L. Szpondowski

Niro, Scavone, Haller & Niro

181 West Madison, Suite 4600

Chicago, Illinois 60602-4515

Phone: 312-236-0733

Fax: 312-236-3137

Attorneys for Valencia M. McClatchey

John E. Hall

Eckert Seamans Cherin & Mellott, LLC

USX Tower

600 Grant Street, 44th Floor

Pittsburgh, Pennsylvania 15219

Phone: (412) 566-6000

Fax: (412) 566-6099

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing **DECLARATION OF DOUGLAS M. HALL IN SUPPORT OF PLAINTIFF'S OPPOSITION TO SUMMARY JUDGMENT** was served upon the below listed parties on this 19th day of June, 2006:

By ECF: Gayle C. Sproul
Levine Sullivan Koch & Schultz, LLP
2112 Walnut St., 3rd Floor
Philadelphia, PA 19013
Phone: (215) 988-9778

By ECF: Robert Penchina
Levine Sullivan Koch & Schultz, LLP
230 Park Avenue
Suite 1160
New York, NY 10169
Phone: (212) 850-6100
Fax: (212) 850-6299

s/Douglas M. Hall_____