

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WORLD WRESTLING ENTERTAINMENT, INC.

Plaintiff,

v.

:
: 04 CV 8223 (KMK)
: (ECF CASE)

JAKKS PACIFIC, INC.; JAKKS PACIFIC (H.K.) :
LIMITED; ROAD CHAMPS LIMITED; THQ, :
INC.; THQ/JAKKS PACIFIC LLC; STANLEY :
SHENKER AND ASSOCIATES, INC.; STANLEY :
SHENKER; BELL LICENSING, LLC; JAMES :
BELL; JACK FRIEDMAN; STEPHEN BERMAN; :
JOEL BENNETT; and BRIAN FARRELL, :

NOTICE OF CROSS-APPEAL

Defendants. :
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PLEASE TAKE NOTICE that Defendants JAKKS Pacific, Inc., JAKKS Pacific (H.K.) Limited, Road Champs Limited, Jack Friedman, Stephen Berman and Joel Bennett (the "JAKKS Defendants") hereby cross-appeal to the United States Court of Appeals for the Second Circuit from the part of the Final Judgment of this Court, entered January 3, 2008, as well as from the part of this Court's (Karas, J.) prior Opinion and Order, dated December 21, 2007, reflected and embodied in that Final Judgment, that ruled on the JAKKS Defendants' claim that the "Settlement Agreement and General Release of All Claims" barred all of Plaintiff's claims in the action.¹

¹ This cross-appeal is filed in order to ensure the timely filing of the JAKKS Defendants' notice of cross-appeal, pursuant to Fed. R. App. P 4(a)(3), notwithstanding the pendency of a motion for reconsideration filed by the JAKKS Defendants on January 17, 2008 with the District Court on the same issue as herein noticed.

Please also take notice that the JAKKS Defendants hereby also cross-appeal from the portion of the Court's Order (Karas, J.), dated March 31, 2006, insofar as it denied the JAKKS Defendants' Motion to Dismiss the Plaintiff's claims arising under the Racketeer Influenced and Corrupt Organizations Act ("RICO"), 18 U.S.C. § 1962. Review of such Order is sought only if the Court of Appeals determines that the Final Judgment, entered January 3, 2008, should not be affirmed with regard to the dismissal with prejudice of the Plaintiff's claims arising under RICO.


True and correct copies of the referenced judgment and orders are attached hereto as Exhibit A.

Dated: New York, New York
January 22, 2008

Respectfully submitted,

FEDER, KASZOVITZ, ISAACSON,
WEBER, SKALA, BASS & RHINE LLP
Murray L. Skala (MS 9354)
Jonathan D. Honig (JH 7577)
750 Lexington Avenue
New York, New York 10022
(212) 888-8200

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

By: 
Jonathan J. Lerner (JL 7117)
Michael H. Gruenglas (MG 8705)
Maura B. Grinalds (MG 2836)
Diana Rubin (DR 5477)
Four Times Square
New York, New York 10036
(212) 735-3000

Attorneys for the JAKKS Defendants

Service List:

Jerry McDevitt, Esq.
Amy Lyn Barrette, Esq.
Peter Nicholas Flocos, Esq.
William Purcell, Esq.
Curtis B. Krasik, Esq.
Kirkpatrick & Lockhart Preston Gates Ellis, LLP
535 Smithfield Street
Pittsburgh, PA 15222

Steven A. Marenberg, Esq.
Phillip M. Kelly, Esq.
Irell & Manella LLP
1800 Avenue of the Stars
Los Angeles, CA 90067
*Counsel for Defendant THQ, Inc.
and Brian Farrell*

Isaac S. Greaney, Esq.
Sidley Austin LLP
787 Seventh Avenue
New York, New York 10019
Counsel for Defendant THQ, Inc.

Richard Schaeffer, Esq.
Bruce Handler, Esq.
Dornbush, Mensch, Mandelstam & Schaeffer, LLP
747 Third Avenue
New York, NY 10017
Counsel for THQ/Jakks Pacific LLC

Michael Alan Freeman, Esq.
Greenberg Freeman, L.L.P.
24 W. 40th St., 17th Floor
New York, NY 10018
*Counsel for Defendants Stanley Shenker
and Stanley Shenker & Assocs., Inc.*

John R. Williams, Esq.
Schweitzer Cornman Gross & Bondell LLP
292 Madison Avenue
New York, New York 10017
Counsel for Defendants James Bell and Bell Licensing, LLC