

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MARVEL WORLDWIDE, INC.,
MARVEL CHARACTERS, INC. and
MVL RIGHTS, LLC,

Plaintiffs,

-against-

LISA R. KIRBY, BARBARA J. KIRBY,
NEAL L. KIRBY and SUSAN M. KIRBY,

Defendants.

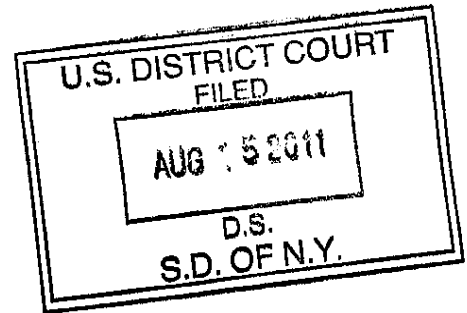
LISA R. KIRBY, BARBARA J. KIRBY,
NEAL L. KIRBY and SUSAN M. KIRBY,

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.



Civil Action No. 10-141 (CM) (KF)

NOTICE OF APPEAL

[ECF Case]

Notice is hereby given that Lisa R. Kirby, Barbara J. Kirby, Neal L. Kirby and Susan M. Kirby, defendants and counterclaimants in the above named case, hereby appeal to the United States Court of Appeals for the Second Circuit from the Judgment granting plaintiffs' motion for summary judgment, denying defendants' cross-motion for summary judgment, and granting plaintiffs' motion to strike the expert reports of Mark Evanier and John Morrow, entered in this action on the 8th day of August, 2011.

Dated: August 15, 2011

TOBEROFF & ASSOCIATES, P.C.



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