

Arbitration Award Summaries

(Listed in chronological order of the date of issuance of the Final Award)

No. 06-75 – Award issued January 11, 2007

Claimant: *New Films International* (Licensor)

Respondent: *Cine Net Entertainment* (Distributor)

Principals at the time Final Award issued: Nesim Hason, President - Claimant;

Michele Delerno - Respondent

Arbitrator: James W. Coupe, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the minimum guarantee pursuant to the Distribution Agreement.

No. 05-93 – Award issued January 15, 2007

Claimant: *Exception Wild Bunch* (Licensor)

Respondent: *Falcom Media Group AP* (Distributor)

Principals at the time Final Award issued: Unknown

Arbitrator: Bruce M. Polichar, Esq.

The Final Award found that Claimant was not entitled to the respective minimum guarantees set forth in the Distribution Agreement because Claimant did not deliver the Pictures to Respondent.

No. 05-56 – Award issued January 16, 2007

Claimant: *Jonesfilm* (Owner)

Respondents: *Cinevisions, Seven Arts Pictures, Inc., Seven Arts Pictures PLC, Seven Arts Filmed Entertainment Limited* (Purchasers)

Principals at the time Final Award issued: Unknown

Arbitrator: Stephen S. Strick, Esq.

The Partial Award and Supplemental and Final Award found that Respondents breached the Acquisition Agreement relating to a Picture and an option to produce sequels, and that all rights, including the option to produce such sequels, reverted to Claimant. Respondents were ordered to pay all amounts due to Claimant pursuant to the Agreement, provide access to records, and deliver physical elements of the Picture to Claimant.

No. 06-32 – Award issued January 23, 2007

Claimant: *Freeway Entertainment Kft.* (Licensor)
Respondent: *Lolafilms Internacional S.L.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Jack E. Freedman, Esq.

The Final Award terminated Respondent's rights and Claimant's obligations set forth in the Distribution Agreement and ordered Respondent to pay Claimant the remaining two installments due pursuant to the Agreement, less the present value of the Picture.

No. 06-51 – Award issued January 23, 2007

Claimant: *Mackinac Media, Inc.* (Distributor)
Respondent: *Laughsmith Entertainment, Inc.* (Licensor)
Principals at the time Final Award issued: Unknown
Arbitrator: Roy G. Rifkin, Esq.

The Final Award ordered Respondent to complete production of the Picture for delivery and to pay Claimant the balance due pursuant to the Distribution Agreement.

No. 06-64 – Award issued February 13, 2007

Claimant: *Showcase Entertainment, Inc.* (Sales Agent)
Respondent: *Lativi Television Broadcasting* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Jerome J. Sussman, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant, as Sales Agent for Licensor, the unpaid balance of monies due pursuant to the Deal Memos.

No. 06-88 – Award issued February 28, 2007

Claimant: *New Films International, LLC* (Licensor)
Respondent: *EP Productions, s.r.l.* (Distributor)
Principals at the time Final Award issued: Nesim Hason, President - Claimant;
Enrico Pinocci - Respondent
Arbitrator: Marc R. Stein, Esq.

The Final Award ordered Respondent to pay Claimant the monies due pursuant to the Distribution Agreement.

No. 06-30 – Award issued March 8, 2007

Claimant: *My Dinner with Jimi, LLC* (Licensor)
Respondent: *New Films International* (Distributor)
Principals at the time Final Award issued: Harold Bronson, Principal - Claimant;
Nesim Hason, President - Respondent
Arbitrator: Peter L. Kaufman, Esq.

The Final Award found that Respondent breached the Distribution Agreement and that all rights to the Picture reverted to Claimant, except for the rights to territories already sold by Respondent.

No. 06-61 – Award issued March 23, 2007

Claimant: *Showcase Entertainment, Inc.* (Sales Agent)
Respondent: *NVC Felix Film Ltd.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Anat Levy, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant, as Sales Agent for Licensor, the minimum guarantees pursuant to the Deal Memos for thirteen Pictures.

No. 06-77 – Award issued March 23, 2007

Claimant: *Mainsail, LLC* (Licensor)
Respondent: *ATV* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Anat Levy, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant all monies due pursuant to the Deal Memo.

No. 06-93 – Award issued March 26, 2007

Claimant: *Mark Tapio Kines* (Sales Agent)
Respondent: *Monte Cristo Entertainment, LLC* (Licensor)
Principals at the time Final Award issued: Unknown
Arbitrator: Dixon Q. Dern, Esq.

The Final Award ordered Respondent to pay Claimant the remainder of the sales commission due pursuant to the Sales Agency Agreement.

No. 06-76 – Award issued March 28, 2007

Claimant: *Gold Circle Films, LLC (under POA from Freeway Entertainment Kft.)*(Licensor)

Respondent: *Mediafilm S.p.A.* (Distributor)

Principals at the time Final Award issued: Paul Brooks, President, and Scott Niemeyer, COO – Claimant; Ernesto Tabarelli, President - Respondent

Arbitrator: Stephen S. Strick, Esq.

The Final Award ordered Respondent to pay Claimant the balance of the minimum guarantee due pursuant to the Distribution Agreement.

No. 06-38 – Award issued April 16, 2007

Claimant: *Cinemavault Releasing International Inc.* (Licensor)

Respondent: *Fono Film Ticaret Limited* (Distributor)

Principals at the time Final Award issued: Unknown

Arbitrator: Lon J. Hall (licensed attorney in Canada)

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the unpaid balance of monies due pursuant to the Deal Memo.

No. 06-83 – Award issued April 30, 2007

Claimant: *Spirit Trap Ltd.* (Licensor)

Respondent: *Cinemavault Releasing International, Inc.* (Sales Agent)

Principals at the time Final Award issued: Unknown

Arbitrator: Brian Eagles (licensed attorney in England)

The Final Award terminated Respondent's representation of Claimant and ordered Respondent to pay Claimant the minimum guarantees or flat fees paid pursuant to the Sales Agency Agreement, less the commission and recoupable expenses for certain territories. The Final Award further ordered Respondent to ensure that all future income received from the exploitation of the Picture by third-party licensees be paid directly to Claimant.

No. 06-70 – Award issued May 3, 2007

Claimant: *American Cinema International, Inc.* (Sales Agent)

Respondent: *21 Entertainment Corporation* (Distributor)

Principals at the time Final Award issued: Chevonne O'Shaughnessy, President – Claimant; Sergej Sendyk, President - Respondent

Arbitrator: Mark Fleischer, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant, as Sales Agent for Licensor, the minimum guarantee pursuant to the Distribution Agreement.

No. 06-100 – Award issued May 14, 2007

Claimant: *Indican Pictures* (Distributor)
Respondent: *Primetime Pictures, LLC* (Licensor)
Principals at the time Final Award issued: Unknown
Arbitrator: Jerome J. Sussman, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to deliver a copy of the digital beta master of the Picture to Claimant and pay Claimant damages resulting from Claimant's inability to distribute the Picture pursuant to the Distribution Agreement.

No. 07-05 – Award issued May 18, 2007

Claimant: *New Films International* (Licensor)
Respondent: *Newstar Distribudora de Filmes Ltda.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Eric Weissmann, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the minimum guarantee for the Picture pursuant to the Deal Memo.

No. 06-35 – Award issued June 12, 2007

Claimant: *Cinemavault Releasing International, Inc.* (Licensor)
Respondent: *Mysteria DVD* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Dr. Sunny Handa (licensed attorney in Canada)

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the initial payment due pursuant to the Distribution Agreement.

No. 06-92 – Award issued June 14, 2007

Claimant: *New Films International* (Licensor)
Respondent: *Entertainment in Motion* (Distributor)
Principals at the time Final Award issued: Nesim Hason, President - Claimant; Michael T. Covell, Chairman & CEO and Bill Grant, President - Respondent
Arbitrator: James W. Coupe, Esq.

The Final Award ordered Respondent to pay Claimant the two remaining installments due pursuant to the Distribution Agreement, reduced by the amount of damages incurred for the failure to release the Picture domestically and the failure to provide the French and German dubbed versions of the Picture.

No. 07-10 – Award issued June 18, 2007

Claimant: *New Films International* (Licensor)
Respondent: *MZ Films* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Dixon Q. Dern, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the amount due pursuant to the Distribution Agreement.

No. 07-09 – Award issued July 31, 2007

Claimant: *Falcom Media Group AG* (Distributor)
Respondent: *Exception Wild Bunch* (Licensor)
Principals at the time Final Award issued: Andreas Fallscheer, CEO - Claimant;
Gael Nouaille, Executive Officer - Respondent.
Arbitrator: Mark Litwak, Esq.

The Final Award found that the Deal Memo was a non-binding, unenforceable agreement because it did not state the length of the license period, which is a material and necessary term.

No. 07- 32 – Award issued August 15, 2007

Claimant: *Planet Productions Corp.* (Loan Out Corporation/“Lender”)
Respondent: *Christmas In Wonderland Productions, Inc.* (Producer)
Principals at the time Final Award issued: Unknown
Arbitrator: Dixon Q. Dern, Esq.

The Final Award ordered Respondent to pay Claimant the balance of fees due for services rendered pursuant to the Production Executive Agreement, subject to Canadian tax requirements.

No. 07-04 – Award issued August 17, 2007

Claimant: *New Films International* (Licensor)
Respondent: *Cinema & TV* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: J. David Marks, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the amount due upon Notice of Delivery of each Picture listed in the Deal Memo.

No. 07-02 – Award issued August 22, 2007

Claimant: *Cinema Management Group, LLC* (Sales Agent)
Respondent: *Yarkon Entertainment Partners, LLC* (Licensor)
Principals at the time Final Award issued: Unknown
Arbitrator: Robert M. Nau, Esq.

The Final Award ordered Respondent to deliver the Picture on or before December 31, 2009 and to pay Claimant the commission owed pursuant to the Sales Agency Agreement.

No. 07-06 – Award issued August 24, 2007

Claimant: *StudioCanal* (Licensor)
Respondent: *KO Films* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Anat Levy, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the minimum guarantee pursuant to the Distribution Agreement.

No. 07-40 – Award issued August 24, 2007

Claimants: *Gold Circle Films, LLC* (Licensor) and *Natixis Banques Populaires*
(Financial Institution)
Respondent: *Box Office Entertainment Co., Ltd.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Anat Levy, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant Gold Circle Films the unpaid portion of the minimum guarantee pursuant to the Distribution Agreement.

No. 05-63 – Award issued September 6, 2007

Claimant: *New Films International* (Licensor)
Respondent: *Eureka Entertainment Co., Ltd.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Gerald F. Phillips, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the minimum guarantee pursuant to the Distribution Agreement.

No. 07-20 – Award issued September 12, 2007

Claimant: *Keller Entertainment Group, Inc.* (Licensor)
Respondent: *MZ Films* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: James W. Coupe, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the remaining installment of the license fee pursuant to the Distribution Agreement.

No. 07-38 – Award issued September 17, 2007

Claimant: *RKO Pictures, LLC* (Licensor)
Respondent: *Kindred Media Group* (Distributor)
Principals at the time Final Award issued: Ted Hartley, Chairman - Claimant;
Jeffrey D. Erb, President - Respondent
Arbitrator: Dixon Q. Dern, Esq.

The Final Award ordered Respondent to pay Claimant the balance of the unpaid advance pursuant to the Amended and Restated Distribution Agreement.

No. 07-15 – Award issued September 18, 2007

Claimant: *New Films International* (Licensor)
Respondent: *Eurocine Films* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Gerald Phillips, Esq.

The Final Award ordered Respondent to pay Claimant the amount due pursuant to the Deal Memo.

No. 07-22 – Award issued September 25, 2007

Claimant: *Mercantile National Bank (now First California Bank)* (Financial Institution)
Respondent: *NoShame Films, LLC* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Jerome J. Sussman, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the difference between the license fee in the Distribution Agreement and the present market value of the Picture.

No. 06-98 – Award issued October 1, 2007

Claimant: *POW! Entertainment, Inc.*

Respondent: *FWE, Inc.*

Principals at the time Final Award issued: Stan Lee - Claimant; Jeff Franklin - Respondent

Arbitrator: Jeffrey I. Abrams, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the balance of the minimum guarantees for two of three Pictures produced and exploited pursuant to the Joint Venture Agreement.

No. 07-13 – Award issued October 1, 2007

Claimant: *Retromedia Entertainment, Inc.* (Distributor)

Respondent: *Harmony Gold* (Licensor)

Principals at the time Final Award issued: Fred Olen Ray, President - Claimant; Frank Agrama, Chairman & CEO - Respondent

Arbitrator: Jeffrey I. Abrams, Esq.

The Final Award found that Claimant breached the Distribution Agreement by failing to account and ordered Claimant to cease any form of exploitation of Picture because the rights to the Picture reverted to Respondent.

No. 07-36 – Award issued October 4, 2007

Claimant: *Boll Kino Beteiligungs GmbH & Co. KG* (Licensor)

Respondent: *Mediafilm Cinema S.r.l.* (Distributor)

Principals at the time Final Award issued: Uwe Boll, Chief Executive - Claimant; Ernesto Tabarelli, Chief Executive - Respondent

Arbitrator: Bruce Polichar, Esq.

The Final Award ordered Respondent to pay Claimant the outstanding home video royalties due pursuant to the Distribution Agreement and further ordered Claimant to reimburse Respondent for expenses incurred to correct Claimant's defective delivery of the Picture.

No. 07-33 – Award issued October 30, 2007

Claimants: *Gold Circle Films, LLC* (Licensor) and *Natexis Banques Populaires* (Financial Institution)

Respondent: *Applause Entertainment Ltd.* (Distributor)

Principals at the time Final Award issued: Unknown

Arbitrator: Martin Perlberger, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the unpaid balance of the minimum guarantee due pursuant to the Distribution Agreement.

No. 07-52 – Award issued November 21, 2007

Claimant: *Losing Face Productions* (Licensor)

Respondent: *Global Reach One* (Sales Agent)

Principals at the time Final Award issued: Jon Hoffman - Claimant; Gregg Ratinoff - Respondent

Arbitrator: Paul D. Supnik, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant damages equal to the amount that the Respondent received from unauthorized sales of the Picture and ordered the Respondent to further disclose unauthorized sales and continue to account to Claimant.

No. 07-18 – Award issued December 11, 2007

Claimant: *StudioCanal (under POA from Fintage Magyar)* (Licensor)

Respondent: *Shin Seung Soo Film* (Distributor)

Principals at the time Final Award issued: Unknown

Arbitrator: Ronald S. Rosen, Esq.

The Final Award (issued after a prove-up in a default case) terminated the Distribution Agreement and ordered Respondent to pay Claimant the unpaid amounts due pursuant to the Agreement.

No. 07-59 – Award issued December 20, 2007

Claimant: *Oasis Pictures Inc.* (Licensor)

Respondent: *Horse Creek Entertainment AB* (Distributor)

Principals at the time Final Award issued: Peter Emerson, President - Claimant;

Charles Aperia – Respondent

Arbitrator: Lon J. Hall (licensed attorney in Canada)

The Final Award (issued after a prove-up in a default case) found that the Distribution Agreement was terminated and ordered Respondent to pay Claimant the unpaid amounts due pursuant to the Agreement.