

Arbitration Award Summaries

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

No. 07-35 – Award issued January 2, 2008

Claimant: *Lesser of Three Evils, LLC* (Licensor)

Respondent: *Fabrication Films International, LLC* (Distributor)

Principals at the time Final Award issued: Arnon Manor, Producer, and Jeannette Brill, Sole Managing Member/Producer – Claimant; Kjehl Rasmussen, CEO – Respondent

Arbitrator: Marc Stein, Esq.

The Final Award dismissed Respondent's cross-claim and ordered Respondent to pay Claimant the balance of the monies due pursuant to the Distribution Agreement.

No. 06-44 – Award issued January 7, 2008

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

Respondent: *B1 TV (News Television Romania)* (Distributor)

Principals at the time Final Award issued: Kamal Dureja, Vice President – Claimant; Dan Bates – Respondent

Arbitrator: Lon Hall (licensed attorney in Canada)

The Final Award (issued after a prove-up in a default case) terminated Claimant's obligations set forth in the Distribution Agreement and ordered Respondent to pay Claimant the balance of the license fees owed pursuant to the Agreement.

No. 07-49 – Award issued January 16, 2008

Claimant: *York International, Inc.* (Licensor)

Respondent: *NVC Felix Films* (Distributor)

Principals at the time Final Award issued: Tanya York, CEO, and Jeff Goldman, International Sales and Business Affairs Director – Claimant; Jacek Samojlowicz – Respondent

Arbitrator: J. David Marks, Esq.

The Final Award (issued after a prove-up in a default case) terminated Claimant's obligations set forth in the Deal Memo and ordered Respondent to pay Claimant the total due pursuant to the Deal Memo.

No. 07-41 – Award issued January 23, 2008

Claimant: *Fintage Magyar, Kft* (Licensor)

Respondent: *Sociedad General de Drechos Audiovisuales* (Distributor)

Principals at the time Final Award issued: Unknown

Arbitrator: Gary E. Gans, Esq.

The Final Award found that Claimant failed to prove that Respondent had materially breached the Distribution Agreement.

No. 06-90 – Award issued January 24, 2008

Claimant: *New Films International* (Licensor)
Respondent: *Pro Vision* (Distributor)
Principals at the time Final Award issued: Melda Demircift – Claimant;
Zeljko Perkunic – Respondent
Arbitrator: Mark Fleischer, Esq.

The Final Award ordered the Respondent to pay the full amount of unpaid guarantees owed to the Claimant pursuant to the Distribution Agreement.

No. 06-14 – Award issued January 28, 2008

Claimant: *Garlin Pictures, Inc.* (Licensor)
Respondent: *Curb Entertainment International Corp.* (Sales Agent)
Principals at the time Final Award issued: Brian Etting – Claimant;
Carol Curb, President – Respondent
Arbitrator: Peter Kaufman, Esq.

The Final Award ordered Respondent to provide Claimant with relevant financial statements pursuant to the Production and Sales Agency Agreement and granted Claimant access to Respondent's financial records with respect to the Picture.

No. 06-52 – Award issued February 20, 2008

Claimant: *Cinemavault Releasing International, Inc.* (Licensor)
Respondent: *Super Cassettes Industries Limited* (Distributor)
Principals at the time Final Award issued: Kamal Dureja, Vice President of Business Affairs – Claimant; Neeraj Kalyan, Vice President – Respondent
Arbitrator: Mark S. Dwor (licensed attorney in Canada)

The Final Award (issued after a prove-up in a default case) terminated Claimant's obligations set forth in the Deal Memo and ordered Respondent to pay the minimum guarantee pursuant to the Deal Memo.

No. 07-70 – Award issued February 20, 2008

Claimant: *American Cinema Int'l, Inc.* (Licensor)
Respondent: *I-ON New Media GmbH* (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 the Respondent to pay to Claimant the balance of the minimum guarantee due pursuant to the Distribution Agreement and to provide to Claimant an accounting of the Respondent's distribution activities.

No. 07-69 – Award issued February 21, 2008

Claimant: *First Look Studios* (Licensor)

Respondent: *Flashstar Filmes* (Distributor)

Principals at the time Final Award issued: Christian Mercuri, President of International Sales, and Danny Dimbert – Claimant; Almir Santos, Distributor – Respondent

Arbitrator: J. David Marks, Esq.

The Final Award (issued after a prove-up in a default case) terminated Claimant's obligations set forth in the Deal Memo and ordered Respondent to pay Claimant the minimum guarantee pursuant to the Deal Memo.

No. 07-65 – Award issued February 29, 2008

Claimant: *Susan Oberg* (Publicist)

Respondent: *EOD Films, LLC* (Producer)

Principals at the time Final Award issued: Susan Oberg – Claimant; Paul Miller and Tamia Bishop – Respondent

Arbitrator: Anat Levy, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant the full amount owed pursuant to the agreement.

No. 07-97 – Award issued March 3, 2008

Claimant: *Newmarket Capital Group* (Financier)

Respondent: *Scanbox Danmark A/S* (Distributor)

Principals at the time Final Award issued: Unknown

Arbitrator: Jack Freedman, Esq.

The Final Award (issued after a prove-up in a default case) terminated Claimant's obligations and Respondent's rights set forth in the Inter-Party Agreements between Claimant, Respondent and a third party producer and ordered Respondent to pay Claimant monies collected by Respondent that were due to Claimant pursuant to the Agreements and further ordered Respondent to pay Claimant damages for Respondent's breach of the Agreements.

No. 07-28 – Award issued March 4, 2008

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

Respondent: *Yeni Tual Film* (Distributor)

Principals at the time Final Award issued: Kamal Dureja – Claimant; Mustafa Tual – Respondent

Arbitrator: Lon Hall (licensed attorney in Canada)

The Final Award (issued after a prove-up in a default case) terminated Claimant's obligations set forth in the Distribution Agreement and ordered Respondent to pay Claimant the balance owed pursuant to the Agreement.

No. 07-76 – Award issued March 13, 2008

Claimant: *Michael Rose Productions, Inc.* (Licensor)
Respondent: *Herring Broadcasting, Inc.* (Distributor)
Principals at the time Final Award issued:
Arbitrator: Roy Rifkin, Esq.

The Final Award ordered Respondent to pay Claimant compensatory damages because Respondent distributed programming outside of the licensed territory in the Distribution Agreement.

No. 06-96 – Award issued March 26, 2008

Claimant: *Dreamtime Entertainment, Inc.* (Distributor)
Respondent: *Impact Film Sales Ltd.* (Licensor)
Principals at the time Final Award issued: Unknown
Arbitrator: Nigel Bennett (licensed attorney in England)

The Final Award ordered, pursuant to the dissolution of the Distribution Agreement, Respondent to refund Claimant's deposit, less the initial payment owed to Respondent because of Claimant's breach of the Agreement.

No. 07-47 – Award issued April 18, 2008

Claimant: *Bauer Martinez International* (Licensor)
Respondent: *TFI International* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: James W. Coupe, Esq.

The Final Award ordered Respondent to pay Claimant the advance pursuant to the Agreement of Acceptance and ordered Claimant to pay Respondent compensatory damages for failure to fulfill a basic condition of the Deal Memo.

No. 07-46 – Award issued May 28, 2008

Claimant: *Alliance Atlantis Releasing Limited, trading as Momentum Pictures* (Distributor)
Respondent: *Bauer Martinez International* (Licensor)
Principals at the time Final Award issued: Unknown
Arbitrator: Marc R. Stein, Esq.

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

No. 08-21 – Award issued June 3, 2008

Claimant: *New Zealand Film Commission* (Licensor)
Respondent: *Tartan Films USA, Inc.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Ronald 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 balance due pursuant to the Agreement.

No. 08-05 – Award issued June 12, 2008

Claimant: *Showcase Entertainment, Inc.* (Licensor)
Respondent: *Tartan Films USA, Inc.* (Distributor)
Principals at the time Final Award issued: David Jackson, President – Claimant; Jonathan Seliger, Head of Business Affairs – Respondent
Arbitrator: Jerome Sussman, Esq.

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

No. 08-22 – Award issued June 23, 2008

Claimant: *Dot's Starduster, LLC* (Licensor)
Respondent: *Gaby International Sp.z.o.o.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Robert M. Nau, Esq.

The Final Award (issued after a prove-up in a default case) terminated Respondent's rights set forth in the Distribution Agreement and ordered Respondent to pay Claimant the unpaid license fees due pursuant to the Agreement.

No. 07-100 – Award issued July 10, 2008

Claimants: *4 Boll Kino Beteiligungs GmbH-Und Co. KG and 5 Kino Beteiligungs GmbH-Und Co. KG* (Licensor)

Respondents: *Roxane Barbat and Fantastic Films International* (Sales Agent)

Cross-Claimants: *Roxane Barbat and Fantastic Films International*

Cross-Respondents: *4 Boll Kino Beteiligungs GmbH-Und Co. KG, 5 Kino Beteiligungs GmbH-Und Co. KG, 6 Kino Beteiligungs GmbH-Und Co. KG, 7 Kino Beteiligungs GmbH-Und Co. KG, 8 KinoBeteiligungs GmbH-Und Co. KG, Uwe Boll*

Principals at the time Final Award issued: Uwe Boll – Claimants and Cross-Respondents; Roxane Barbat – Respondents and Cross-Claimants

Arbitrator: Michael C. Donaldson, Esq.

The Final Award ordered certain Claimants and certain Cross-Respondents to pay Respondents/Cross-Claimants commissions for six Pictures pursuant to the Sales Agency Agreements. The Final Award further ordered Cross-Respondent Uwe Boll to pay Respondents/Cross-Claimants damages for publishing libelous statements regarding Respondents/Cross Claimants.

No. 07-83 – Award issued July 11, 2008

Claimant: *Tricoast International, LLC* (Sales Agent)

Respondent: *Greenlight Pictures, LLC* (Licensor)

Principals at the time Final Award issued: Strath Hamilton, Marcy Hamilton and Ami Artzi – Claimant; Ben Gourley and Jason Faller – Respondent

Arbitrator: Marc R. Stein, Esq.

The Final Award ordered Claimant to pay certain recoupable costs to Respondent as well as additional money damages pursuant to the Sales Agency Agreement.

No. 08-16 – Award issued July 31, 2008

Claimant: *York International, Inc.* (Licensor)

Respondent: *Peacock Films Pty. Ltd.* (Distributor)

Principals at the time Final Award issued: Lee Ettinger, Vice President of Business – Claimant; Lyn Shannon, Director – Respondent

Arbitrator: Mark Litwak, Esq.

The Final Award terminated the Distribution Agreement with respect to six undelivered Pictures and confirmed the Agreement's continuing validity with respect to the three Pictures that were delivered and ordered Respondent to pay damages to Claimant based on Respondent's failure to provide necessary materials.

No. 08-24 – Award issued August 4, 2008

Claimant: *Jeff Most Productions, Inc.* (Producer)

Respondent: *Imperia Entertainment, Inc.* (Financier)

Principals at the time Final Award issued: Jeff Most – Claimant; Kenneth Eade – Respondent

Arbitrator: Robert M. Nau, Esq.

The Final Award terminated Respondent's rights in the Picture and ordered Respondent to pay Claimant the guaranteed financing fee pursuant to a Co-Production Agreement.

No. 08-18 – Award issued August 5, 2008

Claimant: *Rigel USA, Inc.* (Licensor)

Respondent: *WYSIOS S.A.S.* (Distributor)

Principals at the time Final Award issued: John Laing, Chairman and CEO – Claimant; Jean-Alexis de Chemelier, President – Respondent

Arbitrator: Jack Freedman, Esq.

The Final Award terminated the Distribution Agreement and found that Respondent could withhold payment of the license fee because Claimant failed to honor material terms regarding the distribution territories.

No. 08-06 – Award issued August 6, 2008

Claimant: *Nu Image, Inc.* (Licensor)

Respondent: *Falcom Media Group AG* (Distributor)

Principals at the time Final Award issued: Christian Mercuri, President – Claimant; Andreas Fallscheer, President – Respondent

Arbitrator: Anat Levy, Esq.

The Final Award ordered Respondent to pay Claimant the remainder of the minimum guarantee due pursuant to the Distribution Agreement and found that no further payments were due by Respondent for rights that never contractually vested.

No. 08-33 – Award issued August 11, 2008

Claimant: *Rigel USA, Inc.* (Licensor)

Respondent: *Metron Plaza Services Limited* (Distributor)

Principals at the time Final Award issued: Unknown

Arbitrator: Dixon Dern, Esq.

The Final Award (issued after a prove-up in a default case) terminated Respondent's rights set forth in the Distribution Agreement and ordered Respondent to pay the balance due to the Claimant pursuant to the Distribution Agreements.

No. 07-74 – Award issued August 18, 2008

Claimant: *Nippon Herald Films, Inc.* (Distributor)
Respondent: *New Regency Productions, Inc.* (Licensor)
Principal at the time Final Award issued: Unknown
Arbitrator: Sol Rosenthal, Esq.

The Final Award found a certain term in the Distribution Agreement to be ambiguous and ordered the Claimant to pay the Respondent a fair sum with respect to a Picture that was subsequently added to the Agreement.

No. 08-09 – Award issued August 20, 2008

Claimant: *Alpine Pictures, LLC* (Licensor)
Respondent: *ProVision* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Dixon Dern, Esq.

The Final Award (issued after a prove-up in a default case) terminated Respondent's rights set forth in the Distribution Agreement and ordered Respondent to pay Claimant the sum due pursuant to the Agreement.

No. 08-32 – Award issued August 26, 2008

Claimant: *Rigel USA, Inc.* (Licensor)
Respondent: *PT. Pretty Eight Film* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: James Coupe, Esq.

The Final Award (issued after a prove-up in a default case) terminated Respondent's rights set forth in the Distribution Agreement and ordered Respondent to pay Claimant the remainder of the minimum guarantee due pursuant to the Agreement.

No. 07-21 – Award issued September 3, 2008

Claimant: *Film & Entertainment VIP Medienfonds 3 GmbH & Co. KG* (Licensor)
Respondent: *White Countless Distribution Ltd.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Sol Rosenthal, Esq.

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

No. 08-30 – Award issued September 24, 2008

Claimant: *Shine Global, Inc.* (Licensor)
Respondent: *ThinkFilm, LLC* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Elliot H. Brown, Esq.

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

No. 08-48 – Award issued October 22, 2008

Claimant: *OTV Media Group, Inc.* (Licensor)
Respondent: *Visual Factory Limited* (Sales Agent)
Principals at the time Final Award issued: Unknown
Arbitrator: Anat Levy, Esq.

The Final Award ordered Respondent to pay Claimant unpaid license fees pursuant to the Sales Agency Agreement. Respondent's rights in the Picture were terminated and reverted back to Claimant subject to existing licenses entered into by Respondent.

No. 08-37 – Award issued November 24, 2008

Claimant: *Heritage Entertainment, LLC* (Licensor)
Respondent: *First Look Media, Inc.* (Sales Agent)
Principals at the time Final Award issued: Unknown
Arbitrator: Louise Nemschoff, Esq.

The Final Award ordered Respondent to pay Claimant damages related to the breach of the Distribution Agreement and for breach of fiduciary duty. The Agreement was terminated with respect to certain distribution rights in the U.S. and Canada. Respondent was ordered to provide Claimant with a final accounting statement.

No. 08-51 – Award issued December 1, 2008

Claimant: *Spotlight Pictures, LLC* (Licensor)
Respondent: *New Line Pictures* (Distributor)
Principals at the time Final Award issued: John Vista Neis, President, International – Claimant;
Kamesh Ramanah, Director – Respondent
Arbitrator: Michael C. Donaldson, Esq.

The Final Award (issued after a prove-up in a default case) terminated the Distribution Agreements and ordered Respondent pay Claimant damages related to breach of the Agreements.

No. 08-74 – Award issued December 2, 2008

Claimant: *North by Northwest Entertainment* (Licensor)
Respondent: *First Look Studios, Inc.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Robert M. Nau, Esq.

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

No. 07-54 – Award issued December 12, 2008

Claimant: *Ikehoman Productions, Inc.* (Licensor)
Respondent: *Fantastic Films International, LLC* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Patricia Mayer, Esq.

The Final Award (issued after a prove-up in a default case) terminated the Distribution Agreement and its Amendment, and ordered Respondent to pay Claimant unpaid royalties and damages for untimely accounting.

No. 08-47 – Award issued December 15, 2008

Claimant: *MarVista Entertainment, Inc.* (Licensor)
Respondent: *Platinum Disc, LLC d/b/a Echo Bridge Home Entertainment* (Distributor)
Principals at the time Final Award issued: Fernando Szew, CEO – Claimant; Tim Clott, President - Respondent
Arbitrator: Michael L. Novicoff, Esq.

The Final Award terminated the Distribution Agreement and found that all rights in the Pictures reverted back to Claimant. The Final Award further ordered Respondent to pay Claimant monies due pursuant to an audit, including excess manufacturing and distribution costs, unapproved expenses and past due royalties.

No. 08-34 – Award issued December 17, 2008

Claimant: *Kimmel International* (Licensor)
Respondent: *Brisbane Management Corporation* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Michael L. Novicoff, Esq.

The Final Award (issued after a prove-up in a default case) ordered all rights in the Pictures at issue to be reverted to Claimant and ordered Respondent to pay Claimant the unpaid minimum guarantees pursuant to the Distribution Agreements.

No. 08-53 – Award issued December 31, 2008

Claimant: *Samson Entertainment Productions* (Licensor)

Respondent: *Urban Home Entertainment* (Distributor)

Principals at the time Final Award issued: William Bryan, President/CEO – Claimant; Barrett
Dungy, President/CEO – Respondent

Arbitrator: Gerald F. Phillips, Esq.

The Final Award terminated the Distribution Agreement and ordered Respondent to pay Claimant the advance pursuant to the Agreement.