

Arbitration Award Summaries

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

No. 08-38 – Award issued January 14, 2009

Claimant: *Spinning Into Butter, LLC* (Licensor)
Respondent: *Cinemavault Releasing International, Inc.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Roy G. Rifkin, Esq.

The Final Award found that Claimant did not prove that Respondent improperly marketed and promoted the Pictures nor that Respondent failed to communicate appropriately with Claimant.

No. 08-25 – Award issued February 4, 2009

Claimant: *Odd Lot International, LLC* (Licensor)
Respondent: *Conquest Filmes and Five Star Distribuidora de Filmes* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Roy G. Rifkin, 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 of the minimum guarantee due pursuant to the Agreement.

No. 08-107 – Award issued March 16, 2009

Claimant: *Spotlight Pictures, LLC* (Licensor)
Respondent: *MPA, Lda.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Paul D. Supnik, 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. 08-44 – Award issued March 16, 2009

Claimant: *X-Ray Productions, LLC* (Licensor)
Respondent: *ThinkFilm, LLC* (Distributor)
Principals at the time Final Award issued: Alex Gibney, President – Claimant;
David Bergstein, CEO – Respondent
Arbitrator: Frederick Schwartzman, Esq.

The Final Award found that Claimant was not entitled to rescission or termination of the Distribution Agreement or monetary damages.

No. 08-78 – Award issued March 26, 2009

Claimant: *Screen Media Ventures, LLC* (Licensor)
Respondent: *Hellas Cinema* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Roy G. Rifkin, 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 of the minimum guarantee due pursuant to the Agreement.

No. 08-99 – Award issued April 2, 2009

Claimant: *Filmax-Sogedasa* (Licensor)
Respondent: *Brisbane Management Corporation B.V.I.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Paul D. Supnik, 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. 08-31 – Award issued April 9, 2009

Claimant: *Screen Media Ventures, LLC* (Licensor)
Respondent: *Boulevard Entertainment* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Ezra J. Doner, Esq.

The Final Award found the Distribution Agreement was void by reason of mistake and further found that neither party prevailed in its respective claims.

No. 07-71 – Award issued April 10, 2009

Claimant/Counter-Respondent: *Laughsmith Entertainment, Inc.* (Licensor)
Respondent/Counter-Claimant: *Mackinac Media, Inc.* (Distributor)
Principals at the time Final Award issued: Paul Gierucki – Claimant/Counter-Respondent;
Andre Blay and Robert Blay of Mackinac – Respondent/Counter-Claimant
Arbitrator: Ezra J. Doner, Esq.

The Final Award terminated Claimant/Counter-Respondent's rights to the incomplete Picture based on Claimant/Counter-Respondent's failure to comply with the prior Arbitration Award.

No. 08-88 – Award issued May 12, 2009

Claimant: *Roaring Fire Film Production* (Licensor)
Respondent: *Cinemavault Releasing, Inc.* (Distributor)
Principals at the time Final Award issued: Steven Lewis Simpson – Claimant;
Gerry Moraitis, Director – Respondent
Arbitrator: Lon J. Hall (licensed attorney in Canada)

The Final Award found that the Distribution Agreement was valid and in effect and ordered Respondent to permit Claimant to inspect and audit Respondent's books and records as set forth in the Agreement and to pay Claimant for certain costs associated with Claimant's previous audit attempt.

No. 07-88 – Award issued June 1, 2009

Claimant: *Screen Media Ventures, LLC* (Licensor)
Respondent: *MMP – Mais Medien Produktions GmbH* (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) found that Respondent's failure to elect and pay for additional Pictures was a material breach of the Deal Memo and ordered Respondent to pay Claimant the balance of the minimum guarantee due pursuant to the Deal Memo.

No. 09-04 – Award issued June 11, 2009

Claimant: *Fintage Magyar Kft.* (Licensor)
Respondent: *Sponge Entertainment Inc.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Elliot H. Brown, Esq.

The Final Award terminated Respondent's rights in the Picture and ordered Respondent to pay Claimant the second installment of the minimum guarantee due pursuant to the Distribution Agreement.

No. 08-70 – Award issued June 23, 2009

Claimant: *The Mirisch Agency* (Talent Agent)
Respondent: *Peter Honess* (Client)
Principals at the time Final Award issued: Lawrence A. Mirisch, Owner – Claimant;
Peter Honess – Respondent
Arbitrator: Michael C. Donaldson, Esq.

The Final Award ordered Respondent to pay Claimant commissions owed under the General Services Agency Agreement which was offset by commissions due from Claimant pursuant to the parties' agreement to waive commissions for a specific project.

No. 08-95 – Award issued July 3, 2009

Claimant: *CLH Entertainment, LLC* (Licensor)
Respondent: *Echelon II Entertainment* (Distributor)
Principals at the time Final Award issued: Byron Quisenberry, President and Owner – Claimant;
Eric Louzil, President and Owner – Respondent
Arbitrator: Martin Perlberger, Esq.

The Final Award terminated the Distribution Agreement, and ordered Respondent to return to Claimant all materials related to the Picture and to cease all distribution activities relating to the Picture.

No. 09-12 – Award issued July 7, 2009

Claimant: *Café Productions* (Licensor)
Respondent: *EBS World Entertainment Corporation* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Eric Weissmann, Esq.

The Final Award terminated the Distribution Agreement and Respondent was ordered to pay Claimant damages and to return to Claimant all materials related to the Picture.

No. 08-77 – Award issued July 7, 2009

Claimant: *Screen Media Ventures, LLC* (Licensor)
Respondent: *B1 -News Television* (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 the balance due pursuant to the Distribution Agreement and terminated Respondent's rights to distribute any of Claimant's Pictures.

No. 09-17 – Award issued July 9, 2009

Claimant: *Lou Olivas* (Investor)
Respondent: *Al Whiting of AWI Films* (Producer)
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 repay the loan it received from Claimant to finance the Picture, pursuant to the Parties' Deal Memo.

No. 08-79 – Award issued July 17, 2009

Claimant: *OSK Entertainment* (Distributor)
Respondent: *Films by Jove, Inc. d/b/a Jove Film Distribution, Inc.* (Licensor)
Principals at the time Final Award issued: Unknown
Arbitrators: James W. Coupe, Esq.; Jack E. Freedman, Esq.; Bruce M. Polichar, Esq.

The Final Award found that both parties breached the Distribution Agreement and ordered Claimant to reimburse Respondent certain expenses incurred to cure Claimant's breach. The Award further ordered Respondent to pay to Claimant damages for certain direct costs, including reimbursement of the second installment of the minimum guarantee.

No. 07-72 – Final Award Issued July 22, 2009

Claimant: *10th & Wolf, LLC* (Licensor)
Respondent: *ThinkFilm, LLC* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Christopher J. Pibus (licensed attorney in Canada)

The Final Award terminated the Distribution Agreement and ordered Respondent to pay Claimant damages equaling net proceeds due under the Agreement.

No. 09-46 – Award issued July 24, 2009

Claimant: *Tandem Communications GmbH* (Licensor)
Respondent: *Carisma Entertainment Group* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Arnold Vahrenwald (licensed attorney in Germany)

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

No. 09-16 – Award Issued July 30, 2009

Claimant: *41, Inc.* (Licensor)
Respondent: *Pasofino Entertainment, LLC* and *Eddie Guerra* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Michael C. Donaldson, Esq.

The Final Award terminated the Distribution Agreement and ordered Claimant to pay Respondent the balance of any unused deposits for distribution costs and to transfer to Respondent physical materials prepared pursuant to the Agreement.

No. 08-92 – Award Issued July 30, 2009

Claimant: *RCV 2001 Nederland B.V.* (Distributor)
Respondent: *Omega Entertainment Ltd.* (Licensor)
Principals at the time Final Award issued: Unknown
Arbitrator: James W. Coupe, Esq.

The Final Award terminated the Distribution Agreement and ordered the Respondent to return to Claimant two payments made toward the minimum guarantees of two films.

No. 09-10 – Award Issued July 31, 2009

Claimant: *Myriad Pictures, Inc.* (Licensor)
Respondent: *Global Motion Pictures* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Peter L. Kaufman, 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 of monies due pursuant to the Agreement. The Final Award also ordered Respondent to return to Claimant any materials delivered to or manufactured by Respondent concerning the Picture.

No. 09-11 – Award Issued August 3, 2009

Claimant: *ApolloProscreen GmbH & Co., FilmProduktion KG* (Licensor)
Respondent: *Syndicate Films International, LLC* (Sales Agent)
Principals at the time Final Award issued: Unknown
Arbitrator: Bruce M. Polichar, Esq.

The Final Award ordered Respondent to pay Claimant damages for material breach of the Sales Agency Agreement by delivering the Picture to a distributor without first executing a license agreement with that distributor.

No. 09-33 – Award issued August 4, 2009

Claimant: *EuroVideo Bildprogramm GmbH* (Licensor)
Respondent: *Edit Bay Productions, Inc.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Mathias Schwarz (licensed attorney in Germany)

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay Claimant money damages for Respondent's material breach of the Distribution Agreement.

No. 09-43 – Award issued August 12, 2009

Claimant: *Fintage Magyar KFT.* (Licensor)
Respondent: *Yega Entertainment Co. Ltd.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Michael C. Donaldson, Esq.

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

No. 09-32 – Award issued August 19, 2009

Claimant: *Filmax – Sogedasa* (Licensor)
Respondent: *21 Entertainment Corporation* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Michael R. Diliberto, Esq.

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

No. 08-109 – Award issued August 20, 2009

Claimant: *Arclight Films International PTY. LTD.* (Licensor)
Respondent: *Global Motion Pictures, LTD.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: J. David Marks, Esq.

The Final Award terminated the Deal Memo and ordered Respondent to pay to Claimant the full amount of the minimum guarantee due pursuant to the Deal Memo.

No. 09-60 – Award issued August 28, 2009

Claimant: *Magnolia Pictures, LLC* (Licensor)
Respondent: *Legend Films International S.A.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Stephen S. Strick, Esq.

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

No. 09-30 – Award Issued September 4, 2009

Claimant: *HDNet Films LLC* (Licensor)
Respondent: *Kingsway Int'l Services Ltd.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Ezra J. Doner, Esq.

The Final Award ordered Respondent to pay the balance due pursuant to the Distribution Agreement and also terminated the Agreement.

No. 09-66 – Award issued September 4, 2009

Claimant: *Freeway Entertainment Kft.* (Licensor)
Respondent: *Eureka Pictures Co., Ltd.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Mark Litwak, Esq.

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

No. 09-47 – Award issued September 9, 2009

Claimant: *Film Finance, Inc.* (Completion Guarantor)
Respondent: *Fortis Mediacom Finance* (Financier)
Principals at the time Final Award issued: Unknown
Arbitrator: Dixon Q. Dern, Esq.

The Final Award discharged Claimant from any further liability under the Completion Guaranty.

No. 09-65 – Award issued September 11, 2009

Claimant: *Kimmel International, LLC* (Licensor)
Respondent: *Bim Distribuzione* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: J. David Marks, Esq.

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

No. 09-20 – Award Issued September 14, 2009

Claimant: 2929 International LLC (Licensor)
Respondent: Quality Films, S de R.L. de C.V. (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: James W. Coupe, Esq.

The Final Award ordered Respondent to pay Claimant the balance due under the Distribution Agreement and gave Claimant the right to terminate the Agreement upon notice to Respondent if Respondent failed to make such payment within ninety (90) days of the issuance of the Final Award.

No. 08-83 – Award issued October 1, 2009

Claimant: *LCT Entertainment Inc.* (Distributor)
Respondent: *National Lampoon, Inc.* (Licensor)
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 the Respondent to pay to Claimant the royalty advances received. The Award further found that the multiple-picture Distribution Agreement remained in effect with respect to the one Picture that had been delivered to Claimant.

No. 08-39 – Award issued October 8, 2009

Claimant: *Lipstick Productions, Inc.* (Licensor)
Respondent: *BBG Ltd.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Sol Rosenthal, Esq.

The Final Award ordered Respondent to return all physical elements to Claimant since Respondent had failed to raise production financing, complete post-production, or secure a distribution agreement for a broadcast version of Claimant's stage show in accordance with the Parties' Co-Production Agreement and the Arbitrator's Interim Award. The Award further found that all rights in the Picture reverted to Claimant.

No. 09-67 – Award issued October 15, 2009

Claimant: 2929 International LLC (Licensor)
Respondent: *Legend Films International S.A.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Michael I. Rudell, Esq.

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

No. 09-29 – Award issued October 20, 2009

Claimant: *Xilam Films* (Licensor)
Respondent: *LNK Audiovisuals* (Distributor)
Principals at the time if the Final Award: Unknown
Arbitrator: Leonard B. Rosman (licensed attorney in France)

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

No. 09-113 – Award issued October 26, 2009

Claimant: *Bleiberg Entertainment* (Licensor)
Respondent: *New Star Distribuidora de Filmes Ltda.* (Distributor)
Principals at the time if the Final Award: Unknown
Arbitrator: Jack E. Freedman, Esq.

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

No. 09-97 – Award issued October 28, 2009

Claimant: *Fintage Magyar KFT.* (Licensor)
Respondent: *Sponge Entertainment, Inc.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Bruce Polichar, Esq.

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

No. 09-78 – Award issued November 5, 2009

Claimant: *CP Media Ltd.* (Distributor)
Respondent: *Omega Entertainment, Ltd.* (Licensor)
Principals at the time Final Award issued: Unknown
Arbitrator: Bruce Polichar, Esq.

The Final Award ordered Respondent to refund Claimant's deposit, pursuant to the dissolution clause in one of the Distribution Agreements, and confirmed the validity of another Distribution Agreement.

No. 09-86 – Award issued November 10, 2009

Claimant: *Weinstein Global Film Corp.* (Licensor)
Respondent: *Art Port, Inc.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Roy G. Rifkin, Esq.

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

No. 09-70 – Award issued November 16, 2009

Claimant: *Fintage Magyar KFT.* (Licensor)
Respondent: *Media Film Cinema S.R.L.* (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) terminated the Distribution Agreements and ordered Respondent to pay to Claimant the balance of the minimum guarantee due pursuant to the Agreement, less the amounts that could have been recouped by mitigating damages.

No. 09-118 – Award issued November 16, 2009

Claimant: *Listen to Your Heart, L.P.* (Producer)
Respondent: *Oasis Motion Pictures, Inc. & Matt Thompson* (Producer)
Principals at the time Final Award issued: Kent Moran, President – Claimant;
Matt Thompson, President – Respondent
Arbitrator: Jack E. Freedman, Esq.

The Final Award upheld the validity of the Limited Partnership Agreement and further found that neither party prevailed in its respective claims.

No. 09-59 – Award issued November 16, 2009

Claimant: *Media 8 Entertainment* (Licensor)
Respondent: *Global Motion Pictures* (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) terminated the Distribution Agreement and ordered Respondent to pay to Claimant the balance of the minimum guarantee due pursuant to the Agreement.

No. 09-96 – Award issued November 18, 2009

Claimant: *Weinstein Global Film Corp.* (Licensor)
Respondent: *Top Capital Entertainment Inc.* (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 to Claimant the balance of the minimum guarantee due pursuant to the Agreement.

No. 09-135 – Award issued December 8, 2009

Claimant: *Nu Image, Inc.* (Licensor)
Respondent: *VFR, Ltd.* (Distributor)
Principals at the time Final Award issued: Unknown
Arbitrator: Michael R. Diliberto, Esq.

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

No. 09-03 – Award issued December 11, 2009

Claimant: *Scrudge, LLC* (Licensor)
Respondent: *Dream Entertainment, Inc.* (Sales Agent)
Principals at the time Final Award issued: Unknown
Arbitrator: Stephen S. Strick, Esq.

The Final Award (issued after a prove-up in a default case) ordered Respondent to pay to Claimant the amounts due under the Sales Agency Agreement.

No. 09-157 – Award issued December 14, 2009

Claimant: *Freeman Film Trade & Finance Lt.* (Licensor)
Respondent: *Omega Entertainment Ltd.* (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) terminated the Distribution Agreement and ordered Respondent to pay to Claimant the balance of the minimum guarantee due pursuant to the Agreement.

No. 09-89 – Award issued December 29, 2009

Claimant: *Little Chicago, LLC* (Member)

Respondent: *Everest Motion Pictures, Inc.* (Managing Member)

Principals at the time Final Award issued: Steven Scarduzio, President – Claimant;
Carl Venno, Managing Member – Respondent

Arbitrator: Elliot H. Brown, Esq.

The Final Award ordered Respondent to pay to Claimant the amounts for expenditures “inadequately accounted for and thus improperly expended” pursuant to the Operating Agreement. The Arbitrator further found that Respondent did not breach its fiduciary duties under the Operating Agreement.

No. 09-68 – Award issued December 30, 2009

Claimant: *Epic Pictures Group, Inc.* (Licensor)

Respondent: *Carisma Entertainment Group S.P.* (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) terminated the Distribution Agreement and ordered Respondent to pay to Claimant the balance of the minimum guarantee due pursuant to the Agreement.