

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
EASTERN DIVISION

MATTEL, INC.,

Plaintiff,

vs.

MGA ENTERTAINMENT,

Defendant.

CASE NO. CV 04-9049 SGL (RNBx)

Consolidated with  
Case No. CV 04-09059  
Case No. CV 05-02727

Hon. Stephen G. Larson

**FINAL VERDICT FORM AS GIVEN**

AND CONSOLIDATED ACTIONS

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

### VERDICT FORM

We answer the questions submitted to us as follows:

#### Timing of Tangible Items

1. For each of the items listed below, has Mattel proven by a preponderance of the evidence that the item was "conceived or reduced to practice" — that is, created — by Carter Bryant, alone or jointly with others, during the period in which he was employed by Mattel (January 4, 1999, to October 19, 2000)?

Yes	No	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-52, 62-1, 624/5-74, 62-11, 10537, 15180/5-75, 62-12, 10538, 15181/5-111, 708/5-112, 62-13/5-113, 5-114/62-14/62-15, 1152-1, 1152-2, 10613/1328/10033-3/10033-4
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-88, 35-1, 35-3, 5-101, 1327, 10153-3, 10153-4
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-35, 757
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-36, 701, 702
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-37, 703
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-38, 762
<input type="checkbox"/>	<input type="checkbox"/>	TX 5-39, 523, 752
<input type="checkbox"/>	<input type="checkbox"/>	TX 5-40, 753, 754, 13583
<input type="checkbox"/>	<input type="checkbox"/>	TX 751-2, 751-3, 5-41, 755
<input type="checkbox"/>	<input type="checkbox"/>	TX 5-42, 756
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-43, 709
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-46, 710
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-49, 704
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-50, 705

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Yes	No	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-53, 1152-5, 1152-6, 10534, 15175
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-54, 62-2, 620, 774, 775
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-55, 62-3, 785, 1152-9
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-56, 764, 15176
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-57, 776, 777
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-58, 765, 15177
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-59, 739, 740
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-60, 761
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-61, 62-4, 782, 796-1, 1748
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-62, 62-5, 621, 767, 768, 5-71, 62-10, 770, 1752-1
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-63, 758, 759, 760
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-64, 62-6, 795, 1152-14, 1750
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-65, 1152-7, 1152-8, 11789
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-66, 794, 1152-13
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-67, 62-7, 784, 1152-11, 1152-12, 10535
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-68, 62-8, 781, 786, 790, 1751-4
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-69, 11788, 5-70, 62-9, 623, 783
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-72, 1152-15, 1152-16, 10536, 15179
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-73, 741, 742
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-76, 706
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-77, 707
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-78, 10539, 18501
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-136, 711
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 10579, 18281
<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 15172

1           2.     For each of the items listed below, has Mattel proven by a  
 2 preponderance of the evidence that the item was "conceived or reduced to practice"  
 3 — that is, created — by Carter Bryant, alone or jointly with others, during the  
 4 period in which he was employed by Mattel (January 4, 1999, to October 19, 2000)?  
 5

	Yes	No	
6	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-1, 779, 780, 1-1, 2-1, 778
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-2, 726, 727, 728, 1-4, 2-5
8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-3, 1152-19, 1152-20, 11838, 15182, 1-6, 2-10, 5-104, 10544
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-5, 791, 1-8, 2-2
10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-6, 11837, 15184, 1-7, 2-8, 743, 744, 5-107, 1152-17, 1152-18, 10547
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-8, 789, 1-11, 2-9, 734, 5-106, 10546
12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-9, 788, 1-10, 2-6, 746, 5-103, 10543
13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-10, 735, 736
14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-12, 792, 1-3, 2-7, 5-102, 10542
15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-13, 793, 1-5, 2-3, 10-3
16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-79, 1-9, 2-4, 737, 10545, 5-105
17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 1-2
18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-11
19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-26, 712
20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-27, 713
21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-81, 720
22	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-82, 715
23	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-83, 723
24	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-4, 5-84, 716, 717
25	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 3-7, 5-85, 718, 719, 10-2, 63-1
26	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-80, 721, 722, 5-86
27	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-87, 5-108, 724, 725
28	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-34

1           3. For each of the items listed below, has Mattel proven by a  
 2 preponderance of the evidence that the item was "conceived or reduced to practice"  
 3 — that is, created — by Carter Bryant, alone or jointly with others, during the  
 4 period in which he was employed by Mattel (January 4, 1999, to October 19, 2000)?  
 5

	Yes	No	
6			
7	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-89, 35-2, 323-32, 323-33
8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 1107, 10638
9	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 1108, 10639
10	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 1109, 771
11	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 1110, 773
12	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-14, 10515
13	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-18, 10518
14	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-19, 10519
15	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-28, 10526
16	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-30
17	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-95
18	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-96
19	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 5-99
20	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 323-18
21	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 323-19
22	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TX 323-26
23			
24			
25			
26			
27			
28			



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**Intentional Interference with Contractual Relations**

7. Is MGA Entertainment, Inc. ("MGA") liable to Mattel for intentional interference with contractual relations?

Yes  X   
No      

8. Is Isaac Larian liable to Mattel for intentional interference with contractual relations?

Yes  X   
No      

**Aiding and Abetting Breach of Fiduciary Duty**

9. Is MGA liable to Mattel for aiding and abetting breach of fiduciary duty?

Yes  X   
No      

10. Is Isaac Larian liable to Mattel for aiding and abetting breach of fiduciary duty?

Yes  X   
No      

**Aiding and Abetting Breach of the Duty of Loyalty**

11. Is MGA liable to Mattel for aiding and abetting breach of the duty of loyalty?

Yes  X   
No

1 12. Is Isaac Larian liable to Mattel for aiding and abetting breach of the  
2 duty of loyalty?

3 Yes X  
4 No \_\_\_\_\_

5  
6 **Conversion**

7 13. Is MGA liable to Mattel for conversion?

8 Yes X  
9 No \_\_\_\_\_

10  
11 14. Is Isaac Larian liable to Mattel for conversion?

12 Yes X  
13 No \_\_\_\_\_

14  
15 15. Is MGA Entertainment (HK) Limited liable to Mattel for conversion?

16 Yes X  
17 No \_\_\_\_\_

18  
19  
20 Once this verdict form is completed, the foreperson of the jury should sign  
21 and date on the lines below.

22 DATED: July 17, 2008  
23

24  
25 \_\_\_\_\_  
26 Presiding Juror