

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
CENTRAL CIVIL WEST

IN RE: TV WRITERS CASES,

[Assigned to Hon. Emilie H. Elias for all purposes]

THIS DOCUMENT RELATES TO:

Case No. BC 268 836

Alch, et al., v. Time Warner Entertainment,
Company, et al., Case No. BC 268 836;
Neal, et al., v. Viacom Inc. and United Paramount,
Network, et al., Case No. BC 268 837;
Young, et al., v. DreamWorks SKG TV LLC ,
Case No. BC 268 838;
Bast, et al., v. Fox, Broadcasting Company, et al.,
Case No. BC 268 839;
Levy, et al., v. The Gersh Agency, Inc., Case No.
BC 268 840;
Edwards, et al., v. The Carsey-Werner, Company,
et al., Case No. BC 268 841;
Wynn, et al., v. National Broadcasting Company,
Inc., et al., Case No. BC 268 842;
Brooks, et al., v. William Morris Agency,
Case No. BC 268 843;
Brett, et al., v. The Walt Disney Company, et al.,
Case No. BC 268 844;
DiStefano, et al., v. Columbia TriStar Television,
Inc., Case No. BC 268 845;
Eisenenson, et al., v. Lucy Stille & Associates, Inc.,
d/b/a Paradigm Talent & Literary Agency, et
al., Case No. BC 268 847;

**ORDER REGARDING GOOD
FAITH DETERMINATION**

Lang, et al., v. Shapiro-Lichtman, Inc., d/b/a
Shapiro-Lichtman-Stein, Case No. BC 268
848;
Neal, et al., v. The Endeavor Agency, Inc., Case No.
BC 268 849;
Kinghorn, et al., v. Universal Studios, Inc., et al.,
Case No. BC 268 877;
Moriarty, et al., v. Viacom Inc., and Paramount,
Studios, Inc., et al., Case No. BC 268 878;
Yanok, et al., v. Agency for the Performing Arts,
Inc., Case No. BC 268 880;
Schwartz, et al., v. United Talent Agency, Inc., Case
No. BC 268 881;
Shayne, et al., v. Viacom Inc. and CBS
Broadcasting, Inc., Case No. BC 268 882,
Kalish, et al., v. Viacom Inc., et al., Case No. BC
268 883.

Having considered Defendants' Application for a Good Faith Determination, all documents submitted therewith, the record of the above-captioned cases, and the memoranda and arguments of counsel, the Court makes the following findings and rulings:

1. The parties have allocated, pursuant to California Code of Civil Procedure § 877.6, the amount of \$2,500,000 of the \$70,000,000.00 collective settlement to any claims in *Ruben et al. v. Creative Artists Agency, LLC*, Case No. BC268879 for which the defendant in said action may pursue claims against the Released Persons for equitable comparative contribution, or partial or comparative indemnity, based on comparative negligence or comparative fault.

2. The remainder of the settlement payment shall remain unallocated for all purposes.

3. The Court finds that the parties' allocation was made in good faith, at arms' length, and consistent with the standards set forth in *Tech-Bilt, Inc. v. Woodward-Clyde & Associates*, 38 Cal. 3d 488, 499 (1984).

4. The Settlement Classes and Class Counsel on their behalf contend and reserve the right to argue that the preceding amount should not off-set (in whole or in part) any prospective judgment obtained in *Ruben et al. v. Creative Artists Agency, LLC*, Case No. BC268879 because (a) the Settlement Agreements release any and all liability for which the defendant in said action could seek indemnification from the Released Persons, (b) the Settlement Classes and Class Counsel on their behalf have agreed, among other things, to dismiss with prejudice in *Ruben et al. v. Creative Artists Agency, LLC*, Case No. BC268879 all aiding and abetting, joint employer, and all other claims premised on joint liability with a Released Person, as well as claims that the defendant in *Ruben et al. v. Creative Artists Agency, LLC*, Case No. BC268879 failed to prevent age discrimination by any of the Released Persons, and (c) any prospective judgment will be for liability on a claim of direct discrimination only.

6. Defendants' Application for a Good Faith Determination pursuant to California Code of Civil Procedure § 877.6 is hereby **GRANTED**.

IT IS SO ORDERED.

_____, 2010

Emilie Elias
Judge, Superior Court

AGREED AS TO FORM AND SUBSTANCE BY:

DATED: January __, 2010

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