

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
WESTPAW FILMS INC., directly and derivatively
on behalf of the D&D Production,

Plaintiff,

Index No.: 505665/2014

-against-

JAMES SPRATTLE, MICHAEL ANDREW
PASCAL, and FANTASY GAME FILMS LLC,

**AFFIRMATION OF PETER
DEE IN SUPPORT
OF ORDER TO SHOW CAUSE**

Defendants,

and

the D&D Production,

Nominal Defendant.

-----X

PETER DEE, Esq., an attorney duly admitted to practice law in the State of New York,
hereby affirms as follows:

1. I am a member of Mavronicolas Mueller & Dee LLP, attorneys for Plaintiff Westpaw Films Inc. (“Westpaw”) in the above-captioned action, and as such am fully familiar with the facts of this matter.


2. I submit this Reply Affirmation in support of Plaintiff’s application for a preliminary injunction.

3. I attach hereto as **Exhibit 2** an email forwarded to me by Anthony Savini, wherein Pascal, on July 7, 2012, five months after the Iconoscope’s formation, admits that under the terms of the parties’ partnership “any and all creative and production decisions that 2 parties disagree on would be made by whatever decision the 3rd party would decide on.”

4. I attach hereto as **Exhibits 3, 4 and 5**, emails dated, respectively, June 6, 14, and 19 of 2013, from Mr. Kagan to my partner Gregori Mavronicolas threatening judicial dissolution of the partnership unless a settlement can be reached, effectively admitted the existence of a partnership. Portions of these communications have been redacted to protect settlement discussions therein.

Dated: New York, New York

July 28, 2014


Peter C. Dee, Esq.