



Press Contacts:  
Rachel Treister  
[Negar.Treister@gmail.com](mailto:Negar.Treister@gmail.com)  
818.383.5200

Sandra Ravan  
[sravan@mgae.com](mailto:sravan@mgae.com)  
818.894.2525 x6592

## **For Immediate Release**

### **Statement from MGA Entertainment Judge to Rule on MGA's Motion for Stay Pending Appeal**

Los Angeles, CA – May 11, 2009 – On Friday May 8, 2009, U.S. District Judge Stephen Larson granted MGA's request for an expedited hearing on the company's right to continue making and selling Bratz dolls until its case is heard by the Ninth U.S. Circuit Court of Appeals, citing MGA's "moving" arguments. The hearing will take place on Monday May 18, 2009. Highlights from MGA's Motion include the following arguments, among others:

"The MGA Parties seek a stay pending appeal of the injunctions...this Court granted to Mattel on December 3, 2008. . . . The[se] Orders address a wide range of highly complex and novel legal issues, as well as hotly disputed factual and expert questions, and provide for relief that includes perhaps the largest transfer of a brand in U.S. history and the largest toy recall in U.S. history, with an enormous cost imposed on retailers, distributors [and] licensees.

"Mattel's iteration of the brand will necessarily bear little resemblance to MGA's Bratz. Because the 12/3 Orders only grant Mattel "ownership" over two dimensional drawings and a single sculpt that materially varies from the Bratz products on the market today, Mattel will have to design its own Bratz dolls, and entirely new environs for those dolls to live in. Although MGA may no longer label them "Bratz," the vast majority of the Bratz brand, as well as the packaging, fashions, face paint, and marketing campaigns still belong exclusively to MGA—as do all of the Bratz characters outside the original four....

"Yet the evidence in this case, and the harsh reality of the market place, have already demonstrated that creativity and innovative thinking are not Mattel's strong suit, as evidenced by Mattel's repeated failures to capture any meaningful share of the "tween" market through their ill-fated "Flavas" line, among others. Mattel's devotion to Barbie and the corporate culture that Mattel has developed to support its hegemony in the toy industry present a very real danger to Bratz as a brand and to the availability of choice to consumers."

###