

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF RHODE ISLAND

HASBRO, INC.,

Plaintiff,

-against-

INFOGRAMMES ENTERTAINMENT, S.A., a/k/a  
ATARI, S.A.,

Defendant.

C.A. No. 09 Civ. 610/S

**REPLY DECLARATION IN FURTHER SUPPORT OF DEFENDANT ATARI, SA'S  
MOTION TO VACATE TEXT ORDER SEALING EXHIBITS**

HERBERT C. ROSS, declares as follows:

1. I am a member of the law firm Olshan Grundman Frome Rosenzweig & Wolosky, co-counsel with Pierce Atwood LLP for defendant Atari, SA ("Atari") in the above-entitled action. I have been admitted *pro hac vice* in this action. I submit this reply declaration in further support of Atari's motion to vacate the Court's December 28, 2009 text order granting plaintiff's motion for an order sealing all of the exhibits to Atari's Answer and Counterclaims. Specifically, I submit this declaration to attach copies of the press release issued by plaintiff Hasbro, Inc., concerning this action, at 9:22 p.m. Eastern Time (21:22 Eastern Time) on December 16, 2009, the day Hasbro, Inc. commenced this action. Reference is made to this press release in Defendant Atari, SA's Reply Memorandum of Law in Further Support of Its Motion to Vacate Text Order Sealing Exhibits.

2. Annexed hereto as Exhibit 1 is a copy of Hasbro, Inc.'s press release dated December 16, 2009 concerning this action, which I printed today from the website of Marketwire, Incorporated, located at the following URL: <http://www.marketwire.com/press->

[release/Fraud-and-Breach-Complaint-Filed-Against-Atari-Over-Dungeons-Dragons-License-NYSE-HAS-1092250.htm](http://www.nyse.com/press/2009/12/16/1092250.htm).

3. Annexed hereto as Exhibit 2 is another copy of Hasbro, Inc.'s press release dated December 16, 2009 concerning this action, which I printed today from the CNNMoney.com website, located at the following URL:

<http://money.cnn.com/news/newsfeeds/articles/marketwire/0570071.htm>.

I declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct.

Dated: January 14, 2010

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/s/ Herbert C. Ross  
HERBERT C. ROSS