

by TriStar and the Liquidator, demonstrates that TriStar consents to the Liquidator's requested relief. See Response of TriStar Pictures, Inc. and Joint Stipulation of Jessica K. Altman, Acting Insurance Commissioner of the Commonwealth of Pennsylvania and TriStar Pictures, Inc., Regarding Distribution Revenue. Accordingly, the Court enters the following Order.

AND NOW, this **22nd day of September, 2017**, upon consideration of the Liquidator's Application, TriStar's response, and the parties' stipulation, the **Application is GRANTED** as follows:

1. TriStar is ordered to deliver the subject Distribution Revenue currently in its possession to this Court within 30 days of this Order. These funds shall be conveyed by check, made payable to the Commonwealth Court of Pennsylvania, and directed to the attention of Michael F. Krimmel, Chief Clerk, Commonwealth Court of Pennsylvania, 601 Commonwealth Avenue, Suite 2100, Harrisburg, PA 17106-9185.

13. The Distribution Revenue, and any future revenue collected up to a total of \$9,000,000, is the property of and belongs to Reliance pursuant to an agreement concerning the financing and production of *Baby Geniuses*, titled the Inter-Party Agreement, between a subsidiary of Woodbridge, Woodbaby, Inc., Fuji [Bank, Ltd. [now known as Mizuho Bank, Ltd.], and TriStar. . . .

15. TriStar has not made and does not make any claim to the Distribution Revenue. TriStar, however, has indicated it will not release the Distribution Revenue without a court order.

2. Upon receipt of the Distribution Revenue, the Chief Clerk is directed to deposit these funds into this Court's escrow account until further direction of this Court.

3. Within 30 days of the Court's receipt of the Distribution Revenue, the Liquidator shall file a complaint for declaratory judgment (Declaratory Judgment Action) to determine entitlement to the Distribution Revenue and any additional, future distribution revenue collected from the domestic and international distribution of *Baby Geniuses*. The Liquidator shall serve the Declaratory Judgment Action on all parties who potentially have a claim to any portion of the Distribution Revenue and any additional, future distribution revenue.

4. The filing of the Declaratory Judgment Action shall initiate an Adversarial Proceeding under Pa. R.A.P. 3783, which shall be docketed in accordance with Pa. R.A.P. 3777(c).

5. During the pendency of the Declaratory Judgment Action, TriStar shall also file with the Court on an annual basis a statement setting forth the amount of Distribution Revenue collected from the domestic and international distribution of *Baby Geniuses*, if any, for the period covered by the statement. The Distribution Revenue set forth in the annual filing shall be paid into Court in the same manner as set forth in subparagraph one (1) above.

6. If the Liquidator prevails in the Declaratory Judgment Action, an Order addressing the future payment of Distribution Revenue will be entered.



Bonnie Brigance Leadbetter,
Senior Judge

Certified from the Record

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