

IN THE  
SUPREME COURT OF THE UNITED STATES

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MARKHAM CONCEPTS, INC., ET AL.,

*Petitioners,*

v.

HASBRO, INC., ET AL.,

*Respondents.*

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**On Petition for a Writ of Certiorari to the United  
States Court of Appeals for the First Circuit**

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**Suggestion of Death and Motion for Substitution**

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**I. SUGGESTION OF DEATH**

The authorized representatives of the estate of Respondent Reuben Klamer and undersigned counsel hereby give notice of Mr. Klamer's death on September 14, 2021.

**II. MOTION FOR SUBSTITUTION**

Supreme Court Rule 35.1 provides, "If a party dies after the filing of a petition for a writ of certiorari to this Court ... the authorized representative of the deceased party may appear and, on motion, be substituted as a party."

On November 10, 2021, Petitioners Markham Concepts, Inc., Lorraine Markham (individually and in her capacity as trustee of the Bill and Lorraine Markham Exemption Trust and the Lorraine Markham Family Trust), and Susan

Garretson filed a petition for a writ of certiorari to review the judgment of the U.S. Court of Appeals for the First Circuit, entered on June 14, 2021 (“Judgment”). Mr. Klamer, a party to the underlying case, died after the First Circuit entered the Judgment and before Petitioners filed their petition for a writ of certiorari.

Beatrice Pardo and Paul Glass are the co-executors and authorized representatives of Mr. Klamer’s estate and the co-trustees of the Reuben B. Klamer Living Trust (the “Trust”). Declaration of Beatrice Pardo, ¶¶ 3-4. The Trust is the assignee of and successor-in-interest to all of Mr. Klamer’s rights and claims to The Game of Life (the copyright termination rights to which are the subject of the Judgment) and this action. *Id.*, ¶ 4 and Ex. A.

As the authorized representatives of Mr. Klamer’s estate and co-trustees of the Trust, Ms. Pardo and Mr. Glass respectfully request that the Trust be substituted for Mr. Klamer as a party. All parties have informed undersigned counsel that they consent to this request.

January 21, 2022

PATRICIA L. GLASER  
THOMAS P. BURKE JR.  
GLASER WEIL FINK HOWARD AVCHEN  
& SHAPIRO LLP  
10250 Constellation Blvd.  
Los Angeles, CA 90067  
(310) 553-3000

Respectfully submitted,

ERICA J. VAN LOON  
*COUNSEL OF RECORD*  
JOSHUA J. POLLACK  
NIXON PEABODY LLP  
300 S. Grand Avenue, Suite 4100  
Los Angeles, CA 90071  
(213) 629-6000  
evanloon@nixonpeabody.com

*Counsel for Respondent Reuben Klamer,  
By and Through the Personal Representatives of His Estate*

**DECLARATION OF BEATRICE PARDO**

I, Beatrice Pardo, hereby declare and state as follows:

1. I make this Declaration on my personal and firsthand knowledge and, if called and sworn as a witness, I could and would testify competently thereto.

2. I have been the Executive Director of Reuben Klammer ToyLab for over 30 years.

3. Reuben Klammer passed away on September 14, 2021. Paul Glass and I are the co-executors and authorized representatives of Mr. Klammer's estate.

4. Mr. Glass and I also are the co-trustees of the Reuben B. Klammer Living Trust (the "Trust"). The Trust is the assignee of and successor-in-interest to all of Mr. Klammer's rights and claims relating to The Game of Life and this action. A true and correct copy of the Trust is attached hereto as Exhibit A. We have redacted from the Trust the portions that are confidential and unnecessary to demonstrate that the Trust is the assignee of all of Mr. Klammer's rights and claims relating to The Game of Life and this action.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January \_\_, 2022, at San Diego, California.

By: \_\_\_\_\_  
Beatrice Pardo