

# Disney Urges Calif. Judge to Throw Out Pooh Lawsuit

Wed Mar 3, 2004 12:54 AM ET

By Howard Breuer

LOS ANGELES (Reuters) - Attorneys for the Walt Disney Co. Tuesday urged a Los Angeles judge to throw out a lawsuit over hundreds of millions of dollars in revenue from Winnie the Pooh merchandise, arguing that Disney's legal foes stole a decade's worth of confidential files.

In closing arguments in the week-long hearing, Disney attorney Daniel Petrocelli used terms like "tampering," "fraud" and "cover-up" to characterize the way that the Slesinger family, which owns the rights to Winnie the Pooh, came to possess thousands of pages of internal Disney documents.

"As we learned from Watergate, the fraud is often worse than you thought," he said in court.

Petrocelli said it was impossible that the Slesingers' private investigator had found the papers in a publicly accessible garbage dumpster near Disney's headquarters in Burbank, California, as the private eye had claimed.

"There are certain things you can't do," Petrocelli said. "You can't steal evidence. You can't alter evidence. You can't lie to cover it up. In this case, Stephen Slesinger Inc. has done all three."

But Los Angeles Superior Court Judge Charles W. McCoy Jr. noted that Disney had presented no physical evidence to disprove the Slesingers' story of how they came by the documents.

Slesinger attorney Eric Ferrer reinforced that point.

"There is no evidence that anyone went into an office," said Ferrer. "There are 5,000 pages of documents and no police reports saying anything was ever stolen."