

EXHIBIT 7 TO OKI DECLARATION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Case No.: 2 : 15-cv-09938

- - - - - x

PARAMOUNT PICTURES CORPORATION, a
Delaware corporation; and CBS STUDIOS INC.,
a Delaware corporation,

Plaintiffs,

- vs -

AXANAR PRODUCTIONS, INC., a California
corporation; ALEC PETERS, an individual;
and DOES 1-20,

Defendants.

- - - - - x

Videotaped Deposition of BILL BURKE,
a witness for CBS STUDIOS INC., taken
at 200 Park Avenue, New York, New York,
commencing at 11:26 a.m., Thursday,
November 3, 2016, before Brittany Saline,
a Professional Shorthand Reporter and Notary
Public of the State of New York.

JOB No. 2477827

PAGES 1 - 132

1 Q Are you aware of Strange New
2 Worlds has ever been used to create a film
3 or television episode?

4 A No.

5 Q Are you aware of an individual by
6 the name of James Cawley?

7 A Yes.

8 Q How are you aware of James
9 Cawley?

10 A He is a -- a licensee.

11 Q This has already been marked. I
12 am just going to hand you a document. It's
13 marked 82 (handing).

14 Take a look at it for me, please.

15 A (Perusing.)

16 Q Have you seen this document
17 before?

18 A Yes.

19 Q When?

20 A StarTrek.com.

21 Q And how did you become aware of
22 this article?

23 A When it was published.

24 Q So you consistently review
25 StarTrek.com?

1 A Yes.

2 Q Are you aware of the process by
3 which Mr. Cawley became a licensee for CBS?

4 A Not specifically.

5 Q Are you aware of the decision to
6 allow Mr. Cawley to give commercial tours?

7 A I am aware, yes.

8 Q Were you part of any discussions
9 concerning Mr. Cawley's giving tours?

10 A No.

11 Q How did you became aware of
12 Mr. Cawley giving tours?

13 A When I was informed that he had
14 signed a license.

15 Q And when were you informed as
16 such?

17 A Over the summer, before this
18 article came out. But I am not sure how
19 much earlier.

20 Q And who informed you as such?

21 A I am not sure, but a member of
22 the -- our Consumer Products team.

23 Q Do you consider this to be
24 promotional effort?

25 A Can you be more specific?

1 Q Do you consider this to be a
2 promotional effort for the Star Trek brand?

3 A Yes.

4 Q How so?

5 A It's another way for fans to
6 experience the Star Trek via official
7 events.

8 Q Do you believe that this adds
9 value to the Star Trek brand?

10 A Yes.

11 Q So to close the loop, do you --
12 do you believe this allows fans to add
13 value to the Star Trek brand?

14 A I don't --

15 MR. ZAVIN: Objection.

16 You can answer.

17 A I do not believe that -- could
18 you repeat that one, that question?

19 Q Sure.

20 So I was just asking if you
21 believe that this is a method to allow fans
22 to add value to the Star Trek brand?

23 A No.

24 Q I guess I just want to clarify,
25 then, how you believe this added value to

1 the Star Trek brand?

2 A It brings value because it's an
3 official event that fans can go to.

4 Q I'm -- I am not trying to be
5 argumentative, I am just trying to clarify.

6 So fans going to events, then,
7 brings value to the brand?

8 A Fans -- fans -- the event brings
9 value to fans. You asked if fans bring
10 value to Star Trek -- attending bring value
11 to Star Trek, which I said no.

12 Q So I am going to go back and
13 clarify your testimony a little bit.

14 I have it here as saying that
15 this enterprise by Mr. Cawley is a way for
16 fans to experience a Star Trek brand, and I
17 asked do you believe that this adds value
18 to the Star Trek brand, and you said yes.

19 Is that no longer your --

20 A It brings value -- the event, the
21 tour brings value to the Star Trek brand.

22 Q Okay. And this will be my last
23 question on this one, but --

24 A Yeah.

25 Q -- how so?

1 A Revenue is derived from it. As
2 an official, it -- it provides another
3 opportunities for fans to participate in
4 official activities.

5 Q Are you aware that apart from
6 this announcement if CBS has marketed or
7 promoted Mr. Cawley's tour in any other
8 manner?

9 A In addition to the article, it
10 has been promoted on social media.

11 Q How so?

12 A Posts on Facebook, Twitter, with
13 links to their website.

14 Q And I believe you testified
15 earlier that it was your understanding that
16 Mr. Cawley's tour generated revenue?

17 A As a license to CBS.

18 Q And to your knowledge, do you
19 know if anyone at CBS assisted with the
20 creation of the set that's part of the
21 tour?

22 A I do not.

23 Q Do you know how the project was
24 funded?

25 A I do not.

1 Q Do you know how much money
2 Mr. Cawley spent on the project?

3 A I do not.

4 Q Are you aware of how far along
5 Mr. Cawley was in the creation of the set
6 when he obtained the license?

7 A I do not.

8 Q But again, your testimony was
9 that you became aware of the license this
10 summer?

11 A Yes.

12 Q Apart from the instant lawsuit,
13 are you aware of CBS filing suit against
14 any other FanFiction creator in the last
15 five years?

16 A I am not aware.

17 (One-page email dated 5/11/10 was
18 marked for identification as
19 Exhibit 222 as of this date.)

20 Q 203 -- excuse me, 223.

21 If you could please take a look
22 at the document.

23 A (Perusing.) Mm-hmm.

24 Q Again, at the top there is
25 another -- it's a "from" line, it says Bill

1 okay. Well, normally I would hold the
2 deposition open that he mentioned some
3 documents there that may or may not
4 have been produced, but if the
5 discovery deadline, we might be bound
6 by that. But subject to that, I think
7 we are finished for the day.

8 MR. ZAVIN: Okay. I have no
9 questions. You are done. Thank you.

10 THE VIDEOGRAPHER: The time on
11 the video monitor is 2:09 p.m. We are
12 off the record. This ends our
13 deposition.

14 (Time Noted: 2:09 p.m.)

15
16

17 BILL BURKE

18

19 Subscribed and sworn to
20 before me this ____ day
21 of _____, 2016.

22

23 -----

24 Notary Public

25

10/11/2016

Star Trek The Original Series Set Tour to Open

The Original Series Set Tour to Open

StarTrek.com Staff July 14, 2016

Tweet

Share

Comments (7)

A+ A A-

If you ever wanted to experience what it would be like to visit the set of *Star Trek: The Original Series*, now is your chance. *Star Trek* super-fan James Cawley is honoring the 50th anniversary of the iconic franchise with the opening of his meticulously designed *TOS* set tour. Located in historic Ticonderoga, New York, and under license by CBS Consumer Products, the set tour brings memories to life by allowing fans to boldly go and tour the sets of the legendary Starship Enterprise.



Stage 9 at Desilu -- now Paramount Pictures -- in Hollywood comes back into focus, as the sets have been re-created exactly as they were laid at Desilu during the original run of *TOS*. Visitors can step onto the soundstage and be transported directly back to 1966. Additionally, beginning later this month, visitors will enjoy guided tours, photo opportunities and an immersive experience into the world of the classic television series.



Cawley started creating the sets in 1997 after receiving a copy of the original set blueprints from *TOS* costume designer William Ware Theiss. He

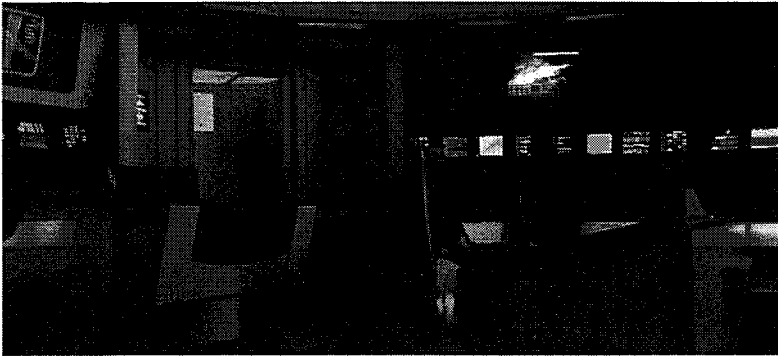
<http://www.startrek.com/article/the-original-series-set-tour-to-open>

EXHIBIT
82
DATE: 10/13/16
Cathi Irish, RPR, CRR

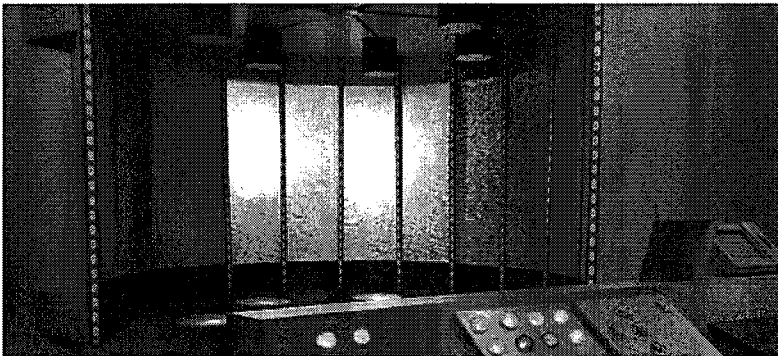
10/11/2016

Star Trek The Original Series Set Tour to Open

then spent 15 years researching, crafting and refining his set replicas alongside other dedicated fans and craftspeople, including Trek alumni and fellow fans prop fabricator Ed Miarecki and concept designer and SFX supervisor Daren R. Dochterman.



Pouring over stills and frame captures from *TOS* and sourcing vintage materials and antiques, Cawley ensured that even the smallest details were accurately and lovingly reproduced. This spanned from an array of props to set decorations. The result is a stunning achievement offering the most complete and accurate reproduction of the original *TOS* standing sets.



“To me, there is no other franchise around that is more enjoyable and more socially relevant than *Star Trek*,” James Cawley said in a statement. “I’m very thankful for all the support I’ve received on this project and can’t wait to begin welcoming my fellow fans this summer.”

For more information about James Cawley’s *Star Trek: The Original Series* re-created sets and how to tour them, go to www.StarTrekTour.com.

**Follow us for more news at StarTrek.com
and via our social media sites.**