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11 CORPORATION and CBS STUDIOS  
INC.  
12

13 UNITED STATES DISTRICT COURT  
14 CENTRAL DISTRICT OF CALIFORNIA  
15

16 PARAMOUNT PICTURES  
CORPORATION, a Delaware  
17 corporation; and CBS STUDIOS INC.,  
a Delaware corporation,  
18

19 Plaintiffs,

20 v.

21 AXANAR PRODUCTIONS, INC., a  
California corporation; ALEC PETERS,  
an individual, and DOES 1-20,  
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23 Defendants.  
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Case No.: 2:15-cv-09938-RGK-E

**DECLARATION OF DAVID  
GROSSMAN IN SUPPORT OF  
PLAINTIFFS' OPPOSITION TO  
DEFENDANTS' MOTION IN  
LIMINE NO. 2**

Pre-Trial Conference: January 9, 2017  
Trial: January 31, 2017

**DECLARATION OF DAVID GROSSMAN**

I, DAVID GROSSMAN, declare as follows:

1. I am an attorney licensed to practice law in the State of California and am a partner with the law firm of Loeb & Loeb LLP (“Loeb”), attorneys of record for Paramount Pictures Corporation (“Paramount”) and CBS Studios Inc. (“CBS”) (collectively, “Plaintiffs”) in the above-captioned matter. The following is of my own personal knowledge, and if called as a witness, I could and would competently testify thereto.

2. Mr. Peters testified that [REDACTED] [REDACTED] **Exhibit A** (Peters tr. at 88:5-14) (confidential document filed under seal) are true and correct copies of the relevant excerpts from the deposition transcripts of Alec Peters taken on October 19, 2016 and November 2, 2016.

3. On June 21, 2016, I met and conferred with counsel for Defendants, Erin Ranahan, along with counsel for Plaintiffs Jonathan Zavin. At the meeting, Ms. Ranahan and I agreed that the parties did not need to produce the Star Trek Copyrighted Works to one another, but that Defendants would produce the source documents that he used to create the Axanar Works *other than* the Star Trek films and episodes. Ms. Ranahan told me that Mr. Peters had all of the Star Trek Copyrighted Works in his possession. At his deposition, Mr. Peters testified that [REDACTED] [REDACTED]. **Exhibit A** (Peters tr. at 40:10-15) is a true and correct copy of an excerpt from Mr. Peters’ deposition. Defendants did not turn over any Star Trek television episodes or films they purportedly used and, consistent with the parties’ agreement, and Mr. Peters’ testimony, Defendants did not request copies of the Star Trek television episodes or films from Plaintiffs.

4. Mr. Peters testified that [REDACTED] [REDACTED]. **Exhibit A** (Peters tr. at 380:22-381:15) is a true and correct copy of an excerpt from Mr. Peters’ deposition.

1           5.       Mr. Peters and Mr. Gossett discussed using the *Star Trek: The Role*  
2 *Playing Game* supplement “*The Four Years War*” as a “bible” for the creation of the  
3 Axanar Works. Attached hereto as **Exhibit B** is a true and correct copy of that  
4 email. Attached hereto as **Exhibit C** (Gossett Tr. at 48:10-50:10) is a true and  
5 correct copy of the relevant excerpt from the deposition transcript of Christian  
6 Gossett taken on October 22, 2016.

7           6. At no time has Plaintiffs’ counsel requested to take Mr. Van Citters’  
8 deposition as a designated expert witness.

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

11           Executed this 6th day of January 2017, at Los Angeles, California.

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/s/ David Grossman  
David Grossman