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PARAMOUNT PICTURES
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 Plaintiffs,

19 v.

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

22 Defendants.
23

Case No.: 2:15-cv-09938-RGK-E

**DECLARATION OF DAVID
GROSSMAN IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION IN
LIMINE NO. 3**

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

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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 an associate 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 [REDACTED]. **Exhibit A** (Peters tr. at 39:7-40:5) (confidential document filed under seal) is a true and correct copy of the relevant excerpt from the deposition transcript of Alec Peters taken on October 19, 2016.

3. On June 21, 2016, Jonathan Zavin, Esq. and I met and conferred with counsel for Defendants, Erin Ranahan. 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 *Prelude to Axanar*, the *Vulcan Scene*, and the upcoming Axanar feature (collectively, the “Axanar Works”) *other than* the Star Trek films and episodes. Defendants did not turn over a copy of *The Four Years War*.

4. [REDACTED]. **Exhibit A** (Peters tr. at 41:8-10).

5. Mr. Peters and Mr. Gossett discussed using the *Star Trek: The Role Playing Game* supplement “*The Four Years War*” as a “bible” for the creation of the Axanar Works. Attached hereto as **Exhibit B** is a true and correct copy of that email. Attached hereto as **Exhibit C** (Gossett Tr. at 48:10-50:10) is a true and

1 correct copy of the relevant excerpt from the deposition transcript of Christian
2 Gossett taken on October 22, 2016.

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

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

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/s/ David Grossman
David Grossman