

EXHIBIT 15 TO OKI DECLARATION

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PARAMOUNT PICTURES
11 CORPORATION and CBS STUDIOS
INC.
12

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA
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16 PARAMOUNT PICTURES
CORPORATION, a Delaware
17 corporation; and CBS STUDIOS INC.,
a Delaware corporation,
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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

**CBS STUDIO INC.'S RESPONSES
TO REQUESTS FOR
ADMISSION, SET TWO**

1 PROPOUNDING PARTY: Defendants Axanar Productions, Inc. and Alec
2 Peters
3 RESPONDING PARTY: Plaintiff CBS Studios Inc.
4 SET NO.: TWO
5

6 Pursuant to Rule 36 of the Federal Rules of Civil Procedure, plaintiff CBS
7 Studios Inc. (“CBS”), by and through its undersigned counsel, hereby objects and
8 responds to Defendants Axanar Productions, Inc. and Alec Peters’ First Set of
9 Requests for Admissions (the “Requests”) as follows:
10

11 **GENERAL OBJECTIONS**

12 The following General Objections apply to and are incorporated in each
13 individual response herein, whether or not expressly incorporated by reference in
14 such response.

15 1. CBS objects to the Requests to the extent they purport to impose
16 obligations beyond those required by the Federal Rules of Civil Procedure and to the
17 extent they seek information beyond that permitted by such Rules, including,
18 without limitation, information protected by the attorney-client, attorney work
19 product or other relevant privileges.

20 2. CBS objects to the Requests to the extent that they are vague,
21 ambiguous, overbroad and/or fail to describe the information sought with reasonable
22 particularity and, therefore, require CBS, to the best of its ability, to make a
23 subjective determination as to what information or proposition is sought to be
24 admitted.

25 3. CBS objects to the Requests to the extent that they are compound and
26 in violation of the rule that “[e]ach matter of which an admission is requested be
27 separately set forth.” Fed. R. Civ. P. 36.
28

1 4. Except for matters specifically admitted herein, no admission of any
2 kind or nature whatsoever is to be implied or inferred from these responses.

3 5. CBS reserves its right to supplement, modify or withdraw its responses
4 to the Requests if and when it discovers any additional relevant and responsive
5 information.

6 6. CBS objects to Defendants' definitions of "You," "Your," and "CBS"
7 on the ground that these definitions are vague, ambiguous, overbroad and
8 incomprehensible.

9 7. CBS objects to the Requests, and each of them, to the extent that they
10 purport to seek a response related to a disputed conclusion of pure law. *See Playboy*
11 *Enterprises, Inc. v. Welles*, 60 F.Supp.2d 1050, 1057 (S.D. Cal. 1999) ("Request for
12 admissions cannot be used to compel an admission of a conclusion of law").

13 8. In responding to the Requests, CBS neither waives nor intends to
14 waive, but expressly reserves, any and all objections to the relevance, competence,
15 materiality or admissibility of any information provided.

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17 **RESPONSES**

18 **REQUEST NO. 51:**

19 Admit that You are unaware of revenues associated with Star Trek Television
20 Series lost as a result of the Axanar Works.

21 **RESPONSE TO REQUEST NO. 51:**

22 CBS incorporates the General Objections as though fully set forth herein.
23 Subject to and without waiving the foregoing objections or General Objections, CBS
24 responds as follows:

25 CBS admits that it is not aware of a specific dollar amount of revenue
26 associated with Star Trek Television Series lost as a result of the Axanar Works, and
27 admits that it has not been able to quantify such amounts, but denies that no market
28 harm has resulted from the public display of the Axanar Works.

1 **REQUEST NO. 52:**

2 Admit that You are unaware of revenues associated with Star Trek
3 Copyrighted Works lost as a result of the Axanar Works.

4 **RESPONSE TO REQUEST NO. 52:**

5 CBS incorporates the General Objections as though fully set forth herein.
6 CBS further objects to this Request as irrelevant. CBS further objects to this
7 Request as premature in light of the fact that discovery in this case is ongoing.
8 Subject to and without waiving the foregoing objections or General Objections, CBS
9 responds as follows:

10 CBS admits that it is not aware of a specific dollar amount of revenue
11 associated with Star Trek Copyrighted Works lost as a result of the Axanar Works,
12 and admits that it has not been able to quantify such amounts, but denies that no
13 market harm has resulted from the public display of the Axanar Works.

14 **REQUEST NO. 53:**

15 Admit that You are unaware of any impact on the market value of the Star
16 Trek Television Series caused by the Axanar Works.

17 **RESPONSE TO REQUEST NO. 53:**

18 CBS incorporates the General Objections as though fully set forth herein.
19 Subject to and without waiving the foregoing objections or General Objections, CBS
20 responds as follows:

21 Deny.

22 **REQUEST NO. 54:**

23 Admit that You are unaware of any impact on the market value of the Star
24 Trek Copyrighted Works caused by the Axanar Works.

25 **RESPONSE TO REQUEST NO. 54:**

26 CBS incorporates the General Objections as though fully set forth herein.
27 Subject to and without waiving the foregoing objections or General Objections, CBS
28 responds as follows:

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Deny.

REQUEST NO. 55:

Admit that You are unaware of any impact on new or potential markets for the Star Trek Copyrighted Works caused by the Axanar Works.

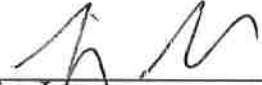
RESPONSE TO REQUEST NO. 55:

CBS incorporates the General Objections as though fully set forth herein. Subject to and without waiving the foregoing objections or General Objections, CBS responds as follows:

Deny.

Dated: October 24, 2016

LOEB & LOEB LLP
JONATHAN ZAVIN
DAVID GROSSMAN
JENNIFER JASON

By: 

Jennifer Jason
Attorneys for Plaintiffs
PARAMOUNT PICTURES
CORPORATION and CBS STUDIOS
INC.

PROOF OF SERVICE

I, Kathryn M. Arnote, the undersigned, declare that:

I am employed in the County of Los Angeles, State of California, over the age of 18, and not a party to this cause. My business address is 10100 Santa Monica Blvd., Suite 2200, Los Angeles, CA 90067.

On October 24, 2016, I served a true copy of the **CBS STUDIOS INC.'S RESPONSES TO REQUESTS FOR ADMISSION, SET TWO** on the parties in this cause as follows:

(VIA U.S. MAIL) by placing the above named document in a sealed envelope addressed as set forth below, or on the attached service list and by then placing such sealed envelope for collection and mailing with the United States Postal Service in accordance with Loeb & Loeb LLP's ordinary business practices.

Erin R. Ranahan, Esq.
Kelly N. Oki, Esq.
Diana Hughes Leiden, Esq.
Winston & Strawn LLP
333 South Grand Avenue
Los Angeles, CA 90071

I am readily familiar with Loeb & Loeb LLP's practice for collecting and processing correspondence for mailing with the United States Postal Service and Overnight Delivery Service. That practice includes the deposit of all correspondence with the United States Postal Service and/or Overnight Delivery Service the same day it is collected and processed.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 24, 2016, at Los Angeles, California.


Kathryn M. Arnote