

EXHIBIT C

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Certified Copy

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

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

) Plaintiffs,)

) vs.)

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

) Defendants.)
)

VIDEOTAPED DEPOSITION OF CHRISTIAN GOSSETT

Date and Time: Saturday, October 22, 2016
10:14 a.m. - 4:59 p.m.

Location: 10100 Santa Monica Boulevard, Suite 2200
Los Angeles, California

Reporter: Vicki A. Saber, CSR, RPR, CRR, CCRR, CLR
Certificate No. 6212

Job No. 8142

1 understanding of his profession at the time?

2 A. He was -- he told me he was an entrepreneur;
3 that he had a web-based business.

4 I would love some of that.

10:30 5 Q. Oh, we've got --

6 MS. COORG: I'll grab it.

7 MR. GROSSMAN: Thank you.

8 THE WITNESS: Thank you.

9 MS. COORG: Of course.

10:30 10 BY MR. GROSSMAN:

11 Q. So at some point after you met Mr. Peters did
12 he discuss with you his idea for making a movie
13 involving the Star Trek universe?

14 A. Years after we met. Years after we met.

10:30 15 Q. And was the first concept that he discussed
16 with you what ended up becoming Prelude to Axanar?

17 A. The first moment I heard that he wanted to
18 create something that would become Prelude to Axanar
19 specifically was after we had discussed many possible
10:31 20 chances at working together on something, all of which
21 did not work out. I declined most of them. There were
22 other reasons. For timing. I was busy on these other
23 things I just mentioned. And strictly speaking, he was
24 not in entertainment. He was a web-based entrepreneur.
10:31 25 So you have to be very, very, very careful about the

1 partnerships that you enter into as a freelancer
2 essentially. Time is incredibly precious.

3 So this one, however, was different in that he
4 said to me very excitedly on the phone, "Chris, I just
10:31 5 did this auction with -- for CBS, this Star Trek
6 auction" -- and I'm paraphrasing here -- "and I asked
7 them what I would need to do to prove to them that I can
8 produce Star Trek television." That was the gist:
9 "What do I need to do? You own intellectual properties.
10:32 10 You have had entertainment deals from those intellectual
11 properties with Warner Bros., Universal, and others.
12 Your intellectual property went from a graphic novel to
13 a video game on the Playstation and Xbox. You know
14 these things. What do I do?"

10:32 15 And my response immediately -- as someone who
16 had been -- who had worked in independent intellectual
17 property and corporate intellectual property, my first
18 counsel to him was, "Well, what I would do is create my
19 own intellectual property, and I would produce a short,
10:32 20 a concept, a proof of concept to show that you can
21 produce live-action television or live-action
22 entertainment, and then I would show them, 'Hey, look, I
23 produced this.'"

24 He didn't want to do that. He said, "No, no.
10:33 25 Specifically Star Trek. I want to show them I can

1 produce Star Trek." He called me to show him the ropes
2 as to why one would do one thing or another, so I
3 replied, "Here's the thing, Alec. Best-case scenario,
4 best-case scenario, and the most likely scenario, even
10:33 5 if lightning strikes and you are able to create
6 something incredible, the odds being against you of
7 doing so, best-case scenario is that is assimilated into
8 the IP by the IP owners, and you are not taken with it."
9 I say that from experience.

10:33 10 Sorry about that, Sergio.

11 I say that from experience. I had many of my
12 designs as I worked for higher artists and up being
13 exploited again and again and again by Lucasfilm outside
14 of my first -- outside of their first primary category.
10:34 15 For example, I designed lots of Star Wars things, and
16 those items that I designed for Lucasfilm comic books
17 ended up in the films and video games and new video
18 games to this day which is a real point of pride and an
19 affirmation of my ability; however, a cautionary tale as
10:34 20 far as finance.

21 So I told him all this and -- as evidence of
22 my -- what I was -- the counsel I was giving him, but he
23 was steadfast. He really wanted to do Star Trek. That
24 was the only -- he didn't want to come up with an IP.

10:34 25 At that point, unfortunately, he cited the

1 slings and arrows that I had suffered as an independent
2 IP creator and didn't want to go through that. He hoped
3 that by creating Star Trek he could circumnavigate the
4 burden of having to create an independent IP, having to
10:35 5 market it, having to create it, having to successfully
6 market it to an audience large enough to sustain it
7 financially over the long term. These are all valid
8 concerns, but again, having been through it, having been
9 both -- through both types of IP creation, I still said,
10:35 10 "Listen, man, your best bet, worst-case scenario is no
11 problem at all. You make Star Trek, they don't like it,
12 but best-case scenario is there's a very infinitesimal
13 chance, infinitesimal chance that this would work out
14 the way that you're describing for me that you hope it
10:35 15 would work out."

16 Q. And was his hope, as he expressed it to you,
17 that he would create a Star Trek piece of intellectual
18 property and CBS would like it and hire him in some
19 capacity?

10:35 20 A. That was the idea.

21 Q. And you told him that was maybe not the best
22 idea, but he moved forward with that idea?

23 A. I strongly advised against, and that was the
24 end of the primary conversation. I said, "You'll want
10:36 25 to think about making your own IP." And then when I

1 design phasers that would fit into that timeline?

2 A. Indeed. And specifically 20 years before the
3 five-year mission of James T. Kirk and the Enterprise.

4 (Exhibit 124 was marked for
10:48 5 identification.)

6 BY MR. GROSSMAN:

7 Q. Mr. Gossett, I've had marked as Exhibit 124 an
8 email dated January 4, 2011 from Mr. Peters to you, and
9 my first question is just do you recognize this email?

10:48 10 A. I do.

11 Q. And is this an email that Mr. Peters in fact
12 sent to you?

13 A. Yes.

14 Q. This email has a subject "must watch TOS." Do
10:48 15 you understand "TOS" to refer to the original series?

16 A. I do.

17 Q. And that's the three-year 1966 television
18 series starring William Shatner?

19 A. It is.

10:48 20 Q. It goes on to say, "Doc and Vic, Christian and
21 I are meeting next Friday to work on the Axanar
22 treatment. In the meantime he is going to go get the
23 TOS Blu-Rays and watch the key episodes again. I
24 suggested the following which are all on various top ten
10:49 25 lists too."

1 And when he says in this email "in the
2 meantime he is going to get the Blu-rays," was
3 Mr. Peters referring to you?

4 A. Yes.

10:49 5 Q. Did you in fact do that?

6 A. He lent me his Blu-rays.

7 Q. And did Mr. Peters explain to you why he
8 wanted you to review those episodes?

9 A. Yes.

10:49 10 Q. What did he tell you?

11 A. He wanted me to see them so that Axanar would
12 be as convincingly Star Trek as possible and impressive
13 to CBS.

14 (Exhibit 125 was marked for
10:50 15 identification.)

16 BY MR. GROSSMAN:

17 Q. Mr. Gossett, I've had marked as Exhibit 125 an
18 email string beginning at the bottom with AX29228 and on
19 the first page there's an email from you to Mr. Peters
10:50 20 dated November 25, 2012.

21 Could you take a look at that and just let me
22 know if you recognize this email.

23 A. I do recognize this email.

24 Q. If you go to the bottom of this first page
10:51 25 there's an email from Sean Tourangeau to Alec Peters,

1 and the subject is "Klingon Concepts," and he attaches
2 some -- on the following pages some Klingon character
3 concepts. Mr. Peters then on that same first page
4 writes to you, and he says, "We can discuss. I think
10:51 5 you should do a couple," and you respond on the top
6 email, "I agree. I'll do the Klingons."

7 When you said "I'll do the Klingons," what
8 were you referring to?

9 A. I was referring to designing the Klingons to
10:51 10 the specific production that we were making.

11 Q. And did you know what Mr. Tourangeau's role
12 was?

13 A. I was not the only designer working on this
14 what amounts to a spec. What we were told was a spec.
10:52 15 Alec was enthusiastically seeking the assistance of any
16 and all people that he could make a part of this
17 venture, if you will.

18 Q. So Mr. Tourangeau was also performing some
19 design work?

10:52 20 A. Indeed.

21 Q. And did you -- in fact after the date of this
22 email, did you in fact work on designing Klingons?

23 A. I did.

24 Q. And if you recall, how did you go about
10:52 25 designing the Klingons that would be in Axanar?

1 MS. COORG: Object to the extent that your
2 question implies the existence of a movie.

3 BY MR. GROSSMAN:

4 Q. You can answer.

10:53 5 A. Okay. The first thing I did was I looked at
6 the other fan films and saw what Klingons they had done
7 so as to have a baseline to work from or against. This
8 is standard in concept design in entertainment. You
9 look at what the competition is doing and you're either
10:53 10 inspired by it or you work against it.

11 There were -- the next thing I did was I
12 looked at the, again, TOS. Those were the Klingons that
13 were 20 years after the timeline that Alec was
14 enthusiastic about producing a story in and they also
10:53 15 happened to be my favorite Klingons so those were the
16 Klingons that I used. So just like I did the with the
17 phasers, I went online, entered Klingons into Google.
18 TOS Klingons specifically. And made sketches.

19 (Exhibit 126 was marked for
10:54 20 identification.)

21 BY MR. GROSSMAN:

22 Q. Mr. Gossett, I've had marked as Exhibit 126 a
23 one-page email that I believe is actually about a year
24 later from the last exhibit we looked at, 125, and in it
10:54 25 Mr. Peters is emailing you a number of links. This

1 particular email is dated November 13th, 2013.

2 Do you recall receiving this email?

3 A. I do.

4 Q. And the first heading in Mr. Peters' email
10:54 5 says, "TMP Klingons." Do you understand what the term
6 "TMP" refers to?

7 A. I do.

8 Q. What is that?

9 A. The motion picture.

10:55 10 Q. Is that Star Trek: The Motion Picture?

11 A. It is Star Trek: The Motion Picture.

12 Q. And Mr. Peters includes a number of links to
13 websites under his heading TMP Klingons. Why did
14 Mr. Peters send you those links?

10:55 15 A. As assistance in the design of the Klingons we
16 would be using in Prelude to Axanar.

17 Q. And then there's also another heading that
18 just is entitled "Chang." Do you know what Mr. Peters
19 was referring to by the heading "Chang"?

10:55 20 A. Yes.

21 Q. Who is Chang?

22 A. Chang is a specific famous Klingon character
23 from one of the films, and that was -- as we would have
24 a Klingon general in our story, or were planning on
10:55 25 having one in our story, and since Alec owned the

1 costume for Chang we wanted to use that costume in the
2 show.

3 Q. And were you -- in connection with your work
4 on the Axanar project, were you asked to design the
10:56 5 Klingon Chang?

6 A. Yes.

7 Q. And did you do that?

8 A. I did. Although we used the costume, we
9 changed the Chang character to a character named Kharn,
10:56 10 a different character. A different Klingon general.

11 Q. By the way, Mr. Peters' email address in this
12 document, Exhibit 126, is alec@propworx.com. Do you
13 know what Propworx is?

14 A. Propworx -- I do.

10:56 15 Q. What is it?

16 A. Propworx is another of Alec's online
17 businesses.

18 Q. Have you ever worked in the studio facility in
19 Valencia?

10:57 20 A. No.

21 Q. And you understand that Axanar Productions
22 rented out a studio facility in Valencia?

23 A. I am.

24 Q. Have you ever been there?

10:57 25 A. I have been.

1 Q. Do you know whether or not Propworx has its
2 offices in that facility?

3 A. I believe it does.

4 Q. And do you know whether or not Propworx houses
10:57 5 any of its props in that facility?

6 A. I have seen their props and costumes there,
7 yes.

8 (Exhibit 127 was marked for
9 identification.)

10:58 10 BY MR. GROSSMAN:

11 Q. Mr. Gossett, I've had marked as Exhibit 127 an
12 email dated March 24, 2013, from Sean Tourangeau to you
13 and Mr. Peters. And Mr. Tourangeau says, "Here are a
14 couple quick marker comps I did last night for some
10:58 15 uniform ideas just in case you want me to draw up more."

16 And my first question is do you recognize this
17 email?

18 A. I do.

19 Q. And do you recall why Mr. Tourangeau was
10:58 20 designing these costumes at this time?

21 A. Because Alec asked him to do so.

22 Q. If you see in the middle of the email there's
23 sort of a footer to Mr. Tourangeau's first two designs
24 that says "Star Trek pre-TOS concepts."

10:59 25 A. Yes.

1 Q. Do you know what he was referring to by that?

2 A. I do.

3 Q. What was he referring to?

4 A. He was referring to -- pre-TOS refers to the
10:59 5 prime timeline before the original series.

6 Q. Which is where the Axanar works were intended
7 to be set?

8 A. Indeed.

9 (Exhibit 128 was marked for
10:59 10 identification.)

11 BY MR. GROSSMAN:

12 Q. Mr. Gossett, I've had marked as Exhibit 128 an
13 email string that on the first page is from Mr. Peters
14 to a Brenda Hinesley copying yourself dated July 28,
11:00 15 2013.

16 Do you recall receiving this email on the
17 first page of Exhibit 128?

18 A. I do.

19 Q. And do you know who Brenda Hinesley is?

11:00 20 A. I do.

21 Q. Who is she?

22 A. A friend of mine and a -- someone who is --
23 she's a wardrobe designer. She makes clothes. She
24 worked on previous films with me.

11:00 25 Q. And do you recall what, if any, designs she

1 came up with for the Axanar project?

2 A. I remember discussing them, but the
3 understanding was I would do the designs and Brenda
4 would be facilitating them. Building them essentially.

11:01 5 She's a very talented builder.

6 Q. Okay. Did Mr. Peters have approval over the
7 designs for the costumes?

8 A. Yes, he did.

9 Q. Uniforms?

11:01 10 A. Yes, he did. Costumes, uniforms. Name it
11 what you want.

12 Q. Did he also have approval over the ship
13 designs?

14 A. Yes, he did.

11:01 15 Q. And the sets?

16 A. And the sets.

17 Q. There's someone named Jhennifer Webberley
18 who's copied on this.

19 A. Yes.

11:01 20 Q. Who is Jhennifer Webberley?

21 A. Jhennifer Webberley is a producer who came on
22 to introduce me to Brenda.

23 Q. What did Jennifer do on Prelude to Axanar?

24 A. She was a co-producer and -- co-producer.

11:02 25 Q. What's her expertise as a producer?

1 licensed Star Trek works?

2 A. The first one which is from the original show.

3 The last one which is also from the original series. I

4 don't know about the fourth, the one above the fifth. I

11:16 5 don't know about that one nor do I know about the second

6 and third, but I don't believe they were ever on any

7 Star Trek show that I saw.

8 Q. And do you recall if you used this image as a

9 template to help you design the costumes?

11:16 10 A. I did not.

11 Q. How did you go about designing the costumes

12 for Prelude?

13 A. I did sketches and I submitted those sketches

14 to Rosio Avernat (phonetic) at the builder in Vernon,

11:16 15 California.

16 Q. And what source material did you use to come

17 up with the designs for the costumes or uniforms?

18 A. Just as with the phasers and with any other --

19 and with the Klingons, I looked online and used stuff

11:16 20 that I found there as well as links that were sent to me

21 by Alec.

22 Q. And did Alec specify what he was looking for

23 in terms of the design of the costumes and uniforms?

24 A. Repeatedly.

11:17 25 Q. What did he tell you?

1 A. "Don't make it look like fifties sci-fi."

2 Q. Did he tell you what he did want it to look
3 like?

4 A. He wanted it to look like 20 years before the
11:17 5 voyage of Kirk and Spock and the Enterprise. 20 years
6 before the original series.

7 (Exhibit 132 was marked for
8 identification.)

9 BY MR. GROSSMAN:

11:17 10 Q. I've had marked as Exhibit 132 an email dated
11 April 26, 2014, from you to Mr. Peters and
12 Ms. Webberley.

13 Do you -- is this in fact an email you sent on
14 or about that date?

11:18 15 A. It is.

16 Q. And you list a number of notes. The first one
17 is Inverness. You say, "I really like the word
18 Inverness, and we have more than enough major deviations
19 from the FASA," F-A-S-A, "book already so that's not
11:18 20 really a case against it, including the major one, where
21 we've given much more significance to the Battle of
22 Axanar. If we're using the FASA book as a bible, then
23 we're already not doing it consistently."

24 What's the FASA book that you're referring to?

11:18 25 A. I'm referring to a FASA book that I believe is

1 entitled, "The Four Years War."

2 Q. And was that a supplement to the Star Trek
3 role-playing game?

4 A. It was a licensed supplement to the Star Trek
11:18 5 role-playing game.

6 Q. Did you review that Four Years War supplement?

7 A. I did.

8 Q. And was that something that you used as source
9 material to work on the Axanar project?

11:19 10 A. It wasn't of much use, but for diligence sake
11 I looked through it.

12 Q. And when you say "if we're using the FASA book
13 as a bible," what were you referring to?

14 A. Alec was -- well, Prelude to Axanar takes
11:19 15 place during The Four Years War, and so Alec used this
16 book as a bible, essentially a kind of baseline. Design
17 style bible. "Bible" used in the context of style for
18 the creation of the assets of the show. Assets being
19 costumes, weapons, environmental designs. And I
11:19 20 pushed -- this is me pushing against using it as a bible
21 because of the inconsistencies that he wanted on the one
22 hand. He -- on the one hand he wanted us to use FASA
23 stuff as a bible, quote-unquote, but then he also wanted
24 other things as well, and so I was calling him out on
11:20 25 that inconsistency.

1 Q. Did Mr. Peters actually give you a copy of
2 that book --

3 A. He did.

4 Q. -- the FASA book?

11:20 5 A. Yes. Sorry.

6 Sorry, Vicki.

7 Q. So you didn't already have that particular
8 supplement?

9 A. I did not. That is a hard book to find from
11:20 10 what I hear.

11 (Exhibit 133 was marked for
12 identification.)

13 BY MR. GROSSMAN:

14 Q. Mr. Gossett, I've marked as Exhibit 133 an
11:20 15 April 4, 2014 email from you to Mr. Peters. And my
16 first question is just did you send this email to
17 Mr. Peters on or about April 4, 2014?

18 A. I did.

19 Q. It's entitled "Please Look" -- the subject is
11:21 20 "Please Look" dash "Images for Kevin." And the text of
21 your email says, "Kevin needs to see any changes we want
22 for Kharn," K-H-A-R-N, "so this is what I was thinking."

23 Who is the Kevin that you are referring to
24 here?

11:21 25 A. That would be Kevin Haney, a makeup artist.

1 Q. Did you know Mr. Haney before you started
2 working on the Axanar project?

3 A. I did not.

4 Q. Who is Mr. Haney?

11:21 5 A. Kevin Haney is an Oscar and Emmy award-winning
6 makeup artist. He won his Academy Award for Driving
7 Miss Daisy, and he also worked on Star Trek. And that's
8 who he is.

9 Q. Did he work as a makeup professional on one of
11:22 10 the Star Trek television series?

11 A. I believe he did.

12 Q. Do you know what company, if any, that he
13 works with or for?

14 A. When he was working for Star Trek?

11:22 15 Q. Yes.

16 A. That would have been Paramount or CBS, I
17 imagine. Oh, the makeup company.

18 Q. The makeup.

19 A. Sure, that's right. The makeup would have
11:22 20 been -- let me see if I can recall. It might have been
21 Westmore. It might have been -- Makeup Effects Lab was
22 who he was working for when I met him and Makeup Effects
23 Lab was affiliated with other Star Trek artists as well.

24 Q. Do you know one way or the other whether
11:22 25 Mr. Haney was working individually when he worked for

1 the Axanar project, or was he working through Makeup
2 Effects Lab?

3 A. When he was working for Prelude to Axanar, to
4 the best of my recollection he was working individually.

11:22 5 Q. And on the following pages there are some
6 images that were attached to this email. Oh, you
7 mentioned Kharn. Who was Kharn?

8 A. Kharn is a character from Prelude to Axanar.
9 He is the Klingon leader in the story.

11:23 10 Q. Did you design initially the character Kharn?

11 A. I did.

12 Q. And did Mr. Haney attempt to create a mockup
13 of Kharn?

14 A. I'm sorry, could you repeat the question?

11:23 15 Q. Yeah. Did Mr. Haney, after receiving your
16 design, try to create a physical mockup of what Kharn
17 would look like?

18 A. He did.

19 Q. And did Mr. Haney in fact work on Prelude to
11:23 20 Axanar?

21 A. He did.

22 (Exhibit 134 was marked for
23 identification.)

24 BY MR. GROSSMAN:

11:24 25 Q. Mr. Gossett, I've marked as Exhibit 134 a

1 writers in?

2 A. There was a constant threat by Alec that there
3 would be other writers onboard. Constant. Especially
4 after Prelude.

11:59 5 Q. This document has actually previously been
6 marked as Exhibit 62.

7 (Exhibit 62 previously marked is
8 attached hereto.)

9 BY MR. GROSSMAN:

11:59 10 Q. This is a multi-page document. It's entitled
11 "Prelude to Axanar First Invitational Screening
12 Comic-Con International San Diego July 26, 2014." And
13 on the inside page it says "United Federation of Planets
14 Historical Society," and at the bottom it says "Program
12:00 15 created by Christian Gossett, Alec Peters, Terry
16 McIntosh."

17 Did you assist in the creation of this
18 program?

19 A. I did.

12:00 20 Q. And do you recall what the purpose of this
21 program was?

22 A. The purpose of this program was to create a
23 sense of event at the screening. Again, I was under the
24 understanding that there may have been members of CBS
12:00 25 and/or Paramount at the screening and we were trying to

1 make this impressive to those entities should they be in
2 attendance.

3 Q. Why?

4 A. Because as -- from the beginning we were told
12:00 5 that this was all with CBS's sanction and that it was
6 Alec's bid to become a producer of Star Trek.

7 Q. If you go through the document a few pages
8 there's some images. If you look at 5096 at the bottom.

9 A. Yes.

12:01 10 Q. At the top there are a couple of images of
11 starships in space, and at the bottom it appears to be a
12 terrestrial image of a city being fired upon by some
13 weapon.

14 A. Yes.

12:01 15 Q. Do you know what the top image is?

16 A. Yes. The top image is -- the top image is
17 comprised of spaceships from Prelude to Axanar.

18 Q. Did you design those spaceships?

19 A. I did not design the starships themselves, no.

12:01 20 Q. Do you know who did?

21 A. I believe it was Tobias Richter.

22 Q. And was he the special effects professional?

23 A. (Witness nods head.)

24 Q. Did he work in another country?

12:02 25 A. He did. He worked in Germany.

1 Q. Had you ever met him in person?

2 A. Not in person.

3 Q. The second image on this page in the middle,
4 is that a space dock?

12:02 5 A. It is a space dock.

6 Q. And do you know what the starship is that's
7 being represented there?

8 A. That is the Ares class fighter. Ares class
9 fighter from Prelude to Axanar. It was designed by
12:02 10 Tobias Richter and Sean Tourangeau.

11 Q. And there's a -- on the underneath of the
12 saucer part of the spaceship there's a designation that
13 says NCC-1650.

14 A. Yes.

12:02 15 Q. What does that refer to?

16 A. That refers to -- well, that's a callback to
17 Star Trek, the television shows and movies. All of the
18 Federation starships have a designation NCC and some
19 number.

12:03 20 Q. And what's the designation of the USS
21 Enterprise?

22 A. NCC-1701.

23 Q. Was this spaceship in Prelude to Axanar marked
24 with 1650 to designate that it was a model that was
12:03 25 before the Enterprise?

1 A. Yes.

2 Q. And do you know what the bottom image is?

3 A. Yes.

4 Q. What is that?

12:03 5 A. The bottom image is a moment from Prelude to
6 Axanar in which the city -- a city is under attack by
7 Klingon disruptor beams.

8 Q. Did Mr. Richter create that image?

9 A. He did.

12:03 10 Q. Skipping ahead to 5101, again, there are a
11 number of images on this page. Do you know what the top
12 image is?

13 A. I do.

14 Q. What is that?

12:04 15 A. It is an image from Prelude to Axanar in which
16 the Federation or ships from the Federation has suffered
17 defeat at the hands of the Klingons.

18 Q. And the image on the left below that top
19 image, what is that?

12:04 20 A. That is a Klingon warship of some model.

21 Q. And on the right of the Klingon warship?

22 A. On the right of the Klingon warship is a
23 Federation shuttle of some model.

24 Q. Did you design either the Klingon warship or
12:04 25 the Federation shuttle?

1 from my desk.

2 Q. So on July 26 in 2014 did you attend the
3 screening of Prelude to Axanar?

4 A. I did.

12:05 5 Q. Where was that?

6 A. It was in a theater at Horton -- well, it used
7 to be called Horton Plaza in San Diego. Now I believe
8 it's a Westfield as is every other shopping mall, but it
9 was at the Westfield Horton Plaza in the middle of
12:06 10 San Diego at a theater.

11 Q. And do you recall anyone -- were there any
12 industry professionals that attended? And by that I
13 mean not people that worked on the production itself but
14 entertainment professionals outside of the Axanar crew?

12:06 15 A. Alec had said to me that there would be, but I
16 have -- but then after the screening I asked him, "Did
17 they show up?" And he said he didn't know. To the best
18 of my knowledge no one attended.

19 Q. And was this done, this screening was done
12:06 20 concurrently with the Comic-Con convention that was
21 going on?

22 A. Yes.

23 Q. And did you attend that convention as well?

24 A. I did.

12:06 25 (Exhibit 139 was marked for

1 A. I do.

2 Q. This particular email has a link in it to
3 flickr.com and a site that is labeled as "Bird of the
4 Galaxy" slash "sets."

01:15 5 Do you recall what this was that Mr. Peters
6 sent to you?

7 A. I don't, but I know what Bird of the Galaxy
8 refers to.

9 Q. Is that Roddenberry?

01:15 10 A. It is.

11 (Exhibit 147 was marked for
12 identification.)

13 BY MR. GROSSMAN:

14 Q. I've had marked as Exhibit 147 a one-page
01:16 15 email dated April 13, 2014 from Tobias Richter to you.

16 Do you recall receiving this email?

17 A. I do.

18 Q. And was Mr. Richter the special effects person
19 on Prelude to Axanar?

01:16 20 A. He was.

21 Q. In his email Mr. Richter says, "Attached is a
22 WIP shot of the Eminiar," E-M-I-N-I-A-R, "city. It is a
23 slightly different city or view within the city from the
24 established matte shot in TOS. I imagine the city looks
01:17 25 different 20 to 30 years before, and especially before

1 the war."

2 Do you know what Mr. Richter was referring to
3 here?

4 A. I do.

01:17 5 Q. What was he referring to?

6 A. The city of Eminiar is a city that was
7 portrayed in the original series of Star Trek, and it is
8 a city we used as a location in Prelude to Axanar.

9 Q. The location on what planet, if you recall?

01:17 10 A. I don't recall what -- oh, Archanis 6, I
11 believe it was.

12 Q. Somewhere in the Archanis sector?

13 A. Somewhere in the Archanis system, yes.

14 (Exhibit 148 was marked for
01:18 15 identification.)

16 BY MR. GROSSMAN:

17 Q. Mr. Gossett, I've marked as Exhibit 148 a
18 one-page email from Mr. Peters to you and someone named
19 Hamilton Cox dated March 17, 2014.

01:18 20 Do you recall receiving this email?

21 A. I do.

22 Q. And who is Hamilton Cox?

23 A. Hamilton Cox is a wardrobe professional.

24 Q. Was he working or assisting on Prelude to
01:18 25 Axanar?

1 more -- the ones on the right are much more close to the
2 source material, the TOS source material, and the ones
3 on the left are -- no, I'm sorry. That's -- well, yes,
4 actually, if you look at the ones on the right, they are
01:51 5 what we would say in the design business closer to
6 source. They are more like the original series. And
7 the ones on the left vary slightly from that.

8 Q. Did you work on the script for the full-length
9 feature Axanar?

01:51 10 A. I did.

11 Q. Who else worked with you on that script?

12 A. The only people that worked with me on that
13 script was Alec Peters.

14 Q. Can you describe roughly the version of the
01:52 15 script, the final version or last version that you
16 worked on, can you give a thumbnail summary of the plot?

17 MS. COORG: Objection. Form.

18 BY MR. GROSSMAN:

19 Q. You can answer.

01:52 20 A. Yes. The last version I recall -- the last
21 version I participated in was a story in which Garth of
22 Izar, Federation Captain Garth of Izar, is asked to
23 defend the Federation by Admiral Ramirez from the
24 Klingon invasion, and as a result of being asked to
01:52 25 defend the Federation in this way, Garth of Izar

1 proposes a plan that will force a final decisive battle
2 at a place called Axanar.

3 Q. And was Axanar a setting that was taken from
4 that FASA Four Years War you described earlier?

01:53 5 A. Yes --

6 MS. COORG: Objection to form.

7 THE WITNESS: Yes, it was. And from the
8 original series.

9 (Exhibit 156 was marked for
01:53 10 identification.)

11 BY MR. GROSSMAN:

12 Q. By the way, how much of a -- how knowledgeable
13 were you about the Star Trek universe before you started
14 working on the Star Trek project -- on the Axanar
01:53 15 project?

16 A. I was a casual Star Trek fan. My education in
17 Star Trek came after I agreed to help Alec realize
18 Prelude to Axanar.

19 Q. And did you know Rob Burnett before you
01:54 20 started working on the Axanar project?

21 A. Long before.

22 Q. How did you know Mr. Burnett?

23 A. I knew Mr. Burnett -- I met him at a comic
24 convention, and he came up to me and complimented my
01:54 25 graphic novel series. Then I asked who he was. And he

1 called him names. He never really was able to
2 substantiate any of his name calling, but he used many
3 names.

4 Q. And I mentioned Star Trek Continues. You're
02:14 5 familiar with that production?

6 A. I am.

7 (Exhibit 161 was marked for
8 identification.)

9 BY MR. GROSSMAN:

02:14 10 Q. So I've marked as Exhibit 161 a multi-page
11 document. It begins on the first page with an email
12 from you to -- oh, sorry -- from
13 christian@axanarproductions to
14 christian.gossett@gmail.com, and it is dated April 21,
02:15 15 2015, and below it there's another email from
16 christian.gossett@gmail.com to
17 alec@axanarproductions.com.

18 Are these emails that you sent on or about
19 April 20 and 21, 2015?

02:15 20 A. Yes.

21 Q. Mr. Peters on the middle of the first page has
22 about a page and a half email that he sends to you.
23 Actually, on the second page of this exhibit after the
24 numbered paragraphs ending with number 5 there is a
02:15 25 paragraph that says, "What am I doing?" And in the

1 middle of that paragraph Mr. Peters says, "We are
2 working with NASA, and most likely SpaceX and JPL on
3 launch events. I have a NASA astronaut involved and
4 have our first offer to rent our building."

02:16 5 Do you know what he was referring to?

6 A. Yes.

7 Q. What?

8 A. He was referring to the building in Valencia
9 that he wanted to build a soundstage within.

02:16 10 Q. When he says he was working with NASA, SpaceX
11 and JPL on launch events, are you familiar with what he
12 was referring to?

13 A. Yes.

14 Q. And what was he referring to?

02:16 15 A. These were ideas that were vaguely
16 communicated to me about events that were going to
17 promote the next round of crowdsourcing. The next
18 crowdsourcing video. The next crowdsourcing campaign.

19 Q. For the Axanar motion picture?

02:17 20 A. Yes.

21 Q. He also says, "Netflix and Amazon meetings in
22 process." Do you know what he was referring to?

23 A. Yes.

24 Q. What was he referring to?

02:17 25 A. He was referring to the hope of using Prelude

1 to Axanar as an entree into the possibility of becoming
2 a producer for Netflix and/or Amazon.

3 Q. Did he tell you what type of content he wanted
4 to produce for Netflix and/or Amazon?

02:17 5 A. He did not.

6 Q. Did he ever tell you if he actually had a
7 meeting with either of those companies?

8 A. He -- yes, he did. He said he had meetings
9 with both of them.

02:17 10 Q. Did he tell you anything about those meetings?

11 A. He did not, nor was I invited.

12 Q. Do you know if anyone else went to those
13 meetings with Mr. Peters?

14 A. I do not know.

02:17 15 Q. Back on the first page of this Exhibit 161 at
16 the top you say, "You and I made a deal" -- on the very
17 first page of -- yeah, on top.

18 A. Gotcha.

19 Q. It starts out with, "You and I made a deal
02:18 20 that we weren't going to do this kind of thing over
21 email so instead of engaging in the kind of juvenile
22 flame war you loved so much in your Phase 2 days (and
23 still, evidently) I'll look forward to making my
24 response to you in person."

02:18 25 What are you referring to by his Phase II

1 A. I can speak more specifically because of the
2 situation. In this case this was Alec's first attempt
3 at creating an intellectual property. So I chose -- I
4 chose a specific spectrum of director responsibilities
03:23 5 in order to help him facilitate this. If this was true,
6 as I was operating under, that CBS wanted to see if he
7 could produce Star Trek I wanted to help my friend do
8 that. So I took it upon myself to assist him in this
9 way.

03:23 10 So in this respect I was acting not only as a
11 director but also as a consultant. And my role was to
12 help him learn the things he needed to learn in order to
13 realize this dream he had.

14 Q. And as a consultant for Prelude what were some
03:24 15 of your job responsibilities?

16 A. To teach him about the various aspects of
17 production was primarily the role. I accepted other
18 responsibilities as time went on, but primarily it was
19 to teach him the most basic aspects of live-action film
03:24 20 and television production.

21 Q. And did you provide any creative inputs to
22 Mr. Peters during your time with Prelude?

23 A. Always subject to his approval.

24 Q. How many communications would you say you've
03:24 25 had with Mr. Peters regarding Prelude? Would you be

1 able to give me a number?

2 A. No.

3 Q. Did you and Mr. Peters ever explicitly
4 communicate about what your role would be?

03:24 5 A. After the -- no. It was -- no, I was teaching
6 him about the roles and responsibilities of
7 entertainment so that conversation wouldn't have been
8 very meaningful.

9 Q. And you mentioned that you would have had
03:25 10 creative input on Prelude to Axanar. What kinds of
11 things would you provide creative input on?

12 A. I would assist him and submit for his approval
13 the way -- the methods by which professional creators
14 make the kinds of choices that make a show good; that
03:25 15 make something entertaining.

16 Q. So would you provide creative input on hair
17 and makeup?

18 A. I -- yes, hair and makeup. I let him know
19 what I thought of these things, but again, it was always
03:25 20 subject to his approval.

21 Q. And how about costume design, did you have
22 creative input on that?

23 A. Yes.

24 Q. Did you have creative input on the story that
03:25 25 you were telling?

1 A. When it comes to the script for Prelude to
2 Axanar, yes, I -- yes.

3 Q. And in fact, you co-authored that script,
4 correct?

03:26 5 A. Yes.

6 Q. And did Mr. Peters ever explicitly tell you
7 that your creative inputs would be subject to his
8 approval?

9 A. Yes.

03:26 10 Q. And has he ever provided that to you in
11 writing that your creative inputs would be subject to
12 his approval?

13 A. If you were to look at the entire body of our
14 correspondence you would find that to be clear.

03:26 15 Q. But sitting here today you can't point me to a
16 specific communication that you had in writing where he
17 would have made that clear to you?

18 MR. DORROS: I think he answered the question.
19 Let's move on.

03:26 20 BY MS. COORG:

21 Q. You can answer my question.

22 A. No, that's fine. Let's move on.

23 Q. Well, what is the answer to my question?

24 A. There were -- what is your question?

03:27 25 Q. I'm asking if you can point to a specific

1 Q. Do you think that the work that you do for
2 Prelude to Axanar crossed the line in terms of fan
3 fiction as to what CBS and Paramount would have
4 tolerated?

03:56 5 MR. GROSSMAN: Objection. Lacks foundation.
6 Calls for speculation. Calls for a legal conclusion.
7 BY MS. COORG:

8 Q. You can answer.

9 A. I don't really see the relevance of the
03:56 10 question, I'm sorry.

11 Q. I'm still entitled to an answer to my
12 question.

13 A. Please ask it again.

14 Q. I'm asking whether you thought that the work
03:56 15 you did for Prelude to Axanar crossed the line in terms
16 of what CBS and Paramount would have tolerated for fan
17 fiction or fan films.

18 MR. GROSSMAN: Same objection. Calls for
19 speculation regarding what CBS or other third parties
03:57 20 thought.

21 THE WITNESS: I would answer that question if
22 I knew how. I'm sorry, I just don't know how to answer
23 that question.

24 BY MS. COORG:

03:57 25 Q. Do you think Prelude to Axanar is -- infringes

1 upon the Star Trek intellectual property?

2 A. Yes.

3 Q. And in what way?

4 A. In that it is an unlicensed filmed
03:57 5 entertainment that uses countless elements of the
6 Star Trek fictional world without -- yeah, unlicensed.
7 I said that. I can list them if -- I can list a few of
8 them if you like, but...

9 Q. And would you agree that Prelude to Axanar
03:57 10 does not infringe any more than some of these other fan
11 films would, right?

12 MR. GROSSMAN: Objection. Lacks foundation.
13 Calls for speculation. Calls for a legal conclusion.

14 THE WITNESS: I'm sorry, please repeat the
03:58 15 question.

16 MS. COORG: Could you read back the question.
17 (The record was read by the reporter as
18 follows:

19 "QUESTION: And would you agree that
03:57 20 Prelude to Axanar does not infringe any
21 more than some of these other fan films
22 would, right?")

23 MR. GROSSMAN: Same objections. Lacks
24 foundation. Calls for speculation. Calls for a legal
03:58 25 conclusion.

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DECLARATION UNDER PENALTY OF PERJURY

I, CHRISTIAN GOSSETT, hereby declare under penalty of perjury that the foregoing is my deposition under oath;

Are the questions asked of me and my answers thereto;

And that I have read same and have made the necessary corrections, additions, or changes to my answers that I deem necessary.

In witness thereof, I hereby subscribe my name this _____ day of _____, _____.

CHRISTIAN GOSSETT

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COUNTY OF LOS ANGELES,)
STATE OF CALIFORNIA,)

I, Vicki A. Saber, Certified Shorthand Reporter licensed in the State of California, License No. 6212, hereby certify that the deponent was by me first duly sworn and the foregoing testimony was reported by me and was thereafter transcribed with Computer-Aided Transcription; that the foregoing is a full, complete, and true record of said proceeding.

I further certify that I am not of counsel or attorney for either or any of the parties in the foregoing proceeding and caption named or in any way interested in the outcome of the cause in said caption. The dismantling, unsealing, or unbinding of the transcript will render the reporter's certificates null and void.

In witness whereof, I have hereunto set my hand this 29th day of October, 2016.

- Reading and Signing was requested.
- Reading and Signing was waived.
- Reading and Signing was not requested.

VICKI A. SABER, CSR NO. 6212, RPR, CRR, CCRR