

**EXHIBIT D TO RANAHAN DECLARATION IN  
SUPPORT OF OPPOSITION TO PLAINTIFFS' MOTION  
FOR PARTIAL SUMMARY JUDGMENT**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

PARAMOUNT PICTURES CORPORATION, a	)	
Delaware corporation; and CBS	)	
STUDIOS INC., a Delaware	)	
corporation,	)	
	)	CASE NO.
Plaintiffs,	)	2:15-cv-09938-
	)	RGK-E
v.	)	
	)	
AXANAR PRODUCTIONS, INC., a	)	
California corporation; ALEC	)	
PETERS, an individual, and DOES	)	
1-20,	)	
	)	
Defendants.	)	
	)	

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CONFIDENTIAL  
VIDEOTAPED DEPOSITION OF ROBERT MEYER BURNETT

Date and Time:	Tuesday, October 11, 2016 10:13 a.m. - 3:57 p.m.
Location:	10100 Santa Monica Boulevard Suite 2200 Los Angeles, California
Reporter:	Christianne Lee Fong, CSR, CCRR Certificate No. 7559
Job No.	8117

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1 you mean by "it"?

2 A Well, there had never been a movie made  
3 like -- like "Axanar," like we had proposed to make.  
4 There had never been a Star Trek movie remotely  
10:32 5 similar to the movie we were making.

6 Q And why do you say that?

7 A Well, there has been 13 Star Trek movies  
8 made -- released by Paramount since 1979. All of  
9 them were about the starship "Enterprise" and the  
10:32 10 command crew of the starship "Enterprise." There  
11 were nine movies made that dealt with Kirk, Spock,  
12 McCoy, Sulu, Scotty, Uhura. There were four movies  
13 made with the Enterprise D with Captain Picard,  
14 Riker, Worf, Data, Troi, and Crusher. Thirteen  
10:32 15 films that were made about the same starship and its  
16 command crew.

17 Our movie had nothing to do with the  
18 starship "Enterprise," really, and their command  
19 crew or any of the characters that had been  
10:32 20 portrayed in those 13 films over almost four  
21 decades. Our movie had nothing to do with that or  
22 those characters.

23 Q You said, "Our movie had nothing to do with  
24 the starship 'Enterprise.'"

10:32 25 Isn't the starship "Enterprise" included in

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1 "Prelude to Axanar"?

2 A The starship "Enterprise" makes a cameo  
3 appearance, not unlike Alfred Hitchcock would make a  
4 cameo appearance in all of his movies. In "Psycho,"  
10:33 5 he shows up getting on a bus. And it was the kind  
6 of thing -- it was a nod to 50 years of Star Trek  
7 history, but it certainly wasn't a main character,  
8 nor was it featured. I think, if anything, it would  
9 be considered an extra if you went down the credits  
10:33 10 of a movie.

11 Q We'll go to the elements of each of the  
12 works later. I don't want to jump too far ahead.

13 Was the starship "Enterprise" also part of  
14 the full-length feature film "Axanar"?

10:33 15 A Again, it had a cameo appearance --  
16 proposed cameo appearance.

17 Q What class of ship is the starship  
18 "Enterprise"?

19 A It's a heavy cruiser.

10:33 20 Q And you are familiar with the starships  
21 that make up the Star Trek universe?

22 A Very much so.

23 (Exhibit 40 marked.)

24 THE WITNESS: Shall I look at this?

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DECLARATION

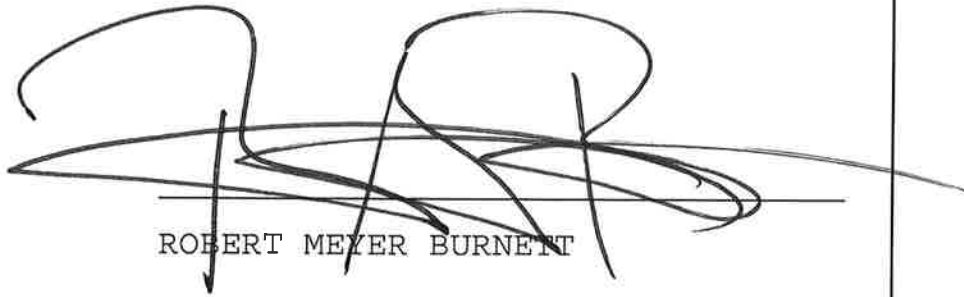
I, ROBERT MEYER BURNETT, say I have read the foregoing deposition and declare under penalty of perjury under the laws of the State of California:

That the foregoing is my deposition under oath;

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

That my answers as indicated are true and correct.

Executed at VALENCIA,  
California, this 1 day of NOVEMBER,  
2016.



ROBERT MEYER BURNETT