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AXANAR PRODUCTIONS, INC.,
8 and ALEC PETERS

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**

11
12 PARAMOUNT PICTURES
CORPORATION, a Delaware
13 corporation; and CBS STUDIOS INC., a
Delaware corporation,

14 Plaintiffs,

15 vs.

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

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

Assigned to: Hon. R. Gary Klausner

**DECLARATION OF BRIAN M.
LI-A-PING IN SUPPORT OF
DEFENDANTS' REPLY IN
SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

Date: 12/19/16
Time: 9:00 a.m.
Place: Courtroom 850, 8th Floor
255 East Temple Street
Los Angeles, CA 90012
Judge: Hon. R. Gary Klausner

Original Complaint Filed: 12/29/15
First Amended Complaint Filed: 3/11/16

DECLARATION OF BRIAN M. LI-A-PING

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2 1. I am an attorney at Winston & Strawn LLP, counsel for Defendants
3 Axanar Productions, Inc. and Alec Peters in the above-entitled action. I have personal
4 knowledge of the matters set forth herein, and if called upon as a witness I could
5 competently testify thereto.

6 2. **Exhibit 1** to my declaration is a true and correct copy of excerpted pages
7 from the transcript of the deposition of Alec Peters, taken on October 19, 2016.

8 3. **Exhibit 2** to my declaration is a true and correct copy of excerpted pages
9 from the transcript of the deposition of Daniel O'Rourke, taken on September 30,
10 2016.

11 4. **Exhibit 3** to my declaration is a true and correct copy of the revised
12 expert report, dated December 5, 2016, of Christian Tregillis, a Partner at Hemming
13 Morse, LLP, on the financial, economic, and accounting issues related to Plaintiffs'
14 claims for copyright infringement and related causes of action.

15 5. **Exhibit 4** to my declaration is a true and correct copy of the revised
16 expert opinion, dated December 2, 2016, of Dr. Henry Jenkins, the Provost's
17 Professor of Communication, Journalism, Cinematic Art, and Education at the
18 University of Southern California (USC), on the impact of fan fiction on *Star Trek*,
19 and on whether *Prelude to Axanar* is transformative.

20 6. **Exhibits 5 and 6** to my declaration are true and correct copies of
21 publicly available media sources discussing the cost per episode of the new Star Trek
22 TV series.

23 7. **Exhibits 7 through 9** to my declaration are true and correct copies of
24 publicly available sources discussing the origin and meanings of the names Garth,
25 Izar, and Soval.

26 8. **Exhibit 10** to my declaration is a true and correct copy of a publicly
27 available internet post concerning new minimum rates for filmmakers using Screen
28 Actors' Guild (SAG) low budget contracts.

1 I declare under the penalty of perjury that the foregoing is true and correct.

2 Dated this 5th day of December, 2016 at Los Angeles, California.

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/s/ Brian M. Li-A-Ping

Brian M. Li-A-Ping