

EXHIBIT 4

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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.
19

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

Assigned to: Hon. R. Gary Klausner

**DEFENDANT ALEC PETERS’
RESPONSES TO PLAINTIFF
PARAMOUNT PICTURES
CORPORATION AND CBS STUDIO
INC.’S FIRST SET OF REQUESTS
FOR PRODUCTION OF
DOCUMENTS**

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

20 PROPOUNDING PARTY: PLAINTIFFS PARAMOUNT PICTURES
21 CORPORATION and CBS STUDIO INC.

22 RESPONDING PARTY: DEFENDANT ALEC PETERS

23 SET NO.: ONE
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1 Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Defendant
2 Alex Peters (“Defendant”), by and through his undersigned counsel, hereby responds
3 and objects to Plaintiffs Paramount Pictures Corporation and CBS Studio Inc.’s
4 (collectively “Plaintiffs”) First Set of Requests for Production of Documents (the
5 “Requests”) as follows:

6 **RESERVATION OF RIGHTS**

7 1. Defendant provides these responses and objections without waiving or
8 intending to waive, and, on the contrary, preserving and intending to preserve:

9 a. the right to object on any ground to the use of the responses and
10 objections herein, or the subject matter thereof, in any subsequent proceeding in this
11 or any other action;

12 b. the right to object on any ground at any time to a request for further
13 responses to the Requests, or any other discovery request involving or related to the
14 subject matter of the Requests responded to herein;

15 c. the right at any time to supplement, amend, correct, add to, or clarify any
16 of the responses and objections provided herein.

17 2. In responding and objecting to the Requests, Defendant does not admit,
18 concede, or acquiesce in the accuracy of any definitions of terms or descriptions of
19 any facts, events, pleadings, or documents contained therein. Defendant specifically
20 does not waive his objections to any definition as vague or overbroad, and reserves the
21 right to define terms differently or more specifically from the way in which they are
22 defined in the Requests.

23 3. In each and every instance in which Defendant interposes an objection,
24 such objection shall be construed to preserve all of Defendant’s rights to make similar
25 objections in any future supplemental response to the Requests. Moreover, a failure to
26 object herein shall not constitute a waiver of any objections that Defendant may
27 interpose in future supplemental responses.

28 4. Any agreement by Defendant herein to produce any documents or

1 categories of documents does not necessarily mean that any documents or categories
2 of documents that are responsive to the Requests exist or are in Defendant's
3 possession, custody, or control. To the contrary, any such agreement is subject to the
4 existence of such documents.

5 5. Inadvertent production or disclosure of information or documents
6 otherwise protected from discovery under the attorney-client privilege, the work
7 product doctrine, or any other applicable privilege, immunity, or protection from
8 disclosure, shall not constitute a waiver of such privilege, immunity, or protection,
9 either generally or specifically, with respect to such document or information or any
10 other document or information, or with respect to the subject matter thereof, and
11 Defendant reserves the right to request the return of any such documents or
12 information and all copies thereof.

13 6. Inadvertent production or disclosure of information or documents
14 otherwise protected from discovery under any applicable privilege, immunity, or
15 protection from disclosure, shall not waive Defendant's right to object to the use of
16 any such documents or information at any time during this action or in any subsequent
17 proceeding.

18 7. The fact that Defendant is willing to produce any particular documents or
19 group of documents does not constitute an admission or acknowledgement that the
20 related request is proper, that such documents or groups of documents are relevant,
21 admissible, or within the proper bounds of discovery, or that requests for similar
22 documents will be treated in a similar fashion.

23 8. Defendant reserves the right to produce documents on a rolling basis, and
24 to produce documents on a reasonable schedule.

25 9. These responses and objections are based upon Defendant's knowledge
26 and information as of the date hereof, and are made subject to the general and specific
27 objections below. Defendant reserves the right to supplement any responses as further
28 information is discovered.

GENERAL OBJECTIONS

1
2 Defendant's specific objections set forth below are in addition to the general
3 objections set forth in this section. These General Objections form a part of the
4 responses to the Requests and each and every request contained therein. Thus, the
5 absence of a reference to a General Objection should not be construed as a waiver of
6 the General Objection as to a specific request.

7 1. Defendant objects to the Requests to the extent they seek to impose
8 obligations or burdens greater than those that Paramount assumes in response to any
9 discovery requests served by Defendant. Thus, these responses are subject to
10 Defendant reserving his right to equal treatment to the extent that Paramount seeks,
11 and obtains, more restrictive limitations on the discovery that Defendant serves upon
12 it.

13 2. Defendant objects to the Requests to the extent that they purport to
14 impose any requirement or discovery obligation on Defendant that is inconsistent with
15 or greater than those contained in the Federal Rules of Civil Procedure, the Local
16 Rules of this Court, or other applicable law.

17 3. Defendant objects to the requests to the extent that they seek information,
18 documents, or communications not within Defendant's possession, custody, or
19 control.

20 4. Defendant objects to the Requests to the extent that they call for
21 disclosure of information or documents protected by the attorney-client privilege,
22 work product doctrine, or any other applicable privilege, immunity, or protection from
23 disclosure, for any reason, including without limitation the terms of any
24 confidentiality agreement or court order.

25 5. Defendant objects to the Requests to the extent that they seek highly
26 confidential, trade secret, proprietary, or commercially sensitive information, the
27 disclosure of which could result in substantial competitive injury.

28 6. Defendant objects to the Requests to the extent they seek the production

1 of “all” information, documents, or communications of a described type, or similar
2 requests, on the grounds that, as written, they would impose upon Defendant an
3 unreasonable burden of inquiry. In responding to the Requests, Defendant will
4 conduct a reasonable search limited to the most likely repositories of responsive
5 documents, consistent with and subject to the Reservation of Rights, the General
6 Objections, and the specific objections below.

7 7. Defendant objects to the Requests insofar as they use the terms
8 “support,” “negate,” “reflect,” “mention,” “refer to,” “bear upon,” or “relate to,” on
9 the grounds that these terms are indefinite and uncertain and fail to describe or to
10 designate the documents sought with reasonable particularity. Defendant will apply a
11 common sense test in interpreting the reasonable scope of any request employing any
12 of these terms.

13 8. Defendant objects to the Requests insofar as they use the term “Axanar
14 Motion Picture” on the grounds that this term is indefinite and uncertain and refers to
15 a work that has not yet been created.

16 9. Defendant objects to the Requests insofar as they use the term “Axanar
17 Works” on the grounds that this term is indefinite and uncertain and compound in that
18 it refers to multiple works, some of which have not yet been created.

19 10. Defendant objects to the Requests to the extent they seek information that
20 is neither relevant to any claim or defense asserted in this action, nor reasonably
21 calculated to lead to the discovery of admissible evidence.

22 11. Defendant objects to the Requests to the extent they contemplate the
23 production of duplicate copies of a document whose recipients are evident from the
24 face of the document.

25 12. Defendant objects to the Requests to the extent they are vague,
26 ambiguous, overly broad, or do not identify the documents or information sought with
27 reasonable particularity.

28 13. Defendant objects to the Requests to the extent they seek to require

1 Defendant to produce documents constituting, containing, or reflecting information
2 obtained by Defendant from third parties pursuant to any agreement or undertaking
3 prohibiting Defendant from disclosing such information. To the extent that any such
4 issue arises, Defendant will notify the parties and exercise good faith efforts to obtain
5 a reasonable resolution.

6 14. Defendant objects to the Requests to the extent they purport to require the
7 disclosure of information that Defendant is restricted by law from disclosing.

8 **RESPONSES TO REQUESTS FOR PRODUCTION**

9 **REQUEST FOR PRODUCTION NO. 1:**

10 All scripts and all versions of any script (whether complete or incomplete, and
11 whether used or not used) used for or at any time intended for use in any of the
12 AXANAR WORKS.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 1:**

14 Defendant objects to this Request as overly broad and unduly burdensome.
15 Defendant further objects to this Request on the grounds that the term “AXANAR
16 WORKS” is vague, compound, and refers to multiple works, some of which have not
17 yet been created. Defendant further objects to this Request on the grounds that it
18 seeks documents that are neither relevant to any party’s claims or defenses, nor
19 proportional to the needs of the case.

20 Subject to and without waiving the foregoing objections, Defendant will
21 produce relevant, non-privileged documents that are responsive to this Request, to the
22 extent such documents are found within his possession, custody or control after a
23 reasonable and diligent search, and to the extent such documents have not already
24 been produced, or otherwise made available, to Plaintiffs.

25 **REQUEST FOR PRODUCTION NO. 2:**

26 All treatments, storyboards, synopses, drafts, notes, pitch memos, screenplays,
27 outlines, and/or revisions RELATING TO the AXANAR WORKS.

28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

2 Defendant objects to this Request as overly broad and unduly burdensome.
3 Defendant further objects to this Request on the grounds that the term “AXANAR
4 WORKS” is vague, compound, and refers to multiple works, some of which have not
5 yet been created. Defendant further objects to this Request on the grounds that it
6 seeks documents that are neither relevant to any party’s claims or defenses, nor
7 proportional to the needs of the case.

8 Subject to and without waiving the foregoing objections, Defendant will
9 produce relevant, non-privileged documents that are responsive to this Request, to the
10 extent such documents are found within his possession, custody or control after a
11 reasonable and diligent search, and to the extent such documents have not already
12 been produced, or otherwise made available, to Plaintiffs.

13 **REQUEST FOR PRODUCTION NO. 3:**

14 All DOCUMENTS RELATING TO the development of the AXANAR
15 WORKS.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

17 Defendant objects to this Request as overly broad, unduly burdensome, and so
18 vague and ambiguous as to be unintelligible. Defendant further objects to this
19 Request to the extent it seeks documents that are neither relevant to any party’s claims
20 or defenses, nor proportional to the needs of the case. Defendant further objects to
21 this Request on the grounds that the term “AXANAR WORKS” is vague, compound,
22 and refers to multiple works, some of which have not yet been created. Defendant
23 further objects to this Request on the grounds that the phrase “development of” is
24 vague and ambiguous.

25 Subject to and without waiving the foregoing objections, Defendant will
26 produce relevant, non-privileged documents that are responsive to this Request, to the
27 extent such documents are found within his possession, custody or control after a
28 reasonable and diligent search, and to the extent such documents have not already

1 been produced, or otherwise made available, to Plaintiffs.

2 **REQUEST FOR PRODUCTION NO. 4:**

3 All production notes RELATING TO the AXANAR WORKS.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

5 Defendant objects to this Request as overly broad and unduly burdensome.
6 Defendant further objects to this Request to the extent it seeks documents that are
7 neither relevant to any party's claims or defenses, nor proportional to the needs of the
8 case. Defendant further objects to this Request on the grounds that the term
9 "production notes" is vague and ambiguous. Defendant further objects to this Request
10 on the grounds that the term "AXANAR WORKS" is vague, compound, and refers to
11 multiple works, some of which have not yet been created.

12 Subject to and without waiving the foregoing objections, Defendant will
13 produce relevant, non-privileged documents that are responsive to this Request, to the
14 extent such documents are found within his possession, custody or control after a
15 reasonable and diligent search, and to the extent such documents have not already
16 been produced, or otherwise made available, to Plaintiffs.

17 **REQUEST FOR PRODUCTION NO. 5:**

18 All DOCUMENTS RELATING TO the sets for the AXANAR WORKS.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

20 Defendant objects to this Request as overly broad, unduly burdensome, and so
21 vague and ambiguous as to be unintelligible. Defendant further objects to this
22 Request on the grounds that the term "AXANAR WORKS" is vague, compound, and
23 refers to multiple works, some of which have not yet been created. Defendant further
24 objects to this Request to the extent it seeks documents that are neither relevant to any
25 party's claims or defenses, nor proportional to the needs of the case

26 Subject to and without waiving the foregoing objections, Defendant will
27 produce relevant, non-privileged documents that are responsive to this Request, to the
28 extent such documents are found within his possession, custody or control after a

1 reasonable and diligent search, and to the extent such documents have not already
2 been produced, or otherwise made available, to Plaintiffs.

3 **REQUEST FOR PRODUCTION NO. 6:**

4 All DOCUMENTS RELATING TO the designs for the AXANAR WORKS,
5 including but not limited to computer designs (“CGI”).

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

7 Defendant objects to this Request as overly broad, unduly burdensome, and so
8 vague and ambiguous as to be unintelligible. Defendant further objects to this
9 Request on the grounds that the term “designs” is vague and ambiguous. Defendant
10 further objects to this Request on the grounds that the term “AXANAR WORKS” is
11 vague, compound, and refers to multiple works, some of which have not yet been
12 created.

13 Subject to and without waiving the foregoing objections, Defendant will
14 produce relevant, non-privileged documents that are responsive to this Request, to the
15 extent such documents are found within his possession, custody or control after a
16 reasonable and diligent search, and to the extent such documents have not already
17 been produced, or otherwise made available, to Plaintiffs.

18 **REQUEST FOR PRODUCTION NO. 7**

19 All DOCUMENTS RELATING to the purchase, design, construction or use of
20 props for the AXANAR WORKS.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

22 Defendant objects to this Request as overly broad, unduly burdensome, and so
23 vague and ambiguous as to be unintelligible. Defendant further objects to this
24 Request to the extent it seeks documents that are neither relevant to any party’s claims
25 or defenses, nor proportional to the needs of the case. Defendant further objects to
26 this Request on the grounds that the term “AXANAR WORKS” is vague, compound,
27 and refers to multiple works, some of which have not yet been created.

28 Subject to and without waiving the foregoing objections, Defendant will

1 produce relevant, non-privileged documents that are responsive to this Request, to the
2 extent such documents are found within his possession, custody or control after a
3 reasonable and diligent search, and to the extent such documents have not already
4 been produced, or otherwise made available, to Plaintiffs.

5 **REQUEST FOR PRODUCTION NO. 8:**

6 All agreements with third parties for services in connection with the production
7 of the AXANAR WORKS, including but not limited to all DOCUMENTS reflecting
8 payments to third parties with respect to such services.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

10 Defendant objects to this Request as overly broad, unduly burdensome, and so
11 vague and ambiguous as to be unintelligible. Defendant further objects to this
12 Request to the extent it seeks documents that are neither relevant to any party's claims
13 or defenses, nor proportional to the needs of the case. Defendant further objects to
14 this Request on the grounds that the term "AXANAR WORKS" is vague, compound,
15 and refers to multiple works, some of which have not yet been created. Defendant
16 further objects to this Request on the grounds that the terms "agreements" and
17 "services" are vague and ambiguous.

18 Subject to and without waiving the foregoing objections, Defendant will
19 produce relevant, non-privileged documents that are responsive to this Request, to the
20 extent such documents are found within his possession, custody or control after a
21 reasonable and diligent search, and to the extent such documents have not already
22 been produced, or otherwise made available, to Plaintiffs.

23 **REQUEST FOR PRODUCTION NO. 9:**

24 All DOCUMENTS (whether internal or from any third party) reflecting any
25 opinion as to whether the AXANAR WORKS infringed the rights of PLAINTIFFS, or
26 whether the permission of PLAINTIFFS was required.

27 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

28 Defendant objects to this Request as overly broad and unduly burdensome.

1 Defendant further objects to this Request to the extent it seeks documents that are
2 protected by the attorney-client privilege and work product doctrine. Defendant
3 further objects to this Request on the grounds that it calls for legal conclusions or
4 analysis. Defendant further objects to this Request on the grounds that the term
5 “AXANAR WORKS” is vague, compound, and refers to multiple works, some of
6 which have not yet been created. Defendant further objects to this Request on the
7 grounds that the phrase “infringed the rights of” and terms “opinion” and
8 “permission” are vague and ambiguous.

9 Subject to and without waiving the foregoing objections, Defendant will
10 produce relevant, non-privileged documents that are responsive to this Request, to the
11 extent such documents are found within its possession, custody or control after a
12 reasonable and diligent search, and to the extent such documents have not already
13 been produced, or otherwise made available, to Plaintiffs.

14 **REQUEST FOR PRODUCTION NO. 10:**

15 All DOCUMENTS RELATING TO the costumes for the AXANAR WORKS.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

17 Defendant objects to this Request as overly broad and unduly burdensome.
18 Defendant further objects to this Request to the extent it seeks documents that are
19 neither relevant to any party’s claims or defenses, nor proportional to the needs of the
20 case. Defendant further objects to this Request on the grounds that the term
21 “AXANAR WORKS” is vague, compound, and refers to multiple works, some of
22 which have not yet been created.

23 **REQUEST FOR PRODUCTION NO. 11:**

24 All DOCUMENTS RELATING TO Ares Studio, including but not limited to
25 all DOCUMENTS regarding the leasing and or purchase of the Studio, the ownership
26 of the Studio, the construction of the Studio (including all financial documents), and
27 the use of the Studio.

28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

2 Defendant objects to this Request as overly broad and unduly burdensome.
3 Defendant further objects to this Request to the extent it seeks documents that are
4 neither relevant to any party's claims or defenses, nor proportional to the needs of the
5 case. Defendant further objects to this Request on the grounds that the term
6 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
7 which have not yet been created.

8 **REQUEST FOR PRODUCTION NO. 12:**

9 All DOCUMENTS RELATING TO any future plans for Ares Studio, including
10 but not limited to agreements, business plans, incorporation documents, and tax
11 documents.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

13 Defendant objects to this Request as overly broad and unduly burdensome.
14 Defendant further objects to this Request to the extent it seeks documents that are
15 neither relevant to any party's claims or defenses, nor proportional to the needs of the
16 case. Defendant further objects to this Request on the grounds that the term
17 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
18 which have not yet been created. Defendant further objects to this Request on the
19 grounds that the phrase "future plans" is vague and ambiguous.

20 **REQUEST FOR PRODUCTION NO. 13:**

21 All DOCUMENTS setting forth any schedules associated with the making of
22 the AXANAR WORKS, including writing and other pre-production schedules,
23 production schedules and editing and other post-production schedules.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

25 Defendant objects to this Request as overly broad and unduly burdensome.
26 Defendant further objects to this Request to the extent it seeks documents that are
27 neither relevant to any party's claims or defenses, nor proportional to the needs of the
28 case. Defendant further objects to this Request on the grounds that the term

1 “AXANAR WORKS” is vague, compound, and refers to multiple works, some of
2 which have not yet been created. Defendant further objects to this Request on the
3 grounds that the term “schedules” is vague and ambiguous.

4 Subject to and without waiving the foregoing objections, Defendant will
5 produce relevant, non-privileged documents that are responsive to this Request, to the
6 extent such documents are found within his possession, custody or control after a
7 reasonable and diligent search, and to the extent such documents have not already
8 been produced, or otherwise made available, to Plaintiffs.

9 **REQUEST FOR PRODUCTION NO. 14:**

10 All DOCUMENTS RELATING TO the characters portrayed in the AXANAR
11 WORKS, including, without limitation, production notes, casting sheets, casting
12 notes, outlines, storyboards and character biographies.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

14 Defendant objects to this Request as overly broad, unduly burdensome, and so
15 vague and ambiguous as to be unintelligible. Defendant further objects to this
16 Request to the extent it seeks documents that are neither relevant to any party’s claims
17 or defenses, nor proportional to the needs of the case. Defendant further objects to
18 this Request on the grounds that the term “AXANAR WORKS” is vague, compound,
19 and refers to multiple works, some of which have not yet been created. Defendant
20 further objects to this Request on the grounds that the terms “production notes,”
21 “casting sheets,” “casting notes,” “storyboards,” and “character biographies” are
22 vague and ambiguous. Defendant further objects to this Request on the grounds that
23 the term “schedules” is vague and ambiguous.

24 Subject to and without waiving the foregoing objections, Defendant will
25 produce relevant, non-privileged documents that are responsive to this Request, to the
26 extent such documents are found within his possession, custody or control after a
27 reasonable and diligent search, and to the extent such documents have not already
28 been produced, or otherwise made available, to Plaintiffs.

1 **REQUEST FOR PRODUCTION NO. 15:**

2 Copies of all partial and complete versions of the AXANAR WORKS,
3 including without limitation those film cuts and sequences which were filmed but
4 have not yet been distributed.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

6 Defendant objects to this Request as overly broad and unduly burdensome.
7 Defendant further objects to this Request to the extent it seeks documents that are
8 neither relevant to any party's claims or defenses, nor proportional to the needs of the
9 case. Defendant further objects to this Request on the grounds that the term
10 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
11 which have not yet been created. Defendant further objects to this Request on the
12 grounds that to the extent any scenes are completed, they are publicly available.

13 **REQUEST FOR PRODUCTION NO. 16:**

14 All COMMUNICATIONS with third parties RELATING TO the AXANAR
15 WORKS.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

17 Defendant objects to this Request as overly broad and unduly burdensome.
18 Defendant further objects to this Request to the extent it seeks documents that are
19 neither relevant to any party's claims or defenses, nor proportional to the needs of the
20 case. Defendant further objects to this Request on the grounds that the term
21 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
22 which have not yet been created. Defendant further objects to this Request to the
23 extent it seeks documents that are protected by the attorney-client privilege and work
24 product doctrine.

25 Subject to and without waiving the foregoing objections, Defendant will
26 produce relevant, non-privileged documents that are responsive to this Request, to the
27 extent such documents are found within his possession, custody or control after a
28 reasonable and diligent search, and to the extent such documents have not already

1 been produced, or otherwise made available, to Plaintiffs.

2 **REQUEST FOR PRODUCTION NO. 17:**

3 All COMMUNICATIONS, both public and private, RELATING TO the
4 AXANAR WORKS.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

6 Defendant objects to this Request as overly broad and unduly burdensome.
7 Defendant further objects to this Request to the extent it seeks documents that are
8 neither relevant to any party's claims or defenses, nor proportional to the needs of the
9 case. Defendant further objects to this Request on the grounds that the term
10 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
11 which have not yet been created. Defendant further objects to this Request to the
12 extent it seeks documents that are protected by the attorney-client privilege and work
13 product doctrine.

14 Subject to and without waiving the foregoing objections, Defendant will
15 produce relevant, non-privileged documents that are responsive to this Request, to the
16 extent such documents are found within his possession, custody or control after a
17 reasonable and diligent search, and to the extent such documents have not already
18 been produced, or otherwise made available, to Plaintiffs.

19 **REQUEST FOR PRODUCTION NO. 18:**

20 All COMMUNICATIONS with actors RELATING TO the AXANAR
21 WORKS, including but not limited to all agreements with actors.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

23 Defendant objects to this Request as overly broad and unduly burdensome.
24 Defendant further objects to this Request to the extent it seeks documents that are
25 neither relevant to any party's claims or defenses, nor proportional to the needs of the
26 case. Defendant further objects to this Request on the grounds that the term
27 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
28 which have not yet been created. Defendant further objects to this Request to the

1 extent it seeks documents that are protected by the work product doctrine. Defendant
2 further objects to this Request on the grounds that the term “agreements” is vague and
3 ambiguous.

4 Subject to and without waiving the foregoing objections, Defendant will
5 produce relevant, non-privileged documents that are responsive to this Request, to the
6 extent such documents are found within his possession, custody or control after a
7 reasonable and diligent search, and to the extent such documents have not already
8 been produced, or otherwise made available, to Plaintiffs.

9 **REQUEST FOR PRODUCTION NO. 19:**

10 All COMMUNICATIONS with investors or donors, or anyone else giving
11 money RELATING TO the AXANAR WORKS.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

13 Defendant objects to this Request as overly broad and unduly burdensome.
14 Defendant further objects to this Request to the extent it seeks documents that are
15 neither relevant to any party’s claims or defenses, nor proportional to the needs of the
16 case. Defendant further objects to this Request on the grounds that the term
17 “AXANAR WORKS” is vague, compound, and refers to multiple works, some of
18 which have not yet been created. Defendant further objects to this Request to the
19 extent it seeks documents that are protected by the work product doctrine.

20 Subject to and without waiving the foregoing objections, Defendant will
21 produce relevant, non-privileged documents that are responsive to this Request, to the
22 extent such documents are found within his possession, custody or control after a
23 reasonable and diligent search, and to the extent such documents have not already
24 been produced, or otherwise made available, to Plaintiffs.

25 **REQUEST FOR PRODUCTION NO. 20:**

26 All COMMUNICATIONS with Axanar Productions, Inc. RELATING TO the
27 AXANAR WORKS.

28

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

2 Defendant objects to this Request as overly broad and unduly burdensome.
3 Defendant further objects to this Request to the extent it seeks documents that are
4 neither relevant to any party's claims or defenses, nor proportional to the needs of the
5 case. Defendant further objects to this Request on the grounds that the term
6 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
7 which have not yet been created. Defendant further objects to this Request to the
8 extent it seeks documents that are protected by attorney-client privilege and the work
9 product doctrine.

10 Subject to and without waiving the foregoing objections, Defendant will
11 produce relevant, non-privileged documents that are responsive to this Request, to the
12 extent such documents are found within his possession, custody or control after a
13 reasonable and diligent search, and to the extent such documents have not already
14 been produced, or otherwise made available, to Plaintiffs.

15 **REQUEST FOR PRODUCTION NO. 21:**

16 All COMMUNICATIONS with Robert Meyer Burnett RELATING TO the
17 AXANAR WORKS.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

19 Defendant objects to this Request as overly broad and unduly burdensome.
20 Defendant further objects to this Request to the extent it seeks documents that are
21 neither relevant to any party's claims or defenses, nor proportional to the needs of the
22 case. Defendant further objects to this Request on the grounds that the term
23 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
24 which have not yet been created. Defendant further objects to this Request to the
25 extent it seeks documents that are protected by the work product doctrine.

26 Subject to and without waiving the foregoing objections, Defendant will
27 produce relevant, non-privileged documents that are responsive to this Request, to the
28 extent such documents are found within his possession, custody or control after a

1 reasonable and diligent search, and to the extent such documents have not already
2 been produced, or otherwise made available, to Plaintiffs.

3 **REQUEST FOR PRODUCTION NO. 22:**

4 All COMMUNICATIONS with Diana Kingsbury RELATING TO the
5 AXANAR WORKS.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

7 Defendant objects to this Request as overly broad and unduly burdensome.
8 Defendant further objects to this Request to the extent it seeks documents that are
9 neither relevant to any party's claims or defenses, nor proportional to the needs of the
10 case. Defendant further objects to this Request on the grounds that the term
11 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
12 which have not yet been created. Defendant further objects to this Request to the
13 extent it seeks documents that are protected by the work product doctrine.

14 Subject to and without waiving the foregoing objections, Defendant will
15 produce relevant, non-privileged documents that are responsive to this Request, to the
16 extent such documents are found within his possession, custody or control after a
17 reasonable and diligent search, and to the extent such documents have not already
18 been produced, or otherwise made available, to Plaintiffs.

19 **REQUEST FOR PRODUCTION NO. 23:**

20 All COMMUNICATIONS with Terry McIntosh RELATING TO the
21 AXANAR WORKS.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 23:**

23 Defendant objects to this Request as overly broad and unduly burdensome.
24 Defendant further objects to this Request to the extent it seeks documents that are
25 neither relevant to any party's claims or defenses, nor proportional to the needs of the
26 case. Defendant further objects to this Request on the grounds that the term
27 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
28 which have not yet been created. Defendant further objects to this Request to the

1 extent it seeks documents that are protected by the work product doctrine.

2 Subject to and without waiving the foregoing objections, Defendant will
3 produce relevant, non-privileged documents that are responsive to this Request, to the
4 extent such documents are found within his possession, custody or control after a
5 reasonable and diligent search, and to the extent such documents have not already
6 been produced, or otherwise made available, to Plaintiffs.

7 **REQUEST FOR PRODUCTION NO. 24:**

8 All COMMUNICATIONS with Alexander Bomstein RELATING TO the
9 AXANAR WORKS.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

11 Defendant objects to this Request as overly broad and unduly burdensome.
12 Defendant further objects to this Request to the extent it seeks documents that are
13 neither relevant to any party's claims or defenses, nor proportional to the needs of the
14 case. Defendant further objects to this Request on the grounds that the term
15 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
16 which have not yet been created. Defendant further objects to this Request to the
17 extent it seeks documents that are protected by the work product doctrine.

18 Subject to and without waiving the foregoing objections, Defendant will
19 produce relevant, non-privileged documents that are responsive to this Request, to the
20 extent such documents are found within his possession, custody or control after a
21 reasonable and diligent search, and to the extent such documents have not already
22 been produced, or otherwise made available, to Plaintiffs.

23 **REQUEST FOR PRODUCTION NO. 25:**

24 All COMMUNICATIONS with Bing Bailey RELATING TO the AXANAR
25 WORKS.

26 **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

27 Defendant objects to this Request as overly broad and unduly burdensome.
28 Defendant further objects to this Request to the extent it seeks documents that are

1 neither relevant to any party's claims or defenses, nor proportional to the needs of the
2 case. Defendant further objects to this Request on the grounds that the term
3 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
4 which have not yet been created. Defendant further objects to this Request to the
5 extent it seeks documents that are protected by the work product doctrine.

6 Subject to and without waiving the foregoing objections, Defendant will
7 produce relevant, non-privileged documents that are responsive to this Request, to the
8 extent such documents are found within his possession, custody or control after a
9 reasonable and diligent search, and to the extent such documents have not already
10 been produced, or otherwise made available, to Plaintiffs.

11 **REQUEST FOR PRODUCTION NO. 26:**

12 All COMMUNICATIONS with Bill Hunt RELATING TO the AXANAR
13 WORKS.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

15 Defendant objects to this Request as overly broad and unduly burdensome.
16 Defendant further objects to this Request to the extent it seeks documents that are
17 neither relevant to any party's claims or defenses, nor proportional to the needs of the
18 case. Defendant further objects to this Request on the grounds that the term
19 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
20 which have not yet been created. Defendant further objects to this Request to the
21 extent it seeks documents that are protected by the work product doctrine.

22 Subject to and without waiving the foregoing objections, Defendant will
23 produce relevant, non-privileged documents that are responsive to this Request, to the
24 extent such documents are found within his possession, custody or control after a
25 reasonable and diligent search, and to the extent such documents have not already
26 been produced, or otherwise made available, to Plaintiffs.

27 **REQUEST FOR PRODUCTION NO. 27:**

28 All COMMUNICATIONS with Michael Spatola RELATING TO the

1 AXANAR WORKS.

2 **RESPONSE TO REQUEST FOR PRODUCTION NO. 27:**

3 Defendant objects to this Request as overly broad and unduly burdensome.
4 Defendant further objects to this Request to the extent it seeks documents that are
5 neither relevant to any party's claims or defenses, nor proportional to the needs of the
6 case. Defendant further objects to this Request on the grounds that the term
7 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
8 which have not yet been created. Defendant further objects to this Request to the
9 extent it seeks documents that are protected by the work product doctrine.

10 Subject to and without waiving the foregoing objections, Defendant will
11 produce relevant, non-privileged documents that are responsive to this Request, to the
12 extent such documents are found within his possession, custody or control after a
13 reasonable and diligent search, and to the extent such documents have not already
14 been produced, or otherwise made available, to Plaintiffs.

15 **REQUEST FOR PRODUCTION NO. 28:**

16 All COMMUNICATIONS with Frank Serafine RELATING TO the AXANAR
17 WORKS.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 28:**

19 Defendant objects to this Request as overly broad and unduly burdensome.
20 Defendant further objects to this Request to the extent it seeks documents that are
21 neither relevant to any party's claims or defenses, nor proportional to the needs of the
22 case. Defendant further objects to this Request on the grounds that the term
23 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
24 which have not yet been created. Defendant further objects to this Request to the
25 extent it seeks documents that are protected by the work product doctrine.

26 Subject to and without waiving the foregoing objections, Defendant will
27 produce relevant, non-privileged documents that are responsive to this Request, to the
28 extent such documents are found within his possession, custody or control after a

1 reasonable and diligent search, and to the extent such documents have not already
2 been produced, or otherwise made available, to Plaintiffs.

3 **REQUEST FOR PRODUCTION NO. 29:**

4 All COMMUNICATIONS with Adam Howard RELATING TO the AXANAR
5 WORKS.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

7 Defendant objects to this Request as overly broad and unduly burdensome.
8 Defendant further objects to this Request to the extent it seeks documents that are
9 neither relevant to any party's claims or defenses, nor proportional to the needs of the
10 case. Defendant further objects to this Request on the grounds that the term
11 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
12 which have not yet been created. Defendant further objects to this Request to the
13 extent it seeks documents that are protected by the work product doctrine.

14 Subject to and without waiving the foregoing objections, Defendant will
15 produce relevant, non-privileged documents that are responsive to this Request, to the
16 extent such documents are found within his possession, custody or control after a
17 reasonable and diligent search, and to the extent such documents have not already
18 been produced, or otherwise made available, to Plaintiffs.

19 **REQUEST FOR PRODUCTION NO. 30:**

20 All DOCUMENTS RELATED TO any postings YOU have made on social
21 media, message boards, or any other website RELATED TO this ACTION, the
22 AXANAR WORKS, the STAR TREK COPYRIGHTED WORKS, or PLAINTIFFS.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 30:**

24 Defendant objects to this Request as overly broad and unduly burdensome.
25 Defendant further objects to this Request on the ground that it seeks documents that
26 are publicly available. Defendant further objects to this Request on the grounds that
27 the term "AXANAR WORKS" is vague, compound, and refers to multiple works,
28 some of which have not yet been created. Defendant further objects to this Request on

1 the grounds that the term “postings” is vague and ambiguous.

2 Subject to and without waiving the foregoing objections, Defendant will
3 produce relevant, non-privileged documents that are responsive to this Request, to the
4 extent such documents are found within his possession, custody or control after a
5 reasonable and diligent search, and to the extent such documents have not already
6 been produced, or otherwise made available, to Plaintiffs.

7 **REQUEST FOR PRODUCTION NO. 31:**

8 ALL DOCUMENTS RELATING TO PLAINTIFFS.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 31:**

10 Defendant objects to this Request as overly broad, unduly burdensome, vague,
11 and duplicative. Defendant further objects to this Request to the extent it seeks
12 documents that are neither relevant to any party’s claims or defenses, nor proportional
13 to the needs of the case. Defendant further objects to this Request to the extent it
14 seeks documents that are protected by the attorney-client privilege and work product
15 doctrine.

16 Subject to and without waiving the foregoing objections, Defendant will
17 produce relevant, non-privileged documents that are responsive to this Request, to the
18 extent such documents are found within his possession, custody or control after a
19 reasonable and diligent search, and to the extent such documents have not already
20 been produced, or otherwise made available, to Plaintiffs.

21 **REQUEST FOR PRODUCTION NO. 32:**

22 ALL COMMUNICATIONS with PLAINTIFFS.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 32:**

24 Defendant objects to this Request as overly broad and unduly burdensome.
25 Defendant further objects to this Request on the grounds that it seeks documents that
26 are equally available to Plaintiffs.

27 Subject to and without waiving the foregoing objections, Defendant will
28 produce relevant, non-privileged documents that are responsive to this Request, to the

1 extent such documents are found within his possession, custody or control after a
2 reasonable and diligent search, and to the extent such documents have not already
3 been produced, or otherwise made available, to Plaintiffs.

4 **REQUEST FOR PRODUCTION NO. 33:**

5 All DOCUMENTS RELATING TO any COMMUNICATIONS YOU had with
6 any PLAINTIFFS.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 33:**

8 Defendant objects to this Request as overly broad and unduly burdensome.
9 Defendant further objects to this Request on the ground that it seeks documents that
10 are equally available to Plaintiffs.

11 Subject to and without waiving the foregoing objections, Defendant will
12 produce relevant, non-privileged documents that are responsive to this Request, to the
13 extent such documents are found within his possession, custody or control after a
14 reasonable and diligent search, and to the extent such documents have not already
15 been produced, or otherwise made available, to Plaintiffs.

16 **REQUEST FOR PRODUCTION NO. 34:**

17 All COMMUNICATIONS RELATING TO this ACTION.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 34:**

19 Defendant objects to this Request as overly broad, unduly burdensome, vague,
20 and duplicative. Defendant further objects to this Request to the extent it seeks
21 documents that are neither relevant to any party's claims or defenses, nor proportional
22 to the needs of the case. Defendant further objects to this Request to the extent it
23 seeks documents that are protected by the attorney-client privilege and work product
24 doctrine.

25 Subject to and without waiving the foregoing objections, Defendant will
26 produce relevant, non-privileged documents that are responsive to this Request, to the
27 extent such documents are found within his possession, custody or control after a
28 reasonable and diligent search, and to the extent such documents have not already

1 been produced, or otherwise made available, to Plaintiffs.

2 **REQUEST FOR PRODUCTION NO. 35:**

3 All DOCUMENTS RELATING TO Star Trek and/or the STAR TREK
4 COPYRIGHTED WORKS.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 35:**

6 Defendant objects to this Request as overly broad, unduly burdensome, and so
7 vague and ambiguous as to be unintelligible. To the extent Plaintiffs contend
8 Defendants copied their works, those works are equally available to Plaintiffs.

9 **REQUEST FOR PRODUCTION NO. 36:**

10 All DOCUMENTS RELATING TO the rights to Star Trek and/or the STAR
11 TREK COPYRIGHTED WORKS.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 36:**

13 Defendant objects to this Request as overly broad, unduly burdensome, and so
14 vague and ambiguous as to be unintelligible. Defendant further objects to this
15 Request on the grounds that it calls for a legal conclusion or analysis. Defendant
16 further objects to this Request on the grounds that it seeks documents that are equally
17 available to Plaintiffs.

18 **REQUEST FOR PRODUCTION NO. 37:**

19 All DOCUMENTS RELATING TO the fundraising for the AXANAR
20 WORKS.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 37:**

22 Defendant objects to this Request as overly broad and unduly burdensome.
23 Defendant further objects to this Request to the extent it seeks documents that are
24 neither relevant to any party's claims or defenses, nor proportional to the needs of the
25 case. Defendant further objects to this Request on the grounds that the term
26 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
27 which have not yet been created. Defendant further objects to this Request on the
28 grounds that the term "fundraising" is vague and ambiguous.

1 Subject to and without waiving the foregoing objections, pursuant to Federal
2 Rule of Civil Procedure 33(d), Axanar will produce and/or will make available
3 documents responsive to this Request.

4 **REQUEST FOR PRODUCTION NO. 38:**

5 All DOCUMENTS RELATING TO the expenditure of funds on the AXANAR
6 WORKS.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 38:**

8 Defendant objects to this Request as overly broad and unduly burdensome.
9 Defendant further objects to this Request to the extent it seeks documents that are
10 neither relevant to any party's claims or defenses, nor proportional to the needs of the
11 case. Defendant further objects to this Request on the grounds that the term
12 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
13 which have not yet been created.

14 Subject to and without waiving the foregoing objections, pursuant to Federal
15 Rule of Civil Procedure 33(d), Axanar will produce and/or will make available
16 documents responsive to this Request.

17 **REQUEST FOR PRODUCTION NO. 39:**

18 All DOCUMENTS RELATING TO how funds of investors in the AXANAR
19 WORKS was spent.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 39:**

21 Defendant objects to this Request as overly broad and unduly burdensome.
22 Defendant further objects to this Request to the extent it seeks documents that are
23 neither relevant to any party's claims or defenses, nor proportional to the needs of the
24 case. Defendant further objects to this Request on the grounds that the term
25 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
26 which have not yet been created.

27 Subject to and without waiving the foregoing objections, pursuant to Federal
28 Rule of Civil Procedure 33(d), Axanar will produce and/or will make available

1 documents responsive to this Request.

2 **REQUEST FOR PRODUCTION NO. 40:**

3 All DOCUMENTS showing which individuals received money with respect to
4 the AXANAR WORKS, and how much money they received.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 40:**

6 Defendant objects to this Request as overly broad and unduly burdensome.
7 Defendant further objects to this Request to the extent it seeks documents that are
8 neither relevant to any party's claims or defenses, nor proportional to the needs of the
9 case. Defendant further objects to this Request on the grounds that the term
10 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
11 which have not yet been created.

12 Subject to and without waiving the foregoing objections, pursuant to Federal
13 Rule of Civil Procedure 33(d), Axanar will produce and/or will make available
14 documents responsive to this Request.

15 **REQUEST FOR PRODUCTION NO. 41:**

16 All DOCUMENTS RELATING TO any research conducted on Star Trek
17 and/or the STAR TREK COPYRIGHTED WORKS in connection with the AXANAR
18 WORKS.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 41:**

20 Defendant objects to this Request as overly broad and unduly burdensome.
21 Defendant further objects to this Request to the extent it seeks documents that are
22 neither relevant to any party's claims or defenses, nor proportional to the needs of the
23 case. Defendant further objects to this Request on the grounds that the term
24 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
25 which have not yet been created. Defendant further objects to this Request on the
26 grounds that the concept of "documents relating to research conducted" is vague and
27 ambiguous.

28

1 **REQUEST FOR PRODUCTION NO. 42:**

2 Copies of all works RELATING TO Star Trek that YOU currently have in
3 YOUR possession, custody, or control, or that YOU reviewed in connection with
4 work performed by YOU on the AXANAR WORKS.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 42:**

6 Defendant objects to this Request as overly broad and unduly burdensome.
7 Defendant further objects to this Request to the extent it seeks documents that are
8 neither relevant to any party's claims or defenses, nor proportional to the needs of the
9 case. Defendant further objects to this Request on the grounds that it is so vague and
10 ambiguous as to be unintelligible. Defendant further objects to this Request on the
11 grounds that the term "AXANAR WORKS" is vague, compound, and refers to
12 multiple works, some of which have not yet been created.

13 **REQUEST FOR PRODUCTION NO. 43:**

14 Copies of works utilized or relied upon by YOU in the creation of the
15 AXANAR WORKS, including books, films, or television shows.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 43:**

17 Defendant objects to this Request as overly broad and unduly burdensome.
18 Defendant further objects to this Request on the grounds that it is vague and
19 ambiguous. Defendant further objects to this Request on the grounds that it calls for
20 legal conclusions or analysis. Defendant further objects to this Request on the
21 grounds that the term "AXANAR WORKS" is vague, compound, and refers to
22 multiple works, some of which have not yet been created. To the extent Plaintiffs
23 contend Defendants copied their works, those works are equally available to Plaintiffs.

24 **REQUEST FOR PRODUCTION NO. 44:**

25 All DOCUMENTS RELATING TO any copyright applications for the
26 AXANAR WORKS submitted by YOU or on YOUR behalf, including, without
27 limitation any COMMUNICATIONS RELATED TO YOUR decision to submit such
28 applications.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 44:**

2 Defendant objects to this Request as overly broad and unduly burdensome.
3 Defendant further objects to this Request to the extent it seeks documents that are
4 neither relevant to any party's claims or defenses, nor proportional to the needs of the
5 case. Defendant further objects to this Request on the grounds that the term
6 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
7 which have not yet been created.

8 After reasonable and diligent search, no such documents exist.

9 **REQUEST FOR PRODUCTION NO. 45:**

10 Any copyright registrations RELATING TO the AXANAR WORKS.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 45:**

12 Defendant objects to this Request as overly broad and unduly burdensome.
13 Defendant further objects to this Request to the extent it seeks documents that are
14 neither relevant to any party's claims or defenses, nor proportional to the needs of the
15 case. Defendant further objects to this Request on the grounds that the term
16 "AXANAR WORKS" is vague, compound, and refers to multiple works, some of
17 which have not yet been created.

18 After reasonable and diligent search, no such documents exist.

19 **REQUEST FOR PRODUCTION NO. 46:**

20 All pre-existing writings or audio-visual works upon which any AXANAR
21 WORKS is based, and/or out of which any such AXANAR WORKS arose.

22 **RESPONSE TO REQUEST FOR PRODUCTION NO. 46:**

23 Defendant objects to this Request as overly broad and unduly burdensome.
24 Defendant further objects to this Request on the grounds that it is vague and
25 ambiguous. Defendant further objects to this Request on the grounds that it calls for
26 legal conclusions or analysis. Defendant further objects to this Request on the
27 grounds that the term "AXANAR WORKS" is vague, compound, and refers to
28 multiple works, some of which have not yet been created. To the extent Plaintiffs

1 contend Defendants copied their works, those works are equally available to Plaintiffs.

2 **REQUEST FOR PRODUCTION NO. 47:**

3 All DOCUMENTS that YOU contend support or establish the original
4 conception, creation and writing of the AXANAR WORKS independent of the STAR
5 TREK COPYRIGHTED WORKS.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 47:**

7 Defendant objects to this Request as overly broad and unduly burdensome.
8 Defendant further objects to this Request on the grounds that it is vague and
9 ambiguous. Defendant further objects to this Request on the grounds that it calls for
10 legal conclusions or analysis. Defendant further objects to this Request on the
11 grounds that the term “AXANAR WORKS” is vague, compound, and refers to
12 multiple works, some of which have not yet been created.

13 Subject to and without waiving the foregoing objections, Defendant will
14 produce relevant, non-privileged documents that are responsive to this Request, to the
15 extent such documents are found within his possession, custody or control after a
16 reasonable and diligent search, and to the extent such documents have not already
17 been produced, or otherwise made available, to Plaintiffs.

18 **REQUEST FOR PRODUCTION NO. 48:**

19 All DOCUMENTS RELATING TO any plans to distribute the AXANAR
20 WORKS.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 48:**

22 Defendant objects to this Request as overly broad and unduly burdensome.
23 Defendant further objects to this Request on the grounds that the term “AXANAR
24 WORKS” is vague, compound, and refers to multiple works, some of which have not
25 yet been created. Defendant further objects to this Request on the grounds that the
26 term “distribute” is vague and ambiguous.

27 After reasonable and diligent search, no documents regarding commercial
28 distribution of the “Axanar Works” exist. Defendant has never had plans to

1 commercially distribute his works, and has not done so.

2 **REQUEST FOR PRODUCTION NO. 49:**

3 All DOCUMENTS RELATING TO the number of views online of the
4 AXANAR WORKS.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 49:**

6 Defendant objects to this Request as overly broad and unduly burdensome.
7 Defendant further objects to this Request on the ground that it seeks documents that
8 are publicly available. Defendant further objects to this Request on the grounds that
9 the term “AXANAR WORKS” is vague, compound, and refers to multiple works,
10 some of which have not yet been created.

11 **REQUEST FOR PRODUCTION NO. 50:**

12 All DOCUMENTS RELATING TO income earned from advertising dollars or
13 any other source whatsoever for distributing any of the AXANAR WORKS.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 50:**

15 Defendant objects to this Request as overly broad and unduly burdensome.
16 Defendant further objects to this Request on the grounds that the term “AXANAR
17 WORKS” is vague, compound, and refers to multiple works, some of which have not
18 yet been created.

19 After reasonable and diligent search, no such documents exist. Defendant has
20 never had plans to commercially distribute or monetize his works, and has not done
21 so.

22 **REQUEST FOR PRODUCTION NO. 51:**

23 All COMMUNICATIONS with Youtube.com RELATING TO the AXANAR
24 WORKS.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 51:**

26 Defendant objects to this Request as overly broad, unduly burdensome, vague,
27 and duplicative. Defendant further objects to this Request to the extent it seeks
28 documents that are neither relevant to any party’s claims or defenses, nor proportional

1 to the needs of the case. Defendant further objects to this Request on the grounds that
2 the term “AXANAR WORKS” is vague, compound, and refers to multiple works,
3 some of which have not yet been created.

4 After reasonable and diligent search, no such documents exist.

5 **REQUEST FOR PRODUCTION NO. 52:**

6 All DOCUMENTS RELATING TO any efforts to monetize the AXANAR
7 WORKS.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 52:**

9 Defendant objects to this Request as overly broad and unduly burdensome.
10 Defendant further objects to this Request on the grounds that the term “AXANAR
11 WORKS” is vague, compound, and refers to multiple works, some of which have not
12 yet been created.

13 After reasonable and diligent search, no such documents exist. Defendant has
14 never had plans to commercially distribute or monetize his works, and has not done
15 so.

16 **REQUEST FOR PRODUCTION NO. 53:**

17 All DOCUMENTS showing revenue of the AXANAR WORKS.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 53:**

19 Defendant objects to this Request as overly broad and unduly burdensome.
20 Defendant further objects to this Request on the grounds that the term “AXANAR
21 WORKS” is vague, compound, and refers to multiple works, some of which have not
22 yet been created. Defendant further objects to this Request to the extent it seeks
23 documents that are neither relevant to any party’s claims or defenses, nor proportional
24 to the needs of the case. Defendant further objects to this Request on the grounds that
25 the term “revenue” is vague and ambiguous.

26 **REQUEST FOR PRODUCTION NO. 54:**

27 All DOCUMENTS RELATING TO the sale or distribution of products or any
28 physical materials RELATING TO the AXANAR WORKS.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 54:**

2 Defendant objects to this Request as overly broad and unduly burdensome.
3 Defendant further objects to this Request on the grounds that the term “AXANAR
4 WORKS” is vague, compound, and refers to multiple works, some of which have not
5 yet been created. Defendant further objects to this Request to the extent it seeks
6 documents that are neither relevant to any party’s claims or defenses, nor proportional
7 to the needs of the case.

8 **REQUEST FOR PRODUCTION NO. 55:**

9 All DOCUMENTS regarding the design, manufacture, sale, and other
10 distribution of products or any physical materials RELATING TO the AXANAR
11 WORKS, including but not limited to all products sold through the Axanar store, and
12 all products given to any donors of Axanar, or any other person .

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 55:**

14 Defendant objects to this Request as overly broad and unduly burdensome.
15 Defendant further objects to this Request on the grounds that the term “AXANAR
16 WORKS” is vague, compound, and refers to multiple works, some of which have not
17 yet been created. Defendant further objects to this Request to the extent it seeks
18 documents that are neither relevant to any party’s claims or defenses, nor proportional
19 to the needs of the case.

20 **REQUEST FOR PRODUCTION NO. 56:**

21 All DOCUMENTS, other than those produced in response to any of the
22 foregoing requests, upon which YOU intend to rely in connection with this ACTION.

23 **RESPONSE TO REQUEST FOR PRODUCTION NO. 56:**

24 Defendant objects to this Request as overly broad and unduly burdensome.
25 Defendant further objects to this Request on the grounds that it is vague and
26 ambiguous. Defendant further objects to this Request on the grounds that it calls for
27 legal conclusions or analysis.

28 Subject to and without waiving the foregoing objections, Defendant will

1 produce relevant, non-privileged documents that are responsive to this Request, to the
2 extent such documents are found within his possession, custody or control after a
3 reasonable and diligent search, and to the extent such documents have not already
4 been produced, or otherwise made available, to Plaintiffs.

5 **REQUEST FOR PRODUCTION NO. 57:**

6 All DOCUMENTS RELATING TO YOUR contention that PRELUDE TO
7 AXANAR is protected by the fair use doctrine.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 57:**

9 Defendant objects to this Request as overly broad and unduly burdensome.
10 Defendant further objects to this Request on the grounds that it is vague and
11 ambiguous. Defendant further objects to this Request on the grounds that it calls for
12 legal conclusions or analysis.

13 Subject to and without waiving the foregoing objections, Defendant will
14 produce relevant, non-privileged documents that are responsive to this Request, to the
15 extent such documents are found within his possession, custody or control after a
16 reasonable and diligent search, and to the extent such documents have not already
17 been produced, or otherwise made available, to Plaintiffs.

18 **REQUEST FOR PRODUCTION NO. 58:**

19 All DOCUMENTS RELATING TO YOUR contention that the AXANAR
20 MOTION PICTURE is protected by the fair use doctrine.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 58:**

22 Defendant objects to this Request as overly broad and unduly burdensome.
23 Defendant further objects to this Request on the grounds that it calls for legal
24 conclusions or analysis. Defendant further objects to this Request on the grounds that
25 it is vague and ambiguous, as the “Axanar Motion Picture” has not yet been created.

26 Subject to and without waiving the foregoing objections, Defendant will
27 produce relevant, non-privileged documents that are responsive to this Request, to the
28 extent such documents are found within his possession, custody or control after a

1 reasonable and diligent search, and to the extent such documents have not already
2 been produced, or otherwise made available, to Plaintiffs.

3 **REQUEST FOR PRODUCTION NO. 59:**

4 All DOCUMENTS RELATING TO YOUR contention that PRELUDE TO
5 AXANAR is not an infringing derivative work of the STAR TREK COPYRIGHTED
6 WORKS.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 59:**

8 Defendant objects to this Request as overly broad and unduly burdensome.
9 Defendant further objects to this Request on the grounds that it is vague and
10 ambiguous. Defendant further objects to this Request on the grounds that it calls for
11 legal conclusions or analysis.

12 Subject to and without waiving the foregoing objections, Defendant will
13 produce relevant, non-privileged documents that are responsive to this Request, to the
14 extent such documents are found within his possession, custody or control after a
15 reasonable and diligent search, and to the extent such documents have not already
16 been produced, or otherwise made available, to Plaintiffs.

17 **REQUEST FOR PRODUCTION NO. 60:**

18 All DOCUMENTS RELATING TO YOUR contention that the AXANAR
19 MOTION PICTURE is not an infringing derivative work of the STAR TREK
20 COPYRIGHTED WORKS.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 60:**

22 Defendant objects to this Request as overly broad and unduly burdensome.
23 Defendant further objects to this Request on the grounds that it calls for legal
24 conclusions or analysis. Defendant further objects to this Request on the grounds that
25 it is vague and ambiguous, as the “Axanar Motion Picture” has not yet been created.

26 Subject to and without waiving the foregoing objections, Defendant will
27 produce relevant, non-privileged documents that are responsive to this Request, to the
28 extent such documents are found within his possession, custody or control after a

1 reasonable and diligent search, and to the extent such documents have not already
2 been produced, or otherwise made available, to Plaintiffs.

3 **REQUEST FOR PRODUCTION NO. 61:**

4 All DOCUMENTS RELATING TO YOUR contention that PRELUDE TO
5 AXANAR does not infringe the STAR TREK COPYRIGHTED WORKS.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 61:**

7 Defendant objects to this Request as overly broad and unduly burdensome.
8 Defendant further objects to this Request on the grounds that it is vague and
9 ambiguous. Defendant further objects to this Request on the grounds that it calls for
10 legal conclusions or analysis.

11 Subject to and without waiving the foregoing objections, Defendant will
12 produce relevant, non-privileged documents that are responsive to this Request, to the
13 extent such documents are found within his possession, custody or control after a
14 reasonable and diligent search, and to the extent such documents have not already
15 been produced, or otherwise made available, to Plaintiffs.

16 **REQUEST FOR PRODUCTION NO. 62:**

17 All DOCUMENTS RELATING TO YOUR contention that the AXANAR
18 MOTION PICTURE does not infringe the STAR TREK COPYRIGHTED WORKS.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 62:**

20 Defendant objects to this Request as overly broad and unduly burdensome.
21 Defendant further objects to this Request on the grounds that it calls for legal
22 conclusions or analysis. Defendant further objects to this Request on the grounds that
23 it is vague and ambiguous, as the “Axanar Motion Picture” has not yet been created.

24 Subject to and without waiving the foregoing objections, Defendant will
25 produce relevant, non-privileged documents that are responsive to this Request, to the
26 extent such documents are found within his possession, custody or control after a
27 reasonable and diligent search, and to the extent such documents have not already
28 been produced, or otherwise made available, to Plaintiffs.

1 **REQUEST FOR PRODUCTION NO. 63:**

2 All DOCUMENTS RELATING TO YOUR defenses in this ACTION.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 63:**

4 Defendant objects to this Request as overly broad and unduly burdensome.
5 Defendant further objects to this Request on the grounds that it calls for legal
6 conclusions or analysis. Defendant further objects to this Request on the grounds that
7 it is vague and ambiguous. Defendant further objects to this Request to the extent it
8 seeks documents that are protected by the attorney-client privilege or the work product
9 doctrine.

10 Subject to and without waiving the foregoing objections, Defendant will
11 produce relevant, non-privileged documents that are responsive to this Request, to the
12 extent such documents are found within his possession, custody or control after a
13 reasonable and diligent search, and to the extent such documents have not already
14 been produced, or otherwise made available, to Plaintiffs.

15 **REQUEST FOR PRODUCTION NO. 64:**

16 All COMMUNICATIONS with Kickstarter RELATING TO the AXANAR
17 WORKS.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 64:**

19 Defendant objects to this Request as overly broad and unduly burdensome.
20 Defendant further objects to this Request on the grounds that the term “AXANAR
21 WORKS” is vague, compound, and refers to multiple works, some of which have not
22 yet been created. Defendant further objects to this Request to the extent it seeks
23 documents that are neither relevant to any party’s claims or defenses, nor proportional
24 to the needs of the case.

25 **REQUEST FOR PRODUCTION NO. 65:**

26 All COMMUNICATIONS with Indiegogo RELATING TO the AXANAR
27 WORKS.

28

RESPONSE TO REQUEST FOR PRODUCTION NO. 65:

Defendant objects to this Request as overly broad and unduly burdensome. Defendant further objects to this Request on the grounds that the term “AXANAR WORKS” is vague, compound, and refers to multiple works, some of which have not yet been created. Defendant further objects to this Request to the extent it seeks documents that are neither relevant to any party’s claims or defenses, nor proportional to the needs of the case.

Dated: May 31, 2016

WINSTON & STRAWN LLP

By: /s/ Erin R. Ranahan
Erin R. Ranahan
Andrew S. Jick
Kelly N. Oki
Attorneys for Defendants,
AXANAR PRODUCTIONS, INC.
and ALEC PETERS

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CERTIFICATE OF SERVICE

United States District Court for the Central District of California

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

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is Winston & Strawn LLP, 333 S. Grand Avenue, Los Angeles, CA 90071-1543. On May 31, 2016, I served the following documents:

**DEFENDANT ALEC PETERS' RESPONSES TO PLAINTIFF
PARAMOUNT PICTURES CORPORATION AND CBS
STUDIO INC.'S FIRST SET OF REQUESTS FOR
PRODUCTION OF DOCUMENTS**



by placing a copy of the documents listed above in an envelope designated as **Federal Express-Overnight Delivery** and addressed to the persons as set forth below, in accordance with Federal Rule of Civil Procedure 5(b)(2)(C).

I am readily familiar with the firm's business practice for collection and processing of correspondence for delivery by **Federal Express-Overnight Delivery**. On the same day, as referenced above, correspondence is placed for collection by Federal Express, with whom we have a direct billing account for payment of said delivery, to be delivered to the office of the addressees as set forth below on the next business day.



by placing a copy of the document listed above in a sealed envelope with postage thereon fully prepaid in the United States mail at Los Angeles, CA addressed as set forth below.

I am readily familiar with the firm's business practice for collection and processing of correspondence for mailing with the United States Postal Service. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service with postage fully prepaid.

David Grossman
Jennifer Jason
Loeb & Loeb LLP
10100 Santa Monica Blvd., Suite 2200
Los Angeles, CA 90067

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

Signed: Robert Massing
Robert Massing

Dated: June 1, 2016

LA:407556.2