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PARAMOUNT PICTURES
11 CORPORATION and CBS STUDIOS
INC.
12

13 UNITED STATES DISTRICT COURT
14 CENTRAL DISTRICT OF CALIFORNIA
15

16 PARAMOUNT PICTURES
CORPORATION, a Delaware
17 corporation; and CBS STUDIOS INC.,
a Delaware corporation,
18

19 Plaintiffs,

20 v.

21 AXANAR PRODUCTIONS, INC., a
California corporation; ALEC PETERS,
an individual, and DOES 1-20,
22

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

**DECLARATION OF DAVID
GROSSMAN IN SUPPORT OF
PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION IN
LIMINE NO. 1**

Pre-Trial Conference: January 9, 2017
Trial: January 31, 2017

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DECLARATION OF DAVID GROSSMAN

I, DAVID GROSSMAN, declare as follows:

1. I am an attorney licensed to practice law in the State of California and am a partner with the law firm of Loeb & Loeb LLP (“Loeb”), attorneys of record for Paramount Pictures Corporation (“Paramount”) and CBS Studios Inc. (“CBS”) (collectively, “Plaintiffs”) in the above-captioned matter. The following is of my own personal knowledge, and if called as a witness, I could and would competently testify thereto.

2. Mr. Peters testified that Star Trek is [REDACTED] [REDACTED] **Exhibit A** (Peters tr. at 88:5-14) (confidential document filed under seal) are true and correct copies of the relevant excerpts from the deposition transcripts of Alec Peters taken on October 19, 2016 and November 2, 2016.

3. On June 21, 2016, I met and conferred with counsel for Defendants, Erin Ranahan. At the meeting, Ms. Ranahan and I agreed that the parties did not need to produce the Star Trek Copyrighted Works to one another, but that Defendants would produce the source documents that he used to create the Axanar Works *other than* the Star Trek films and episodes. Ms. Ranahan told me that Mr. Peters had told her that he already owned all of the Star Trek Copyrighted Works. At his deposition, [REDACTED] [REDACTED]. **Exhibit A** (Peters tr. at 40:10-15). Consistent with the parties’ agreement, and Mr. Peters’ testimony, Defendants did not request copies of the Star Trek works from Plaintiffs.

4. Mr. Peters testified that [REDACTED] [REDACTED]. **Exhibit A** (Peters tr. at 379:14-380:21).

5. At his first deposition, in response to a question about whether Mr. Peters ever deleted emails between him and Mr. Gossett, Mr. Peters testified: [REDACTED] [REDACTED]

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED] **Exhibit A** (Peters tr. at 67:15-24)(emphasis added).

5 6. After Christian Gossett produced thousands of pages of emails between
6 himself and Mr. Peters, the Court ordered Mr. Peters to be deposed a second time.

7 At his second deposition, Mr. Peters testified: [REDACTED]
8 [REDACTED]

9 [REDACTED] He also testified [REDACTED]

10 [REDACTED]
11 [REDACTED]

12 [REDACTED] Finally, he testified that [REDACTED]

13 [REDACTED]
14 [REDACTED]” **Exhibit A** (Peters tr. at 295:21-299:19).

15 7. Attached as **Exhibit B** is a true and correct copy of Robert Meyer
16 Burnett’s Responses and Objections to Plaintiffs’ Deposition Subpoena and
17 Requests for Production.

18 8. Attached hereto as **Exhibit C** is a true and correct copy of that email
19 from Mr. Peters to Mr. Gossett discussing the costume of the character Soval.
20 Attached hereto as **Exhibit D** (Gossett tr. at 93:17-95:1) is a true and correct copy of
21 the relevant excerpt from the deposition transcript of Christian Gossett taken on
22 October 22, 2016.

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

25 Executed this 6th day of January, 2017, at Los Angeles, California.

26
27 */s/David Grossman*
28 David Grossman