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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,  
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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. 8**

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

**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 made the following Facebook post on Creation Entertainment’s Official Star Trek Convention page: “My name is Alec Peters and I am the producer of Star Trek: Axanar, an independent Star Trek feature that will be released on the web.” Attached hereto as **Exhibit A** is a true and correct copy of a Facebook post by Alec Peters. **Exhibit B** (Peters tr. at 108-6-109:12) (confidential document filed under seal) are true and correct copies the relevant excerpt from the deposition transcripts of Alec Peters taken on October 19, 2016, and November 2, 2016.

3. Mr. Peters (using an email ending in “@startrekaxanar.com”) and Mr. Gossett discussed using the *Star Trek: The Role Playing Game* supplement “*The Four Years War*” as a “bible” for the creation of the Axanar Works. Attached hereto as **Exhibit C** is a true and correct copy of that email. Attached hereto as **Exhibit D** (Gossett tr. at 428:10-15) is a true and correct copy of the relevant excerpt from the deposition transcript of Christian Gossett taken on October 22, 2016.

4. In a Facebook Messenger conversation with Terry McIntosh, Mr. Peters discussed the impact of removing “Star Trek” from their YouTube channel name. Attached hereto as **Exhibit E** is a true and correct copy of that conversation. *See Exhibit B* (Peters tr. at 428:18-430:10).

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1           5.       Mr. Peters tweeted to a Web Series twitter account stating: “We would  
2 like you to cover Star Trek: Axanar, the first independent Star Trek film.” Attached  
3 hereto as **Exhibit F** is a true and correct copy of that tweet. *See Exhibit B* (Peters  
4 tr. at 106:6-107:7).

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

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

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*/s/David Grossman*  
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David Grossman