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18 *Attorneys for Defendants-Counterclaimants*

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

19 WILLIAM MORRIS ENDEAVOR  
20 ENTERTAINMENT, LLC, *et al.*,  
21 Plaintiffs and Counterclaim Defendants,  
22 v.  
23 WRITERS GUILD OF AMERICA,  
WEST, INC., *et al.*,  
24 Defendants and Counterclaimants,  
25 and PATRICIA CARR, *et al.*  
26 Counterclaimants.

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Case No. 2:19-cv-05465-AB-AFM  
**DECLARATION OF ALEX GANSA  
IN OPPOSITION TO  
PRELIMINARY INJUNCTION  
MOTIONS**

Hearing Date: Dec. 18, 2020  
Hearing Time: 10:00am  
Location: Courtroom 7B  
Judge: Hon. André Birotte, Jr.

1 I, Alex Gansa, hereby declare as follows:

2 1. I make this declaration from my personal knowledge and could testify  
3 competently to its contents.

4 2. I have been a member of Writers Guild of America, West  
5 continuously since January 7, 1986, and have written for multiple television series,  
6 including *Spenser: For Hire*, *The X-Files*, *Maximum Bob*, *Dawson's Creek*, *Wolf*  
7 *Lake*, *Numb3rs*, *Entourage*, *24*, and *Homeland*. I worked as a  
8 showrunner/executive producer on *Homeland* (which I ran for eight seasons), as  
9 well as on *Numb3rs*, *Dawson's Creek*, *Wolf Lake*, and *Maximum Bob* (all of which  
10 I ran for a single season). Taking into account all of the programs on which I have  
11 served as a showrunner, I have "run" over a decade of seasons of television.

12 3. While a showrunner has both writing and production responsibilities,  
13 the core responsibility of a showrunner is to write, and writing has occupied the  
14 vast majority of my time on every single show that I have run. I am directly  
15 involved in every single step of the writing process when working as a  
16 showrunner, from developing story arcs (both for an overall season and for  
17 individual episodes), reviewing and commenting on story outlines, writing scripts,  
18 editing scripts drafted in the first instance by others on the writing team, and  
19 rewriting scripts as needed in response to issues that arise during the production  
20 process.

21 4. For every season of television for which I have served as a  
22 showrunner, I have been credited as a writer (or co-writer) on at least a couple of  
23 episodes. Even for those episodes where I am not credited as a writer, I am equally  
24 involved in the final script. When I assign another writer to complete the initial  
25 drafts of a script I continue to be involved in every single step of the writing  
26 process of that episode. I help the assigned writer develop the story arc and outline  
27

1 for that episode and then give notes and make other edits to the assigned writer's  
2 drafts of the script. Moreover, even after the writer assigned to the script turns in a  
3 "final" draft, I often rewrite some portion of the script as part of my job of  
4 guaranteeing the quality of scripts that I send out for production.

5 5. Accordingly, I have written or rewritten at least portions of every  
6 single episode of television that I have run. By "writing" or "rewriting" I mean  
7 sitting in front of a computer with the script open in a word processing program,  
8 writing lines of dialogue or other aspects of a script.

9 6. My day as a showrunner typically begins at 5:30am, and almost every  
10 day I spend the four hours between 5:30am and 9:30am in front of a computer  
11 writing or rewriting the script for an episode. At 9:30am, I connect with the other  
12 writers on the writing team and we begin the collaborative process of developing  
13 story arcs and writing the scripts for future episodes. But my focus for the first  
14 four hours of my day as a showrunner is sitting in front of a computer writing,  
15 which indicates how central writing is to my job as a showrunner.

16 7. If I did not spend the majority of my time each week performing the  
17 writing services described above, it would have been necessary for the shows I  
18 have run to hire additional writers to perform that work. On every single television  
19 program there is a certain amount of writing work that needs to be done. If I were  
20 to cease developing story arcs, reviewing and commenting on story outlines,  
21 writing scripts, editing scripts drafted in the first instance by others on the writing  
22 team, and rewriting scripts as needed during the production process, it would be  
23 necessary to hire additional writers to provide those services. In particular, the  
24 writers directly under me in the writer's room would need to take on those duties to  
25 replace my writing role. Were that to happen, writers below them would be  
26 required to take on additional duties that the writers just below me used to handle.

1 That, in turn, would require hiring at least one or two additional writers to pick up  
2 the resulting slack in the writers' room.

3 8. It is true that as a showrunner I also take on certain "producing"  
4 duties—i.e., tasks that are not writing work as defined in the Minimum Basic  
5 Agreement (the WGA's collective bargaining agreement with production studios).  
6 But these producing tasks are inextricably linked with the writing tasks described  
7 above. My producing role is simply an extension of my writing role, because the  
8 purpose of my producing duties is to make sure that the production team can film  
9 the script that I and the writing team have written. A showrunner's responsibility  
10 for and authority over the production side of a project derive from the  
11 showrunner's familiarity with, and control over, the script. The production team  
12 listens to the showrunner because the showrunner has ultimate control over the  
13 script, which is the blueprint for every episode. The production team is there to  
14 execute the showrunner's vision for the script, which is why the production side of  
15 a project ultimately reports to the *writer*-producer showrunner and not to the  
16 director or someone else.

17 9. In sum, there is simply no way to distinguish between the time that I  
18 spend writing and time that I spend producing. Even if I am engaged in activities  
19 that seem less directly related to writing (such as helping choose filming  
20 locations), every single decision I make is inextricably intertwined with my core  
21 writing responsibilities.

22 10. Although I have over a decade of experience as a showrunner I have  
23 not worked exclusively as a showrunner in recent years. I first became a  
24 showrunner in 1998, when I ran the first and only season of *Maximum Bob*. I then  
25 ran a season of *Dawson's Creek* in 1999-2000, a season of *Wolf Lake* in 2001, and  
26 a season of *Numb3rs* in 2005. But *after* holding those positions I worked as a non-

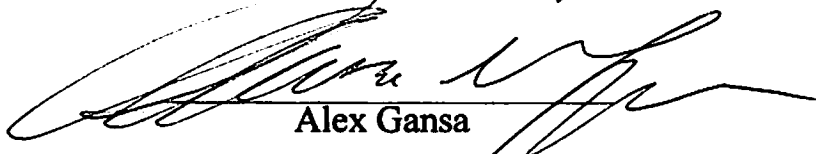
1 showrunner member of the writing staff on other programs, including *Entourage*  
2 (for which I wrote in 2007) and *24* (for which I wrote in 2009 and 2010). And  
3 *after* those roles I returned to showrunning with *Homeland*, which debuted in  
4 2011. I therefore know from personal experience that showrunners and non-  
5 showrunner writers compete for the same positions, having jumped back and forth  
6 between being a showrunner and holding non-showrunner writing staff positions in  
7 recent years.

8 11. I know of many showrunners who have done the same thing. In fact,  
9 during the first season of *Homeland*, *every single member of the writers' room had*  
10 *previously run another show*. During that season, the *Homeland* writers' room was  
11 comprised of Henry Bromell, Alex Cary, Howard Gordon (who ran *24* and so was  
12 the creative lead on *24* just two years earlier), Chip Johannessen, and Meredith  
13 Stiehm. Every single one of those writers had experience running a show prior to  
14 joining the writers' room on *Homeland*. Although it is somewhat unique to have a  
15 writers' room comprised *exclusively* of former showrunners it is very typical to  
16 have a writer with showrunning experience in a writers' room.

17 12. The *Homeland* writers who had experience as a showrunner took  
18 positions that could have been filled by writers who did not have showrunning  
19 experience.

21 I declare under penalty of perjury under the laws of the United States that  
22 the foregoing is true and correct.

24 Executed this 2nd day of December, 2020 at 6:52 PM

25  
26   
27 Alex Gansa