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

21 WILLIAM MORRIS ENDEAVOR
ENTERTAINMENT, LLC, *et al.*,
22 Plaintiffs and Counterclaim Defendants,
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 BARBARA
HALL 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, Barbara Hall, 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 1983, and have written for multiple Hollywood
6 television and film productions, including *Judging Amy*, *Chicago Hope*, *Joan of*
7 *Arcadia*, *Women's Murder Club*, *Army Wives*, *Homeland*, and *Madam Secretary*. I
8 worked as a showrunner/executive producer on *Judging Amy* (which I ran for five
9 seasons), *Joan of Arcadia*, *Madam Secretary* (which I ran for all six seasons of that
10 program). Taking into account all of the programs on which I have served as a
11 showrunner, I have "run" over a decade television seasons.

12 3. While a showrunner has both writing and production responsibilities,
13 the core tasks of a showrunner are unquestionably writing tasks, and writing has
14 occupied the vast majority of my time on every single show that I have run. I am
15 present for and involved in every single step of the writing process when working
16 as a showrunner. I help break all aspects of the story (i.e. develop the overall
17 narrative arc), both for the overall season and for individual episodes. I read,
18 comment on, and edit every single story outline. I write scripts in the first instance
19 from scratch as well as review, comment on, and edit every single script drafted by
20 other members of the writing team.

21 4. For the vast majority of seasons of television for which I have served
22 as a showrunner, I have been credited as a writer (or co-writer) on at least a couple
23 of episodes. Even if not credited as a writer on other episodes, I am just as
24 involved in the final script of every single other episode. Even if I assign a script
25 to another writer in the first instance, I am nonetheless involved in every single
26 step of the writing process of that episode through the development of the story arc
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1 and outline for that episode and by giving notes and other edits to that 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 (on occasion, an
5 actor or another member of the production team will complain to me about a script
6 that another member of the writing team is credited for having written, not
7 realizing that it is dialogue that *I have rewritten* that they do not like).

8 5. Accordingly, I have written or rewritten at least portions of the vast
9 majority of episodes of television for which I served as the showrunner. By
10 "writing" or "rewriting" I mean sitting in front of a computer with the script open
11 in a program, writing lines of dialogue or other aspects of a script. And even for
12 those few episodes for which I have not written portions of the dialogue or other
13 script elements, I have edited the script to ensure that it is faithful to my writing
14 vision for the show.

15 6. Although writing is the core of a showrunner's duties on any
16 television program, this is especially the case on network television programs
17 (which are what I have tended to run). On network television, *the* job that a
18 showrunner is paid to do is to ensure that a quality script is released and ready to
19 be filmed every eight days. If the showrunner misses getting a quality, filmable
20 script out consistently on that schedule the whole machinery of the project stops.
21 Everything depends on a script being ready on time and of the expected quality,
22 and the core duty of a showrunner is to ensure that this happens. Showrunners like
23 me need to be intimately involved in all details of the writing project to accomplish
24 this task.

25 7. A showrunner must focus on writing at all times to accomplish this
26 task. On *Madam Secretary*, for example, I was present on set during filming for
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1 only a few episodes each season. I was not generally present on set during
2 production because I delegated day-to-day responsibility over production to others
3 (line producers and directors) in order to focus on my writing responsibilities.
4 Writing, and overseeing the writers' room, are the most important things that
5 showrunners do, as far as I am concerned and as far as production studios are
6 concerned. It would have been impossible for me to perform those duties while
7 also serving as an on set producer.

8 8. If I did not spend the majority of my time each week performing the
9 writing services described above, it would have been necessary for the shows I
10 have run to hire additional writers to perform that work. On every single television
11 program there is a certain amount of writing work that needs to be done. If I were
12 to cease breaking story, reading, commenting on, and editing story outlines,
13 writing scripts, and reviewing, commenting on, and editing every single script
14 drafted by other members of the writing team, other writers would need to be hired
15 to perform those tasks. In this way, the showrunner of a project displaces other
16 writers who could conceivably perform the writing tasks that a showrunner
17 performs.

18 9. It is true that as a showrunner I also take on certain "producing"
19 duties, by which I mean tasks that do not fall within the definition of "writing
20 work" under the Guilds' collective bargaining agreement with production studios.
21 But these producing tasks are inextricably linked with the writing tasks described
22 above. My producing role is simply an extension of my writing role, because the
23 purpose of my producing duties are to make sure that the production team is able to
24 film the script that I and the writing team have written. The purpose of "tone"
25 meetings (meetings between the showrunner and director hired to film an episode)
26 is making sure that the director is ready to bring to life the showrunner's vision for
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1 the script as written. Moreover, issues that arise during those and other production
2 meetings nearly always have a direct relationship to the written script. If a director
3 or the actors have concerns about a script I will frequently have to make edits to
4 the script in response. For this reason, it is simply impossible to think of my
5 writing duties and producing duties separately. The two are directly linked
6 because the writing work always affects the producing work, and vice versa.

7 10. I first became a showrunner in 1999, when I ran the first season of
8 *Judging Amy*. Since first becoming a showrunner I have also worked as a Co-
9 Executive Producer (a non-showrunner member of the writing staff) on other
10 programs, including *Women's Murder Club* (which I wrote for in 2007), *Army*
11 *Wives* (which I wrote for in 2008), and *Homeland* (which I wrote for in 2013).
12 After serving as a Co-Executive Producer on *Homeland* I returned to showrunning
13 with *Madam Secretary*, which debuted in 2014. I therefore know from personal
14 experience that showrunners and non-showrunner writers compete for the same
15 positions, having jumped back and forth between being a showrunner and Co-
16 Executive Producer in recent years.

17 11. I know of many showrunners who have also served as showrunners on
18 one project before later working on another project as a member of the writing
19 staff in a non-showrunner position. In fact, when I was working as a member of
20 the writing staff on *Homeland*, many members of the writers' room had previously
21 run another program. In fact, on the first season of *Homeland*, every member of
22 the writers' room had previously run a show, and, by the time I joined in the third
23 season, most of us in the writers' room had run shows (including me). We
24 *Homeland* writers who were formerly showrunners were displacing other writers
25 who had never worked as showrunners, who would have filled those writing room
26 positions if we former showrunners had not occupied them. This is just one
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1 example (albeit a particularly vivid one) of the fact that writers often bounce back
2 and forth between running one program and then reporting to a showrunner on
3 another.

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

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8 Executed this 3rd day of December, 2020 at Ojai, California.

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Barbara Hall

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