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Superior Court of California  
County of Los Angeles

SEP 08 2016

Sherri R. Garter, Executive Officer/Clerk  
By: Isabel Arellanes, Deputy

1 Raymond P. Boucher, State Bar No. 115364  
ray@boucher.la  
2 Shehnaz M. Bhujwala, State Bar No. 223484  
bhujwala@boucher.la  
3 BOUCHER LLP  
21600 Oxnard Street, Suite 600  
4 Woodland Hills, California 91367-4903  
Tel: (818) 340-5400  
5 Fax: (818) 340-5401

6 *Co-Counsel for Plaintiffs*

7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
8 **COUNTY OF LOS ANGELES, CENTRAL CIVIL WEST DISTRICT**

9 COLIN HIGGINS PRODUCTIONS, LTD.,

10 Plaintiff,

11 v.

12 PARAMOUNT PICTURES  
CORPORATION, and DOES 1-100,

13 Defendant.

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17 AND RELATED CASES  
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Case No. BC499179

Related Cases: BC499181, BC499182,  
BC500040, and BC540146

CLASS ACTIONS

**DECLARATION OF PLAINTIFF  
MICHAEL ELIAS IN SUPPORT OF  
PLAINTIFFS' MOTIONS FOR FINAL  
APPROVAL OF CLASS ACTION  
SETTLEMENT AND ATTORNEYS'  
FEES, COSTS, AND SERVICE AWARDS**

Date: November 7, 2016

Time: 10:00 A.M.

Dept.: 323

Assigned for All Purposes to:  
Hon. Elihu M. Berle, Dept. 323

1 I, Michael Elias, hereby declare as follows:

2 1. I am one of the named plaintiffs and proposed class representatives in the above-  
3 captioned class action against Paramount Pictures Corporation (“Paramount”).

4 2. I submit this declaration in support of the Plaintiffs’ Motion for Final Approval of  
5 Class Action Settlement and Motion for Attorneys’ Fees, Costs, and Service Awards. I am  
6 personally familiar with the facts set forth in this declaration. If called as a witness I could and  
7 would competently testify to the matters stated herein.

8 3. I decided to prosecute this class action lawsuit against Paramount in order to recoup  
9 unpaid home video profit participation due to me and all other “profit participants” without any  
10 promise of recovery or compensation. It is my understanding that this lawsuit could not have been  
11 prosecuted or settled on behalf of all persons who entered into such profit participation contracts  
12 with Paramount unless a profit participant, such as me, decided to serve as a class representative.  
13 In deciding to serve as one of the Class Representatives in this case, I understood there was a  
14 potential of my name being disclosed in the media, and a potentially negative impact on my  
15 business relationship with Paramount and other entities in the entertainment industry. Despite  
16 these risks, I decided to serve as a Class Representative.

17 4. I believe I have fulfilled my responsibilities as a Class Representative, which  
18 required a significant dedication of time and effort during the course of this litigation. These  
19 efforts required dedicating numerous hours to case-related activities including, but not limited to:  
20 (1) reviewing and responding to written discovery requests by Paramount; (2) searching for and  
21 producing responsive documents related to this lawsuit; (3) preparing for and sitting for my  
22 deposition by Paramount; (4) reviewing and approving court-filings, including the operative Class  
23 Action Complaint and the Stipulation and Agreement of Settlement (“Settlement Agreement”);  
24 and (5) staying informed and communicating with my attorneys regarding the status and progress  
25 of this lawsuit including being in contact with my counsel at the mediation by telephone. These  
26 activities required my dedication of time and resources that could have been spent on other  
27 matters. Further, at all times I was ready, willing, and able to testify at trial if the case proceeded  
28 to trial.

1           5.       As I indicated in my earlier declaration in support of the Preliminary Approval  
2 Motion, I fully support the proposed settlement and believe it is fair, reasonable and adequate,  
3 considering the risks of further litigation.

4           6.       I believe that the proposed \$10,000 service award to me which the parties agreed  
5 upon and proposed in the Settlement Agreement, subject to this Court's approval, is fair  
6 compensation for my service as a Class Representative in this case, for my efforts in helping to  
7 secure this proposed settlement on behalf of Class members, and for my general release of all  
8 claims against Paramount.

9           7.       I have no interest or involvement in the governance or work of the Motion Picture  
10 & Television Fund.

11          8.       To the best of my knowledge, I do not have any conflicts of interest with any  
12 member of the proposed Class.

13           I declare under penalty of perjury under the laws of the State of California that the  
14 foregoing is true and correct.

15           Executed on August 25, 2016, at Paris, France.

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18 Michael Elias

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