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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES  
DEPARTMENT 311 HON. MARY H. STROBEL, JUDGE  
  
WILLIAM RICHERT, )  
 )  
PLAINTIFF, )  
 )  
VS. ) CASE NO.  
 ) BC339972  
 )  
WRITERS GUILD OF AMERICA WEST, )  
 )  
DEFENDANT. )  
\_\_\_\_\_ )

REPORTER'S TRANSCRIPT OF PROCEEDINGS  
FRIDAY, SEPTEMBER 5, 2014

APPEARANCES:  
FOR THE PLAINTIFF: JOHNSON & JOHNSON  
BY: DOUGLAS L. JOHNSON, ESQ.  
429 NORTH CANON DRIVE, SUITE 200  
BEVERLY HILLS, CALIFORNIA 90210  
  
FOR PLAINTIFF: WILLIAM RICHERT, IN PRO PER  
  
FOR PLAINTIFF: GIPSON, HOFFMAN & PANCIONE  
BY: COREY J. SPIVEY, ESQ.  
1901 AVENUE OF THE STARS  
SUITE 1100  
LOS ANGELES, CALIFORNIA 90067

KAREN VILICICH, CSR. NO. 7634  
OFFICIAL REPORTER PRO TEMPORE

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I N D E X

FRIDAY, SEPTEMBER 5, 2014

CHRONOLOGICAL AND ALPHABETICAL INDEX OF WITNESSES  
(NONE OFFERED.)

EXHIBITS  
(NONE OFFERED.)

1 CASE NUMBER: BC339972  
2 CASE NAME: RICHERT VS. WRITERS GUILD  
3 LOS ANGELES, CALIFORNIA FRIDAY, SEPTEMBER 5, 2014  
4 DEPARTMENT 311 HON. MARY H. STROBEL, JUDGE  
5 REPORTER: KAREN VILICICH, CSR NO. 7634  
6 TIME: A.M. SESSION  
7

8 (THE FOLLOWING PROCEEDINGS WERE HELD  
9 IN OPEN COURT:)  
10

11 THE COURT: WILLIAM RICHERT VERSUS W.G.A.  
12 APPEARANCES, PLEASE.

13 MR. JOHNSON: DOUGLAS JOHNSON FOR THE CLASS.

14 MR. RICHERT: WILLIAM RICHERT.

15 MR. SPIVEY: COREY SPIVEY FOR THE THIRD-PARTY  
16 AUSTRALIAN WRITERS GUILD AUTHORSHIP COLLECTION SOCIETY.

17 THE COURT: THANK YOU.

18 THERE ARE A NUMBER OF MOTIONS ON CALENDAR  
19 TODAY. FIRST, I SHOULD INTRODUCE MYSELF. I AM JUDGE  
20 MARY STROBEL. YOU MAY KNOW JUDGE WILEY IS TEMPORARILY  
21 SITTING BY ASSIGNMENT ON THE COURT OF APPEAL. SO I AM  
22 HERE WHILE HE IS AT THE COURT OF APPEAL.

23 I PUT OUT A TENTATIVE RULING. HAS EVERYONE  
24 HAD A CHANCE TO READ IT?

25 BEFORE I ASK FOR COMMENTS, MR. JOHNSON, DID  
26 YOU FILE ANYTHING IN RESPONSE TO THESE MOTIONS?

27 MR. JOHNSON: NO, WE DID NOT, YOUR HONOR. WE JUST  
28 RECEIVED IT, I THINK, A WEEK OR TWO AGO AND WE JUST HAD

1 NO RESPONSE. WE THOUGHT WE WOULD JUST SHOW UP TODAY TO  
2 RESPOND TO ANY ISSUES.

3 THE COURT: MR. RICHERT?

4 MR. RICHERT: YES, MA'AM.

5 THE COURT: WOULD YOU LIKE TO --

6 I HAVE A COURT REPORTER. DO I HAVE AN  
7 ORDER?

8 I SIGNED THE ORDER.

9 OKAY, MR. RICHERT, WOULD YOU LIKE TO BE  
10 HEARD?

11 MR. RICHERT: I AM SORRY, YOUR HONOR. I AM HAVING  
12 A LITTLE PROBLEM WITH MY HEARING, SO IF YOU DON'T MIND, I  
13 AM GOING TO STEP A LITTLE CLOSER.

14 THE COURT: SURE, YOU COULD COME UP HERE IF YOU  
15 WISH.

16 MR. RICHERT: SO I DID NOT HEAR YOUR LAST QUESTION.

17 THE COURT: I SAID, WOULD YOU LIKE TO BE HEARD?

18 MR. RICHERT: I CERTAINLY WOULD.

19 THE COURT: OKAY, GO AHEAD.

20 MR. RICHERT: YES, I AM THE LEAD PLAINTIFF IN THIS  
21 CASE AND I REPRESENT ALL WRITERS, SCREENWRITERS WHO HAD  
22 FOREIGN LEVIES COLLECTED ON THEM, FOREIGN ROYALTIES,  
23 STARTING 15 OR 20 YEARS AGO, AND WHO KNEW NOTHING ABOUT  
24 THIS UNTIL THIS CASE WAS FILED. ALMOST NONE OF THEM  
25 STILL KNOW ANYTHING ABOUT THE CASE. I WAS ASKED BY  
26 NEVILLE JOHNSON TO REPRESENT THIS CLASS BELIEVING I WOULD  
27 BE PART OF ONLY 1,000 WRITERS. IT TURNS OUT THAT I WAS  
28 THE ONLY ONE.

1                   AFTER MANY YEARS, A SETTLEMENT WAS ARRIVED  
2     AT WITH A LOT OF MEETINGS. I MET WITH JUDGE HIGHBERGER,  
3     I MET WITH JUDGE WEST. I HAD THREE DAYS OF MEETINGS WITH  
4     PAUL KEISEL, WHO IS AN ADVISOR FOR CLASS ACTIONS TO THESE  
5     JUDGES AND ALSO TO SOME COURTS. I ACCEPTED WHAT HE SAID  
6     WHEN I SIGNED THE SETTLEMENT, MEANING THERE WERE CLAUSES  
7     IN THE SETTLEMENT WHICH WOULD ALLOW MY MOVIES, FOR  
8     EXAMPLE, "THE MAN IN THE IRON MASK," WHICH WAS NONUNION,  
9     NON-W.G.A., NON-D.G.A., BUT FOR WHICH THESE UNIONS HAD  
10    BEEN COLLECTING MONIES FOR YEARS AND NEVER TELLING ME --  
11    WHAT PRECIPITATED THIS EXACT MOVE ON MY PART TO GET  
12    JUSTICE WAS A CHECK THAT I GOT FOR "THE MAN IN THE IRON  
13    MASK," A MOVIE I MADE IN THE 90S, ONLY TWO YEARS AFTER  
14    THE SETTLEMENT WAS SIGNED, AND TWO YEARS AFTER NEVILLE  
15    JOHNSON TOLD THE COURT HE WOULD NOT CONTINUE ON THE CASE  
16    UNLESS HE WAS PAID ADDITIONAL FEES, HE SAID TO JUDGE  
17    WILEY, "SO NEW COUNSEL WILL HAVE TO COME IN, AND THEY  
18    WILL HAVE TO TAKE CARE OF FRAUD," HE SAID, "AT THE SCREEN  
19    ACTORS GUILD." THEY WOULD HAVE TO TAKE CARE OF THE \$200  
20    MILLION THAT THE W.G.A. IS SENDING OUT, BUT NOT REALLY  
21    ACCOUNTING FOR.

22                   THE ACCOUNTING FOR ALL THOSE YEARS, BETWEEN  
23    1990 AND 2010, IS A SINGLE LINE IN AN AUDIT. THAT IS NOT  
24    WHAT JUDGE WEST TOLD ME WAS GOING TO HAPPEN. HE SAID  
25    THERE WILL BE DATA, CONCRETE DATA ABOUT WHO THIS MONEY  
26    WAS OWED, WHO IS OWED THIS MONEY, AND WHERE THE MONEY  
27    CAME FROM.

28                   IN 1990, THE W.G.A. SIGNED A CONTRACT, A

1 SECRET CONTRACT. IT WAS NEVER GIVEN TO THE MEMBERS UNTIL  
2 THIS LAWSUIT AND NEVER GIVEN IN COURT EITHER. THAT  
3 LAWSUIT DIVIDED THE MONEY FOR THE WRITERS.

4 I AM SORRY, I AM SLIGHTLY BREATHLESS. I  
5 WILL TAKE A MOMENT.

6 IT DIVIDED THE MONEY, SEVEN AND A HALF  
7 PERCENT FOR THE WRITERS, SEVEN AND A HALF PERCENT FOR THE  
8 DIRECTORS, AND THE REST TO THE STUDIOS. THIS AUDIT, ONE  
9 LINE, NOW IT IS UP TO \$188 MILLION. SINCE I WROTE THE  
10 COURT IN -- LAST APRIL, THE NEW AUDIT CAME OUT AND IT  
11 WENT FROM 157 TO 188, AND IT WENT FROM 104 WHEN I SIGNED  
12 IT, AND IT WENT TO \$104 MILLION FROM 25. THESE FIGURES,  
13 THEY DON'T ADD UP.

14 HOW CAN YOU HAVE AN AUDIT WHICH DOESN'T TELL  
15 YOU WHERE THE MONEY COMES FROM?

16 THE COURT: SO WHAT YOU ARE SAYING IS YOU DON'T  
17 THINK THE SETTLEMENT AGREEMENT IS BEING COMPLIED WITH?

18 MR. RICHERT: IT HAS NOT BEEN COMPLIED WITH, IT HAS  
19 NOT BEEN ENFORCED, AND THE ACCOUNTING SERVICE THAT WAS --  
20 THE ACCOUNTANTS ARE PAID BY THE DEFENDANT, W.G.A., THE  
21 ACCOUNTANTS WHO LOOK AT THE BOOKS ARE PAID -- THEY HAVE A  
22 CONTRACT WITH THE W.G.A. TO DEFEND IT, NOT WITH MY CLASS.  
23 AND THE CONSULTANT FOR ALL THESE CASES HAS ALSO MADE HIS  
24 OWN DEAL. SO THE -- THE UNIONS ARE PAYING THE  
25 ACCOUNTANTS, IT IS LIKE CAPONE GIVING HIS OWN INVENTORY,  
26 AND NEVILLE JOHNSON MADE NO REFERENCE TO THIS. HE NEVER  
27 DEFENDED THE CLASS. HE GOT A MILLION, SIX. SO I AM  
28 SAYING, YES, THE AUDIT IS NOT ONLY INSUBSTANTIAL,

1 ACCORDING TO K.M.P.G. --

2 THE COURT: LET ME ASK YOU TO BACK UP FOR A MINUTE,  
3 BECAUSE IF YOU HAVE READ MY TENTATIVE RULING, YOU CAN'T  
4 -- THE CLASS HAS TO HAVE A LAWYER TO REPRESENT THEM.

5 MR. RICHERT: THAT IS CORRECT.

6 THE COURT: TO PRESS THESE CLAIMS.

7 MR. RICHERT: YES.

8 THE COURT: I UNDERSTAND YOU ARE CLEARLY UNHAPPY  
9 WITH MR. JOHNSON.

10 MR. RICHERT: YES.

11 THE COURT: BUT, IN ORDER TO BRING ANY KIND OF  
12 MOTION TO ENFORCE THE SETTLEMENT, YOU NEED TO HAVE A  
13 LAWYER. SO IF IT IS NOT MR. JOHNSON, IT NEEDS TO BE  
14 SOMEBODY ELSE. WE HAVE TO START THERE.

15 MR. RICHERT: OKAY.

16 THE COURT: I UNDERSTAND YOUR GREAT INTEREST IN THE  
17 CASE, AND THE WORK YOU HAVE DONE ON IT, BUT NONETHELESS,  
18 YOU CANNOT REPRESENT THE CLASS. THE LAW DOES NOT ALLOW  
19 IT BECAUSE IT IS NOT JUST YOU, IF IT WAS JUST A CASE THAT  
20 YOU HAD BROUGHT BY YOURSELF, YOU COULD REPRESENT  
21 YOURSELF. YOU HAVE THAT RIGHT.

22 MR. RICHERT: RIGHT.

23 THE COURT: BUT WHEN YOU ARE REPRESENTING, AS YOU  
24 STARTED OFF SAYING, A CLASS OF PEOPLE, THERE HAS TO BE A  
25 LAWYER THERE. YOU CANNOT, AS A NON-LAWYER, APPEAR ON  
26 BEHALF OF THE CLASS. SO WE HAVE TO START FROM THE  
27 PREMISE OF BEFORE ANY MOTION ABOUT ENFORCING THE  
28 SETTLEMENT COULD GO FORWARD, WE HAVE TO HAVE A LAWYER IN

1 PLACE.

2 MR. RICHERT: YES, AND I WILL -- THE PROBLEM IS  
3 THAT LAWYERS INSIST ON BEING PAID AS THEY GO OR THEY ARE  
4 SPECULATIVE, AND THEN I MIGHT GET MY CLASS BACK INTO WITH  
5 ANOTHER SPECULATIVE LAWYER WHO PROFITS OFF THE MISFORTUNE  
6 OF OTHERS, WHICH IS WHAT HAS HAPPENED HERE, BECAUSE THE  
7 SAG SETTLEMENT AND THE D.G.A. SETTLEMENTS ARE SO BAD, AND  
8 THESE ARE NOT BAD LAWYERS, THESE ARE TOP LAWYERS, BOTH  
9 KEISEL AND NEVILLE JOHNSON ARE TOP LAWYERS, THEY DO NOT  
10 WRITE SETTLEMENTS AS BAD AS THIS WITHOUT A PURPOSE TO  
11 THEM.

12 SO I -- I DON'T KNOW HOW I CAN PAY FOR A  
13 LAWYER UNLESS PERHAPS THE JUDGE OR YOU COULD AGREE THAT  
14 IF IT DOES GO FORWARD, AND THERE ARE MEASURES THAT CAN BE  
15 ENFORCED IN THE SETTLEMENT, AS I BELIEVE THERE ARE, WHICH  
16 HAVE NOT BEEN ENFORCED BECAUSE NEVILLE JOHNSON QUIT --  
17 AND I WOULD ASK THOUGH, I TODAY SIGNED -- THEY HAVE BEEN  
18 TRYING TO REMOVE ME FROM THE CLASS EARLIER, AND I HAVE A  
19 SUBSTITUTION OF ATTORNEY SIGNED BY BOTH NEVILLE JOHNSON  
20 AND PAUL KEISEL, SO I CAN NOW GO --

21 THE COURT: SUBSTITUTING IN WHO?

22 MR. RICHERT: SUBSTITUTING IN ME, BUT --

23 THE COURT: I CAN'T ACCEPT THAT. UNDER THE LAW,  
24 YOU CANNOT REPRESENT THE CLASS.

25 MR. RICHERT: EXCELLENT. I WILL FIND A LAWYER FOR  
26 MY CLASS, YOUR HONOR, AND ALSO FOR THE SAG SETTLEMENT,  
27 AND ALSO FOR THE D.G.A. SETTLEMENT, WHICH IS MADE FOR  
28 NON-UNION DIRECTORS, AND THERE ARE MULTITUDES OF THEM.



1 THE UNIONS ARE COLLECTING RIGHT NOW MILLIONS OF  
2 DOLLARS --

3 THE COURT: THOSE ARE THE RELATED CASES?

4 MR. RICHERT: THEY ARE ALL RELATED CASES.

5 THE COURT: BUT AS I UNDERSTAND IT, I AM TRYING TO  
6 PLAY CATCH-UP, I KNOW THIS HAS YEARS OF HISTORY THAT YOU  
7 ARE ALL MUCH MORE FAMILIAR WITH THAN I AM, BUT AS I  
8 UNDERSTAND IT, THIS CASE SETTLED SEPARATELY THAN THE  
9 RELATED CASES. SO I APPRECIATE THERE MAY BE THINGS GOING  
10 ON WITH THE RELATED CASES, BUT RIGHT NOW, THE ONE THAT IS  
11 IN FRONT OF THE COURT IS JUST THIS LAWSUIT?

12 MR. RICHERT: IS MY CASE.

13 THE COURT: RIGHT.

14 MR. RICHERT: ALSO, I WOULD LIKE TO TELL THE COURT  
15 THAT THERE WAS A WHISTLE-BLOWER WHO SHREDDED AND HELPED  
16 SHRED AT LEAST, AS WAS SAID, TENS OF THOUSANDS OR  
17 MILLIONS OF DOLLARS WORTH OF CHECKS THAT WERE SHREDDED.  
18 ACTUALLY, I HAVE A CHECK SOMEWHERE THAT IS MY  
19 INSPIRATION, THERE HAS BEEN A CHECK MADE OUT TO THE POET  
20 CHARLES BUKOWSKI FOR \$498, WHICH WAS NEVER DELIVERED TO  
21 HIM, AND NOT ACCOUNTED FOR.

22 THE AUDIT -- SO THE WHISTLE-BLOWER WHO WAS  
23 PAID OFF BY THE UNION FOR HALF A MILLION OR MORE, HIGH  
24 MID SIX FIGURES, EVERYBODY KNOWS, FOR SHREDDING CHECKS  
25 SHOULD HAVE SOMEPLACE -- THOSE CHECKS SHOULD BE IN THE  
26 AUDIT AND THEY ARE NOT.

27 AND THE AUDIT SAYS THAT K.M.P.G. WILL  
28 PROVIDE OUR SERVICES, THIS IS NOT INTENDED TO BE AN

1     AUDIT. IT SAYS IT IN THEIR CONTRACT. THIS IS NOT  
2     INTENDED TO BE AN AUDIT, EXAMINATION OR AGREED-UPON  
3     PROCEDURE.

4             THE COURT: WHAT IS IMPORTANT IS --

5             MR. RICHERT: I GET A LAWYER TO TELL YOU THIS.

6             THE COURT: YES. I WAS GOING TO SAY WHAT IS IN THE  
7     SETTLEMENT AGREEMENT AND WHAT HAS HAPPENED, BUT THAT HAS  
8     TO BE PRESENTED IN THE FORM OF A PROPER MOTION WITH A  
9     LAWYER BECAUSE YOU CANNOT REPRESENT THE CLASS.

10            MR. RICHERT: I ONLY REPRESENT THE CLASS IN THAT I  
11    AM HERE BECAUSE I AM A WRITER AND I KNOW HOW WRITERS ARE,  
12    BY NATURE, DISORGANIZED. THEY DON'T FALL INTO COLLECTIVE  
13    BARGAINING, BUT THESE PEOPLE HAVE COLLECTED US WRITERS,  
14    PATRIC VERRONE, JOHN WELLS AND THE LEADERS OF THE UNION  
15    HAVE SPENT -- THEY WENT FROM NO ORGANIZERS TO THIRTY  
16    ORGANIZERS. THEY ARE USING FOREIGN LEVY MONEY, I  
17    BELIEVE, TO EXPAND THEIR OPERATIONS, WHICH ARE INIMICAL  
18    TO THE INTERESTS OF WRITERS IN AMERICA.

19            LOOK AT TELEVISION TODAY, LOOK WHAT  
20    HAPPENED. THEY GOT RID OF THE SCREENWRITERS IN HOLLYWOOD  
21    FOR NETWORK LONG-FORM CONTRACTED EMPLOYEES ENGAGED IN  
22    DEALS WITH STUDIOS THAT HAVE NOTHING TO DO WITH A WRITER  
23    LIKE ME. NOTHING.

24            SO I AM GLAD FOR THIS OPPORTUNITY, AND THE  
25    TENTATIVE AGREEMENT THEN, I CAN CONCLUDE SAYS, "GET  
26    YOURSELF A LAWYER, MR. RICHERT."

27            THE COURT: THAT IS A WAY OF SUMMARIZING IT, YES.

28            MR. RICHERT: THANK YOU. IF I GET A LAWYER, THEN

1 MAYBE WE CAN FIND A WAY TO GET HIM PAID OUT OF THE  
2 STRUCTURE OF THIS, I HOPE, BY THE DEFENDANT IF WE CAN  
3 SHOW THAT THE DEFENDANT WAS IN MATERIAL BREACH.

4 THE COURT: AGAIN, I CANNOT ADVISE YOU ON THAT.  
5 THAT IS WHY YOU NEED A LAWYER.

6 I DO WANT TO --

7 MR. RICHERT: HERE IS A LAWYER RIGHT HERE.

8 THE COURT: I WANT TO MAKE SURE THE OTHER COUNSEL  
9 HERE HAVE AN OPPORTUNITY TO SPEAK.

10 MR. RICHERT: YES, THANK YOU.

11 MR. JOHNSON: I DON'T HAVE TOO MUCH TO SAY. THESE  
12 CASES ARE QUITE OLD. MR. RICHERT REPRESENTED ONE OF  
13 THEM. HE DOESN'T REPRESENT THE OTHER TWO. EVERYBODY WE  
14 KNOW HAS BEEN VERY HAPPY WITH ALL OF THE THINGS THAT CAME  
15 OUT OF THE CASES.

16 THE ONLY THING THAT HE TALKS ABOUT IN HIS  
17 MOTION THAT I DO WANT TO COMMENT ON WAS THAT SOMETHING  
18 ABOUT NEVILLE SAYING HE WASN'T WORKING FOR FREE. THE  
19 ONLY ISSUE THAT CAME OUT OF THAT WAS THERE WERE SOME  
20 THINGS IN THE SETTLEMENT AGREEMENT THAT THE LAWYERS WENT  
21 BACK ON TO MAKE SURE THAT WERE HAPPENING. HE SUBMITTED A  
22 COST BILL FOR THAT, I THINK ALMOST 150 OR \$200,000 FOR  
23 SUBSEQUENT WORK AFTER THE CLASS ACTION TO MAKE SURE THAT  
24 THE AUDIT WAS GOING PROPERLY AND THE MONEY WAS BEING PAID  
25 OUT. JUDGE WILEY JUST COMMENTED THAT THE SETTLEMENT  
26 AGREEMENT SAID THAT THE DEFENDANTS HAD ALREADY BOUGHT  
27 THEIR PEACE AND THAT HE FELT THAT THESE WERE JUST LITTLE  
28 THINGS TO BE WRAPPED UP, SO HE DID NOT APPROVE THE FEE

1 REQUEST. THAT IS ALL THAT REALLY HAPPENED.

2 THE AUDIT IS ONGOING, THE MONEY HAS BEEN  
3 PAID OUT. EVERYBODY WE UNDERSTAND IS PRETTY HAPPY.  
4 THERE IS A BUNCH OF STUFF UP ON THE WEBSITE SHOWING WHO  
5 GOT PAID. IT IS ALL IN PROCESS AND IN WORK, AND IF WE  
6 FELT THAT THERE WERE THINGS THAT WEREN'T OKAY, THEN I AM  
7 SURE THAT THERE WOULD BE ISSUES WITH THE SETTLEMENT  
8 AGREEMENT AND EVERYBODY WOULD BE BACK IN COURT. OUR  
9 UNDERSTANDING IS THAT THERE -- WE HAVE ONE DISGRUNTLED  
10 PERSON, AND IF HE WANTS TO GET A NEW LAWYER AND HE CAN  
11 PROVE THAT THERE ARE THINGS THAT ARE GOING ON THAT NEED  
12 TO BE FIXED, SO BE IT. THAT IS FINE.

13 THE COURT: LET ME UNDERSTAND YOUR POSITION RIGHT  
14 NOW IS YOU UNDERSTAND YOU ARE STILL COUNSEL OF RECORD?

15 MR. JOHNSON: I DO.

16 THE COURT: BUT IF -- LET ME --

17 MR. JOHNSON: IT IS A LITTLE AWKWARD. HE HAS FIRED  
18 US SEVERAL TIMES. I AM TOTALLY FINE WITH SOMEBODY ELSE  
19 COMING IN. WE ARE OKAY. WE HAVE SIGNED THE  
20 SUBSTITUTION.

21 THE COURT: IF I COULD JUST HAVE YOU GENTLEMAN SIT  
22 DOWN BECAUSE I WANT TO ASK MR. SPIVEY, I DON'T KNOW, I AM  
23 NOT ENTIRELY CLEAR OF YOUR ROLE HERE, BUT IS THERE  
24 SOMETHING YOU WANTED TO SAY, SIR?

25 MR. SPIVEY: MY CLIENT IS A THIRD PARTY THAT  
26 OBJECTED TO THE SCOPE OF THE SETTLEMENT. WE ARE JUST  
27 HERE MAINLY TO MONITOR THE PROCEEDINGS, BUT I WOULD ADD  
28 THAT, YOU KNOW, WE ARE LOOKING INTO SUPPORTING WHAT

1 MR. RICHERT HAS SAID, THAT THE AUDIT INFORMATION AND THE  
2 FINANCIAL REVIEW INFORMATION THAT IS ON THE W.G.A.  
3 WEBSITE, IT DOESN'T GIVE THE DETAIL TO SHOW WHAT MONIES  
4 WERE COMING IN, WHO THEY ARE BEING PAID TO, AND AS TO MY  
5 CLIENTS, CERTAIN MONIES WERE BEING COLLECTED FOR NON-U.S.  
6 WORKS THAT WOULD NOT FALL UNDER THE W.G.A. COLLECTIVE  
7 BARGAINING AGREEMENT. MY CLIENTS, AS PART OF THE  
8 SETTLEMENT, STRUCTURED IT SUCH THAT WE WERE EXCLUDED FROM  
9 THE CLASS SO THAT AUSTRALIAN WRITERS WOULD NOT BE BOUND  
10 BY THE AGREEMENT MADE BY THIS SETTLEMENT AGREEMENT.

11 SO THE IMPORTANT POINT TO RAISE IS THE  
12 FINANCIAL REVIEW INFORMATION ON THE W.G.A. WEBSITE, IT  
13 MAKES A REFERENCE TO IMPROPERLY RECEIVED FUNDS BY THE  
14 W.G.A., BUT IT GIVES NO INFORMATION AS TO WHAT THE W.G.A.  
15 IS DOING WITH THAT MONEY. THE REPORT QUOTES A TOTAL  
16 FIGURE OF FUNDS RECEIVED, A TOTAL OF FUNDS PAID OUT, BUT  
17 THOSE AMOUNTS ARE NET OF WHAT WAS IMPROPERLY RECEIVED.  
18 SO WE ARE LOOKING INTO DO WE STILL HAVE AN ISSUE, BUT  
19 THAT WOULD BE SEPARATELY ADDRESSED TO THE COURT.

20 THE COURT: AND THAT MOST LIKELY IF YOU WERE  
21 EXCLUDED, IF YOUR CLIENTS WERE EXCLUDED FROM THE CLASS,  
22 THAT IS GOING TO HAVE TO BE THROUGH SOME KIND OF SEPARATE  
23 ACTION?

24 MR. SPIVEY: THERE ARE CERTAIN MEMBERS WHO WERE  
25 STILL INCLUDED. THERE ARE 63 AUSTRALIAN WRITERS, ONE OF  
26 WHICH IS PETER JACKSON WHO DID THE --

27 THE COURT: SOME OF YOUR CLIENTS --

28 MR. SPIVEY: SOME WERE --

1 THE COURT: -- ARE CLASS MEMBERS?

2 MR. SPIVEY: ARE IN THE CLASS, CORRECT.

3 THE COURT: SO I THINK -- I TRIED TO BE AS CLEAR AS  
4 I COULD TO GIVE KIND OF A ROAD MAP IF YOU WANT TO PROCEED  
5 WITH THIS HOW IT NEEDS TO BE TEED UP.

6 SO EVERYONE SUBMITS THEN AT THIS POINT?

7 MR. JOHNSON: SUBMITTED, YOUR HONOR.

8 THE COURT: DO YOU SUBMIT?

9 THERE IS NOTHING ELSE YOU WANT TO SAY AT  
10 THIS POINT?

11 MR. RICHERT: WELL, YOUR HONOR, THE COURT HAS GOT  
12 ME INTO THIS, THE COURT SHOULD HELP ME GET OUT OF THIS.  
13 I WAS CERTIFIED WITH A LAWSUIT THAT HAS MERIT, BUT WE GET  
14 A ONE-PAGE ACCOUNTING FROM ACCOUNTANTS THAT CAN'T EVEN  
15 GIVE AN ACCOUNTING BY A CONTRACT, SO YES, I NEED TO GET A  
16 LAWYER, AND THERE MUST BE A WAY FOR US TO BE ABLE TO  
17 AMEND THE SETTLEMENT SO THAT -- WELL, I DON'T KNOW HOW TO  
18 PAY THE LAWYER, SO I AM HOPING THAT BY YOUR JUST RULING  
19 THAT I AM ALLOWED TO GET ONE, SOMEONE WILL SHOW UP AND  
20 HELP A SITUATION THAT IS AGAINST THE RIGHTS. I AM A  
21 COPYRIGHT OWNER OF MY FILMS. THEY HAVE BEEN TAKING THEM.  
22 I OWN THE COPYRIGHT.

23 FIRST OF ALL, HOW DARE THEY?

24 SECOND OF ALL, HOW DARE THEY TAKE IT FOR  
25 TWENTY YEARS AND NEVER TELL ME. THEY THEN GIVE ME AN  
26 ACCOUNTING AFTER THEY THINK THEY ARE IN THE CLEAR FOR  
27 "THE MAN IN THE IRON MASK" FOR \$1,300 AND NOT SAY WHAT  
28 HAPPENED TO THE OTHER FIFTEEN YEARS. WHAT HAPPENED TO

1 ALL THOSE YEARS?

2 THE LAWYERS, A MILLION, SIX THAT WAS PAID TO  
3 NEVILLE JOHNSON FOR TWO DEPOSITIONS, BOTH OF WHICH SHOULD  
4 HAVE LED TO AN INVESTIGATION, PROBABLY CRIMINAL, ABOUT  
5 THOSE SHREDDED CHECKS. SO THEY HAVE -- THE LAWYERS HAVE  
6 MANAGED TO CONSTRICT EVERYBODY'S RIGHTS AND TO DEPRIVE  
7 ALMOST EVERYBODY OF THE RIGHT TO A LAWYER BECAUSE THE  
8 LAWYERS SAY, "YOU HAVE HAD A LAWYER," AND THE COURT SAYS,  
9 "THERE HAS BEEN A SETTLEMENT," AND YET THE CLASS SAYS, "I  
10 HAVE BEEN SWINDLED, NOT ONLY FIRST TIME" --

11 THE COURT: SO THAT NEEDS TO BE PRESENTED PROPERLY  
12 TO THE COURT.

13 MR. RICHERT: THANK YOU. AND SO WHEN YOU SAY "THE  
14 TENTATIVE MOTION IS DENIED," THE WORLD SAYS, "OH, HIS  
15 MOTIONS WERE DENIED BY THE COURT," BUT, IN FACT, THE  
16 COURT HAS SAID, "IT IS A TENTATIVE, THE MOTIONS ARE  
17 DENIED BECAUSE YOU DON'T HAVE A LAWYER AND YOU MUST GET  
18 ONE."

19 THE COURT: OKAY, THAT IS MY FINAL RULING, THAT THE  
20 MOTIONS ARE DENIED. I HAVE SET FORTH MY REASONING, AND  
21 PRINCIPALLY, IT IS BECAUSE I CAN'T ENTERTAIN MOTIONS FROM  
22 YOU PERSONALLY. THAT THE CLASS HAS TO --

23 MR. RICHERT: BUT THE COURT WOULD WISH ME LUCK IN  
24 GETTING A LAWYER TO REPRESENT MY CLASS?

25 THE COURT: OF COURSE. THANK YOU.

26 MR. JOHNSON: THANK YOU, YOUR HONOR.

27 MR. RICHERT: THANK YOU, YOUR HONOR.

28 THE COURT: MR. JOHNSON, WILL YOU GIVE NOTICE?

1 MR. JOHNSON: I WILL.

2 THE COURT: THANK YOU.

3

4 (THE MATTER WAS ADJOURNED AT 9:31 A.M.)

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES  
DEPARTMENT 311 HON. MARY H. STROBEL, JUDGE  
  
WILLIAM RICHERT, )  
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PLAINTIFF, )  
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WRITERS GUILD OF AMERICA WEST, )  
 )  
DEFENDANT. )  
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I, KAREN VILICICH, CSR NO. 7634, OFFICIAL  
COURT REPORTER OF THE SUPERIOR COURT OF THE STATE OF  
CALIFORNIA, FOR THE COUNTY OF LOS ANGELES, DO HEREBY  
CERTIFY THAT THE FOREGOING PAGES 1 THROUGH 14 COMPRISE A  
FULL, TRUE AND CORRECT TRANSCRIPT OF THE TESTIMONY AND  
PROCEEDINGS HELD IN THE ABOVE-ENTITLED MATTER ON FRIDAY,  
SEPTEMBER 5, 2014.

DATED THIS 11TH DAY OF SEPTEMBER, 2014.

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KAREN VILICICH, CSR NO. 7634  
OFFICIAL REPORTER PRO TEMPORE