

MARCH 4, 2019 | 3 MIN READ

Burnett Attorney Demands Peters Refrain from Defamation

Burnett's Lawyer Criticizes Peters' 'Sweetheart Deal' Settlement Offer

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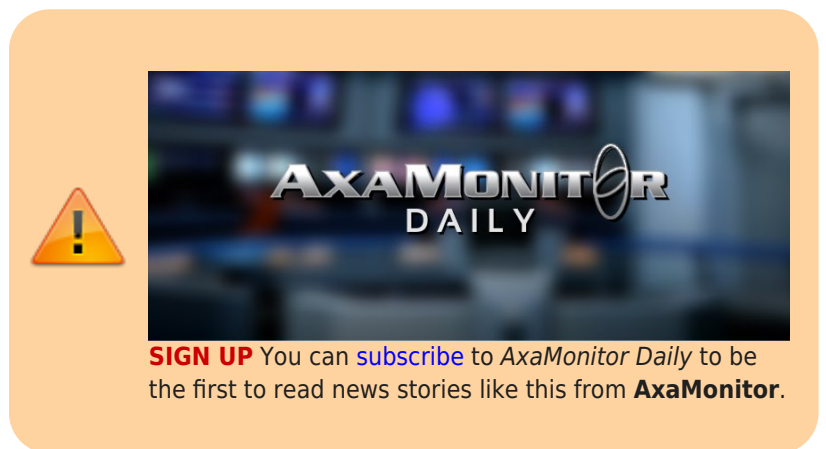
By  **Carlos Pedraza**

AxaMonitor has obtained a copy of a letter from Robert Meyer Burnett’s attorney responding to Axanar producer Alec Peters’ legal threats, settlement offer and alleged defamation of his client.

See also: [Peters Sues Former Axanar Director in Georgia Court](#) and [Peters Proposes Settling with Former Axanar Director](#)

Burnett Finally Served

UPDATE Twenty-five days after [Peters filed](#) his lawsuit in Georgia, Burnett, the former director of *Axanar*, was finally served the legal complaint and summons in California on March 15, 2019.



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‘No Comment’

Asked to verify and comment on his lawyer’s letter, Burnett told AxaMonitor: “Thank you but my attorney has advised me not to comment given the pending lawsuit.”

‘Serious and Substantial Liability’

Meanwhile, Burnett’s lawyer, Torin A. Dorros, asked Peters to “refrain from further [defamatory and/or threatening language](#) directed toward Mr. Burnett,” including Peters’ public references to Burnett as a “thief” who had “‘stolen’ money and/or property.”



Robert Meyer Burnett

Peters statements expose him to legal liability, according to the letter:



Understandably, Mr. Peters’ conduct exposes him to serious and substantial liability for defamation,

intentional and/or negligent infliction of emotional distress ... We demand that he immediately refrain from such conduct.¹⁾

Burnett May Sue Peters

Along with the letter, Dorros attached a Litigation Hold Notice, a formal notification to Peters that Burnett’s own lawsuit may be coming and he should find and preserve records pertaining to the matter described, including email, text documents, calendars, voice mails, videos, photos and even Post-it notes.

READ THE LETTER from Robert Meyer Burnett’s attorney to Alec Peters’ lawyer. Download the [PDF](#).

Holding Onto Evidence

The Hold Notice specifically reminds Peters that destruction, deletion, loss or alteration of evidence subjects him to civil and criminal penalties. Peters is well known for having [failed to produce a trove of emails](#) required under a subpoena in the Axanar copyright suit. That led to the judge in that case ordering a [second deposition](#) of Peters.

Possible Topics



Follow AxaMonitor’s coverage of Peters v. Burnett.

Among the topics for which Peters is advised to retain records:

- Financing and production of Axanar
- Peters’ and Axanar Productions’ employment practices
- The personal and business relationship between Peters and Burnett
- Business operations of Peters and Axanar Productions
- Peters’ and Axanar Productions’ finances and taxes

- Peters' business relationships with others related to Axanar, Star Trek, the entertainment industry, the props or memorabilia industry
- Funding and financing of Axanar and its donors
- Axanar's corporate structure and business model
- The CBS/Paramount v. Peters/Axanar Productions lawsuit
- Commercialization of Axanar
- Revenue from Kickstarter, Indiegogo, Patreon, YouTube, Facebook, Instagram or other platforms



Alec Peters

Hope for a Settlement?

Even without his client being served Peters' legal complaint, Burnett's attorney said it's "not unreasonable" to pursue "early resolution" of the former colleagues' legal dispute.²⁾

'Unconscionably One-sided'

The settlement offer, which Peters described as "a [sweetheart deal](#)," instead features several provisions "that simply do not work ... from a legal perspective, leaving aside that they may be unconscionably [one-sided](#)."³⁾

Drastic Revisions Required

While Burnett may well show interest in the idea of Peters releasing all claims against him for no monetary payment, the document Peters sent needs to be "drastically revise[d] ... to make it suitable as a settlement agreement."⁴⁾

Burnett's Potential Claims

Burnett may pursue various high-value claims against Peters and Axanar for wage and other employment issues, as well as Peters infringing on Burnett's copyrighted works, Dorros stated:

Mr. Burnett's claims against Mr. Peters far outweigh the Axanar claims. We will need to discuss whether a monetary 'walk away' for both sides makes sense or whether some financial compensation will be required to be made by Mr. Peters and/or Axanar Productions.⁵⁾

A Subtle Jab

Dorros' letter takes some jabs at Peters litigating "the majority of issues and information related to the Axanar project ... on social media and other public forums." That very behavior led his longtime advisor and [PR director to resign](#).

'We'll get back to you'

Dorros promises a more thorough review of Peters' settlement, and will "get back to you in due course with comments and/or revisions if Mr. Burnett is agreeable to look toward resolution at this time."

Legal Limbo

In the meantime, Peters' lawsuit is going nowhere until Peters finds a way to serve his Georgia court summons to Burnett, a California resident who [may not even be subject](#) to such a suit in Peters' home state.


Why This Matters

This letter raises the stakes in the legal confrontation between the former Axanar colleagues, pointing to "substantial viable claims" Burnett intends to pursue against Peters and Axanar Productions.

Employment Claims

In addition to defamation and threats, the letter points to other legal claims, including "significant employment law claims" for unpaid wages, rest and meal breaks and overtime.

Copyright Claims

Peters and Axanar Productions may also have taken and used Burnett's intellectual property, with the former director and editor never having assigned copyright to Axanar. The attorney says Axanar is "using, marketing and commercially exploiting" Burnett's copyrighted works. 

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[Peters v. Burnett](#), [lawsuit](#), [Axanar](#), [Alec Peters](#), [Robert Meyer Burnett](#), [settlement](#)

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Letter from Torrin Dorros to H. Michael Dever, 3/1/19.

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