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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92052150
Party	Plaintiff Wonderbread 5
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1           IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
2                   BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

3

4   In re Registration No. 3691948 for the Word mark  
5   WONDERBREAD 5 (Registered on October 6, 2009)

6

7

8   WONDERBREAD 5,

9                           Petitioner,

10   vs.

  Cancellation No. 92052150

11   PATRICK GILLES,

12                           Registrant.

13   \_\_\_\_\_/  
                          Deposition of

14                   STEVENSON LEE BROOKS

15           Wednesday, September 25th, 2013

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REPORTED BY:   JOAN F. MARTIN, CSR #6036

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1           BE IT REMEMBERED THAT, pursuant to Agreement of  
2 the Parties, and on Wednesday, the 25th day of  
3 September, 2013, commencing at the hour of 8:59 o'clock  
4 a.m. thereof, at the Law Offices of Phillips, Erlewine  
5 & Given LLP, 50 California Street, Suite 3240, San  
6 Francisco, California, before me, JOAN F. MARTIN, a  
7 Certified Shorthand Reporter of the State of  
8 California, personally appeared via conference call

9                                 STEVENSON LEE BROOKS,  
10 called as a witness by the Petitioner, having been by  
11 me first duly sworn, was examined and testified as  
12 hereinafter set forth.

13   ---oOo---

14   APPEARANCES OF COUNSEL

15         Representing Petitioner:

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25         Also present: Patrick Gilles (via conference call)

1 MR. CARLIN: Sorry. Let's start off again. We're  
2 going to do this on the record.

3 So can everybody state your appearances for  
4 the record, please. Why don't we start with you,  
5 Matthew.

6 MR. SWYERS: Fair enough. Matthew Swyers on  
7 behalf of the registrant, Patrick Gilles. And, of  
8 course, Mr. Gilles is also attending via phone.

9 MR. CARLIN: And this is Nick Carlin, and I'm here  
10 with Alex Tuzin on behalf of the Wonderbread 5.

11 THE WITNESS: And I'm Stevenson Brooks on behalf  
12 of myself, I guess. I'm here to be asked questions.

13 MR. CARLIN: And, Matthew, I just wanted to put on  
14 the record that we have a stipulation that we can do  
15 this deposition by phone. And Mr. Brooks and  
16 Mr. Swyers are calling in; just for the record.

17 Is that correct?

18 MR. SWYERS: Thank you. That is correct. And --  
19 thank you. And I will just add in also that Mr. Gilles  
20 is also on the line and is called in as well. Thank  
21 you.

22 MR. CARLIN: Okay. Well, why don't we swear the  
23 witness in, then.

24 (Witness sworn.)

25 THE WITNESS: Yes, I do.

1 EXAMINATION BY MR. CARLIN

2 MR. CARLIN: Q. All right. Good morning,  
3 Mr. Brooks. My name is Nicholas Carlin and, as I said,  
4 I'm one of the attorneys for the plaintiffs in this  
5 case, the Wonderbread 5. Actually, in this matter,  
6 they're called "petitioners" rather than "plaintiffs."

7 And so could you just please state and  
8 spell your full name for the record.

9 A. Stevenson Lee Brooks. That's  
10 S-t-e-v-e-n-s-o-n, L-e-e, B-r-o-o-k-s.

11 Q. Thank you.

12 And where do you live, Mr. Brooks?

13 A. I live in Henderson, Nevada.

14 Q. And what is your occupation?

15 A. I'm a business owner. I have a sales training  
16 business.

17 Q. I understand you're also a musician; is that  
18 right?

19 A. True. Yes.

20 Q. And what do you play?

21 A. Everything. Currently I'm a singer and guitar  
22 player in my performances.

23 Q. And do you currently work as a musician as  
24 well?

25 A. Yes.

1           Q. And can you just give us just a brief summary  
2 of your musical career.

3           A. Okay. From, you know, high school band to --  
4 became a keyboard player, lead singer out in D.C. Had  
5 several original music bands that I was the leader of.  
6 Moved to San Francisco. Joined a few bands, of which  
7 Wonderbread 5 is one of them.

8           And since then I've had a solo career playing  
9 acoustic guitar and singing. And then in Vegas, I've  
10 done a few gigs where I have partners and we put  
11 together little variety shows a la Vegas style. That's  
12 it.

13          Q. Okay. So this case involves the  
14 Wonderbread 5, so I wanted to ask you some questions  
15 about them.

16          A. Okay.

17          Q. So can you tell us how you first got involved  
18 with the Wonderbread 5?

19          A. Jeffrey Fletcher was my employee at a company  
20 called Light Source in San Francisco Bay area. My wife  
21 at the time and I both worked there. And he was in the  
22 local music scene, as was I, trying to get into it.  
23 And he invited me to be a part of the project, the  
24 Wonderbread 5, as his keyboard player and backup  
25 singer.

1 Q. Can you recall approximately when that was?

2 A. I want to say that it was early '97, is my  
3 best guess.

4 Q. All right. And so the first person who  
5 contacted you about being in the Wonderbread 5, or at  
6 least the band that eventually was named the  
7 Wonderbread 5, was Jeffrey Fletcher; is that right?

8 A. Correct.

9 Q. All right. And who else ended up in the band  
10 in those early days?

11 A. Jeff, Pat, John and Tom and myself; sort of  
12 the original five members of the band.

13 Q. All right. And just for the record, if you  
14 could give their last names, if you recall.

15 A. I would probably have to look them up. I  
16 would be happy to say yes, that's the one. Pat Gilles,  
17 Jeffrey Fletcher. I don't know if I can remember John  
18 or Tommy's last name at the moment.

19 Q. All right. Do you recall what, if anything,  
20 Pat Gilles had to do with the initial organization of  
21 the band?

22 A. I don't know much about the relationship, but  
23 I know that Jeff and Pat were in that same music scene  
24 for years. I remember lots of connections with the  
25 band Protein and these guys sort of sharing riffs

1 between each other and explaining projects they were  
2 working on. I know Pat had been in other bands. I  
3 don't know -- recall if they'd played together or not.

4 But when I was introduced to Pat as part of  
5 the project, I accepted him as one of Jeff's friends  
6 and somebody that he played music with and is in the --  
7 sort of that Marin, San Francisco music scene.

8 Q. All right. As far as you were aware, though,  
9 was Jeff the organizer of the band initially?

10 MR. SWYERS: Objection.

11 THE WITNESS: He was --

12 MR. SWYERS: Hearsay, I think. But, nah, I'll let  
13 him -- allow him to answer it. Excuse me.

14 MR. CARLIN: Q. Go ahead. You can answer.

15 A. From my -- from my perspective, Jeff was my  
16 only contact. So, from my perspective, Jeff was  
17 getting me into the band. There were decisions and  
18 other things that were made outside of me being in  
19 there. Those guys hung out with each other, knew each  
20 other, had each other's phone numbers, all that stuff,  
21 you know, knew where each other lived.

22 I knew Jeff from work. So I was definitely  
23 new to everything. So my only point of contact was  
24 Jeff. So when he said, "We're doing this," I can only  
25 assume that that came from some collective source of

1 "We are doing this."

2 It wasn't a dictatorship-type band that I'd  
3 been in before and, of course, have today, under -- my  
4 own bands are run by me. This was more of a band put  
5 together by these guys that I was joining.

6 Q. All right. And how long did you play with the  
7 band?

8 A. Around a year. A little foggy, but I dropped  
9 out of the band when my son was going to be born so I  
10 could focus on work and being a father. And he was  
11 born in February of '98, so I think it was very early  
12 '98 that I dropped out.

13 Q. What do you recall about how the band got its  
14 name?

15 A. Well, I remember talking to Jeff about it at  
16 work, brainstorming a little bit and hearing that there  
17 were a couple options on the table. Wonderbread 5 was  
18 one of them, and Jacksons Del Blanco was the other one  
19 that I remember, from way back when.

20 Q. Jack- -- could you --could you spell that, if  
21 possible, the last one -- Jackson Del Blanco?

22 A. Yeah. Jackson, J-a-c-k-s-o-n-s; just plural.  
23 And then D-e-l, and then B-l-a-n-c-o. I don't know if  
24 I ever saw it written, but that would be the way that I  
25 would spell it.

1           Q.  And how -- how did -- did these names come to  
2 your attention?  Was this in some sort of group meeting  
3 with everyone, or just through Jeff, or in some other  
4 manner?

5           A.  It was just through Jeff, because he was  
6 telling me about brainstorming this new band idea, and  
7 he had another keyboardist in mind, and he was thinking  
8 about using me as instead because of The Jackson 5  
9 music was fairly difficult and he thought I'd be a  
10 better player in the band.

11                   And then I -- I picked up very quickly on  
12 liking Wonderbread 5 and threw together a logo with the  
13 "Wonderbread" from bread and the "5" from The Jackson 5  
14 album, and started playing with that idea very early on  
15 to try and kind of, if you will, push that idea as  
16 well, like, "Woo, I like that one better than" --  
17 Jacksons Del Blanco seemed a little bit too racist to  
18 me.

19           Q.  Did you discuss these names with the guys in  
20 the band other than Jeff?

21           A.  I don't recall.

22           Q.  When -- do you recall your first gig with the  
23 Wonderbread 5?

24           A.  Boy, I don't.

25           Q.  Do you -- do you remember playing at the

1 Faultline?

2 A. Sure.

3 Q. Do you know if that was the first gig?

4 A. You know, it would one of those things I would  
5 have to go and -- and -- I don't have much history of  
6 it. The -- it didn't happen in the last few years with  
7 my iPhone to be being able to check my calendar. I  
8 can't remember all that.

9 So I remember the Faultline was a place we  
10 played early on, because everyone had connections in  
11 there already. I just don't remember if it was the  
12 first gig or if it was the fifth one. I know we played  
13 there quite often in the beginning.

14 Q. When you played a gig and got paid, how was  
15 the money divided up?

16 A. As far as I knew, it was a -- a -- 20 percent  
17 for each band member. It was even split amongst the  
18 five of us.

19 Q. And if you had any expenses, how were those  
20 split?

21 A. At that time I don't recall anybody having any  
22 expenses, per se, so I don't recall ever having to deal  
23 with that.

24 Q. Once the band got started, were you involved  
25 in any decision-making of the band other than -- well,

1 let me strike that.

2           Were you involved in the decision to adopt the  
3 name the Wonderbread 5?

4           A. I don't know if I was involved necessarily in  
5 the decision other than, like I said, I was trying to  
6 influence it. But the decision was made without me  
7 being there. There wasn't, like, a band meeting or  
8 vote, as far as I can remember.

9           Q. Were there any -- any band meetings or votes  
10 that you do recall?

11          A. We would have discussions before and after our  
12 practice sessions and brainstorm a bit on things and  
13 talk about costumes or talk about promoting the band,  
14 or talking about different ways that we might want to  
15 have gigs, or maybe songs that we like or don't like  
16 that we're working on, who wants to sing what parts.

17                   It wasn't anything formalized, but it was just  
18 the chatting about and working out a few of those  
19 kinks. And, as I mentioned, there still were other  
20 meetings that were happening with Jeff and the other  
21 guys that he was friends with that I wasn't really  
22 privy to, I would just hear about. I was kind of the  
23 fifth wheel in the band, if you will.

24          Q. Okay. When you played with the Wonderbread 5,  
25 was it always the five of you, or were there ever any

1 other people substituting in for people?

2 A. Always the five of us. The -- the -- the  
3 songs were too complicated to get somebody to come in  
4 and guest sing. We were singing songs no one else was  
5 covering, so it was hard enough for us to remember the  
6 songs, in the first year at least.

7 Q. Was Jay Siegan involved with the band while  
8 you were with them?

9 A. I don't think so. If he was, again, it was  
10 with the -- sort of the -- the leadership of the band  
11 and not me. I know we started playing a few better  
12 gigs as things got going, towards the end of my working  
13 with the band. And so I don't know where the gigs came  
14 from. I just showed up to those and played.

15 Q. Did Pat Gilles ever say that it was his band  
16 and that you guys were all just working for him?

17 A. No.

18 Q. Did he ever say that you were independent  
19 contractors working for him?

20 A. No.

21 Q. How did you end up leaving the band?

22 A. I had to -- as I mentioned, I had a son on the  
23 way and felt like feeding my family and playing in the  
24 band and racing to be a good dad was too much for me to  
25 handle.

1           And it was a little bit -- Chip was  
2 starting -- and I don't know Chip's last name, so I  
3 apologize again on that one. But Chip there, the next  
4 keyboard player after me, was starting to help out with  
5 the band, and it seemed like there was a way that  
6 things could kind of work where I could get out without  
7 leaving -- letting them down. If there really was no  
8 backup, I probably would have tried to make it work.  
9 But Chip was helping with the band doing a lot of click  
10 track kind of stuff.

11           And John and I weren't really getting along  
12 very well, and I was not really having as much fun at  
13 shows as I liked. And so I found an opportunity and  
14 sort of -- didn't necessarily blame it on being a  
15 father, but used that as sort of the catalyst to say  
16 "Hey, why don't I transition out of this thing. You  
17 guys keep going. I can't keep up with the gig  
18 schedule."

19           And so I asked to leave the band, and then did  
20 so; transitioned.

21           Q. Okay. Are you still friends with any of the  
22 guys from the Wonderbread 5?

23           A. Jeff Fletcher and I are Facebook friends, and  
24 that means that we're not really friends. So, no. I  
25 felt, actually, when I left the band they kind of left

1 me. They kind of went, "Okay. Steve's gone."

2 I would show up to gigs afterwards and there  
3 was never a sense of, "Hey, Steve's here. Let's bring  
4 him up on stage. Let's say hi to him. Let's  
5 acknowledge him."

6 There really was no acknowledgement, so I kind  
7 of felt like, "Eh, whatever. They're rock stars. I'll  
8 let them go."

9 And then I moved to -- to Vegas 11 years ago.  
10 So it's been a while that I've even been in the  
11 community.

12 Q. Okay. Can you tell me what -- what each  
13 person's role was in the band while you were with them?  
14 Apart from musically, did -- I'm talking about, you  
15 know, off-stage, what - what did each person  
16 contribute?

17 A. Well, I remember that -- I remember one gig  
18 Pat and me had to bring microphones to the gig. And so  
19 I think -- like, Pat was -- had some -- some key  
20 equipment that he would also contribute to the show.  
21 John would do that as well. I think I was using  
22 someone's else's amp. So I would do that. So there  
23 was definitely some guys that had some extra equipment  
24 beyond just the -- what we're performing with.

25 And I -- like I said, I don't know who was

1 booking things, necessarily. Jeff Fletcher was my main  
2 contact. So for me it seemed like -- and oftentimes in  
3 bands, the lead singer has to be able to pull off the  
4 vocals of the songs. The musicians can usually pull it  
5 off, no problem. And so there were songs that Jeff did  
6 or didn't like.

7           And he was -- so I felt like he was trying --  
8 in the early days, trying to find songs that he could  
9 pull off, since he was all in falsetto at that time.

10           And we practiced at Pat's place and we  
11 practiced at John's place, but most of the time I think  
12 it was at Pat's house. So he sort of was the resident  
13 practice studio.

14           And that's about it, unless there's something  
15 specific that you're looking for.

16           Q. Well, you indicated earlier, I think, that you  
17 worked on a logo.

18           A. Sure. Just informally and threw together a  
19 logo that we used for a while. I heard later that it  
20 was something that Wonder Bread, the company, didn't  
21 actually like, because we were using the Wonder Bread  
22 actual -- I had created a few letters that aren't in --  
23 because "Wonder" doesn't actually say "Wonder" in the  
24 way that it does it, or say "Bread." I think I had to  
25 actually combine and make some letters out of the --

1 the alphabet that they have on their logo.

2 But, yeah, I did all that sort of Photoshop  
3 work and created the early logo. But it wasn't -- it  
4 was an unofficial role. I just was trying to help.

5 MR. CARLIN: All right. Okay. That's all the --  
6 that's all the questions I have. If Mr. Swyers has  
7 some, he can go ahead.

8 MR. SWYERS: Just a couple, Mr. Brooks. And thank  
9 you for joining us today.

10 EXAMINATION BY MR. SWYERS

11 MR. SWYERS: Q. You mentioned that you were sort  
12 of the unofficial fifth wheel of the band, correct?

13 A. Yes.

14 Q. And within that context, you also referenced  
15 that -- you know, that it appeared that there were  
16 meetings that went on that you weren't aware of but you  
17 sort of were just generally aware of, correct?

18 A. Yes.

19 Q. Like, the other guys would make the decisions  
20 for the band; you weren't a part of those decisions,  
21 correct?

22 A. Correct.

23 Q. Okay. And so, likewise, just to confirm a few  
24 things with you, because I want to make sure my notes  
25 are clear here, Jeff Fletcher originally approached you

1 to join this Jackson 5 cover band concept, correct?

2 A. Yes.

3 Q. Okay. And you, sitting here today, can't tell  
4 me what relationship that Mr. Fletcher had with any of  
5 the other band members, in terms of ownership of the  
6 band or otherwise, at the time they asked you to join,  
7 correct?

8 A. Correct. Other than my impression would be  
9 that it wasn't -- I didn't feel that anyone had sole  
10 ownership, was my vibe. There wasn't -- I didn't feel  
11 Jeff -- it felt like a band of guys. Even though I was  
12 the fifth wheel and probably Tommy was the fourth  
13 wheel, it felt like John, Pat and Jeff knew each other,  
14 had a stronger relationship, and were forming this  
15 thing together.

16 So I put them --

17 Q. Okay.

18 A. I had to -- I put them in the leadership role  
19 and me as the new guy. And Tommy --

20 Q. Fair enough.

21 A. -- as drummer.

22 Q. And that's your feeling from being on stage  
23 with them, but you don't have any independent knowledge  
24 having witnessed meetings or seeing documents or  
25 otherwise to that effect; is that correct?

1           A. No documents other than -- right. And not  
2 even on stage. It's more so from the -- the way the  
3 band meetings would be held, there was definitely not a  
4 dictatorship. There was more of a, let's chat about  
5 this, let's figure these pieces out, let's talk about  
6 and resolve things.

7           Or it's done before I got there; there would  
8 be decisions that are made. But it wasn't, we all  
9 would sit in the band practice and look to one guy and  
10 say, "What are we doing next?"

11          Q. Exactly. But there were decisions that were  
12 being made outside of your presence that you were not  
13 aware of, correct?

14          A. Very true. Yes.

15          Q. Okay. Bear with me, Mr. Brooks, for a minute.  
16 I just want to look through my notes.

17                 Sitting here today, do you claim that you own  
18 any rights to the Wonderbread 5 trademark assets?

19          A. No.

20          Q. Why?

21          A. Well, a couple things -- so one is I did the  
22 artwork in the beginning, just as purely helping out  
23 the band. I was in it in its -- sort of the early  
24 foundation of it, but I didn't help take it to anywhere  
25 where it got to. I helped it get started, but I feel

1 like the guys that were in the band after I left had  
2 worked very hard it get it to where they could all have  
3 it as a real asset. In the beginning, it was just a --  
4 an idea, and it was starting to get some legs.

5 In addition to that, when I was leaving the  
6 band, Chip wanted me to, like, record my hands playing  
7 the keyboard parts. That -- if we did that, I would  
8 feel very upset, because I said to him -- I said, "No,  
9 no. You have to actually learn the songs." And he  
10 wanted me to just record them for them and so he could  
11 put clap (makes sound) and -- and have fun on stage,  
12 whereas I was actually playing a lot of keyboards.

13 And so I spent a good couple weeks with him  
14 teaching him the songs, and some of them chord by  
15 chord, painstakingly teaching him a chord that he  
16 couldn't play so that he could figure it out, so that  
17 he could do his own sequencing of the songs.

18 That was the one area where I felt really  
19 uncomfortable leaving the band, feeling like, "No, no,  
20 no, no. If you guys are going to use recordings, don't  
21 use me. Then I'm still in the band."

22 So I felt like when I did that move, that  
23 transition helped me feel free and clear, like, "Hey,  
24 I'm not -- I don't need to owe them anything, nor do  
25 they owe me anything. I felt like I did a good job, I

1 was in there, but now I'm sort of -- you know, sort of  
2 selling my shares back in to the company and I'm -- I'm  
3 making a clean break.

4 Q. Fair enough.

5 So if they were to continue to use your  
6 likeness or otherwise, maybe you would have a claim;  
7 otherwise, clean break. Right?

8 A. Correct. They don't use any of my pictures.  
9 There's nothing of my music. There's -- yeah. And the  
10 Wonderbread 5 looks like it changed now, too, so.

11 Q. Okay. And the -- and so when you left, would  
12 you term your departure as voluntary from the band?

13 A. Yes.

14 Q. Okay. Now, forgive me; just scrolling through  
15 my notes here.

16 A. Okay.

17 Q. Very clear you're not a current member of the  
18 band, but the petitioner in this case is listed as the  
19 Wonderbread 5.

20 Do you have any concept as to what the  
21 Wonderbread 5 is, sitting here today? Like, what is it  
22 made up of; do you know?

23 A. No. I wouldn't know what that enterprise is,  
24 other than just saying that's the name of a bunch of  
25 guys in a band.

1           MR. SWYERS: Can I have about two or three minutes  
2 before I give the witness back to you, please, just to  
3 review my notes sort of in silence, as it were? And  
4 then I will come back up, and maybe I'll just be done.

5           Would that be okay with everyone?

6           MR. CARLIN: That's fine.

7           MR. SWYERS: Okay.

8           THE WITNESS: Fine by me.

9           MR. SWYERS: I'm going to go on mute. Thank you.  
10 I'm -- I'm sorry. What, Mr. Brooks?

11          THE WITNESS: I said "fine by me" too. Sorry.

12          MR. SWYERS: Oh, okay. I'm sorry. I'm going to  
13 go on mute for a second and then just going to take a  
14 look at my notes and just make sure I don't have  
15 anything else for you today. Thank you. One second.

16          (Brief recess.)

17          MR. SWYERS: Okay. Sorry for the delay on that  
18 one, gentlemen.

19          At this juncture, Mr. Brooks, I don't have  
20 anything further.

21          MR. CARLIN: I have just a few follow-ups. This  
22 is Nick Carlin again.

23          FURTHER EXAMINATION BY MR. CARLIN

24          MR. CARLIN: Q. Mr. Brooks, did Pat Gilles ever  
25 say that he owned the trademark Wonderbread 5?

1           A. No, not to me.

2           Q. Did he ever, to your knowledge, try to use it  
3 outside of the context of the band?

4           A. Nope, not to my knowledge.

5           Q. Was Pat Gilles aware that the band was using  
6 the name Wonderbread 5?

7           A. That seems confusing to me. I mean, we all  
8 were in the same band using the name Wonderbread 5. So  
9 I would say that -- I guess the answer would be yes, he  
10 was aware that we were using "Wonderbread 5."

11                   But he was in the band, so he was using it  
12 with us.

13           Q. So if he said -- if he told someone that he  
14 was not aware that the band was using the name  
15 Wonderbread 5, that would not be true, would it?

16           MR. SWYERS: Objection. If he told --

17                   Yeah. If you can answer that.

18                   I apologize, but I don't -- if he told  
19 someone, which is speculative --

20           MR. CARLIN: You can just state -- state an  
21 objection and your grounds. Don't -- don't make a  
22 speaking objection. Objection; grounds. That's all  
23 you can say.

24           MR. SWYERS: Very well. We'll go with "leading."

25           MR. CARLIN: All right.

1           MR. CARLIN:  Q.  You can go ahead and answer the  
2 question, Mr. Brooks.

3           A.  Can you state it again for me.

4           Q.  Sure.  So if Pat Gilles were to tell someone  
5 that he was not aware that someone -- excuse me -- that  
6 the band was using the name Wonderbread 5, that would  
7 be a false statement, wouldn't it?

8           A.  The challenge I have with that question myself  
9 is that I don't talk to Pat.  So if it was in the --  
10 the '97-'98 time frame, then I would say it's a false  
11 statement.

12                    But today, I don't know what the band's doing  
13 nor who's Pat talking to.  So I don't know.

14           Q.  Okay.  Well, I'll confine it to the time that  
15 you were playing with the band.

16           A.  Okay.

17           Q.  You would agree that would be a false  
18 statement, right?

19           A.  Say it one more time so I can put it in a  
20 context.

21           Q.  Sure.  If he were to tell someone that he was  
22 not aware that the band was using the name  
23 Wonderbread 5, that would be a false statement?

24           A.  At that time he would have been aware, in  
25 every use, of us using "Wonderbread 5."  So that's

1 true. If he would -- that would be a false statement,  
2 to say that he's not aware of how we were using the --  
3 the band name.

4 Q. Okay.

5 A. At that time.

6 MR. CARLIN: All right. That's all I have. Thank  
7 you very much.

8 (Reporter interruption.)

9 MR. CARLIN: Yes. We're going to need your  
10 address for your witness letter.

11 THE WITNESS: Okay. It's 1450 West Horizon Ridge  
12 Parkway, and it's B-304 -- B as in "boy" -- 304-107,  
13 Henderson, Nevada, 89012.

14 MR. CARLIN: Thank you very much for your time,  
15 Mr. Brooks. We appreciate it.

16 THE WITNESS: All right. Thank you.

17 MR. SWYERS: Thank you, sir.

18 MR. CARLIN: That will conclude the deposition.

19 (Whereupon, the deposition concluded  
20 at 9:31 o'clock a.m.)

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CERTIFICATE OF WITNESS

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I, STEVENSON LEE BROOKS, hereby declare under penalty of perjury that I have read the foregoing deposition testimony; and that the same is a true and correct transcription of my said testimony except as I have corrected pursuant to my rights under Section 2025 (Q) (1) of the California Code of Civil Procedure.



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Signature

10/20/13

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Date

1 STATE OF CALIFORNIA )  
2 COUNTY OF SAN FRANCISCO )

3 I, JOAN MARTIN, a Certified Shorthand Reporter  
4 of the State of California, duly authorized to  
5 administer oaths pursuant to Section 8211 of the  
6 California Code of Civil Procedure, do hereby certify  
7 that

8 STEVENSON LEE BROOKS,  
9 the witness appearing via conference call in the  
10 foregoing deposition, was by me duly sworn to testify  
11 the truth, the whole truth and nothing but the truth in  
12 the within-entitled cause; that said testimony of said  
13 witness was reported by me, a disinterested person, and  
14 was thereafter transcribed under my direction into  
15 typewriting and is a true and correct transcription of  
16 said proceedings.

17 I further certify that I am not of counsel or  
18 attorney for either or any of the parties in the  
19 foregoing deposition and caption named, nor in any way  
20 interested in the outcome of the cause named in said  
21 caption.

22 Dated the 3rd day of October, 2013.

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JOAN F. MARTIN  
CSR No. 6036 (California)

1 Mr. Stevenson Lee Brooks  
1450 West Horizon Ridge Parkway  
2 B304-107  
Henderson, Nevada 89012  
3

Date: Thursday, October 3, 2013  
4 Re: Wonderbread 5 vs. Gilles  
Deposition Date: Wednesday, September 25th, 2013  
5

6 Dear Mr. Brooks,

7 Please be advised the original transcript of your  
deposition is ready for your review. Pursuant to CCP  
8 Section 2025.520(a), you have 30 days following the  
date of this notice to read, correct and sign your  
9 transcript unless the attending parties and the  
deponent agree on the record, or otherwise in writing,  
10 to a longer or shorter time period. The deponent may  
change the form or the substance of the answer to a  
11 question, and may either approve the transcript of the  
deposition by signing it, or refuse to approve the  
12 transcript by not signing it. You are not required by  
law to read and sign your deposition transcript. All  
13 parties will be informed of the corrections. The  
original transcript will then be sealed and sent to the  
14 examining attorney pursuant to the applicable law.

15 You may either come to our office to read and sign the  
original transcript, or you may contact your attorney  
16 or the attorney who arranged for you to be present at  
your deposition. If they have ordered a copy of the  
transcript, you may review their copy and make  
17 corrections by submitting, signing and returning the  
attached form. If you choose to review your transcript  
18 at our office, please call first to make an  
appointment.

19 Should you have any question regarding these  
20 instructions, please call.

21 Sincerely,

22 NOGARA REPORTING SERVICE  
5 Third Street, Suite 415  
23 San Francisco, California 94103  
(415) 398-1889  
24

25 cc: Original deposition  
All counsel