

EXHIBIT B

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BOURNE CO.,)

Plaintiff,)

vs.)

) No. 07 CIV. 8580 (DAB)

TWENTIETH CENTURY FOX FILM)

CORPORATION, FOX BROADCASTING)

COMPANY, TWENTIETH CENTURY FOX)

TELEVISION, INC., TWENTIETH)

CENTURY FOX HOME ENTERTAINMENT,)

INC., FUZZY DOOR PRODUCTIONS,)

INC., THE CARTOON NETWORK, INC.,)

SETH MAC FARLANE, WALTER MURPHY,)

Defendants.)

ORIGINAL

DEPOSITION OF

RICKY BLITT

TAKEN ON

MONDAY, MARCH 10, 2008

Reported by:

Daryl Baucum, RPR, CRR, CBC, CSR No. 10356

1 pitching it to them.

2 Q. Was there a time that this particular episode
3 was assigned to you?

4 A. Yes.

5 Q. And when did that happen?

6 A. It happened before we -- there is always a
7 procedure called story breaking where all the writers
8 get together and we work out the outline of the story
9 before a writer is sent off.

10 I remember at the beginning Seth came to me and
11 said he thought my sensibility was a little bit offbeat.
12 So he said Seth had a idea for this Jewish episode and
13 he just said "I think you should write it."

14 So I was paying extra attention. We were all
15 in the room breaking the story knowing I would have the
16 responsibility of writing.

17 Q. So he just thought that your sensibilities,
18 your style, was a good match?

19 A. When I said the thing about the Special
20 Olympics, he knew that I was somebody who writes things
21 that could be like, oh, my god, and when you heard them
22 go oh, I see, there is actually -- you know, that it
23 could be handled delicately whatever.

24 Q. At this point in the creation of the episode,
25 was there a title associated with the episode?

1 A. Very early on before I went off to write the
2 draft, we would break a story, and once the outline was
3 totally broken, the writer would go off to write it.

4 From the beginning, I knew that I was going to
5 call it "When You Wish Upon A Weinstein."

6 Q. And why was that?

7 A. Early on in the story, breaking story, one of
8 the things that was floated out is -- I think Seth or
9 somebody had talked about how it would fun to parody,
10 you know, like the "When You Wish Upon A Star" just to
11 get at the total innocence of it with this ridiculous,
12 out-there kind of lyrics that we would put in that body
13 which got me thinking okay, that would be a funny title.

14 If they're going to go in that direction with
15 that kind of parody, then it got me thinking of the
16 title, you know, "When You Wish Upon a Weinstein," which
17 is sort of a parody of that "When You Wish Upon A Star".

18 Q. And where would that conversation have taken
19 place?

20 A. In the writers room. In the writers room, when
21 everybody gathers together to work out the outline of a
22 story, what they do is put a bunch of index cards and
23 work out the story beat by beat, moment by moment.

24 So to be honest, I can't a hundred percent
25 remember the chronology of who said what, but I remember

1 it being discussed it would be funny to have -- since
2 it's like a fairy tail, why not go after the song that's
3 almost iconic for the innocence of another era, and that
4 would be "When You Wish Upon A Star."

5 Q. And was that concept discussed later on as the
6 story went on repeatedly or was it just at the beginning
7 you talked about it?

8 A. It was more at the beginning because later on,
9 when I went off to write the script -- my specialty
10 isn't writing music or lyrics. So I kind of left that
11 part of the script bare.

12 So in "Family Guy," you would take -- there
13 three or four writers will go off into another room and
14 they will write it. So it sort of came into play later
15 on when people went off to write that song and then put
16 it into the script.

17 Q. And who -- do you remember who went off and
18 wrote that song?

19 A. Seth was involved, and that that's just too
20 hard to remember, unfortunately, because I would only
21 remember something which if I was involved in that
22 group, but they broke into a smaller group.

23 Q. So you weren't directly involved in writing the
24 lyrics to "I Need A Jew"?

25 A. No, no.

1 innocence of somebody -- him dreaming of this Jewish
2 person to come in and make all of his dreams possible
3 for him and his son and all like that.

4 Q. So did you have lead -- other than the part of
5 the lyrics of the song that was done by another team,
6 were there any parts of the story as it developed that
7 were done primarily by people other than yourself?

8 A. No, the way it works is when you finish a
9 script, you hand it in. As I told them before, my
10 expertise wasn't the song. So I was going to leave that
11 bare and let them do it, but other than that, what you
12 do is you hand it in and then all the writers gather
13 together to punch it up and to improve jokes and to do
14 things, but everything else represented at least tweaks
15 on what I did originally.

16 Q. Were you involved in the standards and
17 practices clearance process for the episode?

18 A. No.

19 Q. When was the idea for actually having the song
20 in the episode first conceived?

21 A. The way I remember it, it was from the very
22 outset that we were thinking of this fantastical story,
23 and it just became -- it was one of the first thoughts
24 that was floated out, that it would just be funny to do
25 this.

1 If we're going to do something as silly as
2 somebody thinking that it's -- having some racist views
3 or ignorant views on Jewish people, that it might be
4 funny to put that in the body of the most pure and
5 innocent and sweet and almost saccharin song
6 representing another era.

7 So it was from the beginning, because that's
8 why -- that's how I think I came up with the title of
9 "When You Wish Upon Weinstein." It's like since the
10 title came even before the first draft I wrote, it
11 was -- okay.

12 They're talking about if they want to use that
13 song and invoke that kind of innocence, the
14 juxtaposition of what he is saying with that kind of
15 innocence, then that informed my choice of a title
16 almost from the beginning.

17 Q. Now, do you view the content of the episode as
18 antisemitic?

19 A. No, emphatically not. I am Jewish and I
20 wouldn't have done it -- the joke was clearly -- and
21 it's always the test. When I told you about the Special
22 Olympics thing, at the end of it, we didn't get any
23 controversy.

24 We even had a rabbi actually look at the script
25 before and he said this is fine, this isn't offensive.

1 Q. Were you involved in that process?

2 A. No, I was informed that they would do things
3 like that, but once again, as sort of a junior writer on
4 the show, I was never privy to those things directly.

5 Q. Did you hear about more than one rabbi that was
6 asked for their opinion?

7 A. That, I wouldn't know. I think everybody knew
8 that our heart was in the right place, that they were
9 doing something that was so overwhelmingly clear --
10 unless somebody is antisemitic or has hate in their
11 heart, there was no question about it, that it was this
12 Jewish man is totally reasonable and Peter is an idiot,
13 an ignorant for person, for thinking that all people
14 were going to be the same.

15 And unified by that, we just knew that was --
16 just we didn't -- didn't fear -- we knew our heart was
17 in the right place with it.

18 Q. So how would you describe the overall theme of
19 the episode?

20 A. About somebody having an ignorant view,
21 stereotyping people and learning a lesson at the end
22 that -- it even says it in the dialogue at the end, "I
23 got what you are saying Lois, the Jewish are no better
24 or no worse."

25 It's not the way an ABC after-school special

1 would do it, but it's getting at a nice theme in an edgy
2 way.

3 (Plaintiff's Exhibit 30 was
4 marked for identification.)

5 BY MR. FAKLER:

6 Q. I would like to show you a document I have
7 marked as Plaintiff's Exhibit 30, and let me know if you
8 have seen this document before.

9 A. Yeah, I actually remember signing this, also.
10 I remember, yeah.

11 Q. And what is it?

12 A. Somebody had called me at the time from
13 20th Century Fox. To be honest, I don't remember the
14 specific as to why they needed this, but I just
15 understood them to say this is a standard thing that you
16 need to do. And I remember explaining even to whoever
17 it was that called me -- I said, "By the way, that's the
18 one part of the episode that I didn't write," but they
19 just said no, this is just an umbrella thing we need for
20 whatever purposes they did. And I just took it on faith
21 that there would be nothing wrong having explained that
22 when they said they wanted to sign that I figured that
23 is fine.

24 Q. And this was signed a few years after the
25 episode was written?

1 A. What year does it say? 2003, yeah. I mean I
2 left the show in somewhere between 2000 and 2001, I
3 think. I think that I left because this is at least a
4 couple of years after I left the show.

5 Q. Got you.

6 Is the song "I Need A Jew" related to the
7 overall theme of the episode?

8 A. Yes.

9 Q. How?

10 A. Well, it's -- I guess it speaks to his -- the
11 ignorance of his views, the fact that he thinks
12 something will solve his problems and that he's looking
13 at it in a stereotypical kind of way.

14 Q. What -- what things does the song make fun of?

15 A. Well, it makes -- it sort of makes fun of
16 ignorant views on a religion in the body. That's why
17 the song was so important for us -- in the body of the
18 most innocent, pure, sweet and saccharin kind of song.
19 Like anything -- doing it another way would have made it
20 appear ugly. We got the comedic value of it. It's like
21 Archie Bunker singing some of his views on people which
22 comes out of ignorance and you are doing it under the
23 body of a fairy tale song.

24 I can't think of any more sweet and hopeful and
25 pure song than "When You Wish Upon A Star."

1 Q. So do you think the song makes fun of the
2 original "When You Wish Upon A Star"?

3 A. The song? Sorry, the song?

4 Q. "I Need A Jew," do you think it makes fun of
5 "When You Wish Upon A Star"?

6 A. It's just weird because you can describe it in
7 different ways. It's not like -- there's a type of
8 parody that is done when you are mercilessly trying to
9 mock. What you are doing here, it's more like you are
10 using it in kind of a wink to evoke the other things
11 that you are mocking with, you know, his ignorant views
12 sung in that song.

13 It's like -- you know, it's not intended to
14 skewer the song and just say we think it's a bad song
15 and we're making fun of it. It's the perfect song
16 because it's of another era and it's a song about
17 wishing, and usually you are working for world peace or
18 the world to be perfect, and this guy is wishing for a
19 Jew who is good with money to come into his life.

20 So it's like that's the juxtaposition that
21 makes it funny, and, you know, it's just sort of like a
22 direct through-line that when you are parodying
23 something, you just need to put it in the perfect body
24 or else it won't work, and that was the perfect body for
25 us was the song.

1 Q. Would you say it was a perfect vehicle to make
2 fun of the antisemitic -- the ignorant -- Peter's
3 ignorance?

4 A. Absolutely, yes.

5 Q. Are there any other things that the song makes
6 fun of?

7 A. You know --

8 MR. ZAVIN: Objection; he already testified
9 that it makes fun of the song, itself. That was his
10 first testimony.

11 MR. FAKLER: I just asked are there any other
12 things that the song makes fun of.

13 MR. ZAVIN: Other than the two he has testified
14 to?

15 MR. FAKLER: Exactly.

16 THE WITNESS: I don't believe so. Keep in mind
17 for me it would almost be totally conjecture because I
18 wasn't in that room writing the song, but just as a
19 comedy around the show just seems like that as far as I
20 understood it, that's what we were using it to parody.

21 BY MR. FAKLER:

22 Q. And how does the audience get the joke when
23 they experience the song in the context of the episode?

24 MR. ZAVIN: Objection. Obviously, he can't
25 answer the question how the entire audience gets the

1 joke.

2 MR. FAKLER: You can answer the question.

3 MR. ZAVIN: Are you saying he is competent to
4 answer that question?

5 MR. FAKLER: I am saying I asked the question.
6 He can answer it in the deposition. We can argue with
7 the judge about whether it's admissible or not.

8 MR. ZAVIN: If you know how the entire audience
9 is getting the joke, you can answer the question.

10 THE WITNESS: I can only answer to how I think
11 they should, and I think they should get the fact that
12 we're making fun of an ignorant person's views.

13 BY MR. FAKLER:

14 Q. So is it the outrageousness of the lyrical
15 content that is sort of the cue to the audience this is
16 not to be taken seriously?

17 Is that what you mean?

18 A. And helped along by the song we are using here
19 is sweet, innocent, pure, and here is lyrics that are
20 impure, here is lyrics that are small and ignorant. So
21 that's sort of it.

22 Q. Now, you said you weren't involved in -- were
23 you involved in any conversations with people at Fox
24 about justifying the content of the --

25 A. No.