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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA

10  
11 TOM CRUISE,  
12 Plaintiff,

13 v.

14 BAUER COMPANY L.P., BAUER  
15 MAGAZINE L.P., BAUER MEDIA  
16 GROUP, INC., BAUER, INC.,  
17 HEINRICH BAUER NORTH  
AMERICA, INC. and DOES 1-10,  
inclusive,

18 Defendants.

Case No. CV12-09124 DDP (JCx)

*Assigned To: Hon. Dean D. Pregerson  
Hon. Mag. Jacqueline Chooljian*

**DISCOVERY MATTER**

**DECLARATION OF MATT  
GALSOR IN SUPPORT OF  
PLAINTIFF'S OPPOSITION TO  
DEFENDANTS' MOTION FOR  
PROTECTIVE ORDER AND TO  
COMPEL RESPONSES TO  
REQUESTS FOR PRODUCTION**

[Declaration of Aaron J. Moss and  
[Proposed] Order filed concurrently  
herewith]

Date: November 26, 2013  
Time: 9:30 a.m.  
Crt Rm: 20

Action filed: October 24, 2012  
Fact Discovery Cut-Off: Dec. 9, 2013  
Pretrial Conference: June 2, 2014  
Trial Date: June 10, 2014

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**DECLARATION OF MATT GALSOR**

I, Matt Galsor, declare and state as follows:

1. I am a partner at the law firm of Greenberg Glusker Fields Claman & Machtinger LLP, counsel of record in this action for plaintiff Tom Cruise (“Plaintiff”). I am licensed to practice law in the State of California. I make this declaration in support of Plaintiff’s Opposition to Motion for Protective Order and to Compel Responses to Requests for Production. The following facts are of my own personal knowledge, except as to those matters stated on information and belief, and as to these matters I am informed and believe them to be true. If called as a witness I could and would competently testify thereto under oath.

2. Attached hereto as **Exhibit 1** is a true and correct copy of the complaint for libel filed in the matter entitled *Founding Church of Scientology v. Heinrich Bauer Verlag*, District of Columbia Superior Court Civil Action No. CA 7531-73 (filed September 4, 1973). The complaint alleged the publication of a defamatory article about the Church of Scientology in a Bauer publication entitled *Neue Revue* dated July 1973. Attached to the complaint as Exhibit A is a copy of the subject article in its original German form. Attached to the complaint as Exhibit B is an English translation of the same article entitled “THE WRETCHED BUSINESS DEALINGS OF THE FALSE CHRISTIANS.”

3. On or about September 16, 2013, I accessed the website of a Bauer publication, *Geschichte Kompakt*, located at <http://www.geschichtekompakt.de>. Attached hereto as **Exhibit 2** is a true and correct copy of the home page of *Geschichte Kompakt*, as of that date, which showed that the website was a Pabel-Moewig Verlag GmbH site. And the website <http://www.vpm.de/zeitschriften.html>, a true and correct copy of which is attached as **Exhibit 3**, indicates that Pabel-Moewig Verlag GmbH is a Bauer Media Group company (I am informed and believe that “Ein Unternehmen der Bauer Media

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1 Group” means “a company of Bauer Media Group”).

2 4. In the search box on the home page of the *Geschichte Kompakt*  
3 website, I typed in the word “Hakenkreuz” which means “swastika” in German.  
4 After I clicked the search button, search results appeared, including a video called  
5 “Hakenkreuz.” I clicked on that video, and it began to play in the center of the  
6 screen. After the video had ended, a number of additional videos became available  
7 for viewing on the website, including one called “Adolf Hitler – He Was Right!” A  
8 true and correct screen shot of the title of the video is attached hereto as **Exhibit 4**.  
9 This video included several statements praising Hitler, including, for example, “In  
10 2012 we all know now he was right!” and “The greatest man of the 20th century.”  
11 True and correct screen shots of these statements used in the video are attached  
12 hereto as **Exhibits 5 and 6**, respectively. As of today, the website appears to have  
13 been taken offline and is no longer publicly accessible. When I typed in  
14 <http://www.geschichtekompakt.de> today, my browser was redirected to a general  
15 Bauer page depicting its German magazines, including *Militär & Geschichte*.

16 5. Today, I accessed the website of a Bauer publication, *Militär &*  
17 *Geschichte*, located at [www.militaer-und-geschichte.de](http://www.militaer-und-geschichte.de) and located issue No. 56,  
18 which features a profile of Reichsmarschall Hermann Göring on its cover. A true  
19 and correct copy of the cover and Bauer’s description of the contents (in both  
20 German and English [from Google Translate]) is attached hereto as **Exhibit 7**.

21 6. On or about November 5, 2012, I accessed the website of a Bauer  
22 publication, *Geschichte & Wissen*, located at [www.geschichte-und-wissen.com](http://www.geschichte-und-wissen.com) and  
23 located what appears to be Issue No. 17, which features an article entitled “Hitlers  
24 Geliebte Regisseurin,” which I am informed and believe means “Hitler’s Beloved  
25 Director.” A true and correct copy of the magazine cover as it appeared on the  
26 website is attached hereto as **Exhibit 8**. As of today, the website appears to have  
27 been taken offline and is no longer publicly accessible. When I typed in  
28 <http://www.geschichtekompakt.de> today, my browser was redirected to a general

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1 Bauer page depicting its German magazines, including *Militär & Geschichte*.

2 7. In July 2010, a German anti-fascist organization called “Kein Platz für  
3 Nazis” which, I am informed and believe, means “No Place for Nazis” in English,  
4 staged an anti-fascist rally in Hamburg, Germany protesting Bauer Media Group’s  
5 support of Nazi propaganda through the distribution of a magazine called *Zuerst!* A  
6 true and correct copy of the organization’s web page describing and picturing these  
7 protests (in both German and English [from Google Translate]) is attached hereto as  
8 **Exhibit 9**. The site contains photographs in which the anti-fascist protestors are  
9 shown holding signs with slogans such as “Bauer fördert Nazipresse! Den Vertrieb  
10 von Zuerst! stoppen!,” which I am informed and believe means “Bauer Supports  
11 Nazi Press – Stop the sale of Zuerst!” in English. The web page is available at  
12 [http://www.keine-stimme-den-](http://www.keine-stimme-den-nazis.org/index.php?option=com_content&task=view&id=3120&Itemid)  
13 [nazis.org/index.php?option=com\\_content&task=view&id=3120&Itemid](http://www.keine-stimme-den-nazis.org/index.php?option=com_content&task=view&id=3120&Itemid).

14 8. Attached hereto as **Exhibit 10** is a true and correct copy of an article  
15 posted on the AP’s news archive website that discusses an infamous question posed  
16 by the Bauer Publication *Quick* in 1985: “How Can 6 Million American Jews  
17 Control 209 Million Non-Jewish Americans?” It is available at  
18 [http://www.apnewsarchive.com/1985/German-Magazine-Says-Jewish-Groups-](http://www.apnewsarchive.com/1985/German-Magazine-Says-Jewish-Groups-Influence-U-S-Foreign-Policy/id-91ecc1009834d5b7294f13ae95b1d093)  
19 [Influence-U-S-Foreign-Policy/id-91ecc1009834d5b7294f13ae95b1d093](http://www.apnewsarchive.com/1985/German-Magazine-Says-Jewish-Groups-Influence-U-S-Foreign-Policy/id-91ecc1009834d5b7294f13ae95b1d093), which I  
20 last accessed on October 30, 2013.

21 9. Attached hereto as **Exhibit 11** is a true and correct copy of the front  
22 cover and an inside spread of the September 10-16 1939 issue of *Funk Wacht*. The  
23 cover page identifies the publisher as “Verlag (which, I am informed and believe,  
24 means “publisher” in English) Heinrich Bauer, Hamburg.” I arranged for the  
25 purchase of this publication in or about November 2012 from an online seller based  
26 in Germany, [www.SAMMLERMARKT-NORD.net](http://www.SAMMLERMARKT-NORD.net). This issue contains a spread  
27 glorifying Adolf Hitler and Generalfeldmarschall Hermann Göring. I am informed  
28 and believe that the caption under Hitler’s photo reads: “The Führer Speaks – the

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1 People Listen!”

2 10. Attached hereto as **Exhibit 12** is a true and correct copy of an article,  
3 as it appears online, published in the October 12, 2012 issue of *The Independent*,  
4 entitled “A Closer Look at the Bauer Media Family” by Gideon Spanier, marked as  
5 Deposition Exhibit 156. The article quotes Paul Keenan, the chief executive of  
6 Bauer Consumer Media in the UK, as having said, “On a day-to-day basis, they  
7 [members of the Bauer family] are actively involved in the strategy and operations  
8 of the business around the world.”

9 11. Attached hereto as **Exhibit 13** is a true and correct copy of the German  
10 language “Start” page from the international Bauer Media Group website, located at  
11 [www.bauermedia.com/no\\_cache/en/willkommen/](http://www.bauermedia.com/no_cache/en/willkommen/) and previously marked as  
12 Deposition Exhibit 152. The webpage displays the covers of the U.S. versions of *In*  
13 *Touch* and *Life & Style* magazines. The *Life & Style* cover contains the headline  
14 “Suri’s Twisted World,” referring to Plaintiff’s daughter.

15 12. Attached hereto as **Exhibit 14** is a true and correct copy of the English  
16 language “Start” page from the international Bauer Media Group website, located at  
17 [www.bauermedia.com](http://www.bauermedia.com) and previously marked as Deposition Exhibit 151. The  
18 webpage displays the covers of the U.S. versions of *In Touch* and *Life & Style*  
19 magazines. The *Life & Style* cover contains the headline “Suri’s Twisted World,”  
20 referring to Plaintiff’s daughter.

21 13. Attached hereto as **Exhibit 15** is a true and correct copy of an article  
22 from an issue of the German version of *In Touch* magazine, which I am informed  
23 and believe was published in October 2013, as well as a certified English  
24 translation prepared by Nathalie Accristo, the Project Manager for TransPerfect  
25 Translations International, Inc. and notarized by Heather Sullivan on October 29,  
26 2013. As translated, the headline of the article refers to Suri Cruise as  
27 “Hollywood’s Worst Mini-Diva,” and the text of the article refers to her as a “little  
28 beast.”

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1 14. Attached hereto as **Exhibit 16** is a true and correct copy of the  
2 submission Bauer filed before Ofcom in August 2012, available at  
3 [http://www.competition-](http://www.competition-commission.org.uk/assets/competitioncommission/docs/2012/global-radio-gmg/bauer_ofcom_submission.pdf)  
4 [commission.org.uk/assets/competitioncommission/docs/2012/global-radio-](http://www.competition-commission.org.uk/assets/competitioncommission/docs/2012/global-radio-gmg/bauer_ofcom_submission.pdf)  
5 [gmg/bauer\\_ofcom\\_submission.pdf](http://www.competition-commission.org.uk/assets/competitioncommission/docs/2012/global-radio-gmg/bauer_ofcom_submission.pdf) and last accessed on October 30, 2013. Ofcom  
6 (or The Office of Communications) is the regulatory authority for the broadcasting,  
7 telecommunications, and postal industries of the United Kingdom. The submission  
8 seeks to block further consolidation of a competing U.K. radio group. In its filing,  
9 Bauer admitted (on page 60 of this declaration) that a “corporate culture can  
10 determine cultural output across the board,” that “editorial decisions ... are often  
11 dictated by the corporate culture of a media company” and that these decisions will  
12 “have an impact on the knowledge and ideas that circulate in civil society.”

13 15. Attached hereto as **Exhibit 17** is a true and correct copy of Bauer’s  
14 2010 Annual Report, which, among other things discusses Bauer’s corporate  
15 culture on pages 82 and 87 of this declaration. The report is available at  
16 [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0C](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDMQFjAB&url=http%3A%2F%2Fwww.bauermedia.com%2Fuploads%2Fmedia%2FAnnual_Report_2010_Bauer_Media_Group.pdf&ei=X1BwUpqCFJDOigL46oD4BA&usg=AFQjCNElJvIcT1wiCZFftx3ZrOHUy-x8Zg&sig2=GpMTkOVKwvoi4SUj9_i10w)  
17 [DMQFjAB&url=http%3A%2F%2Fwww.bauermedia.com%2Fuploads%2Fmedia%](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDMQFjAB&url=http%3A%2F%2Fwww.bauermedia.com%2Fuploads%2Fmedia%2FAnnual_Report_2010_Bauer_Media_Group.pdf&ei=X1BwUpqCFJDOigL46oD4BA&usg=AFQjCNElJvIcT1wiCZFftx3ZrOHUy-x8Zg&sig2=GpMTkOVKwvoi4SUj9_i10w)  
18 [2FAnnual\\_Report\\_2010\\_Bauer\\_Media\\_Group.pdf&ei=X1BwUpqCFJDOigL46oD](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDMQFjAB&url=http%3A%2F%2Fwww.bauermedia.com%2Fuploads%2Fmedia%2FAnnual_Report_2010_Bauer_Media_Group.pdf&ei=X1BwUpqCFJDOigL46oD4BA&usg=AFQjCNElJvIcT1wiCZFftx3ZrOHUy-x8Zg&sig2=GpMTkOVKwvoi4SUj9_i10w)  
19 [4BA&usg=AFQjCNElJvIcT1wiCZFftx3ZrOHUy-](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDMQFjAB&url=http%3A%2F%2Fwww.bauermedia.com%2Fuploads%2Fmedia%2FAnnual_Report_2010_Bauer_Media_Group.pdf&ei=X1BwUpqCFJDOigL46oD4BA&usg=AFQjCNElJvIcT1wiCZFftx3ZrOHUy-x8Zg&sig2=GpMTkOVKwvoi4SUj9_i10w)  
20 [x8Zg&sig2=GpMTkOVKwvoi4SUj9\\_i10w](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDMQFjAB&url=http%3A%2F%2Fwww.bauermedia.com%2Fuploads%2Fmedia%2FAnnual_Report_2010_Bauer_Media_Group.pdf&ei=X1BwUpqCFJDOigL46oD4BA&usg=AFQjCNElJvIcT1wiCZFftx3ZrOHUy-x8Zg&sig2=GpMTkOVKwvoi4SUj9_i10w) (last accessed on October 30, 2013).

21 I declare under penalty of perjury under the laws of the United States of  
22 America that the foregoing is true and correct.

23  
24 Executed on November 4, 2013 at Los Angeles, California.

25  
26   
27 Matt Galsor  
28