



# Peters Threatens Legal Action Against 'Prelude' Blooper Reel

**Former Chief Technologist Promises Bloopers Will Embarrass Axanar Producer**

By  [Carlos Pedraza](#)

See also: [Actors Cast Doubt on Axanar Threat Over Blooper Reel](#)

A promised blooper reel taken from footage shot for *Prelude to Axanar* prompted producer [Alec Peters](#) to threaten legal action against his former chief technologist, [Terry McIntosh](#), claiming he’s protecting the image of the veteran Star Trek and scifi actors who appeared in the Axanar short.

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## Legal Issues

In a July 15, 2017, email to **AxaMonitor** editor Carlos Pedraza with the subject line “Legal Issues,” Peters said he had informed the agents for the [professional actors](#) who appeared in *Prelude*, as well as their union, the Screen Actors Guild/AFTRA, that McIntosh planned to release footage featuring the cast without their permission.

McIntosh defiantly rejected those claims and encouraged legal action.



**Alec Peters**

## Using Actors' Images

“Release of actors’ images without their approval is a violation of *their* rights,” Peters wrote. “I will let everyone know that Terry has violated every actor’s rights and that the agents for those actors can proceed against Terry and you.”<sup>1)</sup>



Former Axanar technologist **Terry McIntosh**

## McIntosh Defiant

McIntosh rejected Peters claims as disingenuous:

As for a claim of protecting any rights of the talent, that is a laughably hypocritical notion coming from Alec. Axanar Productions used [Tony Todd](#)’s name and likeness for months knowing full well that he had dropped out of the production prior to it being exposed by Tony himself on social media after one of Alec’s patented social media disrespect sessions. Alec chose to withhold Tony’s exit for months so that it wouldn’t impede future fundraising profits.<sup>2)</sup>

## Actors' Rights

McIntosh said Axanar’s crowdfunding donors were promised a blooper reel as one of the production’s many unfulfilled perks, and that the actors signed releases allowing use of their footage:

Axanar Productions’ contracts with the five professional actors covering likeness and performances provided for Prelude to Axanar surely cover all exhibitions of material in perpetuity, including outtakes and “bloopers., but they, or their legally authorized representatives, or their estate in the case of Mr. Hatch, are encouraged to contact me directly at any time. My door is always open to them.<sup>3)</sup>

**« Protecting the rights of the actors involved ... is a laughably hypocritical notion coming from Alec, [who] used Tony Todd's name and likeness for months knowing full well that he had dropped out of the production. »** — Terry McIntosh, Former Axanar Staffer

### Bloopers Promised to Donors

McIntosh said he took it upon himself to fulfill the promise to donors:

Alec has had every opportunity to provide this previously promised Blooper Reel to the donors since *Prelude* was released [in] 2014. ... I'm merely, as a former senior member of the Axanar Productions team, whose name is on the *Prelude to Axanar* credits in multiple roles, fulfilling the honor obligation to the donors as it is quite clear that Alec Peters, and those few that remain, are unable and/or unwilling to do so.<sup>4)</sup>

### AxaMonitor Not a Party to Dispute

Peters did not explain why **AxaMonitor** would be included in any legal action since the blooper reel is solely McIntosh's project. In an email reply to Peters, Pedraza wrote:

I am not a party to whatever issue you have with Terry McIntosh's intention to publish a *Prelude* blooper reel. So threatening action against me is irrelevant. Nor is it appropriate for me to serve as some kind of intermediary in whatever legal tussle you're seeking to foment with him. You have his contact information; I suggest you communicate with him directly.<sup>5)</sup>

### McIntosh: Peters' Email 'Cowardly'

For his part, McIntosh told **AxaMonitor**:

You are under no obligation to be Alec's cowardly-note escrow-proxy. ... I am absolutely not interested in anything he might have to say in any case, because he's lost all control on the matter in my eyes.<sup>6)</sup>

## Blooper Reel

McIntosh remained unbowed by Peters' threat, saying, "I will do what I choose to do when I choose to do it regardless. He was publicly warned when I separated from the production that if he talked smack then he'd be penalized."<sup>7)</sup>

McIntosh had earlier explained on Facebook why he planned to edit together the reel:

I'm sitting by the pool ... with a tablet full of the original *Prelude to Axanar* footage and I'm giving thought to creating a blooper reel for release. ... (There's a lot of footage to go through). Since Alec is a horrible actor and if every flub were to be added the reel would

heavily feature him, so I'd need to balance it out — Alec's shit performances vs. the professionals — so that everyone has equal time.<sup>8)</sup>



## Intro to Prelude Blooper Reel by Terry McIntosh


### Continuing Leaks

McIntosh's promise to release the blooper reel followed his [leaking](#) the version of what Peters called the "fully revised and locked" *Axanar* script that had led to the copyright infringement lawsuit against Axanar by the studios that own Star Trek, [CBS](#) and [Paramount Pictures](#).

### 'Public Consequences'

The leak and the pending release of the bloopers were consequences of recent criticism by Peters and his supporters, McIntosh said. "His behavior is his choice and bad decisions will bring public consequences," he said.<sup>9)</sup>

Axanar's former chief technology officer [left the production](#) in May 2016 following McIntosh's and the production's [failure](#) to complete the fulfillment technology to successfully deliver the perks that had been promised to Axanar's many thousands of donors.



A video player interface showing a close-up of a man's face (Tony Todd) against a green background. A large white play button is centered over the video. At the bottom, there is a blue progress bar, a volume icon, and a settings gear icon. The time 0:00 is displayed on the right side of the progress bar.

A  
ctor **Tony Todd** is featured in this example of what Terry McIntosh intended to include in his blooper reel. **Note:** Video opens in a Facebook window.

## Goading Peters

McIntosh appeared to be continuing his attempts to goad Peters into taking legal action, arguing earlier that a lawsuit against him by Peters would, under the [discovery](#) process required by a suit, open up financial and other records McIntosh claimed Peters wouldn't want made public.

Peters didn't take the bait with the leaked script but the prospect of a blooper reel portraying his own on-set flubs changed things, prompting an Axanar insider who spoke on condition of anonymity to ask **AxaMonitor**'s editor to warn McIntosh of the potential legal exposure "to avoid what I fear might be more acrimony in the Star Trek fan community."

After Pedraza noted he was not a party to the dispute and that Peters should communicate directly with McIntosh, Peters' threatening email swiftly followed.

In that email, Peters portrayed his concern for the *other* actors in *Prelude* — "Violating actors' rights is not to be taken lightly, something any real producer knows.<sup>10)</sup> — even though McIntosh said the point of the blooper reel was to highlight Peters' flubs.



**THE CAST** of *Prelude to Axanar*, including Richard Hatch, Gary Graham, J.G. Hertzler, Tony Todd and Kate Vernon. Todd left the project in September 2015 amid concerns about Peters' production delays and financial accountability. Peters failed to disclose [Todd's departure](#) for nearly four months.

For his part, Peters wondered why McIntosh wasn't simply suing him:

If Terry is spoiling for a lawsuit, tell him to sue me. Why hasn't he? More just empty bluster from the guy who promised "bombshells" about Axanar during the lawsuit and whose deposition was a total bust.<sup>11)</sup>


## Off the Record?

Peters concluded his email to **AxaMonitor** claiming the entire communication was off the record:

This is a confidential communication and off the record. All communications are being shared with my attorney and agents for *Prelude to Axanar* actors.<sup>12)</sup>

In his email reply to Peters, **AxaMonitor**'s editor reminded Peters: "What you've written in an unsolicited email to a reporter isn't subject to whatever 'off the record' claims you assert. Off the record communications with a reporter require an agreement by both parties. ... You and I have no confidentiality agreement in place; therefore, I consider your communication with me very much on the record and reportable."<sup>13)</sup>

McIntosh chose not to read Peters' entire email to **AxaMonitor**, and he encouraged Pedraza to make Peters' email public:

Be public about every contact that he attempts. Exposing his nonsense publicly at every opportunity is the only way to go, IMHO, so that it's documented and helps those that are interested (on either side of the aisle) connect the long list of dots that are this debacle.<sup>14)</sup> 



### COMMENTS

Discuss this article in  [AxaMonitor's Facebook group](#).

### Keywords

[Terry McIntosh](#), [Alec Peters](#), [legal](#), [Prelude](#)

<sup>1)</sup> <sup>10)</sup> <sup>11)</sup> <sup>12)</sup>  
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[Alec Peters email to AxaMonitor editor Carlos Pedraza](#), 7/15/17.

<sup>2)</sup> <sup>3)</sup> <sup>4)</sup> <sup>6)</sup> <sup>7)</sup> <sup>9)</sup> <sup>14)</sup>  
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[Terry McIntosh Facebook Messenger post to AxaMonitor editor Carlos Pedraza](#), 7/20/17.

<sup>5)</sup> <sup>13)</sup>  
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[Carlos Pedraza email to Alec Peters](#), 7/19/17.

<sup>8)</sup>

 [Terry McIntosh post, AxaMonitor Facebook group](#), 6/29/17.

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