

dick clark productions Wins Resounding Victory in Golden Globes Trial

05.02.2012

On April 30, Judge Howard A. Matz found in favor of defendant dick clark productions in the trial against the Hollywood Foreign Press Association over who controls the right to produce and distribute the Golden Globe Awards shows. The three week bench trial ended on February 10, and post-trial briefing followed. As a result of the victory, dcp can now continue to produce and distribute the popular awards program, which is hosted by HFPA, so long as the show remains on NBC. The bench trial, which focused on twelve words contained in a 1993 amendment to a production and distribution agreement, was closely watched by Hollywood executives and lawyers. In Judge Matz's 89-page ruling, he affirmed dcp's position that the 1993 amendment gave it the right both to make a 2010 deal with NBC that will keep the annual awards show on the network until at least 2018 and to enter into further extensions or renewals of that NBC license. HFPA had contended that dcp, which is owned by Red Zone Capital, did not have those rights and that all its options on the show had expired. The judge agreed with virtually every argument—both factual and legal—made on behalf of dcp and Red Zone. "The plain meaning and the extrinsic evidence support dcp's interpretation of the 1993 Amendment..." Judge Matz wrote. Marty Katz led the trial team, which included Whitney Walters, Lisa Stutz, Jay Ramsey and Bill Gutman from Sheppard Mullin, as well as co-counsel from Munger Tolles and Olson. The HFPA was represented by Dan Petrocelli and Linda Smith from O'Melveny & Myers.

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Practice Areas

Entertainment, Technology and Advertising