

Producers In 'Godzilla' Fight Fire Back At Legendary Pictures

By **Ciaran McEvoy**

Law360, Los Angeles (January 17, 2013, 10:33 PM EST) -- Legendary Pictures Productions LLC improperly tried to avoid paying agreed-upon fees to the producers of an upcoming "Godzilla" movie by booting them off the project, the producers alleged Thursday in California court.

The cross-complaint filed by producers Dan Lin, Roy Lee and Doug Davison comes after Legendary sued the three on Jan. 9 seeking to block Lin Pictures Inc. and Vertigo Entertainment Inc. from getting any credit under a producer loan agreement for Legendary's planned reboot of "Godzilla."

The producers said Legendary's Jan. 9 suit was a race "to the courthouse ... knowing that cross-complainants were about to assert meritorious claims arising out of Legendary's blatant breach of the parties' agreement."

Lin, Lee and Davison say they spent several years helping to select screenwriters and working with them and Legendary personnel to develop the story, characters and screenplay for the film. Legendary promised them in writing that if they could secure the rights to "Godzilla," they would be "well-treated" throughout the film's production, according to the cross-complaint.

"Apparently, Legendary's idea of treating the producers who brought them 'Godzilla' well included concocting a scheme to try and force them off the project and depriving them of their screen credit and substantial fixed and back-end compensation in order to keep more of the money and aggrandize themselves," the cross-complaint said.

The relationship began to sour as a result of a March 2011 agreement between Legendary, Lin and Vertigo, the producers claim. Legendary allegedly insisted on terms that the producers never initially agreed upon, including an arbitration provision that they opposed.

The company decided to drop Lin, Lee and Davison from the project in late 2012 and told the trio they would receive at most a \$25,000 development fee for whatever customary development services they had provided for the film, the cross-complaint says.

The producers are bringing claims including breach of oral contract, breach of the implied covenant of good faith and fair dealing, promissory fraud, and unjust enrichment.

Counsel for the producers and Legendary did not immediately respond to requests for comment Thursday.

The producers are represented by Larry Stein, Bennett A. Bigman and Jordan S. Paul of Liner Grode Stein Yankelevitz Sunshine Regenstreif & Taylor LLP.

Legendary Pictures is represented by Dale F. Kinsella and Gregory P. Korn of Kinsella Weitzman Iser Kump & Aldisert LLP.

The case is Legendary Pictures Productions LLC et al. v. Lin Pictures Inc. et al., case number BC498786, in the Superior Court of California, County of Los Angeles.

--Additional reporting by Linda Chiem. Editing by Elizabeth Bowen.

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