

Daily Journal

COVER STORY

JANUARY 19, 2011

TOP VERDICTS OF 2010

Top Plaintiffs' Verdicts | by Dollar

Celador International Ltd. v. The Walt Disney Co. / **\$319.4 million**



Roman M. Silberfeld



Bernice Conn



Marcia J. Harris



Bridgette Taylor

Roman M. Silberfeld knew he wouldn't be using the obvious David versus Goliath strategy against the mighty Walt Disney Co., because his client, while no giant, was no Mickey Mouse operation either.

At issue, was the contention of Celador International Ltd., a U.K. production company, that Disney and its subsidiaries cheated Celador out of its share of licensing fee profits from the hit TV show it created — "Who Wants to be a Millionaire." Originally aired in the U.K., the show was brought over to the U.S. in 1999.

Paul Smith, Celador's managing director, is no David, Silberfeld said. He has successfully placed the popular quiz show in markets throughout the world, and has a solid track record in the entertainment industry, including serving as executive producer of the Oscar winning movie, "Slumdog Millionaire."

"It would have been disingenuous to suggest that Paul Smith was a neophyte, babe in the woods, who didn't know business deals," said Silberfeld, managing partner at Robins, Kaplan, Miller & Ciresi in Los Angeles. "He knew what the words on the page meant, and he intended to hold Disney accountable."

Instead, Silberfeld decided to present this complicated, multipronged case in a way that could be easily digested by the jury.

"There were some very complicated accounting issues," he said. There were other challenges.

"We only had one live witness and one witness on video," he said. "All the rest of the witnesses we were calling to tell our story were defense witnesses, and we had to make the case on cross. We were forced to cobble together a story out of the mouths of reluctant witnesses. It was not

Contract/Implied Covenant of Good Faith, Fair Dealing

U.S. District of California Central Riverside
Judge Virginia A. Phillips

Plaintiffs' attorneys: Robins, Kaplan, Miller & Ciresi, Roman M. Silberfeld, Bernice Conn, Marcia J. Harris and Bridgette Taylor in Los Angeles

Defendant's attorneys: Sheppard, Mullin, Richter & Hampton, Martin D. Katz, Lisa N. Stutz, Whitney B. Walters in Los Angeles

ideal, but we got there."

Disney is expected to appeal, he said.

— Pat Broderick