

# Hollywood, Esq. the intersection of entertainment and law

POWER LAWYERS | POWER BUSINESS MANAGERS | TOP ENTERTAINMENT LAW SCHOOLS

POSTED  
FEB  
19  
17 HRS

## Joe Roth Goes for Win in \$50 Million 'Anger Management' Lawsuit

3:10 PM PST 2/19/2013 by Eriq Gardner

SHARE 
 Like 2 Tweet 13 Comments (3)

The heavyweight producer says all his promises were kept.



From left: Charlie Sheen, Joe Roth and Jason Shuman

**Joe Roth**, producer of FX's **Charlie Sheen** sitcom *Anger Management*, has filed new papers in a \$50 million legal battle over the sitcom, saying that he kept his promises to another producer who spent two years developing the property for television.

### OUR EDITOR RECOMMENDS



**'Anger Management' Producer Joe Roth Countersues in \$50 Million Legal Battle (Exclusive)** »



**'Anger Management' Producers, Lionsgate Ink First-Look Deal** »

The original lawsuit came from **Jason Shuman** and his Blue Star Entertainment, who alleged nearly a year ago, before the series premiered, that Roth's Revolution Studios "refused to honor its written producer agreement" by denying him compensation and a producer credit on *Anger Management*.

Roth, who is targeted personally for alleged fraud, now says he's entitled to a summary judgment victory.

**STORY: TV's \$200 Million Charlie Sheen Experiment**

According to Roth's motion, "Plaintiffs have obviously tacked their fraud claim against Roth onto their breach of contract action against Revolution in an unsubtle attempt to intimidate and embarrass a very successful high-profile figure in the entertainment industry (the former chairman of both the Disney and Fox studios) with negative publicity and the annoyance of meritless litigation. Plaintiffs' fraud action against Roth should be summarily dismissed."

[Read Roth's full motion here.](#)

Shuman previously worked with Roth to develop the TBS series *Are We There Yet?*

But Shuman wasn't happy about his compensation on that project. Roth is said to have told Shuman that he would "make it up" by giving him significant backend ownership and producer credit on the next motion picture property that was turned into a TV series.

And that's exactly what happened, according to Roth.

In 2009, the parties signed a new agreement for *Are We There Yet?* that Roth says contained an integration clause that superseded prior agreements. Roth says that Shuman's company got \$500,000 in total fixed compensation, that Shuman got producer credit and that Blue Star got 2.5 percent of any backend.

**PHOTOS: A Winning Day With Charlie Sheen on the Set of His FX Comeback Vehicle 'Anger Management'**

Further, Roth acknowledges that he made a deal in 2010 with Shuman to develop for TV the 2003 **Adam Sandler-Jack Nicholson** film *Anger Management*, produced by Revolution. Shuman was to get 5 percent in contingent compensation, executive producer credit and producer fees.

"The undisputed facts show that Roth kept this alleged promise [to 'make it up to' Shuman]," says Roth's summary judgment motion. "The 2010 Producer Agreement, which was the very next contract between Blue Star and Revolution after the *AWTY* agreement, contained precisely the type of improved terms that plaintiffs claim that Roth promised them. ... No court has ever found that a promise kept is evidence of a promise made without the intent to keep it."

So why is Shuman angry as hell?

Roth's explanation on why Shuman and his partner **William Sherak** aren't getting paid for the Sheen series should provide the answer. Shuman spent a couple of years attempting to get *Anger Management* off the ground, choosing a writer (**Jared Bush**) and engaging in negotiations with a lead actor (**Cedric the Entertainer**). Roth essentially says that Shuman's *Anger Management* is not the same as the one that was eventually made even though he in good faith worked with Shuman to try to develop it.

According to the summary judgment motion, "The sole reason that plaintiffs were not paid under the Producer Agreement was, because the AAMP was not developed, produced and sold] and the Sheen series did not fall under the Producer Agreement by its express terms."

Roth also is getting an assist from Sheen himself, who submitted his own declaration ([read in full here](#)). According to the actor, he participated in a meeting a few months after departing from *Two and a Half Men*, where he heard a pitch for *Anger Management*.

"I thought this suggestion was brilliant," says the actor. "There had been a lot of publicity in the preceding few months as to whether I might have my own 'anger management' issues, and the irony of my portraying an anger management therapist (as opposed to an anger management patient) appealed to me."

Sheen's filing goes through the various meetings he held as well as the character suggestions he offered — e.g. former ballplayer whose career is shortened by inability to control anger and who now provides services to prison inmates — and eventually gets around to saying, "At no time during any of these meetings do I recall anyone mentioning the names Jason Shuman, William Sherak or Blue Star."

Roth is represented by **Louis Petrich** at Leopold, Petrich & Smith.

Shuman and Blue Star are represented by **Bryan Freedman** and **Brian Turnauer** at Freedman & Taitelman, who teases *The Hollywood Reporter* about what's coming in the case.

"If Joe Roth is saying that all his promises were kept, it is not only contrary to his own testimony in case, but it is contrary to actual facts," says Freedman. "The only thing it is consistent with is his continuing to perpetrate a fraud upon my clients. Just wait until opposition papers are filed. It will be quite an eye-opener."

Email: [eriq.gardner@thr.com](mailto:eriq.gardner@thr.com); Twitter: @eriqgardner