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Bird Marella Clients Prevail Against CBS' Last-Ditch Effort to Avoid Trial in MacGyver Spinoff Suit

Principals Ronald Nessim and Julia Cherlow, with associates Cameron Partovi and Darren Patrick, led clients Hanzer Holdings and Arlita, Inc. ("Plaintiffs") to triumph over CBS' 11th hour motion for summary judgment in a lawsuit involving the 2016 spinoff of the original *MacGyver* series.

In 2018, Bird Marella filed a lawsuit against CBS on behalf of the Plaintiffs, claiming the Plaintiffs are entitled to a package commission from the 2016 *MacGyver* series, as a spinoff of the original series. After a series of unsuccessful pleading challenges and motions for summary adjudication of the Plaintiffs' claims, CBS filed a "Hail Mary" summary judgment motion just months before a jury trial is scheduled to proceed in the Los Angeles Superior Court. This time, CBS argued for the first time that the underlying agreement supplying the Plaintiffs' package commission rights (as successors to the original packaging agent) was not sufficiently pled and thus, not enforceable as a matter of law. In the February 2022 ruling, Judge Maureen Duffy-Lewis of the Los Angeles Superior Court rejected CBS' argument in its entirety. The four-week jury trial against CBS is set to proceed in April 2022.

Update: While the case presented a number of novel issues relevant to television profit participants – including what constitutes a "spinoff" under the relevant contract provisions – just days before trial, the case settled to the mutual satisfaction of the parties.

Click here to read coverage from *The Hollywood Reporter* and here to view an article from *Deadline*.