

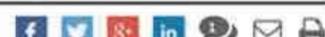
CAA Adds “Aiding & Abetting” Claims Against UTA In Agent-Poaching Lawsuit



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by **Dominic Patten**
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Almost everyone is out of town for the long weekend, but not the lawyers – at least not **CAA’s** lawyers. Attorneys for the agency today filed an **anticipated** amended complaint against **UTA** in the ongoing agent-poaching case. This battle between two of the town’s heavyweights of course comes out of UTA deftly **snagging five senior CAA comedy agents, and a number of their clients**, on March 31 — a move that CAA then and now calls “a lawless, midnight raid.” With more agents following later, CAA lost comedy department strongmen Jason Heyman, Martin Lesak and Nick Nuciforo plus Greg Cavic and Greg McKnight that spring day.

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Similar in essence to **the original seven-claim April 2 complaint** against the rival agency, McKnight and Cavic, today’s amended complaint and its three new “aiding and abetting” claims seek to more tightly tie UTA to the mast of illegally pulling the CAA agents over. Specifically, the new claims are inducing breach of contract, aiding and abetting breach of duty of loyalty, and aiding and abetting breach of fiduciary duty.

“With the intent to facilitate the breach of a fiduciary duty to CAA by Cavic, McKnight, Nuciforo, Lesak, Heyman, and other CAA employees, UTA substantially assisted the wrongful acts alleged herein, including, but not limited to ...among other things: encouraging Cavic, McKnight, Heyman, Lesak, and Nuciforo to commit the acts; advising Cavic, McKnight, Heyman, Lesak, and Nuciforo to commit the acts; providing moral support to Cavic, McKnight, Heyman, Lesak, and Nuciforo in the commission of the acts; offering Cavic, McKnight, Heyman, Lesak, and Nuciforo substantial sums of money to work for UTA as partners of UTA; and offering to indemnify Cavic, McKnight, Heyman, Lesak, and Nuciforo against any liability for the commission of the acts,” read the complaint, which is still seeking a jury trial.



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Aiding and abetting is a criminal law term. You can't just add it to a civil claim...

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Additionally, CAA’s lawyers are attempting to take the bite out of UTA’s use of the much-heralded seven-year rule. The latter has said in response that Heyman, Lesak, and Nuciforo’s contracts were not actually binding because of the Hollywood rule that stops personal services contract lasting more than seven years. Exhibits attached to the amended complaint from Anthony Oncidi, Keith Goodwin and Jeremy Mittman of Proskauer Rose LLP reveal a series of agreements with the trio of agents as recent as 2012 that seemingly put them well within seven-year territory.

UTA had no comment to the partial resetting of the case today at the Santa Monica courthouse – but you can bet they’ll be filing much more than a comment sooner or later. Bryan Freedman, Sean Hardy and Brian Turnauer of Freedman + Taitelman, LLP are representing UTA. (Full disclosure: Freeman + Taitelman LLP have represented Deadline’s parent company PMC in various legal matters.)

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