

UTA Targets “Whining” CAA’s Richard Lovett In Agent-Poaching Lawsuit



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by [Dominic Patten](#)
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EXCLUSIVE (Updated with statement from CAA attorney): Things are really getting personal in the agent poaching legal battle between UTA and CAA, with both sides naming names. Nearly two weeks ago, it was CAA slamming UTA CEO Jeremy Zimmer and others in the agency’s higher ranks over the “illegal” [snaring of five senior CAA comedy agents](#) and many of their clients back in March 2015. Today, UTA called out CAA President [Richard Lovett](#), [Bryan Lourd](#) and other senior CAAers in its response to the latter’s latest amended complaint claims that top UTA brass were directly involved in Greg Cavic, Greg McKnight, Jason Heyman, Martin Lesak and Nick Nuciforo jumping from one uber-agency to the other last spring.

“Forget the days of Michael Ovitz and *The Art of War*, CAA has a new company handbook: *The Art of Whining*, says UTA’s response Tuesday to CAA’s second amended complaint of earlier this month ([read it here](#)). “CAA filed this petulant lawsuit in the heat of emotion, without having its facts straight, and ultimately without any evidence to support its claims.” The filing disputes that CAA has any legal rights over the agents’ move last year and that senior UTA leadership were pulling the strings of that move. “At the direction of Richard Lovett, CAA is now manufacturing facts in an attempt to use the Court to publicly embarrass, punish and tarnish the reputations of UTA – the agency whose confidential and propriety documents CAA misappropriated in order to gain an unfair business advantage.”

Calling Lovett “the architect behind the specific process” by which CAA has conducted agent poaching of its own, UTA says today that “this lawsuit is particularly appalling in that CAA is complaining that Defendants purportedly engaged in conduct that CAA has itself employed and perfected over the last 20 years.”

After what ended up being 10 comedy agents going from CAA to UTA in March 2015 and the subsequent exodus of a number of their big clients with them, their former agency started legal action over what it called the “illegal” move [on April 2 last year](#). That multi-claim complaint was [followed by a first amended complaint in September](#). A second amended complaint filed on May 20, which points fingers directly at Zimmer as well as UTA General Counsel and COO Andrew Thau and UTA Associate General Counsel Michael Sinclair, prompted today’s scathing response by UTA.

“In reality, Defendants simply abided by the lawful, well-established customs and practices of the talent agency industry, while it has been CAA that has continued to engage in deceptive and actionable wrongdoing,” Tuesday’s filing in L.A. Superior Court details. “In fact, Mr. Lovett’s pattern and practice of covertly hiring agents under contractual restrictions and fiduciary obligations has included CAA renting rooms at the Mosaic Hotel in Beverly Hills to meet with these targeted agents in secret, out of public view,” it also notes, pointing out this was how then-UTA partners Heyman and Lesak were brought over to CAA in 2005.

“Typically, Mr. Lovett leaves a room key for these agents at the hotel’s front desk and requests that the agents proceed to a private hotel room and wait for Mr. Lovett to arrive for the meeting,” the 18-page response lays out. “While meeting with these agents for the purpose of luring them away from their current employers, Mr. Lovett walks them through the step-by-step, clandestine procedure, that includes but is not limited to, having these targeted agents hire specific lawyers and having these lawyers communicate directly with CAA’s former General Counsel and current Managing Partner, Michael Rubel, who dictates each move of the operation.” UTA’s filing today also alleges that not only Lovett and Rubel are in on such tactics, but CAA’s Lourd and Kevin Huvane too.

(4 PM CAA lawyer Anthony Oncidi statement: After more than a year, UTA has finally answered the complaint and has resorted to distraction as their primary defense, but distraction is not a defense. The only thing at issue in the litigation is UTA’s, Cavic’s and McKnight’s tortious interference with the employment agreements that Heyman, Lesak and Nuciforo had with CAA.)

Currently, a summary judgment hearing in the case is set for September 7, with a possible trial to start on December 12. As all that’s on the calendar, an arbitration in the matter is going on behind closed doors — where the real fight likely is happening.

In the public case, CAA is repped by Oncidi and Keith Goodwin of L.A. firm Proskauer Rose LLP. 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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