



FILM

HBO Says Michael Jackson Docu Still On Despite “Desperate” \$100M ‘Leaving Neverland’ Suit – Update

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• February 21, 2019 11:27am



UPDATED with HBO statement: The burgeoning battle between the estate of Michael Jackson and HBO over the controversial *Leaving Neverland* sex abuse documentary is moving into a full-scale legal war that could cost the premium cabler up to \$100 million.

“The Jackson Estate will seek all damages proximately caused by HBO’s reprehensible disparagement of Michael Jackson, which could exceed \$100 million should HBO succeed in the damage it is intending to cause to the legacy of Michael Jackson,” reads a breach of contract complaint in which lawyers from Kinsella Weitzman Iser Kump & Aldisert LLP and Freedman + Tailtelman LLP seek an injunction and arbitration. The lawsuit ([read it here](#)) was filed Thursday in Los Angeles Superior Court.

“Petitioners further pray that the arbitrator award punitive damages in the maximum amount permissible if and when Petitioners show their entitlement to such damages,” the 53-page filing adds.

Having premiered under a heavy police presence at the [Sundance Film Festival last month](#), the tw-part, four-hour Dan Reed-directed *Leaving Neverland* is set to debut on HBO on March 3-4.

“Despite the desperate lengths taken to undermine the film, our plans remain unchanged,” HBO proclaimed in response to the threatening filing. “HBO will move forward with the airing of *Leaving Neverland*, the two-part documentary, on March 3rd and 4th. This will allow everyone the opportunity to assess the film and the claims in it for themselves.”

Using a 1992 deal between Jackson and the channel over a concert special as his legal lynchpin, Jackson estate attorney Howard Weitzman told Deadline that “HBO breached its agreement not to disparage Michael Jackson by producing and selling to the public a one-sided marathon of unvetted propaganda to shamelessly exploit an innocent man no longer here to defend himself.”

In language similar to a letter sent to HBO CEO Richard Plepler over a week ago, he added: “HBO could have and should have ensured that *Leaving Neverland* was properly sourced, fact checked and a fair and balanced representation. Instead they chose to fund and produce a film where they knew the two subjects had for many years testified under oath and told family, friends and law enforcement that Mr. Jackson did nothing inappropriate to either of them.”

HBO execs asserted earlier this month that they stood by the film and nothing was going to stop it from airing in early March. “The one thing I would say about this documentary is I would ask everybody to watch it and make their judgments after seeing it,” the premium cabler’s programming chief Casey Bloys said at the time.

Since it was first announced in early January that *Leaving Neverland* would open at Sundance, Jackson fans around the globe have taken to social media and elsewhere to condemn the documentary, which features Wade Robson’s and James Safechuck’s claims that they were sexually abused by the *Thriller* superstar when they were children.

“Nearly four years after Michael died they suddenly changed their recollections, sued the Estate of Michael Jackson for hundreds of millions of dollars and had all of their lawsuits dismissed,” Weitzman said in his statement, referencing Robson and Safechuck. “Yet they are still seeking money, having appealed. HBO and the director were well aware of their financial motives and that ample opposing facts are available from numerous sources, but made the unconscionable decision to bury any evidence casting doubt on their chosen narrative. Had they made an objective film it would have allowed viewers to make up their own minds about these allegations, instead of having a television network dictate to them that they must accept these false claims about Michael Jackson.”

With the constant whiff of legal action in the air from the very beginning, representatives for the estate of Jackson — who died in 2009, four years after being acquitted of seven counts of child molestation and two counts of giving a drug to a 13-year-old boy — had tainted *Neverland* as “just another rehash of dated and discredited allegations.”

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