

Nikki Finke Hires Charlie Sheen Lawyer as Penske Arbitration Nears

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The former Deadline Hollywood editor will be asserting counterclaims against Jay Penske, who demands that she not compete with her former website until 2016 or beyond.



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With her journalistic future on the line, **Nikki Finke** has hired Hollywood litigator **William Briggs** to represent her in an upcoming arbitration with Penske Media, the owner of the Deadline Hollywood blog. Briggs, who was once partners with well-known attorney **Marty Singer**, has represented **Charlie Sheen**, among others.

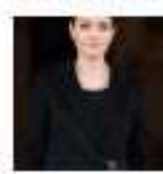
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non-compete only extends to June 2014.) According to a statement from Penske Media, the company is also looking to "obtain monetary damages for numerous breaches of her contractual agreements with the company."

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Finke has signaled that she intends to start a new website as soon as possible. The non-compete potentially would interfere with such plans, and while California law generally frowns on non-competes, Penske is primed to argue that Deadline Hollywood was a joint partnership instead of an employer-employee relationship, as Finke has frequently characterized it.

"It's our position that the non-compete to which Penske refers is invalid, is unenforceable, and it violates California law," Briggs tells *The Hollywood Reporter*. "There is simply no case law nor statutory law that supports Penske's position. Any notion or theory that there might be a joint partnership between Penske and Nikki is complete fiction. There was a written employment agreement between the two."

Briggs adds that if Finke's tweets come up, he'll offer the opinion that "Nikki has substantial First Amendment rights -- rights which cannot be undermined by Penske's attempt to silence her."

"Mr. Briggs is what I believe to be Ms Finke's 9th attorney in the process, and he seems to be following the same rhetoric in an attempt to publicly harm the company," Penske attorney **Bryan Freedman** tells *THR*. "Not a smart move as Ms. Finke will be held responsible for her behavior and substantial monetary damages. No public comments will stop the accelerating and inevitable result that the arbitrator will force Ms. Finke to honor the contracts she signed and the enforceable non-compete that the company paid for."

Arbitration will begin soon but an exact date has yet to be determined. Both sides are in the process of selecting the time and place of the hearing as well as the arbitrator. In advance, there have been settlement talks and a mediation session, but no deal has been reached.

Finke turned to Briggs, a partner in the Los Angeles office of Venable, after cycling through a number of lawyers over the years. The attorney is the first real Hollywood litigator to represent Finke, known for her abrasive reporting and writing style. Briggs has represented talent, production companies and agents in disputes ranging from copyrights and trademarks to profit participation and partnership agreements.

Perhaps his highest profile case came two years ago when along with then-colleague Singer, Briggs represented Sheen in a \$100 million lawsuit against Warner Bros. Television and *Two and a Half Men* co-creator **Chuck Lorre** over Sheen's firing. That case was thrown to arbitration against Sheen's will, and after a few months of fighting, Sheen eventually settled.

Among Briggs' other interesting work is representing EMI Music Publishing in defense of a **six-year-old lawsuit** over **Jay Z's** sampling of an Egyptian film tune for the hit, "Big Pimpin."

At the arbitration, he will be squaring off against Freedman at Freedman & Taitelman, representing Penske. The attorney has represented *The Dark Knight* director **Christopher Nolan**, went up against heavyweight producer **Joe Roth** in a dispute over *Anger Management*, and has represented talent agencies in a number of disputes over commissions.

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