

# Ben Affleck at Center of Legal War Among 'The Accountant' Producers (Exclusive)

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**PalmStar Media Capital claims that it was "cut loose" after other producers secretly worked with PalmStar's own WME agents to woo the star**



Ben Affleck

AP Images/Imagery

PalmStar Media Capital filed a tantalizing lawsuit on Thursday, claiming that the casting of **Ben Affleck** in *The Accountant* was the result of a conspiracy that ended in the independent production company being cut out of the upcoming film.

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**Kevin Frakes** is the chief executive of PalmStar, which is readying nearly a dozen films for distribution including *November Man*, *Term Life* and *American Ultra*. In recent weeks, *The Accountant*, about a mild-mannered man who moonlights as a lethal assassin, has **gotten attention** as Affleck's next role after *Gone Girl* and *Batman v Superman: Dawn of Justice*.

According to the complaint filed in Los Angeles Superior Court, PalmStar — represented by William Morris Endeavor — says it entered into a binding co-production agreement on September 10 for *The*

*Accountant* with co-defendants Zero Gravity Management, its principal **Mark Williams** and **Lynette Howell**. The deal is said to have come after months of negotiation, ever since Williams allegedly submitted the screenplay for PalmStar's consideration.

But it wasn't long before PalmStar was "cut loose" from the production, says the lawsuit, due to some alleged shenanigans by its own agents.

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Even "throughout the parties' negotiations," states the lawsuit, "and continuing after finalization of the parties' agreement on September 10, 2014, Defendants pursued an alternate scheme to make the film without Plaintiff."

What PalmStar says it didn't immediately know was that Williams and Howell were using PalmStar's own WME agent, **Graham Taylor**, "to secretly engage WME super-client Ben Affleck as the lead actor in the film and cut out Plaintiff."

Howell happens to be married to Taylor, who is not a party in the litigation (nor is WME).

"Despite Taylor's obvious conflict of interest, neither he, nor Williams or Howell disclosed to Plaintiff that they were pursuing Affleck as the lead in the Film," says the lawsuit.

PalmStar says while the other producers on *The Accountant* were wooing Affleck, the company was performing in accordance to the terms of the co-production agreement. This allegedly included contacting talent agents for other stars including **Bradley Cooper**, **Christian Bale**, **Jake Gyllenhaal**, **Mark Wahlberg**, **Chris Pine** and **Benedict Cumberbatch** who were pre-approved to star in the film. The plaintiff also says it ascertained the foreign sales value for the different actors, acquired salary quotes and asked FilmNation, the film's foreign sales agent, to begin running budgets for *The Accountant* at different locations.

After September 10, the other producers supposedly suggested using a different director than **Gavin O'Connor** (*Warrior*) and expanding the list of pre-approved actors.

PalmStar says it learned on September 23 through an "independent source" that O'Connor was meeting with Affleck.

Williams allegedly reacted to concerns by providing reassurance that he had only known about this for 24 hours, advising PalmStar to stand by while he determined if this was real. The following day, PalmStar says it was notified that Affleck was firmly attached to the film and already was negotiating a deal with Warner Bros. to make the film without PalmStar.

Now, PalmStar is in court with a claim that its contract has been breached less than a month after execution. According to the complaint, "The key terms of the agreement between Plaintiff and Defendants are set forth in the email between Plaintiff and Defendant dated September 10, 2014, entitled 'Accountant-Deal confirmation.'"

The plaintiff, represented by **Bryan Freedman** and **David Marmorstein** at Freedman + Taitelman, is demanding a declaration that there is a valid and binding agreement whereby PalmStar is entitled to co-produce the Film. Unspecified damages are also requested.

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