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'Most Interesting Man' Lawsuit Moves Forward Despite Appeal



Jonathan Goldsmith

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Limited discovery will continue as the former face of Dos Equis appeals the dismissal of a countersuit against his ex-agents.

Jonathan Goldsmith's run as Dos Equis' "Most Interesting Man in the World" may be over, but a legal battle over his profits from the gig wages on — albeit more slowly now

that a California judge has granted a partial stay in the case.

The most interesting legal fight **started in October**, when Jordan Lee Inc. and William "Butch" Klein sued Goldsmith for breach of contract, claiming he had not been paying 10 percent on his nearly \$1 million-per-year deal with Dos Equis.

Goldsmith **fired back** with a suit of his own in March, claiming Klein and JLI breached their fiduciary duty to Goldsmith by disclosing confidential terms of his 2012 contract with the beermaker. Los Angeles County Superior Court Judge Barbara A. Meiers **dismissed Goldsmith's claim** in May, finding it arose from Klein and JLI's right of petition, which is protected by the First Amendment. Goldsmith is appealing that decision and his attorneys asked Meiers to put the lawsuit against their client on hold while that plays out.

After Meiers loudly plopped the hefty case file on the desk in front of her Tuesday morning, she indicated her tentative opinion was to deny the motion for a discretionary stay.

"It troubles me that both sides seem to be anticipating all kinds of discovery," said Meiers, adding that this case centers on a simple matter of law. "I am puzzled."

A contract dispute such as this, she said, should be decided through summary judgment and only require limited discovery.

Bradley H. Kreshek, representing JLI and Klein, and Logan Elliot, representing Goldsmith, reminded the judge that this isn't just a dispute about what was in their 2002 contract. It's about terms that were renegotiated orally after that term expired.

Meiers boiled it down to "I said and he said and we agreed X."

Kreshek agreed that it wouldn't make sense to have two trials if the appeal overturned Meier's ruling, and conceded to a partial stay as long as he could continue discovery to build his case.

The judge agreed to grant the stay in part, and will only allow discovery related to common issues such as the terms of the contract. Goldsmith's legal team will draft the final order by next week.

Meiers declined to rule on a motion for attorneys' fees filed by Freedman & Taitelman for their work for JLI and Klein on the countersuit that was dismissed. "I found the amount troubling," she said, "especially when I look back at some of the papers that were not all that lengthy but for the exhibits." A particular issue is a \$14,000 tab for the reply to Goldsmith's anti-SLAPP motion.

"It seems excessive," said Kreshek. "I wouldn't deny that." However, he said, all of the charges are legitimate and everything was billed correctly. Meiers seemed convinced, but took the matter under submission.

On Wednesday Meiers granted an award of \$58,917 to Freedman & Taitelman, the full amount of fees and costs they had sought.

"The court has been consistent in determining that it believes Goldsmith's legal position to be meritless," Bryan Freedman tells *The Hollywood Reporter*. "Goldsmith's cross complaint, may it rest in peace, was legally and factually delusional. In this case, those bogus allegations did nothing but cost him almost 60k. The only thing interesting about this guy is how he could have created the worst legal strategy possible."

July 17, 4:45 p.m. Updated with Meiers' ruling on attorney fees and a statement from an attorney for JLI and Klein.



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