

# Octavia Spencer Wins Lawsuit Over Weight-Loss Endorsement Deal

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The Oscar winner claimed her tweets led to her wrongful termination from a sponsorship deal



Octavia Spencer

Christmas came early for **Octavia Spencer** and her attorneys. In a hearing Tuesday, the actress' case claiming she was wrongfully terminated from an endorsement deal for weight-loss products and was never fully paid ended with a judgment in her favor.

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The Oscar-winning actress **sued** Sensa Products in August claiming the company ended its endorsement deal with her over her use of the hashtag "#spon," for "sponsored," on tweets that promoted the product. The company was unhappy with the results of the endorsement campaign and blamed the "#spon" hashtag for its ineffectiveness, she claimed.

But it wasn't in her contract to not use the hashtag or get her tweets pre-approved, her lawsuit stated.

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In fact, the actress claimed, she went the extra mile in holding up her end of the deal, including permitting Sensa to use before-and-after photos of her and advertisements in tabloids despite her reluctance. She said she'd lost the 20 pounds the deal required of her, too.

The company nevertheless terminated her deal on Aug. 6 without paying her the \$700,000 it still owed, according to her lawsuit.

In counter-claims, Sensa shot back that the *Red Band Society* star made an anticipatory breach of her contract. The company argued that the contract had required her to post preapproved tweets regularly and permitted it to use before-and-after photos, but that Spencer had reneged on both obligations.

Sensa filed a motion for summary judgment against the actress, but on July 17 it was denied. Los Angeles Superior Court judge **Michael Stern** ruled that the actress' terms under the contract and the question of whether she had breached it were triable issues. The actress's claim of fraud had previously been dismissed, but her claim of breach of the covenant of good faith and fair dealing was **set to go to court**.

Then Sensa **became insolvent**. Stern granted a motion last month from the law firm representing Sensa to remove itself as the company's counsel, and the company has reportedly not participated in the case since.

There was no lawyer from the company in court Tuesday when Stern granted the actress a default judgment, City News Service reported. The judge ordered Sensa to pay Spencer \$940,000, but given the company's financial state it's unlikely the actress will see the payment anytime soon.

"This was always about principle for our client, Ms. Spencer. She was taken advantage of by a company that is no stranger to misrepresentations," Spencer's attorney, **Bryan Freedman** at Freedman & Taitelman, told *The Hollywood Reporter*. "I am very proud of Octavia's will to fight."

Email: [Austin.Siegemund-Broka@THR.com](mailto:Austin.Siegemund-Broka@THR.com)

Twitter: [@Asiegemundbroka](https://twitter.com/Asiegemundbroka)