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By E. Galicia, Deputy Clerk

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SUPERIOR COURT OF THE STATE OF CALIFORNIA

FOR THE COUNTY OF LOS ANGELES

FRANCIS FORD COPPOLA, an individual, Plaintiff, v. VARIETY MEDIA, LLC, BRENT LANG, TATIANA SIEGEL, and DOES 1-10 inclusive, Defendants.	CASE NO.: 24STCV23459 **COMPLAINT FOR LIBEL** **DEMAND FOR JURY TRIAL**

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Plaintiff Francis Ford Coppola ("Plaintiff" or "Coppola") alleges as follows:

SUMMARY OF THIS CASE

Some people are creative. Very few people are creative geniuses. In the world of motion pictures, Plaintiff Francis Ford Coppola ("Coppola") is a creative genius. Some people are jealous and resentful of genius. Those people therefore denigrate and tell knowing and reckless falsehoods about those of whom they are jealous. Here, Variety Media, LLC ("Variety"), its writers and editors, hiding behind supposedly anonymous sources, accused Coppola of manifest incompetence as a motion picture director, of unprofessional behavior on the set of his most recent production, *Megalopolis*, of setting up some type of scheme so that anyone on the set who had a complaint of harassment or otherwise had nowhere to lodge a complaint, and of hugging topless actresses on the set. Each of these accusations was false and knowingly so. They were made to harm Coppola's reputation and cause him severe emotional distress. That harm has been caused.

Prior to filing this lawsuit, Coppola provided evidence to Variety that the above allegations were false and Coppola requested that the allegations be retracted. Variety refused and doubled down. It repeated the same allegations and thereby emphasized its malice toward Coppola. In order to clear his name and obtain a public determination of the falsity of Variety's allegations, Coppola has brought this case.

THE PARTIES

1. Plaintiff Francis Ford Coppola is a multiple Academy Award winner and has directed some of the most iconic films in motion picture history. His methods of moviemaking have often been groundbreaking. He is a resident of California.

2. Plaintiff is informed and believes, and based thereon alleges, that Defendant Variety Media, LLC is a limited liability company with its main place of business in Los

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Angeles, California. The defamatory statements made by Variety were distributed in Los Angeles and throughout California and the United States. Variety says the following about itself:

> With over 100 years of reporting expertise, Variety is the premier source of business news covering the entertainment and media industry. Variety is the essential read for ultra affluent and influential industry leaders who are sophisticated entertainment consumers.

3. Plaintiff is informed and believes, and based thereon alleges, that Defendant Brent Lang ("Lang") is one of the authors of the libelous article identified in this Complaint and an Executive Editor of Variety. Defendant Lang has written for other entertainment publications prior to Variety including The Wrap. Defendant Lang knew when he wrote the article that it would be published in Los Angeles and would be distributed throughout California and the United States.

4. Plaintiff is informed and believes, and based thereon alleges, that Defendant Tatiana Siegel ("Siegel") is one of the authors of the libelous article identified in this Complaint and is Executive Editor Film & Media at Variety. Defendant Siegel has written for a number of entertainment publications prior to Variety including The Hollywood Reporter, Billboard, and Rolling Stone. Defendant Siegel knew when she wrote the article that it would be published in Los Angeles and would be distributed throughout California and the United States.

5. Plaintiff is informed and believes, and based thereon alleges, that pursuant to California *Code of Civil Procedure* § 474, the fictitiously named Defendants sued in this action as DOES 1-10, inclusive, and each of them, were in some manner responsible or legally liable for the actions alleged in this Complaint. The true names and capacities of the fictitiously named Defendants, whether individual, corporate, associate, or otherwise, are unknown to Plaintiff, who therefore sues these Defendants by such fictitious names. Plaintiff will amend this Complaint to show their true names and capacities when the same have been ascertained. All Defendants shall

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sometimes be collectively referred to in this Complaint as "Defendants," and each reference to the named Defendants shall also refer to the Doe Defendants, and each of them.

6. Plaintiff is informed and believes, and based thereon alleges, that at all times herein mentioned, each of the Defendants was acting: (a) as the agent, servant, employee, and/or representative of other Defendants; and (b) within the course, scope, and authority of such agency, service, employment, and/or representation. Each of the DOES 1 through 10, inclusive: (a) was legally responsible for the occurrences alleged herein; and (b) proximately caused Plaintiff's damages.

BACKGROUND FACTS

7. Coppola has won five Academy Awards, including one for Best Director, one for Best Picture, two for Best Adapted Screenplay, and one for Best Original Screenplay. He has also been nominated for Academy Awards on nine other occasions. The Academy of Motion Picture Arts and Sciences awarded him the Irving G. Thalberg Memorial Award which is awarded periodically to creative producers whose bodies of work reflect a consistently high quality of motion picture production.

8. Coppola received the Palme d'Or twice at the Cannes Film Festival. That award is given to the director of the best feature film at the Festival. He has received numerous other awards for his motion picture work including three Golden Globe Awards and awards from the Directors Guild of America and the Writers Guild of America.

9. Several of the films Coppola directed appear on motion picture industry lists as some of the best of all time. For example, the current American Film Industry top 100 list has his films ranked as numbers 2 (*The Godfather*), 30 (*Apocalypse Now*), and 32 (*The Godfather Part II*).

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10. Coppola has recently completed his latest motion picture entitled *Megalopolis*. It will premiere at the end of September 2024. For the production of *Megalopolis*, each member of the cast and crew signed a non-disclosure agreement ("NDA"). The primary purpose of the NDA was to assure discretion and confidentiality by members of the cast and crew and avoid outside interference or involvement.

11. There were also written instructions to all persons on the set of *Megalopolis* that no private cameras, including cellphones, were allowed on the set. There was to be no private filming.

VARIETY'S LIES

12. On or about July 26, 2024, Defendants wrote, published, and caused to be widely distributed an article (the "Article") which contained false and defamatory statements concerning Coppola. Those statements were made by Defendants with knowledge of their falsity or with reckless disregard as to whether those statements were true or false. A true and correct copy of the text of the Article is attached to this Complaint as an exhibit and incorporated herein by this reference. The following is an electronic link to the Article which gives access to the videos referenced in the Article: https://variety.com/2024/film/news/megalopolis-set-video-francis-ford-coppola-kissing-extras-1236082653/

13. The Article has a byline identifying Defendants Lang and Siegel as the writers.

14. The Article falsely stated that while directing a scene for *Megalopolis*, Coppola was "…often inadvertently inserting himself into the shot and ruining it…." This false statement of fact is reasonably susceptible to a defamatory meaning and is libelous on its face. It subjected Coppola to contempt, ridicule, or obloquy, and it had a tendency to injure Coppola in his occupation in the motion picture industry. The average reader would understand this statement to mean that Coppola, as a director, was so incompetent that he no longer understood where

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cameras were located on the set and no longer understood camera angles. The Article also stated that in this particular scene, which Coppola purportedly ruined, there were 150 to 200 people involved, including cast and crew. The average reader would therefore understand that in "ruining" the shot, Coppola was wasting money because the whole scene, with hundreds of people involved, would have to be shot again. The Article also gratuitously stated that Coppola is an "85-year old director" whose "behavior was unprofessional." The average reader would understand that Coppola was so aged and infirm that he no longer knew how to direct a motion picture professionally or efficiently.

15. The above defamatory statement (other than Coppola's age) were made with knowledge of falsity or with reckless disregard for its truth or falsity. The true facts are that there were four cameras shooting during the above-referenced scene and three of the cameras were mobile, with the crew often changing positions. Therefore, due to the multiple camera angles, at different times, members of the crew and Coppola were in some of the shots. That was anticipated and unavoidable. That is one reason why shots are edited. Moreover, it was planned for Coppola to appear in the referenced scene, which was a crowd scene in a night club. Defendants claimed to have "sources" on the set of *Megalopolis* during the referenced scene and therefore knew the true facts and the falsity of their defamatory statement, or they acted recklessly without regard to whether their defamatory statement was true or false.

16. Coppola is informed and believes, and based thereon alleges, that Variety claims to have over 250,000 regular readers for each weekly publication. Variety claims it is the premier source of business news covering the entertainment and media industry. Therefore, Defendants knew that their defamatory statements would harm Coppola's reputation in the motion picture industry and harm him in his occupation as a director. Nonetheless, Defendants acted with actual malice in publishing the defamatory statements and intended to cause him harm. Defendants' defamatory statements were not privileged or justified.

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17. The Article also falsely accused Coppola of running a motion picture production that had "none of the traditional checks and balances in place" and of not having "…its own HR department involved with the production." These statements were combined with the false claims that a video attached to the Article showed that Coppola "… 'tried to kiss some of the topless…female extras'…." The video showed no such thing— Defendants knew that and made these false claims maliciously with an intent to harm Coppola. The quoted statements in this paragraph are reasonably susceptible to a defamatory meaning and are libelous on their face because they accuse Coppola of criminal conduct within the context of a production scheme he created that did not provide his alleged victims with any protections from sexual harassment. The quoted statements in this paragraph expose Coppola to hatred, contempt, ridicule, or obloquy and have a tendency to injure him in his occupation. The statements quoted in this paragraph were made maliciously, with knowledge of their falsity or with reckless disregard for whether the statements were true or false. Defendants' defamatory statements were not privileged or justified.

18. Defendants knew, when they made the above false statements, that *Megalopolis* was an independently financed production. They acknowledged that in the Article. Defendants Lang and Siegel knew, due to their years working in entertainment journalism, and Variety also knew as "the premier source of business news covering the entertainment and media industry," that independent productions do not have separate HR departments as does a motion picture studio production. Defendants knew, or should have known if they were not reckless, that there were "checks and balances" in place on the production concerning any claim of sexual harassment.

19. Defendants claim to have had anonymous sources for the defamatory statements in the Article. All the sources were allegedly on the set with apparently one being a crew member who took the videos attached to the Article. Defendants knew that all cast and crew members on *Megalopolis* signed an NDA in which they promised to keep confidential any

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information about *Megalopolis* and its production (among other things). The signatories to the NDA agreed to hold all such information in the strictest confidence and assure that the confidential information not be published. Defendants knew, therefore, that their sources were unreliable and did not tell the truth when they signed the NDA. Nonetheless, Defendants relied on these supposed sources and, by doing so, acted with reckless disregard for whether the sources, this time, were telling the truth or not. But there was more recklessness.

20. Defendants admit, in the Article, that they reviewed the "call sheet" for the scene in question. That call sheet reminded all the cast and crew that all private photography was prohibited on the set. Therefore, Defendants knew that their source who provided the video not only lied when he or she signed the NDA, but also ignored the strict instructions on the call sheet. That person obviously could not be trusted and wished to harm Coppola. Defendants again acted recklessly, with no regard for truth or falsity, in relying on such sources.

21. On August 5, 2024, within 20 days of the publication of the Article, Plaintiff served a written correction and retraction demand on the publisher for Variety concerning the above defamatory statements. Variety, through counsel, refused to retract or correct any of the above defamatory statements. More than three weeks have passed since the retraction and correction demand, and no such retraction or correction was published by Variety. Therefore, Defendants cannot claim the protections of California *Civil Code* § 48a to prevent the trier of fact from assessing general, special, and exemplary damages.

22. As a direct and proximate result of Defendants' defamatory statements as described above, Coppola has suffered general and special damages in an amount not presently known, but is believed to be not less than fifteen million dollars ($15,000,000). Although the full extent and amount of these damages are not currently known, Coppola will amend this Complaint before or at trial to add such information if the Court deems an amendment necessary.

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23. Coppola is informed and believes that Defendants' libel, as described above (and which was republished by Defendants on August 2, 2024), was made with knowledge of falsity or with reckless disregard of the truth, was done intentionally or with a conscious disregard of Coppola's rights and with an intent to vex, injure, or annoy him such as to constitute malice, fraud, or oppression thus entitling Coppola to exemplary and punitive damages in an amount to punish and make an example of Defendants and to deter such conduct in the future as will be proved at trial.

PRAYER FOR RELIEF

Wherefore, Coppola prays for judgment against Defendants and each of them as follows:

1. For general and special damages according to proof in an amount not less than fifteen million dollars ($15,000,000);

2. For punitive and exemplary damages pursuant to California *Civil Code* § 3294 in an amount appropriate to punish and set an example of Defendants and to deter such conduct in the future;

3. For costs of suit;

4. For interest as may be provided by law; and

5. For such other and further relief as the Court deems just and proper.

DATED: September 11, 2024

SAUER & WAGNER LLP

By: _____
Robert S. Chapman
Attorneys for Plaintiff Francis Ford Coppola

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Video of Francis Ford Coppola Kissing ‘Megalopolis’ Extras Surfaces as Crew Members Detail Unprofessional Behavior on Set (EXCLUSIVE)

Jul 26, 2024 9:47am PT

*Corbis via Getty Images*normal

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With two months to go before the release of “Megalopolis,” things are about to get awkward.

Video has surfaced of director Francis Ford Coppola that shows the legendary director trying to kiss young female extras on the set of his ambitious sci-fi epic. *Variety* has obtained two videos (posted below) that were taken by a crewmember last year during the filming of a bacchanalian nightclub scene.





Two sources told *Variety* that Coppola appeared to act with impunity on set. And unlike traditional movies, Coppola financed the entire $120 million budget himself, so there were none of the traditional checks and balances in place. The videos would appear to corroborate a bombshell report in the Guardian that claimed the 85-year-old director "tried to kiss some of the topless and scantily clad female extras" and told them "he was 'trying to get them in the mood.'" The Guardian story broke right before "Megalopolis" made its world premiere in Competition in Cannes.

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The scene in question, which features actress Nathalie Emmanuel, was shot on Feb. 14, 2023, at the Tabernacle, a concert hall in Atlanta. The call sheet, which *Variety* has reviewed, says the actresses playing female party goers had been "cleared for topless nudity" while others in the scene had been "cleared for scantily clad."

The sources claim that Coppola's behavior was unprofessional. One source who was on the set during the nightclub scene estimated that between 150 to 200 people were assembled, including background actors and crew as Coppola started directing the scene. The filmmaker kept leaping up to hug and kiss several women, often inadvertently inserting himself into the shot and ruining it, which the source said was

unusual.

“I’ve worked with really important directors and that behavior is uncommon — the most I’ve ever seen any director do is say something like, ‘high energy, guys,'” the source adds. “I’ve never seen anyone on set, and this extends to a camera operator, so much as touch an actor.”

The source said that after multiple takes, Coppola got on a microphone and announced in earshot of everyone in the room, “Sorry, if I come up to you and kiss you. Just know it’s solely for my pleasure.”

A spokesperson for Coppola declined to comment on the videos or the claims about Coppola’s behavior. However, a source close to the filmmaker noted that despite the death of Coppola’s wife, Eleanor Coppola, in April, “‘Megalopolis’ came in on time, on budget.

Coppola’s team provided two on the record statements from people involved with the production. Darren Demetre, an executive producer of “Megalopolis,” noted that “there were two days when we shot a celebratory Studio 54-esque club scene where Francis walked around the set to establish the spirit of the scene by giving kind hugs and kisses on the cheek to the cast and background players. It was his way to help inspire and establish the club atmosphere, which was so important to the film. I was never aware of any complaints of harassment or ill behavior during the course of the project.”

In another statement supplied by Coppola’s team, Mariela Comitini, the film’s first assistant director, described working with the director as “an honor.”

“I watched as Francis created a vibrant, professional, and positive environment on set,” she added. “As one of the industry’s most well-

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respected master filmmakers, Francis was undaunted by the enormity of this undertaking."

However, sources dispute her depiction of a "professional environment." During the shooting of the nightclub scene, crew members looked at each other uncomfortably as Coppola kissed and embraced the background actors, but one source says no one publicly objected to his behavior or tried to stop it. That may have something to do with how much control Coppola was able to exert since there wasn't an outside studio or streamer with its own HR department involved with the production.

"Because Coppola funded it there was no HR department to keep things in check," says a second source. "Who were they supposed to talk to? Complain to Coppola and report Coppola to himself?"

Samantha McDonald and Ashley Anderson were the two intimacy coordinators who worked on the film, which included a number of sex scenes such as one involving stars Aubrey Plaza and Shia LaBeouf. McDonald tells *Variety* that neither she nor Anderson were on set the day of the nightclub scene. "I can't really speak to the reason why they chose to bring us in when they did and not when they didn't," she adds.

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One production source says that days after the nightclub scene, senior crew members became concerned that video was circulating of Coppola kissing extras and reminded them that as part of their non-disclosure agreements they had signed they were not authorized to share footage of the behind-the-scenes work.

Veteran intimacy coordinator Yarit Dor, who was not involved with the film but could speak broadly about best practices, says the situation

sounds highly unorthodox.

“In the intimacy coordination community, it is recommended that scenes [with nudity involving extras] have more than one intimacy coordinator on set. Overseeing and helping choreograph intimate action for so many people is not something that one intimacy coordinator can do alone,” Dor says. “On the shoot day, the intimacy coordinators will help establish clear intimacy choreography with the supporting artists, coach intimate movement and check in on them.”

A source close to Coppola said there was an intimacy coordinator on set during relevant shooting dates and scenes.

In June, Lionsgate acquired domestic distribution rights for the film and set a Sept. 27 release date. Coppola, who will pay for the film’s marketing costs, had been looking for a fourth-quarter awards-qualifying release date. The film, which also stars Adam Driver, Giancarlo Esposito and Jon Voight, is expected to be competitive in below-the-line categories.

“Megalopolis” marks the latest film from the Oscar-winning director behind the “Godfather” trilogy. Last week, he was named a recipient of the Kennedy Center Honors and will be feted at the annual ceremony in Washington, D.C., on Dec. 8.

“I consider myself very fortunate to have been able to collaborate with great artists and wonderful people throughout my career, and I have never stopped learning,” Coppola said in a statement about being named a recipient.

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