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Movie, *London Fields*, Entangled in Another Lawsuit

BY [MANAGING EDITOR](#) / ON DECEMBER 13, 2016

Producers of *London Fields* are suing actress Amber Heard for \$10 million, as the most recent complaint in the string of lawsuits regarding the film.^[1] Nicola Six Limited and producers, Chris Hanley and Jordan Gertner, are alleging Heard to have breached contractual obligations. This is the latest action over *London Fields*, which is based on Martin Amis' murder mystery novel. This film was set to be shown at the 2015 Toronto International Film Festival. However, it was pulled from premiering when director Mathew Cullen filed a lawsuit against the producers in September 2015.

This complaint ([see full complaint here](#)), alleged fraud on the behalf of the producers, claiming that they stole control over the final cut of the film, misused their rights of publicity, and failed to pay him.^[2] Cullen asserts in the complaint that Gertner conveyed to him that as director, he would have "freedom to make the film according to his own creative vision without interference" and have financial support for a \$8 million budget.^[3] This was an oral agreement but the complaint states that Cullen reasonably and justifiably relied on these representations.^[4] During the principal photography, the production was not being funded as the producers represented, as actors, the crew, and Cullen were not being paid what was promised per the complaint.^[5] During post production, Cullen was not provided with the necessary resources. The complaint alleges that the producers prepared their own version of the movie in secret.^[6] Per the complaint, this producer created film had "incendiary imagery evoking 9/11 jumpers edited against pornography."^[7] Cullen claimed that his rights of publicity were infringed since this film was being promoted with his name attached, yet he did not approve of this edit.^[8]

The producers filed a counterclaim against Cullen alleging that he failed to deliver the movie on time or on budget which breached their agreement.^[9] The producers asserted they were forced to intervene and finish the film which they contend they were contractually allowed to do to save the movie and protect the producers' investment. They also asserted that Cullen did not have the control over the final cut of the movie and that the producers exclusively had that privilege. Nicola Six, the production company, owned the movie and all the related copyrights in the novel and screenplay and, therefore, they claim that Cullen had no ownership rights and did not have final cut.^[10] The producers contend that Cullen agreed to finish the movie on time and within the budget. Thus, when they both went wildly over, the producers took control and created the final edit of the movie. The producers assert that they consulted with Cullen about the producer created film and made changes consistent with his comments. Additionally, although Cullen continued to create his director's version of the movie, the producers contend that they told him there was no funding for him to continue to

do so.^[11] They also accused Cullen of organizing screenings of his version of the film for third parties and conspiring with the actors and their representations to hinder the producers releasing the producer's finished film.^[12]

A year later, this all led to a complaint being filed against Amber Heard on November 21 ([see full complaint here](#)).^[13] The complaint alleged that Heard breached her contract and conspired to deprive the producers of their ability to produce the film. They claimed she breached her contract by not performing promotional and publicity obligations, and failing to perform certain acting and post production services.^[14] During post-production, Heard allegedly refused to re-record dialog which was a contractual obligation. Additionally, the complaint contends that "Heard's refusal to comply with her contractual obligations—including her improper refusal to act in provocative scenes contained in the pre-approved script—key scenes in the script had to be removed and/or rewritten to accommodate Heard's behavior."^[15] They claim that Heard signed a nudity rider which all the scenes conformed to and that she wrongly claimed that she had not agreed to the nude scenes to undermine the film.

The complaint declares that Heard breached her contract by not performing promotional and publicity services, specifically as relating to the Toronto International Film Festival. Within Heard's contract was that she was required and paid to publicize, promote, and support the film, which is an industry standard. Heard informed the producers that she would not attend the Toronto Film Festival premiere or promote the film but she would be at the festival promoting another film she was in, *The Danish Girl*, which she had a significantly smaller role in.^[16] The complaint alleges that Heard and other actors in the film were conspiring to harm the movie's and production's profits and ability to attract a distributor by not cooperating with the promotion requirements because they supported the director and his version of the movie.^[17] The complaint goes on to allege that Heard and her management impeded on the producer's ability to market the film to a domestic distributor which hampered their revenue by claiming "that the Producer's Cut that was allegedly submitted to [a festival] contained unauthorized nude and simulated sex scenes" and the producers did not own the copyright to the final cut. The complaint contends that by Heard, Cullen, and other actors conspiring, it led the film to be pulled from the Toronto Film Festival and, therefore, "had a severe negative impact on the Picture's marketability and salability, domestic distribution prospects, and predicted foreign revenues."^[18] Although this complaint is just against one of the actors, the complaint discusses other actors such as, Billy Bob Thornton and Jim Sturgess, and their alleged participation in the conspiring campaign.^[19] Complaints against these actors have yet to be filed, but it would not be surprising if they do occur considering the string of lawsuits that have already taken place regarding *London Fields*.

Nicole Margulis is a second-year student at Benjamin N. Cardozo School of Law and a Staff Editor of the Cardozo Arts & Entertainment Law Journal.

[1] Dominique Rowe, *Amber Heard Is Being Sued for \$10 Million by the Producers of London Fields*, Time (Nov. 22, 2016), <http://time.com/4581047/amber-heard-sued-london-fields/>.

[2] Complaint at 1, Cullen v. Hanley, No. BC594640 (Cal. Super. Ct. Sept. 16, 2015).

[3] *Id.* at 4.

[4] *Id.* at 5.

[5] *Id.* at 6.

[6] *Id.*

[7] *Id.* at 1.

[8] Eriq Gardener, *'London Field' Director Asserts Producers Lied About Creative Control, Funding*, Hollywood Rep. (Sept. 16, 2015, 7:33 AM), <http://www.hollywoodreporter.com/thr-esq/london-fields-director-asserts-producers-823819>.

[9] Eriq Gardener, *'London Field' Producers Allege Director Violated Contract*, Hollywood Rep. (Nov. 19, 2015, 7:33 AM), <http://www.hollywoodreporter.com/thr-esq/london-fields-producers-allege-director-842274>.

[10] Complaint at 6, Nicola Six Ltd v. Heard, No. SC126725 (Cal. Super. Ct. Nov. 21, 2016).

[11] *Id.* at 9.

[12] *Id.* at 11.

[13] *Id.*

[14] *Id.* at 1.

[15] *Id.* at 11.

[16] *Id.* at 3.

[17] *Id.* at 14.

[18] *Id.* at 11.

[19] *Id.* at 10.