

Law360 Spotlights David Halberstadter's Victory for Starz Entertainment in Playwright's Copyright Suit

December 17, 2024

On December 16, 2024, the Ninth Circuit US Court of Appeals refused to revive playwright Nicole Gilbert-Daniels' copyright suit against Starz Entertainment (Starz), represented by Litigation Partner and Deputy General Counsel David Halberstadter. Ms. Gilbert-Daniels had claimed that the network's series "P-Valley" copied her stage musical "Soul Kittens Cabaret." As reported by *Law360*, a three-judge panel affirmed a previous summary judgment by a California federal court, stating that the two works were not substantially similar and that the alleged similarities, such as plot devices and familiar scenes, were not protectable elements. The panel also noted significant differences in the plots, themes, dialogue, moods, paces, characters and settings of the two works.

David, who represented the network's owner Lionsgate and production company Chernin Entertainment along with Starz, argued that Ms. Gilbert-Daniels' case relied on "blatant mischaracterizations" about the plot of her play. He also emphasized that the lower court was correct in concluding that the strip club owners in the two works were not the same, as one is a gay male and the other identifies as gender-fluid.

"9th Circ. Won't Revive Suit Over Starz Strip Club Drama," **Law360*, December 16, 2024

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