

Partner Alan Friedman Secures Motion to Dismiss in "Drive" Lawsuit

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A Michigan judge dismissed a lawsuit filed by a woman claiming that the trailer for the 2011 film "Drive" misled her into buying a ticket for the film, violating the Michigan Consumer Protection Act. The lawsuit alleged that distributors of the movie "promoted the film 'Drive' as very similar to the 'Fast and Furious,' or similar, series of movies" but had "very little driving." The suit further alleged that the movie was filled with anti-Semitism. Judge Daniel P. O'Brien dismissed the case, saying that there were no material findings that the defendants had violated provisions of the Michigan Consumer Protection Act, and that even if he allowed that the film contained anti-Semitic content, it would be covered by the First Amendment's free-speech protections. Alan Friedman, a partner in Katten's Litigation Practice, represented the defendants in the case, FilmDistrict Distribution and CH Novi. Mr. Friedman told Judge O'Brien, "This lawsuit is based on subjective opinions, not facts ... there are no explicitly misleading statements in the trailer and no basis for the claim."

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