

Katten Obtains Peremptory Writ of Mandate for NBCUniversal in *Ghost Hunters* Case

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In a published opinion that creates important new precedent in the entertainment industry, the California Court of Appeal for the Second District has issued a rare Peremptory Writ of Mandate in the idea theft lawsuit over NBCUniversal's long-running TV series *Ghost Hunters* (airing on the Syfy network). Plaintiffs filed suit more than two years after the premier of *Ghost Hunters* alleging claims for breach of implied in fact contract and breach of confidence. Though both claims are subject to a two-year statute of limitations, plaintiffs argued that accrual of the statute of limitations was delayed by the discovery rule because plaintiffs allegedly did not watch the show right away or by theories of continuous wrong because they claimed each episode triggered a new claim. While more than 90% of writ petitions are summarily denied, the court rejected those arguments and instructed the trial court to vacate its order denying summary judgment and enter a new order granting summary judgment for defendants on the statute of limitations defense. This is the first-known published opinion applying the statute of limitations to bar idea submission claims regarding a television series. Litigators Gail Migdal Title, Joel Weiner and Gloria Franke represented NBCUniversal in this matter. ("A Producer's 8-Year Legal War for *Ghost Hunters*," April 9, 2014; "[*Ghost Hunters* Legal Win Means No More Fright for NBCUniversal](#)," April 4, 2014; "[NBCU Prevails in Epic *Ghost Hunters* Legal Battle](#)," April 4, 2014; "[Cal. App.: Court Issues Peremptory Writ of Mandate in *Ghost Hunters* Idea Theft Case](#)," April 3, 2014; "[C.A. Tosses Claim That TV Series Based on Stolen Work](#)," April 2, 2014)

To read the court's opinion, click [here](#).

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