

The Two Epiphanies of Bonnie Eskenazi

Clients compare the entertainment attorney
to Evander Holyfield and the T-1000

BY JUDD SPICER PHOTOGRAPHY BY DUSTIN SNIPES

Her dream was the stage.

As a teenager, Bonnie Eskenazi trained as a coloratura soprano and studied theater at The American Academy of Dramatic Arts in New York. She loved all of it. But while preparing for college, she had an epiphany.

“Going out on auditions and climbing that ladder of competition against people who are *really* good, I realized that I just wasn’t good enough to make a living in the theater,” says Eskenazi from her Los Angeles office, which overlooks the Avenue of the Stars and one of the two Los Angeles Country Club golf courses.

She adds, “But I was a decent student and thought, ‘Well, I really like the study of politics and law, the study of government structures and history,’ so I went in that direction.” At Stanford Law School, she found herself gravitating toward entertainment law; and once she began to practice, she had another epiphany: It turns out the new passion wasn’t that far removed from the old.

“As a trial lawyer, you’re really putting on a show,” she says. “You are the director, you are the screenwriter, you do all the special effects. You get to act in it and you really produce a show. It really did marry a lot of my interests.”

Now a top entertainment lawyer with Greenberg Glusker in Los Angeles, Eskenazi’s client roster has included Marvel Entertainment, Paramount Pictures, DreamWorks, the Tolkien estate, and classical artists Renée Fleming, Joshua Bell and Itzhak Perlman. She is consistently described as level-headed, even-handed and relentless.



Bonnie Eskenazi

Greenberg Glusker
Entertainment & Sports;
Intellectual Property
Los Angeles

“Bonnie can be like the T-1000 from the *Terminator* films,” says Greg Strause, CEO of Hydraulx Entertainment, a leading visual digital-effects house based in Los Angeles. “She just won’t stop; she’ll keep coming at ya.”

In 2010, Eskenazi was hired by Strause when his company was sued by Sony Pictures over allegations that it had taken material for a Sony movie on which they’d worked, *Battle: Los Angeles*, for its own alien-invasion film, *Skyline*. The suit was dismissed and Strause says Eskenazi negotiated a very successful settlement. “After that, we’ve been inseparable; anything we need—whether its real estate, corporate governance—Bonnie is our go-to lawyer.”

It’s her composure as well as her drive that appeals to Strause. “There are litigators out there who wind their clients up, knowing that whether it’s a winning or losing path, it’s about racking up hours,” he says. “And that’s not how Bonnie operates. With her, it’s ensuring that the positions we take are moral, well-grounded and supported by the law.”

Eskenazi has taken on some of the highest-profile cases in entertainment history—like representing CEO Jeffrey Katzenberg in his lawsuit against Disney.

“In his contract, there was essentially a profit participation where he got a percentage of the gross revenues of everything that had been put into motion during his tenure,” Eskenazi says. “He created the Disney renaissance, frankly. Most people credit him with having done that. The films included *The Little Mermaid*, *Beauty and the Beast*, *The Lion King*. So the concept of trying to capture all forms of exploitation for all of those films and television was an enormous job.”

She also “put a dead man on the stand in our favor,” she says.

There was debate about the intent of the contract itself, and what the bonus should be, so the two men who negotiated the contract were important witnesses. Arthur Emil, the then-lawyer for Katzenberg, testified for Eskenazi. Sadly, his opposite, Disney executive Frank Wells, had died several years earlier. But that didn’t stop Eskenazi.

“We had our guy, Emil, who had his notes of the conversations,” she remembers. “Now the other side could kind of poke holes in his notes, but where they couldn’t go [was in comparison to Wells’ notes]. Because his notes were almost identical to Arthur’s notes—almost word for word. You put them side by side, and it was unbelievable.

“That’s why it was so critical: It corroborated our client’s view of what the intent of the contract was. ... They could not undermine Arthur Emil because their guy’s notes looked exactly like Arthur’s notes. They both clearly agreed.”

Katzenberg, who sued for more than \$250 million, settled for an undisclosed amount.

Eskenazi’s cases have taken her from “The Happiest Place on Earth” to Middle-earth. For the past decade, she’s represented the estate of J.R.R. Tolkien in a profit-participation case with New Line Cinema on the profit share for the movie adaptations of the author’s *The Hobbit* and *The Lord of the Rings* trilogy.

Back in 1969, Eskenazi says, “Tolkien had a publisher with whom he shared ownership and royalties, and the contracts were supposed to be one-third going to the publisher and two-thirds going to the Tolkien estate. The way they did it, they split up the four novels, two and two. So the publisher was granting rights to the studio for *The Hobbit* and the second *Lord of the Rings* novel, and the estate was granting rights in the first and third novels. [But] if you look at the way the films were made—although they follow the broad outlines of each of the novels—they actually use bits and pieces from all the *Lord of the Rings* novels.



Dr. Brando’s House Call

“When I was a young lawyer, there were three of us working on a case for Marlon Brando. I was the grunt. My job was to know the documents and do discovery, and I really threw myself into it; I was almost encyclopedic about those documents. Marlon figured that out fairly early, so every day at noon there would be a call from him to talk about the documents. He was quite obsessive about it.

“One day, I was out sick. And he calls me at home, and it’s ‘*What’s the matter?*’ I told him I had a fever. ‘What have you taken for it?’ I told him aspirin. He said I had to get this stuff from one of those natural food stores—L-Lysine or something. He said, ‘Send somebody to get that,’ and I’m like, ‘Marlon, it’s me and my dog. What do you mean “Send somebody?”’ He said, ‘All right, I’ll bring it to you. Where do you live?’ I gave him my address, and I’m like, ‘Yeah, Marlon Brando’s gonna bring *me* medicine.’

“Sure enough, the day went by and he didn’t come. My husband returned and made me chicken soup. He was going to get some bread, and he opens the door and there’s this large gentleman standing on our doorstep. ‘Is this the home of Bonnie Eskenazi?’ the man asks, and my husband says, ‘Yes.’ ‘Hi. I’m Marlon Brando.’

“I’m there in my sweatpants, hair up in a ponytail with no makeup on. But sure enough, Marlon Brando brought me L-Lysine. He was a very kind man, from the bottom of his heart. A genuinely beautiful and wonderful human being.”

—BONNIE ESKENAZI

“Our view was that if any bit of novel No. 1 or novel No. 3 is in the second movie—you have to pay us.”

One key piece of evidence came from a place that not only lawyers but movie watchers tend to ignore: DVD extras.

“We had one partner of my team watch the extras, [which featured] director Peter Jackson talking about the films,” Eskenazi says. “And she sees Jackson talking about how ... he wanted to tell the story chronologically. There’s a graphic to this effect where Jackson basically explains how they matched pieces from different books to create the chronological narrative. It just totally illustrated exactly what we were saying.”

Eskenazi was able to arrange an out-of-court settlement for the estate, which paved the way for New Line to produce *The Hobbit* films.

Her work goes beyond film. Since 2012, Eskenazi has served as outside general counsel for the estate of Bob Marley.

“Bonnie really understands the nature and the scope of the businesses we as a family are involved in,” says Cedella Marley, first-born child of Bob and Rita Marley. “She knows when to reason and she knows when it’s time to stand up and fight to protect the rights of what my father started.”

Among Eskenazi’s most influential work for the Marley estate was bringing the Marley Natural line of cannabis to market in 2014.

“It was the first worldwide-branded cannabis deal done for a celebrity,” Eskenazi says. “Cannabis is illegal on the federal level, and in many states it’s legal to various different degrees. To do a brand license was very tricky. There was no case law back then, so we had to figure out ways of granting a license and doing so legally.”

Paul Cohen, a consultant at Creative Artists Agency, has worked closely with Eskenazi on the Marley estate. “Bonnie’s intuition always has proven to be right,” says Cohen. “We respect Bonnie’s interpretation of these laws in an area that really doesn’t have precedent.”

The Marleys often refer to their attorney as “Queen B.”

“She’s the real deal,” Cedella Marley says. “Like Holyfield.”

IN 2008, ESKENAZI, THE LONE WOMAN on Greenberg’s management committee, created an all-female marketing group.

The torch has been passed: Eskenazi, who dreamed of the stage, with her daughter, Rachel, currently starring on Broadway in *The Phantom of the Opera*.



“I did that because it became obvious to me that women don’t market the same way as men for legal services,” says Eskenazi, a married mother of two. “Men go out and play golf or tennis, or go to baseball games. Most women, that’s not typically the way we market. Most of us still have primary responsibilities with respect to our kids. As a result, we don’t have five hours to go play golf on Saturday morning because we’re taking the kids to ballet lessons or a soccer game.”

“Women tend to be really good at one-on-one marketing—lunches and dinners and through school—and those are just as important as going to a ballgame,” she adds. “I’m not saying, ‘Women, don’t go to ballgames.’ I’m just saying that sometimes we need to celebrate those differences and not pretend they don’t exist.”

She sees it as an important step in a world where female film directors in Hollywood are still few and far between.

“Part of the problem is that when we talk about some of the qualities that define a film director—leadership, assertiveness—

we tend to view women who have those qualities in a much more negative light than we do men,” says Eskenazi, who has been a leading and oft-quoted voice on this issue. “I don’t think the biases in Hollywood are intentional for the most part; I think they’re ingrained in us. Systems need to be in place to provide women the opportunity to shine.”

Interestingly, Eskenazi’s daughter, Rachel, has shined in a place that eluded her mother: the theater. She is currently starring as Christine Daaé, the female lead of *The Phantom of the Opera*, on Broadway. “I am just extraordinarily proud of her,” Eskenazi says. “It is really like finding a needle in a haystack to actually star on Broadway. But for her to have done it by the age of 23, not even a year out of college, is really incredible.”

As for the law, Eskenazi adds, “I’ve always said that if I won the lottery tomorrow, I’d still come back to work the next day. I think the law is such a challenging, interesting puzzle. I think about it constantly. *Constantly.*” **SL**