



Douglas E. Mirell

Partner

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Doug Mirell is a rarity: A powerhouse litigator in the entertainment field, and a lawyer who follows his conscience.

Representing celebrities, entertainers, companies, guilds, media concerns, and others in litigation over the course of nearly four decades—and counting—his imprint can be found on hundreds of important entertainment-related issues that were resolved in the courts or that required legislative action.

Specifically, Doug is a driving force in First Amendment and entertainment industry lawsuits; anti-SLAPP motions; copyright and trademark infringement actions; new and traditional media law issues; invasion of privacy and defamation claims; and publicity rights disputes. Perhaps lesser-known, but equally rewarding to Doug, is his work litigating constitutional law questions that helped protect immigrant rights; prevent the electoral disenfranchisement of minority communities; and enforce freedom of information, public records, and other government access statutes.

Doug regularly reviews video and film footage, internet websites, motion picture, and television scripts, stage plays, newspapers, magazines, and books to identify intellectual property rights infringements and potential publication tort claims. He previously authored *amicus curiae* briefs in various appellate courts for the Motion Picture Association of America, Inc. and represented all of the MPAA's member companies in nationwide litigation against computer users who were illegally trafficking in those studios' copyrighted motion pictures on "peer-to-peer" file-sharing networks.

Making a difference for clients

In his practice, Doug is drawn to challenges that often involve confronting and surmounting new or unexpected problems. He says this is where his personal skill set proves most useful. One example includes the legislative work he carried out, together with an Academy Award® winning actor and others, to significantly enhance the criminal penalties and create a new civil remedy for the harassment of celebrity children caused by overly aggressive paparazzi. "No one had thought to do what we did—go to the California Legislature and request a safe space for celebrity kids. It proved to be a fascinating and extraordinarily successful effort that has made a huge difference in many lives. Improving the professional or personal lives of my clients is the ultimate reward. I think that's what every lawyer should strive to do."

Doug also attributes his success to frequent communication with his clients. He believes that every client deserves to be informed by their legal counsel at all times. “At every stage of a matter, I want my clients to know not only what’s going on, but also what that means in the long term; they should understand the ramifications of each particular action.” He says that remaining in touch—whether by email, phone, or in-person—improves the attorney/client relationship and forestalls miscommunication or misunderstanding down the road.

A stalwart community resource

A decades-long board member of the ACLU of Southern California and of its Foundation (including service as President), Doug has a strong commitment to equal justice and civil rights. He helped mount a successful constitutional challenge to the Los Angeles County Board of Supervisors’ 1981 redistricting plan on the grounds that it intentionally discriminated against the County’s then-three million Latino residents. He was also co-counsel in a federal court lawsuit on behalf of immigrant plaintiffs that successfully halted implementation of California’s Proposition 187. Some of Doug’s other high-profile, *pro bono* efforts involved the representation of plaintiffs in landmark free speech and church/state separation litigation.

Doug was also instrumental in providing the legal analysis that helped win passage of three important pieces of California legislation affecting the rights of celebrities in the entertainment community:

- Assembly Bill 602 (2019), authored by Assemblymember Marc Berman, created a new private right of action to sue those who create and distribute unauthorized sexually explicit “deepfakes” – hyper-realistic videos that use artificial intelligence to replace the image of a performer with that of someone else, most frequently an A-list actress;
- Senate Bill 606 (2013), authored by then-State Senator Kevin de León, significantly enhanced the criminal penalties and created a new civil remedy for the harassment of celebrity children by overly aggressive paparazzi; and
- Senate Bill 771 (2007), authored by then-State Senator Sheila Kuehl, clarified that the statutory post-mortem right of publicity applies to those celebrities who predeceased that law’s original effective date of January 1, 1985.

A voice in the media

A sought-after speaker, writer, and commentator, Doug authored over 25 expert commentaries on the O.J. Simpson criminal and civil trials for WESTLAW’s specialized “Notable Trials” computer database. During eight appearances before Judge Lance A. Ito in the Simpson criminal trial, he argued against sealing coroner’s records, autopsy photographs, juror dismissal transcripts, and other court documents; imposing a “gag order” upon trial participants; conducting a mid-trial inquest into the undisclosed sources of a controversial local TV news report; closing juror voir dire proceedings, and terminating courtroom television/radio coverage.

In addition, Doug has written Op-Ed columns for the Los Angeles Times, Law360, the Los Angeles Daily Journal, and the Jewish Journal; he has frequently been interviewed for his perspective on various intellectual property and First Amendment-related issues by major newspapers and magazines, as well as by local, national, and international radio and television outlets.

Greenberg Glusker: A perfect fit

After a 32-year practice at Loeb & Loeb and five years in a boutique entertainment litigation firm he co-founded, Doug says he welcomed the move to Greenberg Glusker. Beyond attributes such as the quality of the firm's clients, the diverse and full-service nature of the firm's work, and the opportunities for synergistic relationships among the firm's attorneys, he greatly appreciates the Greenberg Glusker historic commitment to protecting civil rights and civil liberties. "The firm's ongoing investment in ensuring equal access to justice speaks highly of Greenberg Glusker. That proud tradition is as important to me as it is to my clients."

Awards

- *The Best Lawyers in America*, Recognized in Advertising Law and Litigation - First Amendment (2010-2021)
- Southern California Super Lawyers (2004-2020)

Bar Admissions

- California, 1980

Court Admissions

- United States Supreme Court
- Ninth Circuit Court of Appeals
- Eleventh Circuit Court of Appeals
- California Supreme Court
- All California District Courts as well as various other jurisdictions

Education

- University of California, Davis School of Law (J.D., 1980)
- Claremont McKenna College (B.A., *cum laude*, 1977)

Representative Matters

- Counsel for Terry Bollea (professionally known as Hulk Hogan) in pre-trial depositions that helped secure a \$140.1 million jury verdict in an invasion of privacy lawsuit against Gawker Media, its founder/CEO Nick Denton, and former Gawker.com Editor-in-Chief A.J. Daulerio
- Lead counsel for Bishop Charles E. Blake, Sr., the Presiding Bishop of the Church Of God In Christ, in a federal court defamation lawsuit that resulted in the entry of a permanent injunction, the removal of dozens of wholly false and highly inflammatory YouTube videos, the incarceration of the defendant responsible for creating and posting those videos upon a finding of civil contempt of court, and a referral of that defendant to the United States Attorney's Office for a potential criminal contempt prosecution

- Counsel in a two-year trial of the then-largest shareholder/dissenter's rights case in American legal history involving a privately-held real estate corporation
- Successfully defended The Franklin Mint in a publicity rights, false advertising, and false endorsement case brought by the memorial fund and estate of the late Princess Diana
- Counsel for world-famous paranormal researcher and author Zak Bagans – host of the Travel Channel's #1-rated *Ghost Adventures* reality television series and owner of The Haunted Museum in Las Vegas – in a dispute with Ranker.com and its associated Graveyard Shift Facebook site (@rankergraveyardshift) that resulted in the permanent deletion of a negative and inaccurate article and the issuance of a public apology to Mr. Bagans
- Successfully defended a book author/publisher and a television producer/network against a lawsuit filed by Elizabeth Taylor which sought to prevent the publication of an unauthorized biography and the airing of an unauthorized television mini-series on her life
- Successfully defended the author of a book about the Scott Peterson murder trial against an attempt by Peterson and his lawyers to censor its contents
- Successfully represented various criminal defense attorneys and their clients in challenging court-imposed gag orders
- Co-counsel in the successful constitutional challenge to the Los Angeles County Board of Supervisors' 1981 redistricting plan on the grounds that it intentionally discriminated against the county's then-3 million Latino residents, resulting in the election of a Latina – the first woman ever elected to the Board and the first Hispanic to serve on that powerful body in 115 years
- Co-counsel for immigrant plaintiffs in the federal court lawsuit that successfully halted implementation of California's Proposition 187
- Co-counsel for Hispanic plaintiffs in a successful challenge to the at-large election system in the Compton Unified School District that resulted in the adoption of a district-based election system, a requirement that those elections occur concurrent with statewide primary elections rather than in odd-numbered years when voter turnout is substantially lower, and the advancement of the date of the first such election from November 2022 to March 2020

Insights

August 25, 2020

Online liability laws conflict with federal ruling

Daily Journal

August 20, 2020

36 Greenberg Glusker Attorneys Named to 2021 Best Lawyers® List

July 24, 2020

No Easy Fix Seen for Digital Copyright Law Amid Content Flood

Bloomberg Law

July 22, 2020

Clint Eastwood calls out fake cannabis product endorsements

Los Angeles Times

June 18, 2020

“Occupy” Protest Wakes Residents

Beverly Hills Weekly

June 17, 2020

COVID Couture. Covidiot. Coronavirus trademark hopefuls flood patent office

Los Angeles Times

June 8, 2020

Greenberg Glusker, ACLU and EFF File Lawsuit to Stop Los Angeles from Collecting Real-Time Tracking Data on Rental Scooter Riders

June 5, 2020

Copyright Office Should Call For Further DMCA Rebalancing

Law360

May 27, 2020

Dentistry professor sues UC for alleged retaliation following Title IX testimony

Daily Bruin

January 17, 2020

Reforming The Internet

Daily Journal

January 15, 2020

23 Greenberg Glusker Attorneys Selected to 2020 Southern California Super Lawyers

January 10, 2020

Proposed law indicates much is still unknown about deepfakes

Daily Journal

January 8, 2020

AB 602 and AB 730: Curbing "deepfakes" in pornography and elections

Daily Journal

January 6, 2020

Legal Tech's Predictions for Artificial Intelligence in 2020

LegalTech News

December 23, 2019

On the Frontier of the 2020 Election Season, California Legislates Deepfakes

Continuing Education of the Bar (CEB)

December 16, 2019

Judge excludes public from boxer Victor Ortiz's preliminary hearing over rape allegations

VC Star

October 31, 2019

How Local Republican Operatives Brought Down Katie Hill

Los Angeles Magazine

October 28, 2019

Tracking Early State Legislative Efforts To Curb Deepfakes

Law360

August 15, 2019

29 Greenberg Glusker LLP Lawyers Named to 2020 Best Lawyers® List

July 3, 2019

Justices agree, mostly, that ban on 'immoral,' 'scandalous' trademarks violates free speech

Westlaw Journal

June 27, 2019

Is That Actor Real? The Lowdown on Deepfakes

Backstage

June 25, 2019

High Court Strikes Down Patent Office's Standard of 'Immoral'

Los Angeles Daily Journal

June 24, 2019

Supreme Court rules L.A. clothing maker can trademark 'scandalous' brand name

Los Angeles Times

June 24, 2019

Federal Limit on Vulgar Trademarks Thrown Out by High Court (1)

Bloomberg Law

May 24, 2019

Adachi leak case: Even if raid on journalist was illegal, source may be outed

San Francisco Chronicle

January 31, 2019

24 Greenberg Glusker Attorneys Selected to 2019 Southern California Super Lawyers

January 25, 2019

Yelp, Defamation And The Mischief Wrought By Section 230

Law360

November 13, 2018

CNN's First Legal Threshold in Acosta Case: A Temporary Restraining Order

Variety

August 30, 2018

Who Owns You? SAG-AFTRA Steps Up the Fight to Ensure Members Have Control of Their Own Likeness

SAG-AFTRA Magazine

August 15, 2018

26 Greenberg Glusker attorneys named to 2019 Best Lawyers® list

May 22, 2018

GOP fundraiser subpoenas AP over hacked emails, setting up legal showdown

Politico

April 27, 2018

L.A. County politician sexually assaulted woman when she was 16, lawsuit claims

Los Angeles Times

April 3, 2018

1st Circ. Affirms NH Court's Defamation Suit Dismissal

Law360

February 13, 2018

2018 Starting Off Great for Anti-Piracy Advocates

Los Angeles Daily Journal

February 5, 2018

Greenberg Glusker Welcomes Free Speech Attorney Douglas E. Mirell

Greenberg Glusker Media Mention

2017- 2018

Chapter 9: Defamation (Libel and Slander), Obscenity and Regulation of Speech and Chapter 10:

California's Anti-SLAPP Law

Entertainment Law and Litigation

August 31, 2017

20 Years Ago, Princess Diana Died After Being Chased By Paparazzi. Have We Made Any Progress?

A Plus

August 25, 2017

Calif. Says IMDb Age Info Not Protected By 1st Amendment

Law360

February 9, 2017

Preserving the barrier between church and state

The Jewish Journal

January 10, 2017

Probably Not Terrible Realistic: Woman Sues Chipotle For \$2.2 Billion Over Photograph

Los Angeles Times

December 13, 2016

Leah Remini To LAPD: Cough Up Proof That You Checked On Shelly Miscavige

The Underground Bunker

November 22, 2016

Leah Remini demands \$1.5 million from Scientology for interfering with her A&E series

The Underground Bunker

September 21, 2016

Derrick Rose accuser to be stripped of anonymity at trial

Associated Press

September 12, 2016

Hilton files two lawsuits against city, alleges violation of First Amendment rights

Beverly Hillis Weekly

April 5, 2016

Hulk Hogan's Lead Lawyer Explains How His Team Beat "Arrogant," "Defiant" Gawker (Guest Column)

The Hollywood Reporter

March 23, 2016

A.J. Daulerio Doesn't Regret Child Sex Quip at Hogan-Gawker Trial

The Daily Beast

March 18, 2016

Jury awards Hulk Hogan \$115 million in sex, celebrity and privacy case

Los Angeles Times

March 11, 2016

Gawker on trial: Hulk Hogan sex tapes 'very amusing' and 'newsworthy'

The Washington Post

March 9, 2016

Gawker Editor's Testimony Stuns Courtroom in Hulk Hogan Trial

The New York Times

March 9, 2016

Gawker's reasoning for showing the world Hulk Hogan's penis

New York Post

March 9, 2016

Former Gawker editor-in-chief A.J. Daulerio says sex tapes of 5-year-olds fair game during Hulk Hogan trial

New York Daily News

February 22, 2016

33-Month Decision Gives Few Answers

Los Angeles Daily Journal

February 22, 2016

FBI versus Apple: The privacy threat is overblown

Jewish Journal

October 7, 2015

Drone on in California, At Least For Now

Los Angeles Daily Journal

August 31, 2015

Will dueling op-eds turn into dueling lawsuits?

Jewish Journal

February 12, 2015

Woman sues over cops grabbing her phone during arrest

CBS News

December 22, 2014

Pam and Tommy: The Untold Story of the World's Most Infamous Sex Tape

Rolling Stone

November 8, 2014

Audio Hangs Over '7th Heaven' Actor's Divorce Case

Associated Press

October 3, 2014

Privacy Interests Prevail in Sacramento

Los Angeles Daily Journal

September 23, 2014

Instead of Prohibiting Bad Reviews, Firms Should Improve Service

Los Angeles Times

February 3, 2014

Post-Mortem Publicity Rights Phoenix Rising

Los Angeles Daily Journal

September 2010

Right-of-Publicity Statutes: Some Historical Reflections and Recent Developments

Communications Lawyer

March 2010

Proposed Amendment to California's Right of Publicity Statute Would Harm Media

MLRC Media Law Letter

October 2009

Compounding the Felony: California's Amended Anti-Paparazzi Statute Media Law Resource Center

Media Law Letter, pp. 24-26

April 2009

The Fine Line Between Editorial Content and Advertising

Corporate Counsel

March 2008

California Clarifies Its Posthumous Right of Publicity Statute

Journal of Intellectual Property Law & Practice, pp. 224-225

January 10, 2007

SAG-AFTRA Wants to Become a Defendant in Lawsuit Over Actors' Ages on IMDb

The Hollywood Reporter

June 2003

The Publicity Rights Worm Turns

Media Law Resource Center Media Law Letter, pp. 35-37

November 2002

Idea Theft in the Advertising and Promotions Industry

PMA Law Conference Compendium

November 1999

Speech Expansion

California Law Business

1997

Gag Orders and Attorney Discipline Rules: Why Not Base the Former Upon the Latter

Loyola of Los Angeles Entertainment Law Journal (Vol. 17, No. 2)

1995

The Latest Threat to Free Speech: California's Proposed Bar Rules

Communications Lawyer

1995-1996 Edition

The Trial of the Century: Some Implications for the Next Millennium

Entertainment, Publishing and the Arts Handbook

January 1995

Can O.J. Simpson Profit From the Sale of His Book?

Entertainment Law Reporter

November 1980

Delinquency Hearings and the First Amendment: Reassessing Juvenile Court Confidentiality Upon the Demise of 'Conditional Access,' 13 U.C. Davis Law Review 123-173 (1979)

Reprinted in Juvenile & Family Court Journal