Johnny Depp scores win against former lawyer

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Johnny Depp

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Johnny Depp scored a significant legal victory on Tuesday, as an LA Superior Court judge ruled that his contract with his lawyer should have been in writing.

Depp is seeking to recoup tens of millions of dollars in legal fees paid out to Jake Bloom over 18 years. The ruling could also have profound effects on legal dealings in Hollywood, where agreements are often based on a handshake rather than a written contract. Bloom was paid based on a percentage of the actor's earnings. The relationship fell apart in 2017, as Depp was also fighting a legal war with the Management Group, his former management company.

Depp sued Bloom in October, arguing that the fee arrangement was effectively done on a contingency basis, which under California law must be in writing. Bloom countersued, arguing that Depp had failed to fully pay his legal bills and had violated the unwritten agreement. Bloom's attorneys argued that the agreement was not a contingency arrangement, but Judge Terry Green disagreed.

“There’s not a special rule for entertainment people,” Green said Tuesday. “Why isn’t it in writing? Why not have something that memorializes the agreement so we don’t end up in court fighting like this?”

Bloom’s attorney, Ray Cardozo, argued that his fee arrangement is quite common, and that it differs significantly from the typical contingency agreement.

“With a contingency fee, you are speculating on an uncertain outcome,” Cardozo said. In Depp’s case, he argued the agreement was closer to a law firm doing work for a tech startup in exchange for equity rather than cash. “You’re not speculating on an outcome … Your piece of Depp’s income can fluctuate.”

Green repeatedly stated that his relatives work in the entertainment business, so he has no particular hostility to it. But, he argued, the business should be bound by the same rules as everybody else.

“I grew up in a showbiz family,” the judge said. “I am aware that showbiz people think they live in a different universe, but they don’t. They’re not a different universe.”

Green argued that the ups and downs of Depp’s career underscore the speculative nature of a fee arrangement based on his income.

“I don’t follow showbiz,” he said. “I rarely go to movies. I know who the plaintiff is. I can’t tell you a whole lot about him, except he’s had ups and downs in his career. Who would have known, 18 years ago, how high the highs are and how low the lows.”

Depp’s attorney, Fredrick Levin, was relatively quiet during the argument, except to echo the judge’s remarks.

“I think your honor has it exactly right,” Levin said. “There’s no adequate explanation why this contract wasn’t in writing.”

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The attorneys for both sides declined to comment outside court. The case is set for a trial on May 6, and Bloom’s attorneys may seek to appeal the judge’s ruling.

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