

Media & Entertainment Group Of The Year: Greenberg Traurig

By Jack Karp

Law360 (February 28, 2023, 2:02 PM EST) -- In the face of intense media coverage, along with a vocal fan base, Greenberg Traurig LLP managed to free Britney Spears from her 13-year conservatorship, earning it a place among Law360's 2022 Media and Entertainment Groups of the Year.

That "novel and quite complex" case was just one of the firm's recent victories in the media arena that can be credited to its attorneys' ability to think strategically and remain "laser-focused" while ignoring "extraordinary, if not unprecedented, media attention," shareholder Mathew S. Rosengart told Law360.

Spears had been under a court-approved conservatorship since 2008, and terminating the longstanding arrangement could have taken years, according to Rosengart.

So the team took a "bifurcated approach," focusing on getting the court to first suspend Spears' father as conservator rather than seeking to end the conservatorship, Rosengart said.

"Had we sought to terminate the entire conservatorship as a first step, quite frankly she might still be in the conservatorship today," he added.

A Los Angeles Superior Court judge suspended Spears' father from serving as her conservator in September 2021 and ordered the conservatorship terminated just two months later.

"The key to that success really was being very thoughtful and strategic in taking this bifurcated approach," Rosengart said.

Greenberg Traurig attorneys took a similarly innovative approach when representing comedian Kathy Griffin in a legal battle over her tweets, according to shareholder Michael J. Grygiel, who co-chairs the firm's media and entertainment litigation group.

Griffin was sued in Kentucky by the parents of several students from Covington Catholic High School after she tweeted about them in response to an incident in which the students had an altercation with a Native American activist.



Even though Grygiel and his team thought Griffin's tweets were protected First Amendment speech, they focused instead on the Kentucky court's lack of jurisdiction over Griffin, according to Grygiel.

"That was one of the vulnerabilities that we identified upfront," Grygiel said. "And while we did make arguments on the First Amendment merits, we also challenged a Kentucky state court's ability to exercise personal jurisdiction over a comedian who's based in Los Angeles over two contemporaneous tweets."

A Kentucky appellate court agreed, upholding a lower court's dismissal of the case in September.

Attorneys at Greenberg Traurig working on media-related transactions had their own successes, as well, shepherding several important deals of late.

The firm represented TV producer Lashan Browning in negotiating what it called a "first-of-its-kind" deal to create Antoinette Media, owned by Browning and Paramount Global, in August. The transaction marks the first time a woman of color has owned a majority interest in a media company funded by a major studio, according to the firm.

Getting the deal done meant building a team that included attorneys with experience in transactions, tax, intellectual property, corporate finance and banking, the firm added.

That breadth of expertise is the primary reason the firm's entertainment group is so successful, according to shareholder Bobby Rosenblum, chair of the firm's global entertainment and media practice, which boasts more than 80 attorneys in New York, Los Angeles, Atlanta, Berlin, Tokyo and elsewhere.

Most BigLaw firms doing entertainment work primarily represent big media companies in transactions, Rosenblum explained. But Greenberg Traurig's entertainment team is well-versed in litigation, corporate work, intellectual property and other areas.

"We've prided ourselves on being a firm who can work with all dimensions of legal matters for entities and individuals in the entertainment space, and I think we're somewhat unique in that regard," Rosenblum said.

That diversity of experience also helped the firm handle several big music catalog deals, including the January 2022 sale of country singer Kenny Chesney's music catalog and Litmus Music's December acquisition of country star Keith Urban's catalog.

The firm has worked on all sides of those kinds of transactions, representing artists, companies and banks, giving it a "broad platform" to handle the complicated issues the deals bring with them, according to shareholder Daniel H. Black, vice chair of the firm's global entertainment and media practice and chair of its West Coast entertainment practice.

The firm's entertainment attorneys have also been pioneering new lines of business in the media space, representing a host of home fitness companies like Mirror, Equinox and SoulCycle in negotiations over the use of music in fitness applications, according to Rosenblum.

"We've really helped to create the business model between the music companies, labels, publishers and the performing rights societies with these fitness companies," Rosenblum said.

Similarly, the group has been on the "forefront" of deals allowing the use of music on social media, representing TikTok, Meta, Snap, Twitter and others in their own dealings with the music industry, Rosenbloum added.

Those deals are "a lot of fun, because there's often no template," Black said. "You really are creating it as you go."

Attorneys on both the litigation and transaction side of the firm's media practice expect to keep innovating, they said.

Courts are seeing an increase in novel litigation involving social media, defamation and the press, according to Grygiel. And the entertainment and media practice is expanding to encompass a wider array of businesses, according to Rosenbloum.

So Greenberg Traurig's media and entertainment attorneys anticipate that they'll be kept very busy.

"This area seems like it's continuing to grow," Rosenbloum said. "And this year is even looking to be bigger than last year."

--Editing by Gemma Horowitz.