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***HOT COFFEE* RELEASES NOVEMBER 1 ON DVD**

An Eye-Opening Look at the Co-Opting of Our Civil Justice System

“Stunning debut ... Sends audiences out of the theater thinking in a brand new way.”—*Washington Post*

October 13, 2011 – Seinfeld mocked it. Letterman put it on one of his Top Ten lists. More than 15 years later, the McDonald’s coffee case is cited as a prime example of how citizens use “frivolous” lawsuits to take unfair advantage of America’s legal system. But is that an accurate portrayal of the facts?

The concept of tort reform is both misunderstood and misrepresented. And yet it has become part of every campaign cycle, including the 2012 elections, espoused by both Republicans and Democrats. Informative and entertaining, ***HOT COFFEE*** challenges viewers to reexamine long-held beliefs that winning lawsuits is easy and the legal system is like the lottery, leading to “jackpot justice.”

First-time filmmaker and former public interest lawyer, Susan Saladoff, uses the infamous legal battle that began with a spilled cup of coffee to investigate what’s behind America’s zeal for tort reform – laws that restrict the legal rights of everyday Americans – in the thought-provoking documentary, ***HOT COFFEE***.

A feature film debut from Saladoff, ***HOT COFFEE***, presents four “exhibits” to expose the influence of corporate America on our civil justice system.

The four cases highlighted in the film include:

- **Exhibit One: The Public Relations Campaign**—highlights the debate over tort reform and the lengths to which corporations will go to distort the public’s view of lawsuits.
- **Exhibit Two: Caps on Damages**—examines the validity of a one size fits all amount of money awarded to an injured person after they’ve won their case against a corporation.
- **Exhibit Three: Judicial Elections**—analyzes the influence businesses have on electing pro-business Supreme Court judges, and exposes the reality of judicial campaign donations.
- **Exhibit Four: Mandatory Arbitration**—takes a deeper look at the arbitration clauses in contracts we are required to sign, thus limiting our access to a jury trial.

Exhibit One: The Public Relations Campaign

Tort reform advocates often use the McDonald’s coffee case as a clear example of a “frivolous lawsuit.” In addition, “Astroturf” groups, such as “Citizens Against Lawsuit Abuse,” give the impression that citizens are rallying for change when there are no citizens in these groups. Instead, these are groups created by public relations companies working on behalf of corporations.

Politicians, including Karl Rove and President Bush, focused on tort reform to raise campaign donations from the business community during election season in Texas. After Bush was elected governor of Texas, he enacted a cap on punitive damages while maintaining a business-friendly agenda. The same financial backers followed him to the White House. As President, Bush brought the tort reform issue to center stage and encouraged the public to pressure their local legislatures to enact caps on damages and other liability limits. Many state laws were passed that have a devastating impact on victims and consumers.

Exhibit Two: Caps on Damages

When Lisa Gourley was 46-weeks pregnant with identical twins, she noticed that the babies were rarely moving and went to her OBGYN, who said everything was normal—despite not conducting an ultra sound and stress test. After Gourley’s growing concern a few days later, her doctor conducted an ultra sound and immediately sent Gourley to the hospital to have an emergency cesarean section. Although the standard of care required that the babies be delivered within ten minutes of arrival, the babies were not delivered until almost two hours later, during which time one of the babies was not getting enough oxygen. One of the newborns, Colin, was born with severe brain damage due to lack of oxygen during the delivery.

The jury found that the doctor's negligence caused Colin's brain injury and awarded the Gourleys \$5.6 million in damages, which later was reduced to \$1.25 million to meet Nebraska's law on caps. Unfortunately, an economist estimated that Colin would need \$6 million for a lifetime of care. Now the taxpayers have to pick up the difference.

Exhibit Three: Judicial Elections

Oliver Diaz served as a judge on the Mississippi Court of Appeals before he was appointed to the Mississippi Supreme Court in March 2000. In November, he was up for election and the U.S. Chamber of Commerce launched a campaign against him because he wasn't serving the best interest of business groups. In order to compete with the ads, Diaz took out loans, which were co-signed by his friend, Paul Minor.

Diaz won the election, but federal prosecutors brought false criminal charges against Diaz accusing him of bribery because of the loans, even though Diaz had never voted for a case involving Minor and his law firm because of their friendship. After a three-month trial, Diaz was acquitted of all charges, but was re-indicted three days later for tax evasion. Although he was fully acquitted, Diaz was off the bench for three years fighting the charges and is convinced that political and business groups were trying to ruin his reputation and keep him off the bench. In 2008, Diaz ran for re-election and the U.S. Chamber of Commerce ran another campaign against him. He lost the election.

Diaz's experience serves as the basis of John Grisham's book, *The Appeal*.

Exhibit Four: Mandatory Arbitration

When Jamie Leigh Jones became a Halliburton employee, she was required to sign an employment contract in which she agreed to "arbitrate any future dispute against her employer." She soon decided to help with Operation Iraqi Freedom. Before leaving for Iraq, she confirmed that her accommodations were with two other women, but after her arrival, she was placed in an all-male barrack with 400 men. Four days later, Jones claims she was drugged and brutally raped by her co-workers.

Jones tried to file a civil suit, but was initially denied the right to a trial by jury because of a mandatory arbitration clause in her employment contract. She eventually sought the help of Sen. Al Franken, who proposed an amendment that led to Jones's opportunity to face Halliburton in court in 2011.

The film features in-depth interviews with Stella Liebeck's family (the women burned by McDonald's coffee); Lisa and Mike Gourley; Oliver Diaz and his wife, Jennifer; and Jamie Leigh Jones. Best-selling author John Grisham, Sen. Al Franken as well as other scholars, lawyers, judges and activists familiar with the cases and the civil justice system are also interviewed as they advocate for the constitutional rights of individuals to access the courtroom.

The film was an official selection of over two dozen film festivals in 2011, including Sundance, Silverdocs, and Hot Docs. It premiered June 27 on HBO.

HOT COFFEE is directed by Susan Saladoff; executive produced by Sheila Nevins; produced by Carly Hugo, Alan Oxman and Susan Saladoff; co-produced by Rebecca Saladoff; edited by Cindy Lee. The DVD includes deleted scenes; an interview with the director; Take Action: What You Can Do; trailer; and teaser.

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| Color: | Color |
| Audio Format: | Dolby Digital 2.0 Stereo |
| Genre: | Documentary |

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For more information, please contact:

Luis Garza; 646-259-4144; lgarza@newvideo.com

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