

Daily Journal

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TOP 100 LAWYERS IN CALIFORNIA 2019

LITIGATION

MARVIN S. PUTNAM

LATHAM & WATKINS LLP | CENTURY CITY

SPECIALTY: ENTERTAINMENT

Putnam, chair of Latham & Watkins LLP’s Los Angeles litigation and trial department, focuses on the entertainment and media industry. He leads the firm’s national litigation team in its entertainment, sports and media practice.

Prominent among Putnam’s current cases is his defense of Miramax LLC and former Weinstein Co. board member Tim Sarnoff in the U.S.-based Harvey Weinstein-related litigation over sexual harassment and abuse claims. Sarnoff is deputy CEO for production services at Technicolor.

“Working on something so fraught and so current has been both a challenge and an honor,” Putnam said. Over the past months he has defeated every Weinstein-related suit filed against Miramax and Sarnoff in the U.S. The cases involve issues ranging from the ongoing viability of non-disclosure agreements to the creation of new exceptions from long-accepted statutes of limitations. When Alexandra Canosa, a former associate producer on the Netflix show “Marco Polo,” sued The Weinstein Co. and its board members including Sarnoff in New York state court for \$10 million, citing sexual harassment, battery and assault, for example, Putnam acted. An initial challenge was to move the cases into the federal system. To do so, Putnam and his team developed a novel theory involving the Weinstein Co.

bankruptcy to shift the litigation to the Southern District of New York. *Canosa v. Ziff*, 18-cv-4115 (S.D. N.Y., removal filed May 8, 2018).

“At each step of the way there were questions, but it worked,” Putnam said. “We got the case to the court with the quickest docket, where we got dispositive rulings in our favor in one case after another.” Putnam said his winning argument, in short, was: “This was an effort to shift responsibility away from the culpable party. [Weinstein] did private heinous acts that in no way were related to any effort to advance the business goals of the defendants.”

Meanwhile, Putnam represents singer-songwriter Johnny Mathis in an ongoing negligence dispute that has now reached the state Supreme Court. The case arose when an independent contractor doing work at Mathis’ estate was disabled in an accident on the job.

“He tried to put the responsibility on Johnny,” Putnam said. Putnam prevailed for Mathis at the trial level, but an appellate panel reversed. The out-



come at the high court could affect decades of independent contractor law and millions of California transactions annually. *Gonzalez v. Mathis*, S247677 (S. Ct., petition filed March 19, 2018). “It’s a tragic slip and fall case with serious legal issues behind it,” Putnam said.

— John Roemer