

Jackson Estate, Sony Can't Beat \$10M Quincy Jones Suit

By **Vin Gurrieri**

Law360, New York (February 25, 2016, 7:18 PM ET) -- A California state judge on Thursday ruled that a jury should hear Quincy Jones' \$10 million lawsuit against Sony Music Entertainment and Michael Jackson's production company alleging the famed producer was cheated of royalties on "Bad," "Thriller" and other chart-toppers.

Los Angeles Superior Court Judge Michael Stern denied the defendants' motion for summary judgment, putting the case on a path for a trial that is currently scheduled to kick off June 15.

An attorney for Jones confirmed Judge Stern's ruling Thursday. Counsel for the defendants was not immediately available for comment.

Jones initially filed his complaint in 2013, alleging that MJJ Productions Inc., which is controlled by Jackson's estate, and Sony cheated him out of royalties for the soundtrack to "This Is It" — the documentary about the King of Pop released just months after Jackson's 2009 death — and the Cirque du Soleil show that features music from three Jackson albums Jones produced: "Off the Wall," "Thriller" and "Bad."

Jones' complaint also noted that the tracks were substantially remixed and edited, which his contract prohibits. MJJ worked in cohort with Sony and the other companies involved in the making of both the movie and Cirque du Soleil show to disguise royalty money from Jones and expressly ignored the terms of the contracts, Jones said.

Jones worked with Jackson over the course of a decade, from 1978 to the late '80s, on the three albums, which were among Jackson's most successful.

The 27-time Grammy winner said that with each project, he entered into a contract with MJJ for royalties on the use of the songs and to protect the songs from being edited or remixed without his express approval and supervision, according to the suit. After Jackson's death, the flurry of productions created to capitalize on the renewed interest in the King of Pop breached those contracts, Jones alleged.

MJJ released soundtracks to support the Cirque du Soleil production created in Jackson's honor and for the "This Is It" film, which went on to become the highest-grossing music documentary of all time. But MJJ distributed the albums on its own label, not through Sony, to avoid paying royalties to the producer, Jones alleged.

Additionally, the tracks were edited for the film, something Jones says is explicitly prohibited by his contract, which requires that any editing or remixing be done by Jones himself.

Jones is seeking damages for breach of contract claims, for remixing fees he claims he would have been paid if he had been engaged to remix the masters in the various projects, the "value" of the resulting producer credit and unpaid royalties on the masters he claims were coupled without his consent.

"The court today affirmed Quincy Jones' right to have a jury decide how MJJ Productions and Sony Music breached their agreements with Jones and how much money they have improperly deprived Jones from their exploitation of some of the most valuable masters ever created — the Quincy Jones' produced Michael Jackson masters from the albums 'Off The Wall,' 'Thriller' and 'Bad,'" said Robert Allen of McKool Smith, an attorney for Jones.

Quincy Jones is represented by Robert E. Allen of McKool Smith and Henry Gradstein of Gradstein & Marzano PC.

MJJ Productions Inc. and Sony Music Entertainment are represented by Tami Kameda Sims and Zia F. Modabber of Katten Muchin Rosenman LLP, and Howard Weitzman, Suann Macisaac and Jonathan Steinsapir of Kinsella Weitzman Iser Kump & Aldisert LLP.

The case is Quincy Jones et al. v. MJJ Productions Inc. et al., case number BC525803, in the Superior Court of the State of California, County of Los Angeles.

--Additional reporting by Bonnie Eslinger, Kat Greene and Brandon Lowrey. Editing by Catherine Sum.

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