

For Immediate Release

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**HOT COFFEE, AN EYE-OPENING LOOK AT THE FACTS BEHIND THE  
INFAMOUS MCDONALD'S COFFEE CASE AND COMMON  
MISCONCEPTIONS ABOUT "FRIVOLOUS" LAWSUITS,  
DEBUTS JUNE 27, EXCLUSIVELY ON HBO**

Seinfeld mocked it. Letterman put it on one of his Top Ten lists. More than 15 years later, the McDonald's coffee case continues to be 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?

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 – which threatens to restrict the legal rights of everyday citizens and undermine the entire civil justice system – in the thought-provoking documentary **HOT COFFEE**, debuting **MONDAY, JUNE 27 (9:00-10:30 p.m. ET/PT)**, exclusively on HBO.

Other HBO playdates: June 27 (5:25 a.m.), 30 (1:30 p.m.) and July 2 (10:00 a.m.), 5 (10:30 a.m.), 10 (4:00 p.m.) and 13 (12:30 a.m.)

HBO2 playdates: June 29 (8:00 p.m.) and July 16 (6:10 a.m.), 25 (4:55 a.m.) and 28 (6:30 p.m.)

HBO Documentary Films presents another weekly series this summer, debuting a provocative new special every Monday from June 6 through Aug. 15. Other June films include: "Bobby Fischer Against the World" (June 6); "A Matter of Taste: Serving Up

Contact: New York: Lana Iny or Jessica Driscoll (212) 512-1462 or 1322  
Los Angeles: Nancy Lesser or Kelley Carville (310) 382-3274 or 3341

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Paul Liebrandt” (June 13); and “Sex Crimes Unit” (June 20).

Every President from Reagan to Obama has talked about it, and every American is affected by it, but the concept of tort reform is easily misunderstood and misrepresented. Informative and entertaining, HOT COFFEE challenges viewers to reexamine long-held beliefs that the courts are flooded with frivolous lawsuits that lead to “jackpot justice,” ultimately questioning the effectiveness of a civil justice system heavily influenced by bottom-line corporate interests. This provocative documentary shows how Americans give up their Constitutional rights in all sorts of ways without knowing it, for example, by voting for caps on damages or agreeing to mandatory arbitration embedded in the fine print of contracts.

Director-producer Saladoff, who spent 25 years practicing law in the civil justice system representing victims of individual and corporate negligence, focuses on four people (including McDonald’s plaintiff Stella Liebeck), each representing a different way Americans are surrendering the right to access the court system.

In addition to interviews with people affected, as well as their families, the film uses man-on-the-street conversations to illustrate current public perceptions of tort reform and features an array of experts on both sides of the issue, including: Joan Claybrook, president, Public Citizen (1982-2009); Minn. Sen. Al Franken; John Grisham, author and former lawyer; Ernest “Sonny” Hornsby, former Chief Justice, Alabama Supreme Court; George Lakoff, professor of Neurolinguistics at U.C. Berkeley; journalists Stephanie Mencimer and Wayne Slater; Texas Rep. Ted Poe; and Victor Schwartz, general counsel, American Tort Reform Association.

In four evidence “exhibits,” HOT COFFEE underscores the importance of the civil justice system and explores the dangers it currently faces. The first allows viewers to serve as the jurors in one of the most controversial lawsuits in U.S. history. When she spilled a cup of scalding hot coffee in her lap as a passenger in a parked car at

McDonald's, Stella Liebeck suffered severe third-degree burns and subsequently underwent years of expensive medical treatment, including skin grafts.

After she won her case against McDonald's, Liebeck – who only sought to have her medical bills paid – became a widely ridiculed poster child for tort reform and was the target of a massive public relations campaign that downplayed her injury and exaggerated the amount of money she won in court. The case became a rallying cry for corporate America, but when the Republican congress failed to pass federal tort reform legislation, big business turned its efforts to the states, a number of which have enacted caps on damages.

HOT COFFEE's second subject is 16-year-old Colin Gourley, whose severe brain injury was the result of medical malpractice at birth. Though a jury decided the Gourley family needed \$5.65 million to take care of his lifetime medical and living expenses, Nebraska's state-mandated caps on both economic and non-economic damages meant they could only collect \$1.25 million in total.

Such popular caps on damages takes power away from jurors, a right mandated by the Seventh Amendment of the Bill of Rights, and shift the economic from liable corporate wrongdoers to the taxpayer. Because of caps, the Gourley family was forced onto Medicaid to cover his health care costs. Although insurance companies lobby that premiums for doctors will be reduced if caps are passed, they are not required to pass along any savings to their policyholders, and ironically, health-care spending has actually increased in many states with tort-reform laws.

HOT COFFEE also examines the prosecution of Oliver Diaz. When state supreme courts were holding caps on damages unconstitutional, Karl Rove and the tort-reform movement organized well-financed campaigns to unseat judges opposed to tort reform. For example, millions of dollars were spent on TV ads to defeat Mississippi Supreme Court Justice Diaz by out-of-state corporate interests masquerading as local grassroots

groups. Justice Diaz, whose story was fictionalized in John Grisham's book "The Appeal," won reelection, but was subsequently prosecuted on criminal charges that he believes were intended to taint his reputation. He was acquitted at trial, but lost the next election, unable to overcome the negative publicity. A pro-tort reform judge has taken his place.

Finally, HOT COFFEE tells the story of Jamie Leigh Jones, a KBR/Halliburton employee who states that she was drugged and raped by male co-workers in Iraq at age 19. When criminal charges could not be filed because crucial evidence disappeared, she sought to hold KBR/Halliburton accountable in civil court. However, a mandatory arbitration clause buried in her employment agreement meant Jones could not have a jury trial. Moved by her story, Sen. Al Franken's first bill in the U.S. Senate was to prohibit mandatory arbitration clauses for sexual assault in government contracts. Half a decade after the crime against her, Jones will finally have her day in court this June.

The documentary uses the Jamie Leigh Jones case to show how mandatory arbitration clauses are proliferating, nestled in the fine print of many employment contracts, as well as in consumer credit card and cell phone contracts. By using a product or accepting a job, Americans may give up their fundamental right to access the legal system, often without realizing it and without choice.

HOT COFFEE has screened at several festivals, including this year's Sundance Film Festival, Full Frame Documentary Film Festival, HotDocs and the Los Angeles Independent Film Festival.

HOT COFFEE was directed and produced by Susan Saladoff; produced by Carly Hugo and Alan Oxman; edited by Cindy Lee; director of photography, Martina Radwan; co-producer, Rebecca Saladoff; music by Michael Mollura. For HBO: supervising producer, Sara Bernstein; executive producer, Sheila Nevins.

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