

Hollywood

By Ross Johnson

MOVIE WILL WORK MAGIC ON THE WONDERLAND MURDERS

Mike Elliott can't figure out Eddie Nash.

Elliott is a film producer who has managed to finish 80 low-budget films, ranging from the Roger Corman quickie "Skateboard Kid" to the Fox Family Channel film "Au Pair II." Next up for Elliott is the production of "Wonderland Ave.," a recounting of the grisly killings of four people at a Laurel Canyon drug den July 1, 1981.

Elliott, who's trying to vet the script for errors and admissions, had a perplexing question for this columnist:

"What the hell did Eddie Nash admit to, and with whom did he admit doing it?" Elliott pondered.

Some background: On Sept. 10, 2001, in *United States v. Adel Gharib Nasrallah*, CR00-523 (C.D. Calif., filed May 19, 2000), Nash (a.k.a. Nasrallah) pleaded guilty to charges of leading a racketeering enterprise and conspiring to commit the Wonderland murders.

On Oct. 12, 2001, Nash was sentenced to 37 months in federal prison by Carlos Moreno, then a U.S. district judge. (Nash, who's doing his stretch in Terminal Island, was held in custody for 14 months for a bail violation prior to his guilty plea, and that time was credited toward his sentence.)

At Nash's sentencing, the prosecution team, which included assistant U.S. attorneys **Michael Swilbeck**, **Terri Law** and **Daniel Saunders**, submitted Nash's five-page statement of facts pursuant to his guilty plea.

In the statement, obtained from the U.S. attorney's office, Nash admitted being robbed of approximately \$1 million of cash, drugs and jewelry on June 29, 1981 by three men who eventually would die 36 hours later at Wonderland Avenue. Nash also admitted to beating the late porn star John Holmes the next night for several hours in order to get Holmes, who had set up the robbery of Nash, to name the robbers.

Where it gets tricky for producer Elliott is the next part of Nash's statement, which addresses Nash's role in the murder conspiracy only in these words:

"On June 30, 1981, defendant [Nash] spoke to an associate who worked security at the Kit Kat Club, a property owned by defendant. Defendant told the associate that he had been robbed and asked the associate to get together some people who could get the property back when defendant found out who had taken it.

"The associate agreed to and did contact several friends to recover defendant's property. The associate came to the defendant's house on the evening of June 30, 1981, to await further instructions. It was understood between defendant and the associate that the thieves were violent and that the associate's friends were violent and had guns, and that to get back the property violence up to and including a killing of the thieves might occur."

Who is the unnamed associate of Nash? wonders producer Elliott. Who are the associate's violent friends? And now that Nash has pointed the finger, are



Michael Garfinkel, partner with Rintala Smoot, has built an entertainment specialty in his business litigation practice.

Attorney Finds Business Entertaining

Michael Garfinkel, partner with Los Angeles' Rintala Smoot Jaenicke & Rees, says that television can spice up the average piece of litigation.

"The entertainment [litigation] specialty is interesting, just like other things entertainment are interesting," Garfinkel says. "They just kind of catch your attention and relate to things you've seen on television. It just adds another layer to an otherwise interesting field."

On that principle, the 35-year-old Detroit native has built an entertainment specialty in his business litigation practice that includes right of publicity, defamation and intellectual property work.

For instance, Garfinkel handles copyright clearance work for Hsi Productions, a New York-based producer of television commercials and music videos. With Rintala Smoot partner William Rintala, Garfinkel also does work for Los Angeles' William Morris Agency, the nature of which he says is confidential. Rintala has represented William Morris since before the firm was founded 20 years ago.

"I'm really happy to carry on the tradition and represent them alongside

Bill," Garfinkel says.

Garfinkel also worked with firm partners Larson Jaenicke and Melodie Larsen on *Survivor Productions LLC vs. Fox Broadcasting Co.*, filed in April. CBS, which aired the popular reality game show "Survivor," and "Survivor" producer Mark Burnett, alleged that "Boot Camp," a similar game show, stole their format.

The Rintala Smoot lawyers represented LMNO Productions, the production company of "Boot Camp." The case settled this summer. Terms of the settlement were not disclosed.

Garfinkel, a 1988 graduate of the University of Michigan and a 1991 graduate of UCLA, School of Law, began his career at Pillsbury Madison & Sutro (now Pillsbury Winthrop) in 1991 as a litigation associate.

At Pillsbury, Garfinkel helped to defend General Motors in *Abdul-Jabbar v. General Motors Corporation*, a right-of-publicity case concerning the use of Kareem Abdul-Jabbar's given name [Lewis Alcindor] in a car commercial. In 1996, when he was in his fifth year at Pillsbury, Garfinkel hopped to Rintala Smoot, where he made partner in 1999.

"I really wanted to focus on intellec-

tual property and entertainment litigation in addition to my general business litigation," Garfinkel says. "It was a smaller firm, but its client list was really impressive."

Rintala says that Garfinkel has fit in well with the firm.

"He's been a real asset to our firm. He's a very skillful young lawyer," Rintala says.

Garfinkel has kept up his general business litigation practice, as well. Recently, he has handled three arbitrations regarding employment law disputes for a nonprofit organization.

And when he's not at work, he spends time with his wife and two children — and keeps up on University of Michigan football.

"I'm an avid Michigan fan. I follow them weekly. And it's a good life lesson 'cause they have their ups and downs," Garfinkel says.

After the team's recent loss to rival Ohio State, Rintala reports that Garfinkel looked a little downtrodden around the office.

"He bleeds blue," Rintala adds.

— Katherine Galdos

Sole practitioner **Donald Re** was the third member of Nash's team.

In fact, Nash's associate and the violent buddies could very well be munching popcorn in the front row at the unspooling of Elliott's movie.

Why?

"Because the people that Eddie admit-

ted to conspiring with to commit the Wonderland murders didn't do the murders," Rucker says.

It's a theory that was floated by Nash's defense team before the feds indicted him. The lawyers maintain that, before Nash's associate and the associate's heavy hitters could get to Wonderland

Avenue, some other group of nasty dudes killed the four people at the Wonderland house.

That's one hell of a movie scene: A bunch of baddies get beaten to the murder scene by a competing group of thugs.

But do federal prosecutors believe this theory? Or do they think Nash's unnamed associate and his crew actually pulled off the Wonderland whack job? Are future indictments forthcoming?

(Nash never has been accused of physically committing the Wonderland murders scene. He was tried twice in Los Angeles Superior Court for allegedly ordering the murders. His first trial in 1991 ended in a mistrial, after the jury hung 11-1 to convict him. As part of his recent racketeering guilty plea, Nash admitted to bribing the holdout juror. In his second trial, Nash and his late bodyguard, Gregory Diles, were acquitted.)

According to Thom Mrozek, spokesperson for the U.S. attorney's office, the investigation of the friends of Eddie Nash is not over.

"During the course of the Nash prosecution, a number of new leads were developed in relation to several types of criminal conduct," Mrozek tells California Law Business. "The FBI is continuing to look into those leads to determine if any other individuals should face criminal charges."

Because of the magic of movies, producer Elliott says he doesn't need the whole truth.

"We can always just show alternate versions of the Wonderland murders," says Elliott.

If only real life was so simple.

BEWARE OF DIVORCE LAWYERS PACKING HEAT IN HOLLYWOOD

Speaking of antisocial tendencies, celebrity divorce lawyer **Dennis Wasser** of **Wasser Cooperman & Carter** in Century City has this warning for couples who are coming unhinged during a nasty split:

Some family lawyers pack heat. Because of past instances where enraged spouses have shot up lawyers' offices, not to mention a courtroom or two, there are divorce lawyers who carry concealed firearms, Wasser says.

Wasser claims he doesn't tote a six-shooter. Good thing, because with all the cash he pulls from celebs, there's probably not much room left in Wasser's pockets.

Last month, Wasser settled *Cruise v. Kidman*, BD339413 (L.A. Super. Ct., filed Feb. 7, 2001), which was the mother of all splits, between Tom Cruise and Nicole Kidman. (**Sorrell Trope** of Century City's **Trope & Trope** and New York sole practitioner **William Beslow** represented Kidman.)

Wasser just landed screenwriter Melissa Mathison in her legal separation proceedings from Harrison Ford. (**Robert Kaufman** of Beverly Hills' **Kaufman & Young** is repping Ford.) Wasser also has Alec Baldwin against Kim Basinger (Basinger is repped by **Neal Hersh** of **Hersh & Mannis** in Beverly Hills) and reps Stevie Wonder in the palimony suit filed by Angela McAfee (McAfee is repped by Los Angeles sole practitioner **Edi Faal**).

Wasser bristles at recent reports that he was hired by Cruise to exact a pound of flesh from Kidman, who reportedly suffered a miscarriage shortly after Cruise filed for divorce.

"My basic philosophy on any case is that I try very hard to create an atmosphere where the two sides don't hate each other," Wasser says. "If they end up hating each other, I haven't done my job."

A look at the above cases is a walk down a road of reported woe. If the foregoing parties still can like each other after the allegations of spouse beating, infidelity and plain ol' fraud, Wasser isn't just one hell of a trial lawyer, he's Mother Teresa.

LAWYER GETS THE CALL TO DEFEND SHOWBIZ HAUNTS

In Hollywood, duking it out at a celebrity hangout is a tradition, right up there with throwing cell phones at assistants and howling "Who's yer daddy?" at Courtney Love.

When things get twisted at showbiz haunts for the fun bunch like the Viper Room, Garden of Eden, Good Luck Bar, Bar One and the Century Club, the lawyer who gets the call is **Michael Schonbuch** of **Daniels Fine Israel & Schonbuch**.

Schonbuch, a 1990 Boston University law grad, has carved out a specialty defending nightclubs, bars and strip clubs in premises liability.

The Century City lawyer's best-known case is *Russell Einhorn v. Viper Room*, SC044441 (L.A. Super. Ct., filed Oct. 8, 1996). In that one, paparazzo Einhorn accused one of Mick Jagger's employees and Viper Room personnel of roughing him up and ripping film out of his camera. This was after Einhorn snapped a shot of Jagger liplocked with actress Uma Thurman in the Sunset Strip club, which is owned by Safe in Heaven Dead Inc., a holding company solely controlled by actor Johnny Depp and named after a Jack Kerouac poem.

The case dragged on for five years. After Jagger settled out of court with Einhorn, a Beverly Hills jury awarded Einhorn \$600,000 against the Viper Room in 1998. The presiding judge overturned the award after stating that the evidence did not support the verdict. An appeals court affirmed the trial judge's ruling, and the matter was sent back to the Los Angeles Superior Court in Santa Monica for a second trial that concluded with a defense verdict in favor of the Viper Room on Oct. 1, 2001.

Einhorn's attorney, **Steven Ruben** of Los Angeles' **Ruben & Jones**, could not be reached for comment. Schonbuch, who represented the Viper Room in both trials, says that he "sort of fell into premises liability defense, but it's a fun job."

After eight years of the trade, he is an expert on paparazzi, wet T-shirt contests, proper etiquette for bouncers and lap dancers and how clubs should handle out-of-control musicians and their groupies.

When it comes to trials involving celebs and their nightclub follies, Schonbuch lives by the philosophy of the Chinese warrior Sun Tzu: Every battle is won before it's fought.

"The key is in voir dire," cautions Schonbuch. "You must get a promise and commitment from potential jury members to treat an establishment like the Viper Room like it was any other establishment."

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