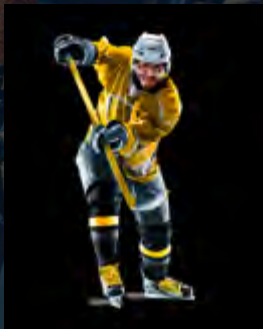


COMPREHENSIVE LEGAL COUNSEL

FOR CELEBRITIES AND HIGH NET WORTH INDIVIDUALS



A WHITE PAPER BY



PRESTON STERLING
a part of Kerr Simpson, Attorneys at Law



“

Legal concerns are constant companions for high-profile individuals who are juggling contractual obligations, financial considerations, public image and strategic career advancement. Athletes, entertainers, musicians, politicians, business leaders and others in the public eye have more complex legal needs than a typical law firm client.

Choosing the right attorney is the foundation for effectively addressing these unique legal issues. Whether they involve conserving your wealth, advancing your career or safeguarding your reputation, you deserve an advocate with the skill set and experience to protect what's important to you.

Preston Sterling Kerr

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COMMON CONCERNS THAT
HIGH-PROFILE AND
HIGH
NET-WORTH
INDIVIDUALS FACE

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Attorney At Law

CONTRACTS

Protecting Your Career

Contracts play a big role in the careers of many high net worth individuals. They form the basis of mutually beneficial business relationships. They are one of the cornerstones for career success.

Unfavorable contract terms can jeopardize your achievements in countless ways. They can derail the progress you have made, expose you to substantial losses, malign your reputation and deprive you of important rights.

In contractual matters, your attorney stands as a gatekeeper between you and opposing interests. A good lawyer will know how to leverage your strengths to maximize your opportunities, minimize risk and further your success.



COMMON CONTRACTS FOR THOSE IN HIGH-VALUE OR HIGH-PROFILE INDUSTRIES

- ✓ **Management Contracts**
- ✓ **Endorsement Agreements**
- ✓ **Player Contracts**
- ✓ **Intellectual Property Agreements**
- ✓ **Personal Service Agreements**
- ✓ **Licensing Agreements**
- ✓ **Performance Contracts**
- ✓ **Employment Contracts**
- ✓ **Recording Contracts**
- ✓ **Severance Agreements**
- ✓ **Publishing Contracts**
- ✓ **Agency Agreements**
- ✓ **Professional Services Contracts**
- ✓ **Accounting Contracts**
- ✓ **Financial Adviser Contracts**
- ✓ **Advertising Contracts**



CONTRACTS WITH MANAGEMENT COMPANIES OR MANAGERS

Management relationships are some of the most important professional relationships in many industries, including sports, entertainment and the media.

Managers hold a lot of power. They have the potential to torpedo your career, whether intentionally or unintentionally. A solid contract can protect you and give you strong grounds to seek legal recourse if something goes sideways.



MANAGEMENT RELATIONSHIPS GONE WRONG

Nightmare scenarios involving mismanagement, fraud and even criminal behavior on the part of managers are far too common. These are just a few high-profile instances of management relationships gone wrong:



Singer **Nio Garcia** sued his manager for derailing his career, alleging that the president of his management company took steps to deliberately sabotage his success because of a personal vendetta against him.



Actor **Nicolas Cage** sued his manager for financial mismanagement in a high-stakes dispute involving tens of millions of dollars.



Singer **Alanis Morissette** took her manager to court for embezzlement and fraud totaling almost \$5 million. In criminal proceedings, her manager was convicted and sentenced to federal prison.



Boxer **Mike Tyson** sued his management company for more than \$5 million in claims alleging fraud, theft and breach of fiduciary duty.



Actor **Alyssa Milano** sued her manager for negligence, fraud, theft and breach of fiduciary duty, alleging she was left with millions of dollars in debt and terrible credit.



Singer **Billy Joel** took his manager to court in a \$90 million lawsuit alleging fraud, financial mismanagement, breach of contract, breach of fiduciary duty and other wrongdoing.



Actor **Johnny Depp** sued his management company to the tune of \$25 million for misuse of funds.

In some cases, the roles are reversed. Entertainers, athletes and business executives find themselves subjected to unfounded legal allegations from their management companies.

The best way to avoid these kinds of costly, reputation-damaging legal battles is to start with a sound management contract that is strategically negotiated and thoroughly vetted by an experienced attorney.

BUSINESS/ BRAND DEALS AND CELEBRITY ENDORSEMENTS

Business and endorsement contracts are often highly lucrative, but they, too, carry the potential to tank your career.

These are a few of the many risks you could face with any business or endorsement deal:

- ✓ **Damage to your reputation if the business faces scrutiny for illegal or unethical practices**
- ✓ **Financial losses if the business goes under**
- ✓ **Legal ramifications for failure to comply with advertising and disclosure requirements**



Promoting other brands – with or without a contract – can expose you to significant legal backlash. For example, numerous celebrities recently came under fire for touting cryptocurrency. Kim Kardashian, Madonna, David Ortiz, Tom Brady and others found themselves facing legal troubles – including class action lawsuits, investor lawsuits and fines from the Securities and Exchange Commission (SEC) – for endorsing cryptocurrencies without filing the appropriate disclosures.

No celebrity wants to be stuck as the face of a disgraced brand. A strong contract will anticipate these potential setbacks and give you the leverage you need to protect yourself and the image you have worked so hard to build. It will also give you the legal teeth to enforce breaches such as nonpayment.

CRIMINAL ALLEGATIONS

Protecting Your Freedom

Criminal charges are the most serious category of legal troubles. The potential for prison time, loss of your freedoms and other harsh consequences is daunting for anyone.

For celebrities and high-profile individuals, the harsh ramifications of criminal allegations are magnified. The mere allegation of wrongdoing can permanently tarnish your image.

Public criminal proceedings, even for misdemeanors, can attract significant media attention. The media – including social media – is quick to rush to judgment. When your entire career is on the line, the court of opinion can condemn you long before you have a chance to defend yourself in court.

Privacy and discretion are at the forefront of successfully managing criminal proceedings for high-profile individuals. Your attorney should know how to effectively protect your reputation and leverage all available legal tools to handle the case discreetly.

“

Celebrities are human. Unfortunately, the public is far less forgiving of them than they would be of friends or family facing criminal charges.

”

POTENTIALLY CAREER-ENDING CRIMINAL CHARGES

	Drug Offenses		Gun Crimes
	Drunk Driving Charges		Weapons Offenses
	Sexual Assault		Violent Crimes
	Disorderly Conduct		Domestic Violence
	Racketeering		Financial Crimes

In every criminal case, a strategic approach is critical for safeguarding your rights and privacy. Your attorney should understand how to navigate criminal proceedings from an angle that protects your image as well as your freedom.



HIGH-PROFILE CELEBRITY GUN CASES

Many celebrities own and carry guns, and for good reason: They face a much higher risk of being victims of violence than members of the general public.

There are many detailed legal requirements for carrying weapons in various jurisdictions, and failing to adhere to those requirements can cost you your right to bear arms. It can also cost you your freedom.

Gun charges range from misdemeanors to felonies, and they include state and federal offenses such as:

- ✓ **Illegal Possession of a Firearm**
- ✓ **Illegal Sale or Trafficking**
- ✓ **Illegal Carrying of a Concealed Weapon**
- ✓ **Illegal Brandishing of a Firearm**
- ✓ **Felon in Possession of a Gun**

Additionally, the presence of a gun in violent crimes such as assault can amplify the charges, resulting in a much steeper prison sentence.

Numerous celebrities have faced high-profile gun charges. For example:



Comedian **Mike Epps'** .38-caliber revolver was seized at a Transportation Security Administration (TSA) checkpoint after he forgot that the gun was in his luggage.



Rapper **Lil Wayne** pleaded guilty to a felon in possession charge after a gun was found during an FBI raid of his private jet.



Former congressman **Madison Cawthorn** came under fire for having firearms in his carry-on luggage on two occasions. He faced misdemeanor charges for the second.



Rapper **Jeezy** and members of his entourage faced felony gun charges for possessing an AK-47.

A strong defense is critical for minimizing the legal and reputational fallout of gun-related offenses.

DEFAMATION, THE MEDIA AND INTELLECTUAL PROPERTY

Protecting Your Image

When you're a celebrity or other high-profile individual, your reputation is money. It's the image you have cultivated. It's your doorway to greater wealth and more opportunities.

In the words of **Taylor Swift**, "haters gonna hate." But, at what point does that hate turn into defamation that you can take legal action against?

Defamation refers to any false statement – written or spoken – that causes damage. Defamation is not a form of protected speech under the First Amendment, which means that those harmed by it can sue their defamers for damages.¹ However, there are many legal nuances to what, exactly, amounts to defamation, and there are convoluted standards for balancing free speech considerations.

Public figures, such as celebrities and politicians, face a heightened burden for proving defamation. They must prove that not only did the defamer know the statement was false, but they also acted with "actual malice" – that is, an intent to harm.²

Gray areas and contested issues in defamation cases often involve questions of whether the plaintiff is, in fact, a public figure; whether the defamer knew that their statement was false; and whether they acted with actual malice.

The defamation showdown that went viral between **Johnny Depp** and **Amber Heard** illustrates just how damaging these cases can be. A lot is at stake, which is why you deserve an attorney with a thorough understanding of constitutional law and the proven ability to take on powerful opponents such as media corporations.

“

*In a rare victory for a celebrity in a defamation case, rapper **Cardi B** won a \$1.25 million jury verdict against blogger Tasha K for posting a video claiming that Cardi B did drugs, engaged in prostitution and had herpes.*

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MEDIA INVASION OF YOUR PRIVACY

It's difficult for the average private person to fathom how stressful it is to be a public figure. Most people take their privacy for granted.

As a public figure, your privacy is subject to invasion 24/7 from the media, the paparazzi and anyone who happens to cross your path. Cellphones have equipped almost everyone with the ability to take photos and videos of you without your permission. And social media has made it even easier for

snapshots and videos of your life to be shared with millions of people.

The law offers multiple avenues for challenging privacy invasions. Those invasions might involve any number of scenarios, including:

- ✓ **Illegal use and dissemination of your private photos**
- ✓ **Leaks of damaging material such as sex tapes**
- ✓ **Illegal recordings of your conversations or activities without your consent**

CELEBRITY VICTORIES IN INVASION OF PRIVACY CASES

Invasion of privacy cases involving the media are always challenging because they require balancing your individual rights against the constitutional guarantees of free speech and freedom of the press. Depending on the nature of the invasion, any number of legal concepts and frameworks may come into play.



Sports commentator **Erin Andrews** won a \$55 million verdict after a stalker released a nude video of her obtained through a hotel peephole.



The widow of **Kobe Bryant** successfully sued Los Angeles County after first responders leaked graphic photos of the scene of the fatal helicopter crash.



Wrestler **Hulk Hogan** won a \$115 million verdict against Gawker Media for leaking a sex tape.

INFRINGEMENT OF YOUR IMAGE

Your public image is a form of intellectual property (IP). Your voice, likeness and other identifying characteristics are yours to monetize and manage. You are entitled to control of that image and protection from its unauthorized use or misuse.

Unauthorized use of your image or identity is akin to theft of your property. Through an IP infringement lawsuit, you can seek damages and put a stop to the unauthorized use.



FAMILY LAW

Protecting Your Privacy

Celebrity divorces are a mainstay of media gossip. The media has little sensitivity to the fact that celebrities and high-profile figures are real people going through painful breakups and shattering family transitions. Having the private details of your personal life thrust into the spotlight adds another layer of grief and stress to an already raw situation.

A strategic approach to these cases can protect sensitive details from public exposure in court. Some states – such as Nevada – offer a legal advantage when it comes to privacy in divorce and family law matters. A skilled attorney can leverage those tools to prevent a private family matter from becoming a media spectacle.





SENSITIVE FAMILY LAW ISSUES THAT CELEBRITIES FACE



- ✓ **Divorce:** The media is quick to latch onto the lurid details of high-profile divorces, particularly when there are allegations of infidelity or wrongdoing.
- ✓ **Child custody, child support and paternity:** Children are entitled to privacy in these sensitive matters. Unscrupulous media outlets often exploit children in these high-profile cases, prioritizing clicks, views and profits over the very real and detrimental impacts of public exposure on children.
- ✓ **Asset division:** Nobody wants their assets exposed in a public manner during divorce proceedings.

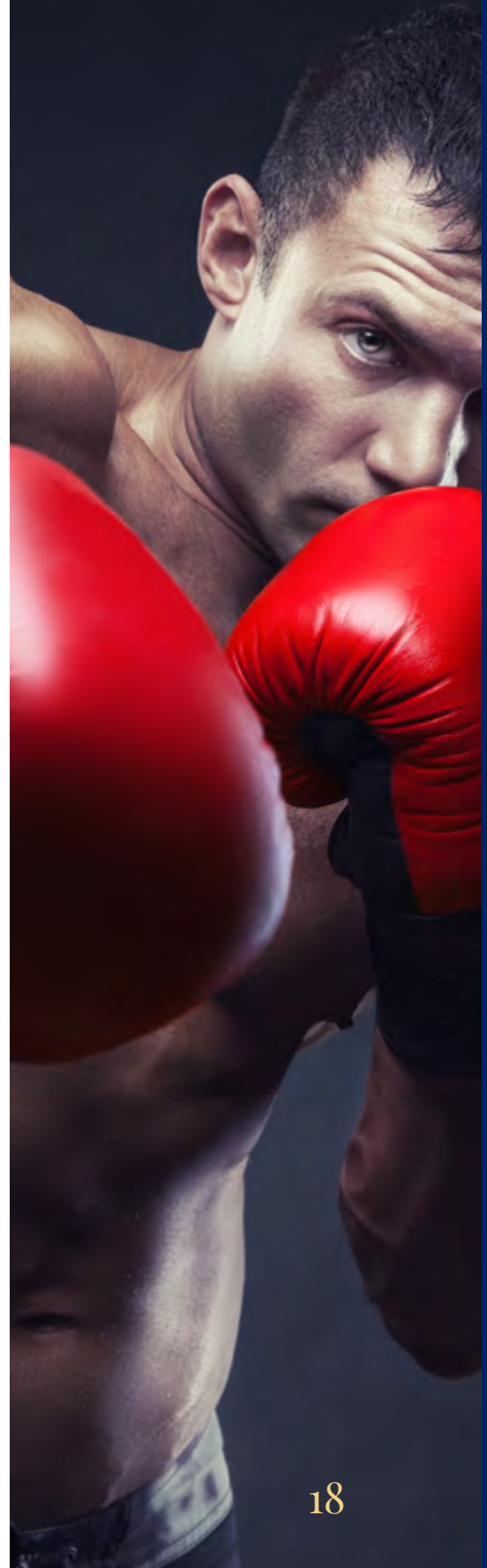
FINANCIAL CONCERNS

Protecting Your Wealth

Large fortunes attract bad actors. All too often, high-value individuals find themselves swindled out of significant sums by those they entrusted with their finances.

Celebrity lawsuits against financial advisers, tax advisers, accountants, investors and other financial professionals are aplenty. Common financial issues that celebrities face include those involving:

- ✓ **Taxes:** High-value individuals have complex tax needs that require the involvement of skilled professionals. Fraudulent or improper tax filings can expose them to IRS investigations, significant penalties and even criminal proceedings.
- ✓ **Fraud:** Those with significant wealth are often targets for investment fraud, Ponzi schemes, accounting fraud and financial scams.
- ✓ **Money laundering:** Shady accountants and financial managers have access to tools and strategies for laundering their clients' money, padding their own pockets at their clients' expenses.



High net worth individuals can protect their hard-earned wealth by implementing proactive strategies such as:

- ✓ **Establishing a detailed vetting process for investment opportunities and financial professionals**
- ✓ **Ensuring appropriate financial oversight**
- ✓ **Requiring regular audits**

When financial wrongdoing does occur, a powerful legal advocate can pursue every avenue for obtaining accountability and justice.

CELEBRITIES WHO GOT SWINDLED



Actor **Liv Tyler** lost more than \$200,000 when her dermatologist charged her credit card for bogus purchases.



NFL player **Brian Simmons** lost \$100,000 in an investment scam.



Comedian **Ben Stiller** lost \$250,000 to a financial adviser who defrauded his clients to the tune of \$10 million.



Actor **Uma Thurman** lost \$1 million to her unscrupulous financial adviser, who pilfered more than \$30 million from clients.





ESTATE PLANNING

Protecting Your Legacy

Large estates require complex estate planning solutions. Not only do you need to plan for the future, but it's also essential to think about the present.

Who do you trust to manage your health care decisions and financial affairs if something happens to you? What kind of medical and end-of-life care do you wish to receive? Under what conditions do

you want a power of attorney or advance directive to come into play?

These are just a few of the many questions to address during the estate planning process.



KEY CONSIDERATIONS FOR CELEBRITY ESTATE PLANNING

High net worth individuals must navigate numerous estate-related considerations, including:

Inheritances, beneficiaries and charitable contributions: Allocating your assets among your chosen heirs and beneficiaries requires diligent planning and rock-solid legal documents such as wills and trusts.

Asset management: Trusts, strategic real estate transactions and other estate planning tools can preserve your assets and minimize your tax burdens.

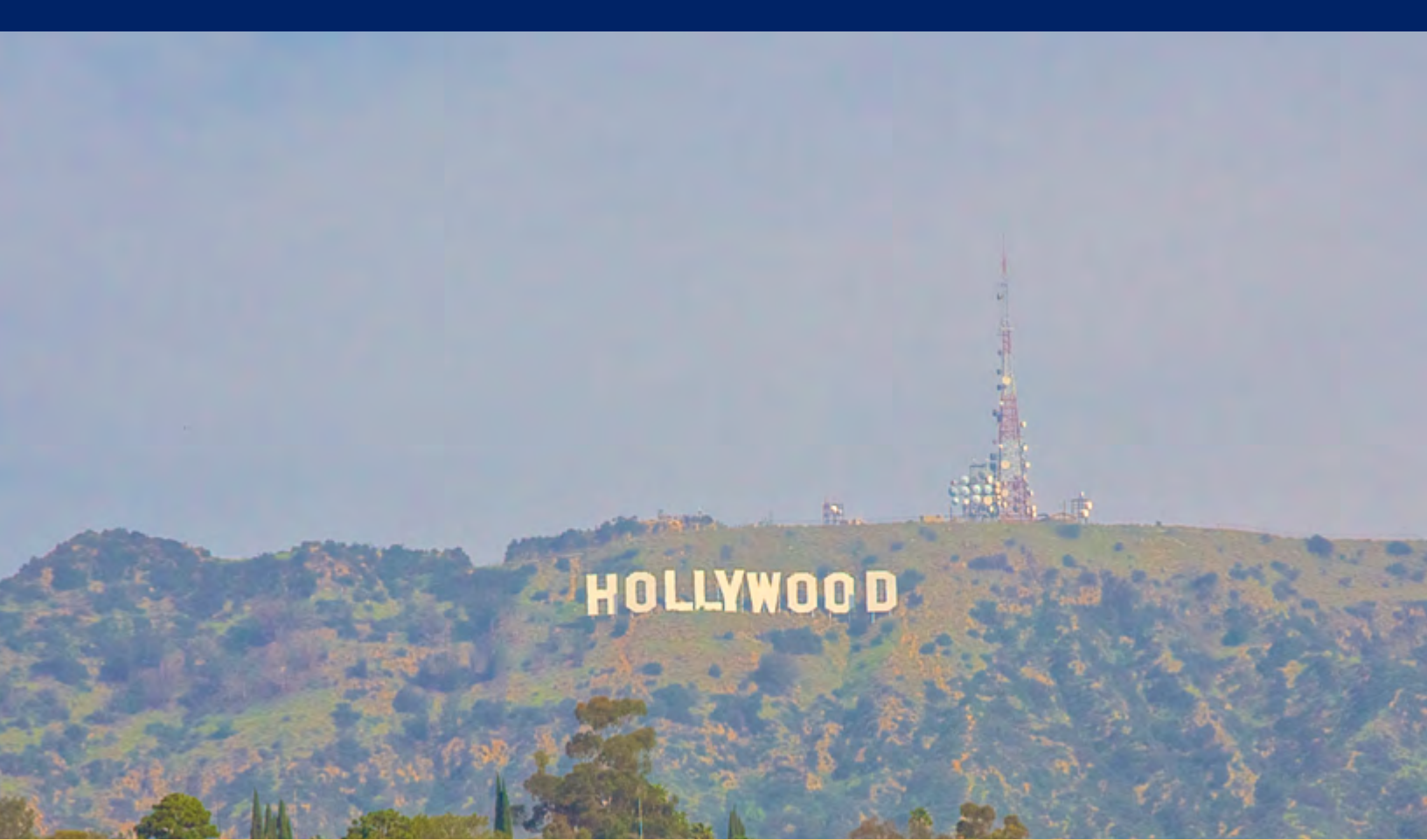
Powers of attorney and advance directives: These valuable tools give legal legitimacy to your wishes regarding financial matters and medical care in the event that you become incapacitated, whether due to serious brain injuries, cognitive decline, Alzheimer's disease, dementia or other tragic circumstances.

Conservatorships: Many celebrities find themselves under

conservatorships for legitimate or dubious reasons. Designating a trusted conservator in advance can protect you from a conservators' overreaching or overbearing management of your estate. Likewise, if the time comes to appoint a conservator, working with an experienced attorney can help you put the appropriate framework and safeguards into place.

Probate and estate disputes are especially common in high-value cases. Battles over inheritance rights can quickly drain your estate, leaving your loved ones with much less than what you intended. A detailed estate plan can anticipate these disputes and implement strong measures for avoiding them.

Any estate plan must be revisited regularly to ensure that it accurately reflects your current assets, life circumstances and wishes.



HIGH-PROFILE ESTATE DISPUTES



Singer **Britney Spears** was involuntarily placed under the oppressive conservatorship of her father for more than a decade.



Amid allegations of gold-digging, model **Anna Nicole Smith** was embroiled in a lengthy estate battle over her late husband's immense fortune.



The \$156 million estate of artist **Prince**, who died without a will, was subjected to numerous competing claims by supposed blood relatives.

AN ATTORNEY WHO DOES IT ALL

It can be challenging to find a lawyer with the skills and experience to address the many types of legal issues you might face, but it's well worth the effort. Hiring a trusted advocate is essential for protecting everything you have worked so hard to build. Equipped with comprehensive legal counsel and a go-to adviser for all your concerns, you can rest easier knowing that your career, image and assets are in capable hands.

MEET ATTORNEY PRESTON STERLING KERR

A Trusted Advocate For High-Profile, High-Value Clients



Sterling is the founder and managing partner at the Nevada law firm of Kerr Simpson. He has decades of experience representing high-value clients in high-profile cases. Sterling was selected to the Million Dollar Advocates Club for more than a decade. Based in Las Vegas, he represents celebrities and high net worth individuals nationwide.

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Super Lawyers is a patented rating service of outstanding lawyers who have attained a high-degree of peer recognition and professional achievement. This exclusive honor is awarded to only the top 5 percent of attorneys per state.



SOURCES

¹ Gertz v. Robert Welch, Inc., 418 U.S. 323 (1974).

² New York Times v. Sullivan, 376 U.S. 254 (1964).

DISCLAIMER

Public figures mentioned in this paper are not clients of Preston Sterling Kerr or the Kerr Simpson law firm. Their cases are mentioned solely to illustrate the types of legal issues that high-profile individuals face. The content of this paper is provided for informational purposes only and does not constitute legal advice.

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