



[FindArticles](#) > [Business Wire](#) > [August 4, 1998](#) > [Article](#) > [Print friendly](#)

Best20, a Millennium Marketing Group, Sues Fox Broadcasting & Rupert Murdoch's NewsCorp Over Project "The Best of the 20th Century: The Official National Survey"

LOS ANGELES--(BUSINESS WIRE)--Aug. 4, 1998--

The Best of the Twentieth Century Inc., ("Best20"), A Maryland-based marketing group founded in 1995, filed suit Aug. 3, 1998 in Los Angeles federal court seeking to obtain more than \$600 million in damages and losses when its partners, Fox Broadcasting Company ("Fox") and Rupert Murdoch's News Corp. ("NewsCorp") allegedly backed out of their deal to jointly produce "The Best Of The Twentieth Century: The Official National Survey"(R), an end-of-the-century international all-media project.

"The Best of the Twentieth Century: The Official National Survey(R)" is conceived as a novel and unprecedented cross-media project revolving around grass-roots consumer balloting by the public to decide the century's "best" in over 100 categories. The results are then presented locally, nationally and internationally in a multitude of media formats such as print, broadcast and Internet through prime-time specials, vignettes, books and the like. Both the balloting and the results utilize far-reaching and quite lucrative marketing, merchandising, licensing, and advertising tie-ins.

Best20 states in its suit that after developing the project with Fox & NewsCorp over a two-year period, Fox reached an agreement with Best20 in November 1997, issued a nationwide press release announcing the joint venture in December 1997, executed a written contract three months later in March 1998, and then breached the agreement by backing out of the deal just 60 days later -- in May 1998. Other partners named in the suit are TV Guide (an affiliate of Fox and a division of NewsCorp), promoters McWhorter Driscoll Ltd., and its principals, Susan McWhorter and Mark Driscoll.

The suit seeks more than \$100 million in actual damages and more than \$500 million in punitive damages for its claims, including breach of contract, misappropriation of trade secrets and marketing proposals, trademark infringement, fraud, tortious interference with prospective economic advantage, and breach of fiduciary duty. Michael C. Osborne, a trial attorney with San Francisco's Dryden, Margoles, Schimaneck, Kelly & Wait and one of the two attorneys representing Best20, asserted, "After having spent more than three years in building and selling the concept around the country, Best20 lost its 'opportunity of the century' when Fox and NewsCorp unexpectedly changed their minds just as the project was about to unfold."

Best20 further contends that Fox has actually proceeded with many aspects of the project despite abandoning its partner and Fox claiming it "couldn't figure out a way to make it work."

Best20's Baltimore-based entertainment attorney, Diane Leigh Davison, claimed: "Fox announces to the world in its press release that 'This represents an extraordinary opportunity for FOX...' and states that 'The breadth of the project represents the largest and most encompassing utilization of the various News Corporation distribution vehicles to date,' yet suddenly and without cause, NewsCorp and Fox terminate the agreements and then begin to use the very essence of Best20's concepts in its various divisions such as TV Guide and Fox Broadcasting. That seems to me like they just wanted to get rid of their partner and reap all the benefits themselves, leaving Best20 damaged and flailing by the wayside."

CONTACT: Dryden, Margoles, Schimaneck, Kelly & Wait

Michael C. Osborne, 415/362-6715

mcosborne@drydenlaw.com

or

The Law Office of Diane Leigh Davison

Diane Leigh Davison, 410/486-0900

lawgal@usa.net

COPYRIGHT 1998 Business Wire
COPYRIGHT 2004 Gale Group