

Lawsuit No Joke

By Reg P. Wydeven
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A horse walks into a bar, and the bartender says, "Why the long face?" Each week, I try to provide a little legal education in this article while sprinkling in some corny jokes. After too many corny jokes, I'm often reminded not to quit my day job as an attorney to pursue stand-up comedy.

Obviously, making a living telling jokes is a pretty tough gig. That's why so many comedians stick with the classics while doing stand-up. Typical fodder for jokes includes airline food, politicians and men's inability to ask for directions when they're lost.

Another staple is picking on mothers-in-law. But one comedian's mother-in-law thinks such jokes are no laughing matter.

Ruth Zafrin has actually sued her comedian daughter-in-law, Sunda Croonquist, over her mother-in-law jokes. Zafrin, along with her daughter, Shelley Edelman, and Shelley's husband, Neil Edelman, filed the lawsuit in U.S. District Court in New Jersey. The suit alleges that Croonquist is spreading false, defamatory and racist lies with her mother-in-law jokes. Croonquist's mother-in-law jokes are actually a huge part of her routine that she has gained notoriety from by performing it in comedy clubs and on television.

The lawsuit further alleges that Croonquist has posted information on her Web site to promote her upcoming appearances in New Jersey, and that this information allows the public to ascertain the identities of her in-laws. The plaintiffs are seeking unspecified damages and demand that Croonquist remove any offensive information from her Web site, her routines and any recordings of her performances.

Croonquist has since agreed to stop using any language that her in-laws find offensive, however, she has refused to pay them any money. She filed a motion to dismiss the lawsuit, and her motion will be heard by the judge on September 8. Interestingly, Croonquist, who lives in Beverly Hills, is being represented by her husband's law firm – apparently he has chosen sides.

Croonquist is choosing to not honor thy husband's parents because her mother-in-law jokes are unique due to her eclectic background: she's half-black, half-Swedish, grew up Roman Catholic and married into a Jewish family. For example, the first time she visited her mother-in-law's house, she joked, "I walk in, I say, 'Thank you so much for having me here, Ruthie.' She says, 'The pleasure's all mine, have a seat.'" Then, in a loud aside, 'Harriet, put my pocketbook away.'"

When she became pregnant with her first child, Croonquist cracked that her Zafrin reacted by saying, "OK, now that we know you're having a little girl I want to know what you're naming that little tchotchke. Now we don't want a name that's difficult to pronounce like Shaniqua. We're thinking a name short but delicious. Like Hadassah or Goldie."

Croonquist claims her in-laws enjoyed her jokes. She further asserts that she certainly isn't anti-Semitic, as she converted to Judaism before she even met her husband and she keeps a kosher house.

Legal experts believe that the freedom of speech protections found in the First Amendment are on Croonquist's side, as it's difficult to prove a comedian has defamed someone when it's apparent they are joking.

I will be paying very close attention to this case. If Zafrin wins, I may file a class action suit on behalf of lawyers, priests, ministers and rabbis against comedians who make us the butt of their jokes.

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