

# A Judge to Appear Before a Judge

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When I was a kid, ‘The Gong Show’ was the original amateur talent TV program. Hosted by Chuck Barris, the show featured amateur acts of dubious talents. Celebrity judges, such as Jamie Farr and Phyllis Diller, scored the acts from 0 to 10. Winners got about \$500 and a cheesy trophy.

The best part of the show, however, were the terrible acts. If a performer was really bad, a judge could bang a huge gong, immediately eliminating him or her from competition. The interaction between judges was always fun, as they would either try to prevent one another from gonging a performer, or better yet, collaboratively bang the gong together.

ABC is rebooting ‘The Gong Show’ this summer and will hopefully recapture some of the magic from the original. I think the show inspired other amateur talent contests such as ‘American Idol,’ ‘The Voice’ and ‘So You Think You Can Dance.’ But probably the closest competition show is ‘America’s Got Talent.’

The NBC hit show features amateurs of all ages from across the country that show off their skills to be judged by three celebrities, including former ‘American Idol’ judge Simon Cowell. The show has discovered some unbelievably talented people, but like its predecessor, also exposed some pretty cheesy acts. If ‘America’s Got Talent’ had a gong, it might have avoided a lawsuit.

Last month, “John Doe” and “Jane Doe,” a married couple, filed a lawsuit in Los Angeles County Superior Court against ‘America’s Got Talent,’ its producer Marathon Productions, and new host Tyra Banks for intentional and negligent infliction of emotional distress and civil assault and battery.

The unnamed plaintiffs auditioned for the show in January in New York City. The singer-songwriter wife and her guitarist husband performed several songs for casting agents, including an original tune about their daughter, “Mary Doe,” and motherhood. Thinking the couple would make good television, the casting agents invited them to appear on the show in March.

Apparently, not all Americans have talent. The couple allegedly bombed, inciting ridicule from the judges and Banks, who took over for Nick Cannon this season. Keeping with tradition, as the Does performed, Banks stood backstage to commentate on the performance and banter with the contestants’ friends or family, in this case, Mary Doe.

The Does allege that while they were performing, Banks “physically manipulated and verbally abused” Mary and made fun of John and Jane’s singing. According to the 18-page lawsuit, Banks “shook Mary’s shoulder, pulled Mary’s hair back and physically manipulated Mary. . . . Mary did not stop Banks’ conduct because Mary was fearful.” The Does further claim that “Banks also insinuated that Mary was accidentally conceived, made fun of the performance and ridiculed [the song] in front of Mary, all in front of active cameras that were filming Mary.”

Finally, according to the suit, “As a result of her negative experience from AGT and Defendants’ abusive treatment, Mary was traumatized and became deeply depressed.” Elizabeth Yang, the Does’ attorney, asserts that Mary is now “traumatized, and became deeply depressed” from her brief brush with fame and celebrity. Yang told ‘The Hollywood Reporter’ that Mary feels anxiety whenever she thinks about the idea that her parents’ performance will be nationally televised.

Insiders speculate that contestants seeking to get on AGT are seeking fame, and the Does’ lawsuit may be another shot at notoriety. I think it would be cool if the judge in the case replaced her gavel with a gong.

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