

Borat: No. 1 Movie Comedic Make for Defamation Lawsuit

By Reg P. Wydeven
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British comedian Sacha Baron Cohen's new film 'Borat: Cultural Learnings of America for Make Benefit Glorious Nation of Kazakhstan' may be a blockbuster comedy, but the inadvertent stars of the movie aren't laughing.

Cohen stars as Borat, a native of Kazakhstan struggling to learn American customs and mores. Posing as a journalist filming a documentary commissioned by the Kazakhstan Department of Tourism, Borat interacts with average Americans, much to their chagrin.

Even though they signed releases and were typically paid (usually \$150), many of the film's participants are not pleased with their less than flattering portrayal in the hit film, which has grossed more than \$90 million in its first three weeks of release. Some of the film's participants have now filed suit claiming they were deceived when they signed their releases.

Two fraternity brothers attending South Carolina university sued 20th Century Fox and three production companies for unspecified monetary damages and an injunction to stop the studio from displaying their image and likeness. The plaintiffs, who were not named in the lawsuit to "protect themselves from any additional and unnecessary embarrassment," appeared drunk in the film and made racist and sexist comments while chatting with Borat.

Cindy Streit, owner of Etiquette Training Services in Birmingham, AL, hosted a dinner party for Borat to give him a business etiquette session that deteriorated into a discussion of defecation. Although Streit also signed a release she admittedly did not read, her attorney asked the California attorney general to investigate the filmmakers and begin legal proceedings against them under California's Unfair Trade Practices Act, which prohibits California businesses from engaging in deceptive business practices.

Streit has not filed a civil suit but is considering suing if the attorney general denies her request to receive "a disgorgement of the profits" from the film.

Michael Psenicska, owner of the Perry Hall Driving School in Baltimore County, MD., also hired an attorney, but he hopes to settle before filing suit. Psenicska, who offers a class specifically for immigrant drivers, gave driving lessons to Borat. He also claims he risked his life by getting into the car with Borat, who drives on the wrong side of the road in one scene.

Other potential plaintiffs, who all claim they were induced into signing the release with the lure of cash, include:

- * Jim Sell, a salesman at the Criswell Chevrolet car dealership in Gaithersburg, MD., who fears damage to his reputation as a dealer of fine vehicles because the film implies he sold Borat an ice-cream truck, which he did not.
- * Joe and Miriam Behar, owners of the Four Seasons Kosher Bed & Breakfast in Newton, MA., whom Borat and his producer, Azamat, believe have transformed into cockroaches to spy on them in their hotel room. The Behars say the cockroaches were superimposed by the studio into their house, which "hurt us personally" and damaged their business.

Finally, villagers in the Kazakh town of Glod, where several scenes were filmed, also feel that they were deceived by Cohen and his producers.

Many of the film's participants' complaints came on the heels of the movie's release, where it opened at No. 1 in the box office. Sell summed up his beef with Borat well when he said, "One hundred-fifty dollars, and the movie grossed \$26 million in three days. Everybody there's all smiling at our expense."

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