

KEY INFORMATION

Plaintiff: ItaliaWorld Studios, represented by CEO Steven Spelunker (“Spelunker”)

Defendant: Alessandro Russo (“Russo”)

The Immovable Mule

General Information

The plaintiff, ItaliaWorld Studios, a Rome film making company, has sued Alessandro Russo for breach of contract. About a year ago, ItaliaWorld entered into a written contract with Russo, a self-proclaimed mule handler, in connection with the making of the film "Ferrari's Ferry." The "Ferrari's Ferry" script called for a scene in which a mule sits on its haunches. Russo, an aspiring actor and animal trainer, represented to ItaliaWorld that he owned a trained mule, named "Marco", and that Marco had been taught to sit on his haunches. Russo also indicated that Marco was a gentle and mild-mannered beast – and whose color would appear nicely on screen.

The contract between ItaliaWorld and Russo provided that ItaliaWorld would pay Russo € 5500.00 for five days of work in which Russo would handle Marco and Marco would appear for filming and, among other things, sit on his haunches. ItaliaWorld informed Russo that the 'haunches' scene was quite important, and integral to the movie. In fact, the mule's sitting was to be the impetus for a change of heart in Sebastian, the movie's main protagonist.

On the first day of Marco's appearance on the Ferrari's Ferry set, Marco knocked over a make-up table, kicked down a lighting set, and nearly kicked Monica Bellucci (a famous actress) in the teeth, but for the intervention of a production hand. The following day, during the important sitting on his haunches scene, Marco not only refused to engage in the maneuver, but also appeared to threaten the film's director and actors. Russo, despite repeated attempts, was unable to calm Marco. The next day, several actors refused to go to the set if Marco was to be present.

ItaliaWorld immediately attempted to locate a different mule of the same color and size. This turned out to be a difficult task. However, during the mule search, when they interviewed owners and potential trainers, ItaliaWorld learned Russo didn't even own Marco, but had rented him. ItaliaWorld was then required to pay Marco's true owner € 500.00 a day to keep Marco calm. But even with the real owner, Marco would not sit on the haunches.

Finally, and due to the short time frame, ItaliaWorld was forced to accept a mule of a different color. A week later, a suitable mule named Ernesto, was found to replace Marco. Ernesto was used to re-shoot the sitting on its haunches scene. The shoot,

however, took over a month longer, as all prior scenes with Marco in the background had to be edited and most were then re-shot with Ernesto. Needless to say, ItaliaWorld and Russo parted company on unfriendly terms.

ItaliaWorld is now suing Russo for fraud and breach of contract. ItaliaWorld claims Russo misrepresented his ownership of the mule, that Marco would sit on his haunches, and that Russo could control the beast. ItaliaWorld is claiming € 111,000.00 as damages, which represents the cost overruns caused as a result of having to find a better behaved and cooperative mule. ItaliaWorld is also seeking attorney's fees in the amount of € 25,000.00.

Russo has counterclaimed against ItaliaWorld for the € 5500.00 he was not paid and has asserted a € 4.0 million libel claim against ItaliaWorld. ItaliaWorld C.E.O., Steven Spelunker, was quoted in the ROMA Times as saying "Russo is the worst animal actor trainer in the business. He flat out lied to us about Marco, who was nothing more than an unruly pain in the butt."

The parties have agreed to mediate this dispute without the use of attorneys. Both parties have full authority to settle.