

# Ledger plays a role in lawsuit

A reporter sues over a video that shows the late actor with what appears to be cocaine.

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In the year since his death, Heath Ledger has become a sainted figure in Hollywood, reverently recalled for his superior talent and good humor. The foreign press genuflected before his memory Sunday with a Golden Globe for his acclaimed performance as the Joker in "The Dark Knight," and many expect an Academy Award nomination to follow next week.

But in a drab downtown courtroom, a decidedly less glowing portrait holds sway. An unusual lawsuit pitting a freelance magazine reporter against her ex-lover, his colleague and the paparazzo agency that employed them centers on a video of Ledger on a night he may have counted among the most disturbing of his life.

The video, shot in the Chateau Marmont after the 2006 Screen Actors Guild Awards, shows the actor twitching, exhausted and seated at a table marked with what appear to be lines of cocaine. Unaware he is being recorded or that his companions in the hotel room are a tabloid photographer and reporter, Ledger speaks candidly about private subjects, including long-term drug abuse and

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EVAN AGOSTINI Associated Press  
Ledger talks candidly about private issues on the video.

# Ledger shown in video

[Ledger, from Page E1]

his relationship with actress Michelle Williams.

"I'm in serious [trouble] with my girlfriend," he says. "We just had a baby two months ago, and I'm not supposed to be here."

The video's release in the wake of Ledger's Jan. 22, 2008, death from an overdose of prescription medication created an uproar. "Entertainment Tonight" bought rights to the video but decided not to air it in the wake of intense pressure from Ledger's publicist and celebrities who decried it as tasteless exploitation.

The case, set for trial next month in Los Angeles Superior Court, does not concern damage to Ledger's reputation — his privacy rights died with him — but rather alleged harm to the reporter, whose conversation is captured on the video. She claims she was duped into being filmed and then assured the tape would be destroyed.

Identified in court papers as "Jane Doe," the reporter is suing the paparazzi and their agency, Splash News, for invasion of privacy, fraud, intentional infliction of emotional distress and other claims. She seeks destruction of the video, which is available for viewing online, as well as financial compensation. Her suit claims the video earned Splash \$1 million.

A Splash executive acknowledged in a deposition that one of its employees, videographer Eric Munn, was reprimanded for the incident, but company attorneys contend in court filings that the woman suffered no damage. Splash blurred her face "beyond recognition" before selling the tape and her name is never mentioned, the lawyers have noted.

They have also accused her of hypocrisy. The reporter admitted during a deposition that even before Splash sold the tape, she hawked to OK magazine her own account of the evening with details about Ledger's drug use and his musings about his future with Williams.

Parts of the suit read like a workplace drama set in the sometimes glamorous and often unseemly industry of celebrity gossip. The reporter crossed paths with the paparazzi involved while chasing tabloid stories including Britney Spears' divorce and the

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birth of Gwen Stefani's child, and had struck up a romance with Darren Banks, a Splash photographer. When People magazine assigned her to cover SAG after-parties at the Chateau Marmont, she rented a room and invited Banks.

But, according to the suit, Banks saw the evening as a career opportunity rather than a date and brought his colleague, Munn. The suit alleges that the two men bought cocaine with agency money and passed themselves off as hotel guests. They met Ledger, nominated for a SAG Award for his role in "Brokeback Mountain," on a lobby patio and, according to the suit, enticed him back to the reporter's room, where they laid out the drugs.

"Mr. Ledger also had some of his own. The cocaine was put on the table, and the men began snorting cocaine," according to the suit. Splash insists in court documents that the company never reimbursed the pair for the drugs.

Munn later left the room and began recording through a window while the reporter and Ledger, both oblivious, continued talking with Banks. Among the conversation topics is Ledger's drug use.

"I used to smoke five joints a day for 20 years," he says.

The reporter claims that when Ledger realized he was being recorded and became furious, Banks and Munn promised to destroy the tape.

"If you were anybody else, I'd sell this in a quick second. I would sell out my mother," Banks told Ledger, according to the reporter's deposition.

Banks said in court papers that he was unaware of the taping and never told the reporter

the video would be destroyed.

Ledger remained in the reporter's room even after he learned she and her compatriots were tabloid journalists. According to the suit, Munn summoned a drug dealer who brought more cocaine and joined in on the conversation. When the party broke up at dawn, the reporter gave Ledger her business card and suggested she interview him for a story in Vanity Fair or GQ, according to her deposition.

The freelancer told her boss at People, but, according to a magazine spokesman, editors decided there were too many questions to do a story. People confined its coverage of Ledger at the SAG Awards to a mention of the breast pump Williams toted. In court papers, Splash executives said they were informed of the incident and immediately chastised Munn and seized the tape.

Munn, who is represented by attorneys for Splash, was unavailable for comment.

Ledger's death changed the way everyone involved saw the evening. The reporter contributed her memories to a cover story in OK magazine, where she was quoted as an unnamed source with firsthand experience of Ledger's drug use. She billed the magazine her \$400 day rate, according to court papers. Soon after, Splash offered the tape for sale.

In her deposition, the reporter drew a distinction between her conduct and what the Splash employees had done. "If you bring up someone to have a chat in a room as friends, and, you know, they have a cocaine problem, and then you give them more of their drug of choice ... that's pretty devious. That's intentional. That can kill the person," she said.

Selling the story, however, was permissible because "he had passed."

"It was coming out all over. There was nothing to protect," she said.

Munn and Banks still work for Splash, but the reporter no longer writes for People. Her attorney declined to say what she is doing now.

"My client wishes to have privacy. This is not a good thing to have happen to you," the lawyer, Neville Johnson, said.

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