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Breaking down the legal issues

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Though O.J. Simpson was acquitted in criminal court of the murders of Nicole Brown Simpson and Ronald Goldman, he was found responsible in a civil suit brought by the families of Brown and Goldman. He was ordered to pay \$33.5 million as part of the wrongful death judgment.

- Because the Goldmans have collected only a little more than \$300,000 on their judgment, they're looking for other ways to get their remaining balance, plus interest.
- The overriding legal issue in the Goldmans' most recent suit is the right of publicity -- which means they want ownership to the name, image and likeness of Simpson. The Goldmans want to use the right of publicity to settle the civil judgment that they are owed. "It's kind of like us asking Simpson to sign over the title to his car. Except here, we're talking about something you can't see, you can't feel, you can't touch. But it still is considered property under the law," said Goldman attorney Jonathan Polak, an Indianapolis-based commercial litigation and intellectual property specialist.

Polak has said that if the motion is granted, his clients will pursue videotapes of Simpson made by Oakland County resident Norman Pardo.

- Jeff Valle, a Los Angeles-based attorney who deals with commercial litigation with an emphasis on intellectual property, says that with regard to Pardo, the Goldman family may have a rough time collecting money from the profits of his videotape sales. "If Simpson consented to the use of his name without compensation, it strikes me that they would have a problem. It's not immediately clear to me what claim they could assert." • Pardo is considering intervening in the Goldman suit as a third party on the advice of his attorney, Marc Beginin, because his tapes could end up being part of the legal action. "Certainly Mr. Pardo's interests are not represented by O.J. Simpson or the Goldmans."
- Alan K. Fertel, a sports and entertainment attorney (who lives in Kendall, Fla., where Simpson resides), said that even if the motion is granted in California, the Goldman family will run into trouble collecting. Florida law protects a head of household's wages. "What the Goldmans are doing is they're making O.J. spend money. What they're doing is they're reminding O.J. that their son is no longer on the Earth by filing motions, by filing proceedings, which causes O.J. to incur legal costs. ... Because you have a piece of paper doesn't mean that you're going to get paid. ... And Florida is one of the best debtor states in the United States. There are great laws that protect debtors."