

## Crunk Rap Artist Lil Jon Sues Over 'Phat Tuesday

Written by Keith ID1939

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Hip-hop crunk rap artist Lil Jon filed a federal lawsuit on Monday in Atlanta federal court seeking upwards of \$30 million from Larry Flynt Productions for allegedly using his name and likeness without permission for the adult film "Phat Tuesday."

According to the rapper's lawsuit, LFP, which owns Hustler magazine and its empire of other print titles and films, acquired promotional onstage and backstage footage from another company. Category 5 shot a February 2004 concert in New Orleans of hip-hop rap artists Lil Jon & the East Side Boyz and that is where the footage came from. Before using this footage, Category 5 was supposed to clear it with TVT Records but did not, the suit says, and it asks for \$75,000 in damages for that breach alone.

Hustler Video then used the footage for "Phat Tuesday," a movie about five women who go to New Orleans for Mardi Gras and, in between having sex with men and each other, attend a Lil Jon concert. On the cover of the DVD package, the rapper's likeness is used in a composite photograph with two of the film's actresses, with the words, "Featuring Lil Jon, King of Crunk." Jon was unaware of this usage until the video was released in February, his suit says.

Claiming breach of contract, false advertising, infringement of right to publicity and appropriation of name and likeness, Lil Jon's suit says he's been deprived of royalties, revenue and reputation. Had his name and likeness been properly licensed, he estimates he would have earned \$500,000. Since a previous authorized video, "Lil Jon's American Sex Series," generated "significant income," he estimates that the income from a similar video, released while he was even more popular, "would have doubled."

This video, however, prevents him from releasing his own, he claims, since "Phat Tuesday" has "glutted the market." The rapper had planned to release "Lil Jon & the East Side Boyz Vivid Vegas Party" this year, which Vivid Video announced in January would be out by this summer. However, even though that film is completed, it has yet to come out, a rep for Vivid said. Lil Jon was also planning a follow-up for early 2006, called "Lil Jon & the East Side Boyz Nightclubbin'."

As far as his reputation, Lil Jon says his name and likeness are "valuable commodities, with significant secondary meaning and goodwill attached to them." That goodwill has been "tarnished significantly by being linked improperly to Hustler and Larry Flynt," and the suit

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estimates that the lost goodwill "is not less than \$30 million."

A spokesperson for Larry Flynt Productions could not be reached for comment at press time.