

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

LIZ EDEN,

VERIFIED COMPLAINT

Plaintiff,

-against-

Index No. _____

WARNER COMMUNICATIONS, INC., and
WARNER BROTHERS,

Defendants.

PLAINTIFF, complaining of the defendants, respectfully shows this court through her attorneys COLES and WEINER:

1. At all times hereinafter mentioned plaintiff is and was a resident of the City, County and State of New York.
2. At all times hereinafter mentioned, defendant Warner Communications, Inc., is and was a corporation licensed to do business in the State of New York, with offices in New York County.
3. At all times hereinafter mentioned, Warner Brothers, the other defendant named herein, was and is a wholly owned subsidiary of the defendant Warner Communications.
4. When the term "defendant" is used hereinafter in this complaint, it shall refer to the defendants jointly, severally or in the alternative.
5. On or about August 22, 1972, your plaintiff was involved

unwillingly ,in a bank robbery in Bensonhurst, Brooklyn, Kings County,New York.

6. The scope of this involvement was as the lover of one of the bank robbers, a man by the name of John Wojtowicz, also known as "Littlejohn".

7. The incident was widely covered in the press and on television, at the time of the occurrence.

8. At the time of the bank robbery, plaintiff, prior to a sex change operation, was known as Ernest Aron.

9. Plaintiff was brought to the scene of the bank robbery where Littlejoan and others were holding several hostages captive.

10. At that time your plaintiff herein was a preoperative transsexual, and was brought to the scene of the bank robbery from the psychiatric ward of Kings County Hospital where she had been committed following a suicide attempt.

11. Subsequent to that time defendants allegedly purchased the rights to a film now under production or scheduled to be released, upon information and belief, around September 1975.

12. Said film, entitled " Dog Day Afternoon" , upon information and belief, stars Al Pacino in the role of "Littlejohn", under the screen name " Littlejoe", and explores the personal relationship between plaintiff and Littlejohn Wojtowicz, including but not limited to characterizations of the physical relationship between the plaintiff and Littlejohn Wojtowicz as "homosexual" in nature.

13. Plaintiff is not, and never has been, an homosexual.

14. Plaintiff has not authorized the defendants to portray her likeness, nor her life or any portion thereof, in any manner.

15. Plaintiff has been rendered sick, sore and disabled in mind and body by the actions of the defendants, which portrayal, being unique in the history of bank robberies, is easily identifiable as a portion of her life, and has subjected her, and will subject her further, to embarrassment, notoriety, and further mental and physical distress and anguish.

16. The above acts of defendants have invaded the right of privacy of the plaintiff guaranteed by the laws of the State of New York, in that plaintiff in real life will be easily identifiable to acquaintances in the community, as the person portrayed as "Leon" in the film now under production by defendants, all to her further detriment and mental and physical distress and anguish.

17. Because of the unauthorized acts of the defendants above plaintiff has been injured in her right of privacy, and in her person and in the exploitation of her name and true life experience by these defendants, in the sum of \$1,000,000.00.

WHEREFORE, your plaintiff prays for a judgment of this Court in the amount of \$1,000,000.00 as against the defendants; and for a temporary and permanent injunction forever enjoining defendants, their employees, agents, assigns, successors in interest, or anyone acting in concert with them, from releasing, showing to the public, or in any way disseminating in still photographic or cinematic form, any or all of the portions of the motion picture known as "Dog Day Afternoon" and for such other and further relief as to this Court may seem just and proper under the circumstances.

Yours, etc.,

COLES and WEINER
1775 Broadway New York, N.Y. 10019
972-1278 Attorneys for Plaintiff

To: Warner Communications, Inc.
Legal Department
75 Rockefeller Plaza
New York, N.Y. 10019

Att: Robert French, Esq.