

JENNY JONES SHOW LIABLE FOR DEATH OF SCOTT AMEDURE

Oakland County, May 7, 1999

Michigan Jury Awards \$25M in Slaying of Guest

A jury ordered The Jenny Jones Show, Telepictures, Inc., which produces the show and Warner Brothers, which owns the show, to pay \$25 million to the family of a gay man who was shot to death after he revealed a secret crush on a fellow guest during an appearance on the show.

Scott Amedure was killed by Jonathan Schmitz in March, 1995, less than 72 hours after the two took part in a Jenny Jones Show entitled, "Same Sex Secret Crushes". During the taping of the show, Amedure, prompted by Jenny Jones, told of his sexual fantasies about Schmitz, which Schmitz said embarrassed and humiliated him.

Plaintiff was able to show that almost immediately after the show Schmitz, who had been diagnosed in 1994 with bi-polar depression, began sinking into a serious episode of mental illness. He called his family crying, saying that he thought the person who had the "crush" on him was a woman. He immediately started drinking again and slept very little. He was ridiculed by co-workers at the "Fox and Hounds" where he was a waiter. Finally on the morning of March 9, 1995, Schmitz found a blinking light on his doorstep with a note from Amedure that read, "If you want to know how to turn it off, ask me, because you need a special tool". After receiving the note, Schmitz went to the local gun shop, bought a shotgun, went to Amedure's home and shot him twice in the chest, while Gary Brady, Scott's roommate, watched in horror. Building on this time line of events, plaintiff made the case that but for the show, the killing would not have happened.

The defense built its case around the notion that the show was just for fun, that Schmitz was fully informed and chose to come on the show and that in any event, Schmitz was the killer and the only cause of the death. The defense also tried to show that there was more than just a casual relationship between Schmitz and Amedure, that they had a sexual encounter the night before the murder, and it was Schmitz's reaction to Amedure's pursuit that caused the death.

Although a strong case could have been built around these facts, the defense made a number of strategic blunders that left its credibility in shambles. Defense attorneys claimed that Schmitz was fully informed, but admitted that he had been told that the 'secret crush' could be a man, a woman or a transvestite, when the producers knew it could only be a man. Plaintiff attorney Geoffrey Fieger pointed out the deceit implicit in this message when he asked the show's executive producer, Michael Glavin, "What is the name of the woman it could have been?" Glavin sat wide eyed, silently twisting in the witness chair and never answered the question.

The defense paid a heavy price for building its case on the truthfulness of what was at best, a half truth. According to the show's own records, Schmitz had told the producers that if it isn't a woman, "I'm into it, thanks, but no thanks". At another point in the pre-interview, Schmitz said, "I don't want a man saying this to me on the air". And at another point, the pre-interview notes indicate that, "Jon is going to die when he finds out that it's Scott." Yet the defense continued to take the position that what the producers did was not deceptive.

Although the defense claimed that no one could foresee the events that took place after the show, it could not overcome the fact that the show's producers had been called nine months before the event by a University of Miami professor who had become concerned after seeing a Jenny Jones Show involving a woman who revealed to her husband, for the first time, that she had had an affair. Professor Karpos testified that when she told the show that she believed that setting up such a situation could lead to violence, the producers laughed. The Professor produced her phone records proving she had called the show and her testimony was not denied.

In closing, Fieger told the jury that you can't set up a situation where you lie to people to get them to come on the show, elicit strong human emotions for the purpose of making money, and then fail to take care to see to it that the participants are alright. The jury agreed, awarding the plaintiff \$25 million. Attorneys for Warner Brothers, still believing the show had told Schmitz the truth, were astonished by the verdict and vowed to appeal.

Litigation Strategies provided jury research and consultation to plaintiff attorney Geoffrey Fieger.

- Strategic Research
- Witness Preparation
- Demonstrative Exhibits



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