



Dictator Manuel Noriega's Absurd Lawsuit against Call of Duty Creator is Dismissed

Ruling Comes One Week Before Call of Duty: Advanced Warfare is Released

LOS ANGELES--(BUSINESS WIRE)-- Judge William H. Fahey of the Los Angeles Superior Court today ruled in favor of Activision Blizzard, Inc. (Nasdaq: ATVI) with respect to its motion to strike former dictator and convicted murderer Manuel Noriega's frivolous lawsuit against the creators of the popular *Call of Duty*® franchise. The ruling marked a significant victory for the genre of historical fiction in all types of expressive works of art, including videogames, movies, television and books. Rudy Giuliani, former New York City Mayor and named partner of Bracewell & Giuliani LLP, argued along with co-counsel Kelly Klaus of Munger, Tolles & Olson LLP.

"This ruling is an important victory and we thank the court for protecting free speech," said Rudy Giuliani. "This was an absurd lawsuit from the very beginning and we're gratified that in the end, a notorious criminal didn't win. This is not just a win for the makers of Call of Duty, but is a victory for works of art across the entertainment and publishing industries throughout the world."

"Today's ruling is a victory for the 40 million dedicated members of our Call of Duty community and global audiences who enjoy historical fiction across all works of art," said Bobby Kotick, CEO of Activision Blizzard. "I want to thank Mayor Giuliani, who has dedicated his life to the protection of citizens against terrorists like Manuel Noriega and today for defending free speech."

The stories in the *Call of Duty* franchise, like many movies and television programs, are inspired from the headlines of history. From the Cold War to World War II and even the advanced soldiers featured in the upcoming *Call of Duty*®: **Advanced Warfare**, the games are grounded in historical events even though they are fictional. *Call of Duty* regularly features iconic villains, such as Fidel Castro and Manuel Noriega, as well as celebrated heroes such as President John F. Kennedy.

The motion to strike was filed in Los Angeles Superior Court on September 22 on the grounds that the minor inclusion of a Noriega character in *Call of Duty*®: **Black Ops II** is protected free speech. The legal action sought to dismiss Manuel Noriega's complaint at the outset under California's anti-SLAPP statute, a state provision enacted to protect freedom of speech against spurious lawsuits. Lawyers for Manuel Noriega filed a response to the anti-SLAPP motion on October 2, and Activision filed its reply to that response the following week. The Los Angeles Superior Court heard arguments on the matter at a hearing on October 16. Relevant legal documents can be found [HERE](#).

In the unlikely event the lawsuit had been permitted to proceed, Noriega's efforts could have provided numerous historical and political figures a veto right over their appearances in works of art, having a chilling effect on everything from movies like *Forrest Gump* and *Zero Dark Thirty*, to television programs including *Saturday Night Live* and *Boardwalk Empire* and even to popular books such as *The Paris Wife*.

A taped video of co-counsel Rudy Giuliani discussing the key themes of the case is available [HERE](#).

About Activision Publishing, Inc.

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