



## Former Mayor Rudy Giuliani Will Appear in Los Angeles Superior Court to Argue Against Dictator Manuel Noriega's Absurd Call of Duty Lawsuit

*Call of Duty Publisher Activision Files Reply to Motion Pushing for Dismissal of Case*

LOS ANGELES--(BUSINESS WIRE)-- Activision Blizzard, Inc. (Nasdaq: ATVI), the creators of the popular *Call of Duty*® franchise, today filed a response to Manuel Noriega's opposition in the frivolous lawsuit brought by the former dictator and convicted murderer. Rudy Giuliani, former New York City Mayor and named partner of Bracewell & Giuliani LLP, will argue as co-counsel beside Munger, Tolles & Olson LLP, at the October 16 hearing in Los Angeles Superior Court in support of Activision Blizzard's motion. Activision Blizzard is moving to strike Noriega's lawsuit on the grounds that the minor inclusion of a Noriega character in *Call of Duty*®: *Black Ops II* is protected free speech.

"Manuel Noriega had no more than an inconsequential appearance in *Call of Duty* and isn't entitled to anything for his role as a brutal dictator," said Rudy Giuliani. "If successful, this case would obliterate the entire genre of historical fiction. I couldn't be more excited at the prospect of being back in court to defend the makers of *Call of Duty* against this convicted murderer who wants to make a mockery of the U.S. legal system and attack our right to free speech."

The stories in the *Call of Duty* franchise, like many movies and television shows, are ripped from the headlines of history. From the Cold War to World War II and the advanced soldiers featured in the upcoming *Call of Duty*®: *Advanced Warfare*, the game is fictional, but is grounded in historical events. *Call of Duty* regularly features characters that are ruthless dictators and iconic villains, such as Fidel Castro and Manuel Noriega, as well as vaunted heroes such as President John F. Kennedy.

The motion to strike was filed in Los Angeles Superior Court on September 22. The legal action seeks 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 today. The Superior Court will consider the matter at a hearing on October 16. Relevant legal documents can be found [HERE](#).

If successful, Noriega's efforts would give numerous historical and political figures - and their heirs - a veto right over their appearances in works of art, having a chilling effect on everything from movies such as *Forrest Gump* and *Zero Dark Thirty*, to TV shows such as *Saturday Night Live* and *Boardwalk Empire*, to beloved books such as *The Paris Wife*, just to name a few.

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

"This case is an impermissible, unwarranted, and unconstitutional attack on art. Video games enjoy the same liberties as documentaries, biographies, and biopics. The full canon of entertainment is filled with fictionalized accounts of individuals and events and video games continue that long tradition," added Richard Taylor of the Entertainment Software Association.

### **About Activision Publishing, Inc.**

Headquartered in Santa Monica, California, Activision Publishing, Inc. is a leading worldwide developer, publisher and distributor of interactive entertainment and leisure products.

Activision maintains operations in the U.S., Canada, Brazil, Mexico, the United Kingdom, France, Germany, Ireland, Italy, Sweden, Spain, Denmark, the Netherlands, Australia, Singapore, mainland China, Hong Kong and the region of Taiwan. More information about Activision and its products can be found on the company's website, [www.activision.com](http://www.activision.com).

Cautionary Note Regarding Forward-looking Statements: Information in this press release that involves Activision Publishing's expectations, plans, intentions or strategies regarding the future, including statements about the potential impact of the *Noriega* lawsuit, are forward-looking statements that are not facts and involve a number of risks and uncertainties. Factors that could cause Activision Publishing's actual future results to differ materially from those expressed in the forward-looking statements set forth in this release include unanticipated product delays and other factors identified in the risk factors sections of Activision Blizzard's most recent annual report on Form 10-K and any subsequent quarterly reports on Form 10-Q. The forward-looking statements in this release are based upon information available to Activision Publishing and Activision Blizzard as of the date of this release, and neither Activision Publishing nor Activision Blizzard assumes any obligation to update any such forward-looking statements. Forward-looking statements believed to be true when made may ultimately prove to be

incorrect. These statements are not guarantees of the future performance of Activision Publishing or Activision Blizzard and are subject to risks, uncertainties and other factors, some of which are beyond its control and may cause actual results to differ materially from current expectations.

ACTIVISION, CALL OF DUTY, CALL OF DUTY BLACK OPS II and CALL OF DUTY ADVANCED WARFARE are trademarks of Activision Publishing, Inc.

Activision Blizzard  
Mary Osako, 424-322-5166  
or  
Rubenstein Communications  
Farrell Sklerov, 212-843-8289

Source: Activision Blizzard, Inc.

News Provided by Acquire Media