

\$54 million in the books

Author vindicated by jury's idea-theft verdict

By Jason Kandel
Staff Writer

CANOGA PARK — Inspired by a kindergarten student's Lego rocket ship, Canoga Park teacher Diane Russomanno wrote a children's book series on space travel — and it's won her a \$54 million judgment because her idea was stolen.

A Superior Court jury ruled that Russomanno's series called "Ricky Rocket" formed the basis of an independently produced show called "A.J.'s Time Travelers," which has been aired on children's TV networks.

"I can hold my head up high now," Russomanno said Monday. "This vindicates everything I did and felt over the last six years."

"I tried everything I possibly could to let people know that I created the project. Now this case shows that the big guy doesn't always necessarily have to win."

Russomanno, 49, who taught at Kenter Canyon School in Brentwood until deciding to write full time, was awarded \$46 million in punitive damages Thursday, and \$8 million in compensatory damages July 14.

The defendants — an agent, television producers, distributors and others accused of stealing her idea — plan to appeal the award.



See **JUDGMENT** / Page 13

Diane Russomanno holds her book "Ricky Rocket" at her home in Canoga Park.

Tina Buschwald, Photographer

Teacher gets \$54 million jury award for stolen idea

JUDGMENT / From Page 1

Russomanno alleged that her former agent, Gianni Russo, and the others ripped off her idea for an educational program called "Ricky Rocket," which she had self-published in a book series in 1993. She claims that Russo turned her idea into "A.J.'s Time Traveler," in which the main character travels in, not a rocket, but a time machine.

"If it walks like a duck, talks like a duck, then it is," said Russomanno's Santa Barbara attorney, J. Paul Gignac.

The jury ordered Russo to pay \$3 million. Other entities involved included: BKN Inc., a children's TV network, which was ordered to pay \$10 million; Bohbot Entertainment & Media Inc., the parent company of the network, which was ordered to pay \$10 million; Quantum Media International, the advertiser, which was ordered to pay \$5 million; and Time Travelers, Inc., "A.J." producer, which must pay \$10 million.

Others named in the lawsuit were found liable to pay \$8 million in punitive damages. Superior Court Judge Joseph Kalin will set post-trial motion dates Aug. 11.

Linda Leyton, a Valencia attorney representing Time Travelers Inc., Bohbot Media Inc. and Quantum Media International Inc., said she plans to appeal the verdict, and will file post-trial motions next month.

Russomanno came up with the "Ricky Rocket" idea in 1990 while teaching a class in which one of her

students built a Lego rocket and paraded it around the classroom.

Three years later, she wrote a series of books involving the experiences of a young boy, named Ricky Rocket, who travels through space and time in a magic rocket built from booster blocks. On his journeys, he picks up tips on geography, math and English.

Shortly after publishing the books, Russomanno wrote a TV script, and hired Russo as an agent.

In 1994, she and Russo secured \$12 million from an investment group to finance production of 40 episodes, according to Russomanno's attorney.

"In June 1994, Russo steals the show," said Gignac. "Russo, seeing the potential success of the show after taping the pilot, forced Russomanno out, sued her, and changed the name of the show to 'A.J.'s Time Travelers.'"

Russo filed suit against Russomanno in August 1994, in Clark County, Nev. After negotiations, Russomanno and Russo signed a settlement agreement in October 1994.

In November 1994, when Russomanno took her series to ABC, NBC, Fox and Columbia TriStar, she said she was told that a similar idea called "A.J.'s Time Travelers," had already been pitched.

"I was devastated," Russomanno said.

"A.J.'s Time Travelers" first aired Dec. 4, 1994, on the Fox Children's Network. The show now is broadcast on Encore's WAM Network.