

Hot Coffee: The Movie

First-time filmmaker Susan Saladoff hit a home run with her HBO documentary scalding the tort reform movement. Saladoff speaks to FORUM about her journey – and Oscar scuttlebutt.

The civil justice system has been in the TV spotlight this summer, thanks to a documentary film conceived and directed by a longtime trial attorney. Five months after making its debut at the prestigious Sundance Film Festival, “Hot Coffee” by Susan Saladoff premiered on HBO in late June and will be seen by an estimated two million viewers over the course of its airings on the network.

The title comes from the notorious McDonald’s “hot coffee” case in 1992, when 79-year-old Stella Liebeck spilled a cup on her lap and suffered excruciating third-degree burns. A New Mexico jury awarded Liebeck \$2.7 million in punitive damages, although that award was reduced to less than \$500,000 by the judge. Liebeck later reached a confidential settlement with McDonald’s. With “Hot Coffee,” Saladoff shows how business interests have misrepresented the verdict in a public relations campaign meant to boost the “tort reform” movement. The film also delves into caps on damage awards, mandatory arbitration clauses in consumer contracts and corporate support of state judicial candidates in an attempt to “buy” favorable courts.

Saladoff was a staff attorney at Trial Lawyers for Public Justice (now known simply as Public Justice) and served as president of the group’s foundation (she still sits on its board of directors, along with several CAOC members). Since 1998 she has practiced law in Ashland, Ore., litigating cases in medical malpractice, wrongful death and products liability. Her work as an attorney led her to make day-in-the-life videos that sparked an interest

in doing a longer feature.

A first-time filmmaker, Saladoff overcame incredible odds to earn a spot in the documentary competition at Sundance this past January. The movie was completed less than two weeks before its debut. “Hot Coffee” will be available on DVD beginning in September, and there’s been talk it could be nominated for an Academy Award for best documentary.

Saladoff sat down for a phone interview with CAOC Press Secretary J.G. Preston in early July.

Q What made you want to make this movie?

A I’ve been screaming for years trying to get people to make this movie, and nobody did. I’ve been screaming for years: Public education, public education! Why is all the money being put in lobbying? Why isn’t money being put into public education? We are losing the battle in the households! Politicians change every two years. The public perception is important. I’ve been screaming about it for many, many years and finally I said, “Okay, Susan, wake up, it’s up to you.”

Q: What gave you the confidence to think that you, as a first-time filmmaker, could be accepted for the Sundance Film Festival?

A: I don’t know how to answer that question other than that’s who I am.



Susan Saladoff practiced law for 25 years before making the documentary, HOT COFFEE, her first feature-length film.

Q: Did you know how difficult that was to do when you set that as your goal?

A: Yes, I did. I knew it was a long shot, and I also knew this film had potential because of the subject matter to make a difference, and I knew Sundance liked films that could make a difference. And I was surrounding myself with people who had done it before; my editor had had a film that was not only at Sundance but was nominated for an Academy Award, my producer had had several films that had been accepted into Sundance. The difference, though, which I’ve come to learn, I didn’t know this at the time, was that many people who apply to these festivals, particularly some of the bigger ones, have connections. I mean, it’s just like the rest of the world that way.

They either have an agent or they know somebody, and I didn't.

Q: How many people applied to be in the U.S. documentary competition?

A: There were 842, and they picked 16.

Q: That's tougher than getting into Harvard.

A: Yeah, that's what people say. And when you get in, it's just like getting into Harvard, you have that instant credibility. From then on, we didn't have to apply to any other film festivals, the film festivals came to us and said, will you submit your film.

Q: You've been in more than a dozen film festivals already. Is that going to continue through the rest of the year?

A: Oh, easily. And now I'm scheduling speaking engagements for the fall at law schools, business schools, universities, public interest groups, consumer groups, lawyer groups. Hundreds and hundreds of e-mails have come in the past week [after the premiere of "Hot Coffee" on HBO] with requests. It's all been incredible. Look, I set my sights for all of this, I wanted all of this, I believed all of it ... but when it actually happens? It's really quite extraordinary.

Someone came up to me at our Fourth of July parade here in Ashland and said, "I have crossed out more arbitration clauses since I saw your movie."

Q: From the beginning you talked about having the film on HBO. What made you think this film was special enough to have that kind of an impact?

A: Because that's what I wanted for it. It's the whole reason I made the film. I made this film to do exactly what it is doing right now, which is changing the conversation. And in order for that to happen, it had to be good enough, and it had to get into these



Stella Liebeck suffered severe third-degree burns, years of expensive medical treatment, and a lawsuit that had the whole country talking.



The film introduces Jamie Leigh Jones, who alleged that she was sexually assaulted by co-workers when working in Iraq as a private contractor for KBR/Halliburton. When criminal charges could not be filed, she sought to hold Halliburton accountable for their misconduct, but a forced arbitration clause buried in her employment agreement meant she lost her right to a jury trial.



forums [Sundance and HBO]. It was just pure force of intention – okay, this is what has to happen, and I'm going to make this happen. That is my absolute belief system about the world, that we create our own reality and we make things happen.

Q: How can you tell the film is making an impact?

A: I got a call telling me a guy showed up at the Mississippi trial lawyers' group [Mississippi Association for Justice] and said, "I just saw 'Hot Coffee' last night and I want to volunteer." People are writing me saying, "I was at the car dealership the other day and I overheard someone making fun of the McDonald's case and I went right up to them and said, no, you're wrong, you don't know this and you have to go see this movie." Just read some of the comments on our Facebook fan page, there are hundreds of them from people talking about how it has affected them. People who see the movie are going to think about the civil justice system differently. I think

they're going to question what they hear from the media, particularly about lawsuits, in the future; I think they're going to understand their voting rights better and make more informed decisions; I think they're going to question where television commercials are coming from and who's behind them. Someone came up to me at our Fourth of July parade here in Ashland and said, "I have crossed out more arbitration clauses since I saw your movie."

Q: Is it fair to say that if you had only done film festivals with this, it would have had only a fraction of the impact that it will have with HBO?

A: I think that's accurate. I am told by the time it's finished its run on HBO, between all the different channels and their video on demand, they expect two million people will watch it. Plus all the publicity associated with that – they hired a publicist, which is how we got in *The New York Times* and the *Washington Post*. We also had two grassroots events that HBO

sponsored, one in New York and one in Washington, D.C. Jeff Toobin from CNN was the host for a Q&A with me after the New York event and Sen. Al Franken [who is in the film] introduced the film at the Washington event, Sen. Bruce Braley [an Iowa trial lawyer] was there. Now we've gotten requests to show the film to the House Judiciary Committee and at the National Press Club.

I became a lawyer to make a difference in the world, and I'm making a difference with filmmaking in a much larger way, and it's very satisfying.

Q: What kind of challenges did you face coming up with the money to do the movie?

A: All the money was donated, except for the money I put in, and it was house party by house party, person by person. I applied to dozens of foundations for grants; I only got two, one was \$20,000 and one was \$25,000. I got donations online from people who sent \$20, some gave \$100, \$250, occasionally \$1,000, and every once in a blue moon \$5,000 from someone who really cared. And one woman gave me \$20,000. She hadn't even seen any of the film – she had just heard me and seen my web site and talked to me on the phone. She was a client of a good friend of mine but she isn't involved in the justice system, she's just a philanthropist. I did get donations from individual lawyers, but I did not take any donations from trial lawyer groups and I had no consultations on the movie with any lawyer groups. That was very important to me, to be able to say I made this movie myself, with my team.

Q: Was there ever a point at which finishing the movie was in jeopardy, financially?

A: I wasn't going to let that happen. All the finishing funds came from me personally, from my home equity line. When we got into Sundance, it just had to happen. We

found out we were invited the Monday before Thanksgiving, and that meant the finished movie was due January 10, although they didn't get it until the 12th because we didn't finish it until the 11th. We got a two-day extension. And then we premiered January 24. When we got into Sundance there was a ton of work to do, we had to work double-time. Not just finishing the film; I mean, we didn't have licensing at that point for almost all the archival footage. And the animation near the beginning? We had a "Schoolhouse Rock" animation there, but Disney owns "Schoolhouse Rock" and Disney wouldn't license it, so we had to make our own.

Q: What kind of response have you gotten from the trial lawyer community?

A: I've had people tell me, "I'm proud to go to work tomorrow morning. I'm proud to be a trial lawyer again." I've gotten many, many thank-yous.

Q: So what's next for you?

A: I have another film in me, I think. I want to try it again and see what happens.

Q: Clearly filmmaking agrees with you.

A: It's fun. I love the creative process. I know people think that with HBO and everything I've made a ton of money ... well, that's not really true. And I haven't worked in two-and-a-half years, so I have to decide, can I survive. I have to make a living at some point.

Q: You don't see yourself practicing law again?

A: I don't see myself practicing law in the immediate future, but I don't know. I don't make predictions about things like that. If I can't make it in this business, I'll probably go back to practicing law. But I like doing what I'm doing, and I'm making a difference. See, I became a lawyer to make a difference in the world, and I'm making a difference with filmmaking in a much larger way, and it's very satisfying. I hope "Hot Coffee" will be used in every high school classroom, in college classrooms, in every law school, in business schools. Lawyers are telling me they

want to put it as a streaming video in their lobbies, they want to send it to every one of their legislators, they want their judges to see it. I hope this film will become a teaching tool.

Q: What can CAOC members do to help spread the word?

A: We need your members to let us know if there are theaters in their communities that would be open to having this film. Starting September 27, three months after the HBO initial airing, the film can be shown in theaters. People can contact me directly about that [hotcoffeethemovie@gmail.com]. If they're not going to charge admission, say they rent a theater themselves and then invite people to see the movie, I would charge them what's called a screening fee for that. If a theater wants to show it and charge admission, they would need to contact my theatrical distributor. And I would encourage your members to have house parties when the DVD comes out in September. We'll be offering pre-sales on the DVD on our web site [http://www.hotcoffeethemovie.com] very soon. Keep putting information about the movie on your social media pages; put the trailer on your web site. There's also going to be a lawyer's version of the film on DVD that will have extras. It'll have more interviews, it'll be more in-depth, and it'll have some more issues that would be more interesting to lawyers than to the general consumer.

Q: You've already done some limited theatrical showings to be eligible for consideration for an Academy Award. What do you think your prospects are for being nominated?

A: I think we have a shot at being nominated. A lot of people have said it's as good as, if not better than, "Inside Job," which won the best documentary award last year. "Gasland," which was an HBO film that had kind of the same trajectory as ours, was nominated last year; "Waste Land" was also an HBO doc that was nominated last year. But there are a lot of great documentaries this year. If we were nominated, it would get the film into even more households, so as a result I'm visualizing it. And I want all your members to visualize it too. ■