

Ernesto January 23, 2012

MegaUpload Loses Top Lawyer After ‘Outside’ Pressure

A few days after top lawyer Robert Bennett announced he would defend MegaUpload vigorously in their upcoming trial, he has been forced to withdraw from the case. A source says that this drastic decision was made because the case conflicts with the interests of another client of Bennett’s law firm Hogan Lovells. It doesn’t take a rocket scientist to conclude that the pressure most likely came from the entertainment industry.

Last Thursday a massive operation took down MegaUpload, one of the world’s leading file-storage services. While a panic breaks out among the remaining file-hosting services, the MegaUpload team is preparing for its criminal defense.

Quickly after the raids and arrests, top attorney Robert Bennett announced that he would lead the defense for MegaUpload. The New York lawyer has defended many prominent clients in the past but is best known for defending President Bill Clinton during the Lewinsky scandal.



MegaUpload worked with Bennett before the indictment, which means that he is already familiar with the file-hosting site, but now that his work for MegaUpload is more public, other clients of his law firm are apparently taking offense.

A Reuters report cites a source who says that Bennett was ordered to withdraw from the case due to a conflict of interest with another client. Although the name of the client is not mentioned, the most logical conclusion is that one or more entertainment industry companies pulled some strings to get Bennett off the case.

On Friday, Bennett was still determined to bring the case to a good end for MegaUpload. “We intend to vigorously defend against these charges,” he said at the time, but due to “outside” pressure Kim Dotcom and the others will now have to look for another lawyer to represent them. One without conflicting clients nonetheless, a rarity at the top law firms in the US.

One of MegaUpload’s other lawyers, Ira Rothken, said that the file-hoster has not yet found a replacement for Bennett. “Who is or isn’t on the criminal defense team is still being decided,” Rothken said.

Meanwhile, some interesting developments have taken place in MegaUpload’s court case against Universal Music Group (UMG), who had allegedly deleted the Mega Song from YouTube without permission. While that court battle is still ongoing, MegaUpload has now decided to voluntarily dismiss [http://www.scribd.com/doc/79092081/ugm-drop] the music group from the list of defendants.

The case against the 100 Doe defendants, which may include other UMG branches, remains intact. Previously, UMG claimed that Megaupload sued the wrong UMG, stating that UMG Recordings is the correct entity since they are the ones dealing with YouTube and other video hosting services.

In the coming weeks, however, the major battle will be the one between the US and the MegaUpload defendants. Considering the people involved and what’s at stake, it promises to be a landmark case in file-sharing history.