

Rosa Parks's Case Becomes a Cause

Written by Robert ID827

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When lawyer Gregory Reed filed the first lawsuit, he referred to his client as "Rosa Parks (a.k.a. Mother of Civil Rights Movement)." Targeting the rap / hip-hop group OutKast and its backers, he asked for an injunction and upward of \$5 million.

Last year, after federal courts had dismissed and reinstated the claim, Reed filed a new petition. He asked for \$5 billion.

"You know what that does? It gets your attention," Reed said. "You can't put a price on a name. You really can't put a price on a legacy."

Reed got people's attention, not all of it favorable. His lawsuit over OutKast's use of her name set the stage for a messy fight over Parks, 50 years after she famously refused to give up her seat on a Montgomery, Ala., bus.

Ailing and unable to understand what is happening around her, Parks will turn 92 today as a growing scrum of lawyers, friends, and relatives battles over the meaning of a song.

The complications reach beyond the courthouse into questions about Parks's care. A federal judge, worried that Parks's own interests were becoming lost in the squabbling, drafted former Detroit mayor Dennis Archer to be her guardian.

Archer, once a Michigan Supreme Court justice and past president of the American Bar Association, said in an interview that he is "just trying to bring the temperature down." He wants to settle the case, "before everyone's gotten full body armor on and gotten out their long rifles and bayonets."

But he does believe in the lawsuit. He believes a wrong has been done to Parks and that someone in the music business should pay. "She is a symbol," Archer said, "of all that is good about America."

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The trouble started when OutKast titled a song "Rosa Parks." Although the lyrics never mention her, they contain sexual references and vulgarity that disturbed Parks, once a seamstress and NAACP activist in segregated Montgomery whose arrest led to a tide-turning bus boycott.

The refrain is, "Ah ha, hush that fuss. Everybody move to the back of the bus." Group members Big Boi (Antwan Patton) and Andre 3000 (Andre Benjamin) say it refers to the way OutKast intends to beat its rivals and rule its corner of the music kingdom.

By using her name without her permission, Parks's many lawyers contend, the producers and marketers broke federal rules designed to prevent people from profiting through misrepresentation. OutKast has been dropped from the lawsuit, which now mainly targets LaFace Records, Arista Records, and BMG Entertainment, a division of music conglomerate Bertelsmann AG.

Reed, who wrote a book with Parks during better times -- "It outsold the Bible for 30 days," he likes to point out -- initiated the case. Calling her "a saint among angels," he said he tried to persuade the record company to change the song's title but got nowhere.

We just wanted the name off," Reed said. "The music would've sold."

Over time, the complaint became a federal case, and the case morphed into a cause.

Reed's law partner, Stephanie Hammonds, wept as she said Parks is not only the victim in the case, but its inspiration.

"The real story to take from this is that . . . if someone is big, it doesn't matter how big. If it's wrong, stand up," Hammonds said.

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Rhea McCauley smells a rat. A niece to Parks, who has no children, McCauley considers the lawsuit a waste of time and money.

"My poor aunt is being used. Her image is being dragged through the mud for money," said McCauley, a financial planner in Ypsilanti. "I would like those people to let my auntie go, like the pharaoh in Egypt."

Reed dismisses McCauley as a niece-come-lately who rarely visits or calls her aunt.

When McCauley said she had been blocked from visiting, Reed countered with a caregiver's affidavit alleging that she had barely tried. And when McCauley said Parks would be opposed to a lawsuit, he produced a February 1999 letter from Parks welcoming his efforts.

Parks has been a bystander to the squabble in recent years. Medical records released by the court show she has been suffering from dementia since 2002.

"From time to time, she speaks. From time to time, she demonstrates emotions," said Archer, who described Parks as "very well taken care of."

Parks relies mainly on Social Security and a small pension and has often struggled to pay her rent. But Archer said Parks's landlord has decided to allow her to live rent-free for the rest of her days.

Arguing the case for the music defendants is Joseph Beck. He grew up in Montgomery and remembers the boycott well. A former legal services lawyer in Washington, his current clients include the estate of Martin Luther King Jr.

Beck believes the First Amendment protects everyone connected with the OutKast production, but with settlement negotiations taking place as recently as Monday in Detroit, Beck also said his clients are not ogres.

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"We've always been willing to do something for Mrs. Parks, not because we have to -- because under the law we don't -- but because we respect her," the Atlanta-based Beck said.

The question under discussion is how to define what is reasonable and how to determine where the money should go.

Archer said his ambition is to attract enough money to "allow Mrs. Parks to have a life that is comfortable for the rest of her life. The plaintiff in this case is Mrs. Parks."

[Source](#)