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MERCADO

From Page A1

stars as his ostentatious, Liberace-like style. He often wears otherworldly outfits but was dressed in a tailored suit for the three-week trial in front of U.S. District Court Judge Patricia Seitz in Miami.

The nexus of the litigation dates back to the mid-1990s when Mercado was introduced to Guillermo Bakula by the rock star Prince's promoter, Velasquez said.

Bakula signed Mercado, already a well-known celebrity in the Hispanic community, to a contract to expand his brand. Bakula, president of Bahamas-based Bart Enterprises, formed more than a dozen companies for Mercado products from DVDs, books to radio spots, a 1-900 psychic line and text messages.

Mercado had a falling out with Bakula in 2006 over compensation and assigned all of his products to his own company, Astromundo, and hired a new agent. Six entities bearing names like Waltervision Productions sued Mercado in 2007.

"It became a nightmare to really keep track of all these companies," said Velasquez, whose law firm is in Plantation. He said the plaintiff companies asked for about \$10 million. "My client felt he was not being paid what he was being owed, and he was not being paid his fair share."

The contract paid Mercado \$32,000 a month and a pro rata share of anything more than \$2 million made in the United States and any other country by Bart Enterprises based on his name, image and voice. A big problem was that nothing in the contract spelled out the pro rata percentage.

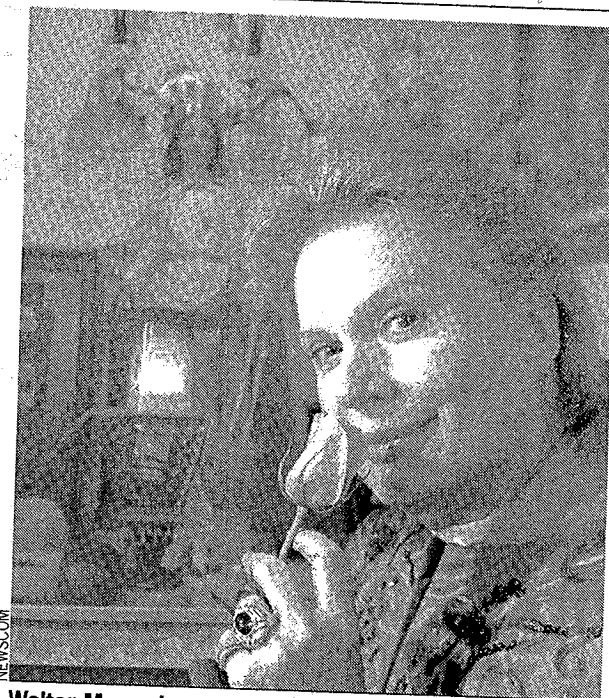
Bart also took the position that the 1995 contract was never-ending.

"Basically he would have to work for them forever. That was bizarre," Velasquez said.

The attorney for Bakula's companies, Scott Alan Orth of Miami Shores, did not return calls for comment by deadline.

The complaint listed a number of obligations Mercado failed to fulfill, such as:

- Taping a commercial for the 1-900 business in Mexico
- Recording audio horoscopes
- Writing 2007 predictions for a magazine and Web sites.
- Taping television horoscopes to be aired on Univision.



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Walter Mercado was paid \$32,000 a month in the contract but it was never-ending.

Mercado countersued for \$450,000 he claimed he was owed by Bart and its subsidiaries.

The nine-person jury decided Mercado could not ask for damages because he didn't properly terminate his agreement.

The jury deliberated for 45 minutes before coming up with its Solomon-like verdict Wednesday, finding Mercado interfered with some of Bakula's contractual relationships, such as with Univision, but not with any intent to injure or destroy that relationship.

Velasquez said the jury realized Bakula and his companies had profited enough off the astrologer.

"This guy made a lot of money with Walter," Velasquez said. "The jury thought, 'What are we going to do? Have Walter pay him more money?' It didn't make any sense."

Mercado continued to do his astrology segment for Univision without a contract.

"He didn't get paid for a year and a half," his attorney said. "But he felt it was important for him and Univision to perform on the show." ■

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