



Naked Shakedown

Boy actors claim gay filmmakers did horrible things to them on a closed shower set. But the kids' lawsuits are as empty as their discarded g-strings

David Stockdale, fresh-faced and barely 16, arrived on the set promptly at 8 a.m. He'd brought everything he figured he'd need that day in his role as an extra in a school shower scene: bathrobe, sandals, and a pair of blue swim trunks.

The set was the boys' locker room at Eliot Middle School in Altadena, where a crew

was shooting a movie called *Apt Pupil*. Based on a chilling Stephen King novella of the same title, the film depicts a teenage boy who uncovers a Nazi war criminal living in his placid suburb, becomes obsessed with the Holocaust, and is lured by his sinister new friend into the savage murder of a vagrant. Stockdale was to be in a scene in which the film's young antihero, showering after a basketball practice, hallucinates that he's in an Auschwitz gas chamber. After checking in with the filmmakers that morning of April 2, 1997, Stockdale headed for the snack table.

Despite his tender years, Stockdale was an old hand as an extra. He'd appeared in more than 30 movies, beginning when he was 9. A devout Mormon and talented soccer goalie, he'd been driven by his mom to Eliot school from their home in distant Lancaster.

Inside the school gym he was told to report to wardrobe, joining about 30 other boys and men also playing extras. He'd been told before arriving at the gym that he'd be clad in Speedo-style swim trunks or a towel in the shower scene, he says, but then someone changed the rules: The extras would actually wear flesh-colored g-strings. Amid giggling and nervous glances at one another, the extras began putting on the skimpy garments. The idea of wearing nothing but a g-string sent a twinge of uneasiness through Stockdale.

The extras were then told to put on bathrobes and proceed to the boys' locker room, where about half of them -- including a number of minors -- took positions in two shower stalls. In a third, 31-year-old director Bryan Singer -- fresh from his breakthrough success with *The Usual Suspects* -- watched on a video monitor.

But this seemingly routine Hollywood workday soon degenerated into a nightmarish ordeal for Stockdale and four other teenage extras -- or so they claimed in vividly worded lawsuits they began filing less than two weeks later.

The boys' suits say that although they'd been promised their roles wouldn't involve nudity, once they entered the set, Singer and other crew members "commanded blaringly and screamingly" that they strip. The youths were then forced to stand naked for more than four hours as the cameras rolled and an "obviously homosexual" set photographer snapped pictures of them in "indecent positions," their lawsuits allege.

The boys further claim that the crew subjected them to "ogling, leering, and suggestive glances." One crew member, Stockdale says, told him that if he left the set or refused to perform naked, he'd be fired. Director Singer cast a particularly dark shadow over the set, erupting in "multiple fits of rage," Stockdale claims. By the time the cameras were turned off for the day, the boys' lawsuits say, they'd been subjected to sexual harassment, invasion of privacy, false imprisonment, and other outrages by Singer and his crew.

Fed by one of the youths' attorneys to a KNBC-Channel 4 reporter, the juicy allegations were quickly picked up by other Los Angeles TV stations. Within two days after the first lawsuit was filed, local TV outlets had aired no fewer than 10 stories on it, with more to come. Reporters and anchors often tilted their accounts in favor of the earnest young plaintiffs and their anguished parents, giving short shrift to rebuttals from *Apt Pupil*'s production company, Phoenix Pictures.

The shower allegations aired nationally on Johnnie Cochran's Court TV show, Cochran & Company. One of the boys and his lawyer, Marty Rub, appeared on the program, somberly relating details of what supposedly had happened on the Apt Pupil set. Upon hearing the story, the show's co-host, Rikki Klieman, turned angrily to Cochran.

"Johnny, I have to say this to you," she said, her face radiating telegenic pique. "If this is true, what the plaintiffs allege, it absolutely makes my blood run cold." Gordon and Rub planted another attention-grabbing claim in their suits: that some or all of the defendants were "known homosexuals."

The media lynching of Bryan Singer and his fellow filmmakers was under way -- just as the boys' lawyers had hoped.

The lawsuits named Singer and at least seven other people as defendants, along with Phoenix Pictures. But the TV news hounds overlooked the most explosive allegations in the suits: that some or all of the defendants were "known...pedophiles or pederasts," and had criminal records for "child abuse/endangerment and/or other deviant sexual conduct."

Those charges, buried deep in the legal documents, were notable not only for their salaciousness but for their recklessness, since the boys' attorneys had no evidence with which to back them up.

Indeed, their lawsuits were models of sloppy research. Three defendants' names were misspelled; another defendant was completely misidentified. Rub and his co-attorney, Peter D. Gordon, also fingered as a defendant someone who at the time had no involvement with Apt Pupil whatsoever: Scott Rudin, a powerful Hollywood producer.

Relying on inaccurate information culled from Internet sites for movie buffs, Rub and Gordon believed Rudin was Apt Pupil's executive producer. Rudin -- who recently produced *The Truman Show* -- swiftly sued the two lawyers for defamation, noting that he'd dropped out of the Apt Pupil project a year before the extras entered the Eliot school showers.

Rub and Gordon hurriedly erased Rudin's name from their suits, and Gordon drafted a proposed letter of apology to the producer that bordered on pathetic. "I offer this letter as my own attempt to state my heartfelt and sincere expression of remorse for any damage to your good name," Gordon wrote. "I contritely offer this apology to you on my own behalf, and on behalf of the Stockdales."

In an even more abject letter to Rudin's attorney, Gordon begged him to persuade the producer to drop his defamation suit. Gordon said the action could wreck his relationship with his clients, as well as his financial future -- an argument that demonstrated an abundance of either chutzpah or witlessness, considering that Gordon only a few days earlier had publicly declared that Rudin might be a child-abusing pervert. "These cases are extremely important to me," Gordon pleaded in the second letter. "I have labored in the trenches for years before cases of this type have been entrusted to me....Loss of these clients would be a fatal blow to my own financial prospects."

But Gordon and Rub had also planted another attention-grabbing claim in their suits: that some or all of the defendants were "known homosexuals." And if they were gay, wasn't it easier for straight people -- including news reporters and jurors -- to buy the argument that they were child molesters as well? Thus, even as Gordon begged for mercy behind the scenes, Rub began spreading nasty innuendo about the defendants' sexual habits -- a whispering campaign with a distinctly homophobic edge.

When asked by a *New Times* writer which of the defendants were "pedophiles or pederasts," Rub named Singer and Rudin. The lawyer contacted child-actor advocate Paul Petersen, who unleashed his own barrage of mud on his Website, seemingly implying in one broadside that Singer hung around USC film school, his alma mater, to pick up male students for sex. In December, Rub announced at a news conference that he would organize a nationwide boycott of Apt Pupil, and called on "all decent people" to stay away when the \$13-million film opens this fall.

But Phoenix Pictures stood firm, saying it had investigated the boys' allegations and that there'd been no wrongdoing on the set. The studio's president and CEO, Arnold Messer, publicly declared that Rub and Gordon were trying to force Phoenix -- a cutting-edge shop that had recently produced *U-Turn* and *The People vs. Larry Flynt* -- into settling the lawsuits "with a mixture of innuendo and suggestion."

Apt Pupil's screenwriter, Brandon Boyce, is more blunt.

"It's an absolute smear job," says Boyce, who is not a defendant. "I think [Rub and Gordon are] trying to blackmail people based on their sexuality...[They're] saying, 'we know you're gay [and] you better do this or everybody's gonna know you're gay.' "

In fact, several of Apt Pupil's principals are gay.

Some -- like actor Sir Ian McKellen, who plays the unreconstructed old Nazi -- are out of the closet, while others don't wish to be publicly identified. But the point isn't that they're homosexual but that Rub and Gordon are cynically trying to use their sexuality as a PR bludgeon against them.

Much of that campaign is targeted at Bryan Singer, who burst into public view in 1995 with the stellar success of *The Usual Suspects*.

Written by Chris McQuarrie, a childhood friend of Singer's from New Jersey, the atmospheric crime drama premiered at Sundance and went on to win Oscars for McQuarrie and actor Kevin Spacey. It also made Singer, who'd directed only one previous feature, a very hot property in Hollywood. Fox subsequently tapped him to direct *X-Men*, a \$100-million project based on the hit Marvel comic-book series.

Singer had read Stephen King's story of Nazi obsession years ago and always thought it'd make a terrific movie. He acquired the rights to it from King and commissioned Boyce, another childhood buddy, to develop a screenplay.

On the day the shower-room sequence was shot, Singer spent most of his time hunched in an empty shower stall at Eliot school, directing the action in two adjacent stalls as he watched on a video monitor.

The crew had divided the 30-odd male extras -- both boys and men -- into two groups: one group would be in the shower shots, the others would appear in a related locker-room scene, clad in shorts and T-shirts.

With more than 60 actors and crew members in the shower area, and voices echoing off tile walls and metal lockers, the set was crowded and noisy. A smoke machine was used to create the appearance of steam, and performers and crew endured dozens of takes. Most of the attention was focused on 14-year-old star Brad Renfro, playing the suburban teen who develops a twisted fascination with Nazi death camps.

In the movie, Renfro is playing basketball in the school gym when he's knocked down by another player and hits his head. Later, as he showers with teammates, he fantasizes that the shower room has turned into a gas chamber, and that the other boys have morphed into emaciated old men, soon to be killed. It's a powerful and disturbing scene and crucial to Apt Pupil's plot.

But as the shower extras went through their paces, Singer noticed their g-strings were visible on camera. His first assistant director, Fernando Altschul, loudly ordered the extras to remove them.

A lanky 14-year-old named Devin St. Albin raised his hand and said he didn't want to disrobe.

St. Albin, who attends a Catholic high school in Encino, says Altschul came over and asked him why not. "He was starting to get upset," the boy says. "And I told him I didn't want to take it off; I'm a minor. And he shook his head, and he just said, 'Fine, I guess we can switch you with somebody else.' "

"He put me on the spot. He was talking loud enough so everybody can hear me, and everybody was looking at me, and I was pretty much the center of attention....I stopped everything." St. Albin, one of the boys who is suing, says he was given towels to put around his waist and shoulders, and moved out to the locker room to serve as an extra there.

Another plaintiff, Ryan Glomboske, then 17, says that after St. Albin left the showers, the cameras began rolling again until Singer and Altschul realized some extras still hadn't stripped. Altschul, says Glomboske, stalked back into the showers.

"He came in and he was mad," the boy says. "You could see it in his face. I seen him walking in...yelling

'who didn't take their g-strings off?' He's walking toward me, and I'm like, 'oh boy.' " Glomboske says he, too, protested that he was a minor and that Altschul "got angry."

David Stockdale's mother refused to allow him to be interviewed for this story. But in sworn testimony in his lawsuit, the boy says he was particularly intimidated by Singer.

The day before the shower scene, Stockdale testifies, Singer got so angry during filming that he hurled a coffee cup against a wall. The director was equally impatient at delays during the shower scene, Stockdale says. "I heard him yelling, 'what the hell happened?' You know, 'Jesus, what's your problem? Why can't we get this right? We got to get this right, it's taking too long.' " Singer and Altschul were "screaming a lot throughout the day," the boy testifies. "They were very frustrated and very upset."

Like Stockdale, several other plaintiffs are experienced extras with hopes of making careers in Hollywood. They say they reluctantly stripped because they feared that if they didn't, they'd find themselves blackballed from other film and TV projects by Singer and his allies.

Ben Baker, then a 22-year-old USC film student who became a plaintiff, claims Altschul told him and other extras that "if we didn't take our clothes off, then to get off the set, basically, and don't come back." Baker and other plaintiffs say that as they stood naked, they were leered at by crew members who seemed gay, making them even more uncomfortable. Singer, says Stockdale, "appeared to me to be a full-fledged homosexual. He was checking out everyone."

Glomboske says one crewman, whom he couldn't identify, simply stood atop a gym locker staring down at the nude boys in the stalls. "It made you feel really uncomfortable," says the boy, who has worked often enough in Hollywood to have his own agent. "Then there was smoke guys who had to stand on each side, and all they did was sit there and look at you while they're pouring their smoke. It's basically like all eyes are on you."

Finally, the boys allege they were effectively imprisoned on the set, which was closed to outsiders during the four-hour shower shoot. They couldn't leave to visit their parents or even to go to a bathroom in the gym next door, they claim.

In interviews with journalists, Rub and Gordon like to milk the "irony" of a group of innocents herded into showers and forced to strip during the making of a movie related to Nazi death camps -- even if it's a bit of a stretch to compare Eliot Middle School with Dachau.

"While no one is going to say that the severity of the discomfort or the level of violation of privacy that these boys went through are in any sense on the same order of magnitude that occurred in the [concentration] camps," says Gordon, "it's just that there is this tug at one's conscience when you consider the scenario."

Tom DeSanto stands out sharply from the twentysomething crowd gathered at a Sunset Boulevard coffee house.

Surrounded by slouching Hollywood wannabes exuding cigarette smoke and world-weariness, the handsome, clean-cut DeSanto -- Apt Pupil's 28-year-old co-producer -- looks like he stepped out of a J. Crew ad. A onetime NYU and USC film student, he hooked up with Bryan Singer just as *The Usual Suspects* was being released in 1995. "Are these kids saying that they were, like, imprisoned? That's absurd. That is totally absurd." -- actor Michael Reed Mackay.

DeSanto says he's astonished and angry at the way the media has distorted what happened at Eliot school. He turned on his TV at one point, he says, to find Marty Rub telling an interviewer that naked pictures of his adolescent clients had probably been pirated off the Apt Pupil set and would soon be in the sweaty hands of foreign pedophiles.

"Rub...said he had heard that within a few months these pictures were going to be in European child-pornography magazines," says DeSanto. "I'm like going, 'what?' I thought a house had fallen on me and I was in Oz. Because it's just, like, what is going on here? Where is there a check and balance?"

"When [the lawsuit] was filed, everyone [on the crew] was just completely blindsided," he adds. "First of all, we thought it was a joke. We didn't know what was going on. Then when it started to turn serious, everyone

was sort of like...it hurt."

As soon as all the male extras had been checked in at Eliot school, DeSanto says, he assembled them and told them what to expect in the shower scene. "I asked everyone if anyone was uncomfortable about nudity, and about four or five of the guys came up to me and said that they'd prefer it if they weren't," he says, adding that he had arranged for them to wear regular gym clothes and be switched to a locker-room scene. "For [the shower extras] to be there that day, there was an agreement that they were going to be naked. There was no ifs, ands, or buts about it."

DeSanto's story is confirmed by three Apt Pupil extras and the mother of a fourth. Each tells New Times that shower extras indeed were informed beforehand that they'd be naked.

Joey Nater, then a 19-year-old Cal State Northridge student studying to be a director/producer, says crew members had asked him and some other extras several days earlier, after filming a school-graduation scene, if they wanted to appear in the shower sequence.

"They said it would involve some nudity -- some partial nudity and some complete nudity," says Nater. "And they had us sign on a list, who would be willing to do what." Adds Brett Latteri, an aspiring actor who was then an 18-year-old senior at Beverly Hills High School: "They explained it in full detail beforehand. They told us it was going to be a shower scene of kids coming off a P.E. period, going to the locker room, taking a shower, and there will be nudity involved....Everybody knew what was going on."

On orders from his lawyer, Altschul, the assistant director, declined to be interviewed for this article. But others on the set that day say he did nothing to intimidate the extras, although he often raised his voice to be heard above the din.

"Just before we were ready to shoot, he would say, 'OK, get in your places,' " says extra Michael Reed Mackay, a veteran character actor who played the seemingly dead drug addict in *Seven*. "There was no shouting, no intimidation that I ever saw. It was totally professional."

Tim Harbert, Apt Pupil's line producer, says that if anything, Altschul wasn't strict enough with the extras.

"I thought there was too much talking on the set a lot of times," says Harbert, who worked on the film *Moll Flanders* as well as the film and TV versions of *Twin Peaks*. "I've worked with guys who are like Nazis on the set. [They'll say,] 'If you wanna talk, get off my set.' "

Harbert says Altschul was trying to control a rambunctious bunch of boys and men in the showers -- as well as the locker-room extras and his own crew -- and it wasn't easy. "You gotta keep everyone quiet, and you gotta keep the focus moving forward," says Harbert. "You're not there to win over friends. You're there to do your job, to crack the whip, to get them focused."

Harbert says Singer did indeed hurl a coffee cup as David Stockdale claims -- but about a week after the shower scene and with no intent to terrorize anyone. Rather, Singer was mad at himself because he couldn't figure out how to properly shoot a scene in which Renfro watches a movie in a dimly lighted theater.

"[Singer] got frustrated at himself, and he threw the coffee cup at the wall," recalls Harbert. "Then he went in the trailer, and he was really upset. I went in the trailer and talked to him about it [and], then he finally figured it out....I mean, he was literally crying in frustration about that."

Several people present on the set denied that the crew eyed the boys in a sexual way, and Mackay expressed astonishment when told that they claim to have been held there against their will.

"Are these kids saying that they were, like, imprisoned?" he asks. "That's absurd. That is totally absurd."

DeSanto says he ordered the set closed at the request of the extras, who said they'd be uncomfortable if parents, most of whom were women, were allowed in. Snacks and soft drinks were available throughout the shoot, he says. No one asked to leave the set, and no one was prevented from doing so, says the producer, although extras were advised to use a bathroom in the locker area rather than wander outside to use one in the gym. "If anyone on my crew had held anyone there against their will, I would be furious, and I would fire that person," says DeSanto.

Indeed, Stockdale acknowledges in his deposition that he never asked anyone on the crew if he could leave

the set to talk to his mother, and that no crew member told him he couldn't do so. Baker, too, admits no one told him he couldn't leave, and that he didn't try to. And Gordon concedes that the adult guardian of plaintiff Chris Gonzales was allowed to speak with him in the locker area outside the showers.

DeSanto says he and Singer had hoped to be able to film the shower extras with g-strings on. But it turned out the garments were too easy to see, making the shower scene look fake, so extras were told to take them off.

Although a handful of people on the crew that day were homosexual, the overwhelming majority were straight. A number are married and have children. When an extra said he was uncomfortable with the presence of one crewman, DeSanto had him removed from the set.

DeSanto concedes that he and his crew made one significant mistake: They failed to make sure all the extras, minors as well as adults, signed consent forms before they were filmed in the buff, as union rules require. "That I freely admit to; it was a complete paperwork screwup," says the producer. He says a subordinate insisted the agreements had been signed, but in fact they hadn't.

The Screen Actors Guild later filed a complaint on behalf of all the extras against the movie makers, and the case may be submitted to an arbitrator. SAG chief counsel Vicki Shapiro says violations of the nude-permission rule are rare, and she's unsure what the penalty might be.

Even after the nude filming was over, and the boys had been reunited with their parents in the gym, DeSanto says, there were no complaints, except for one father who was upset that Altschul had "yelled" at his son. The producer apologized, and the man seemed satisfied. Most extras, says DeSanto, appeared happy and excited after the filming, high-fiving one another and shooting hoops in the gym.

Marty Rub is a bantam rooster of a man, short and slightly bug-eyed, who likes to portray himself as a courtroom tough guy.

Rub, 48, proudly admits to having punched out a fellow lawyer during a contentious deposition session, and to cold-cocking another attorney, whom Rub claims tried to grab some legal papers out of his hands.

A graduate of UCLA and Southwestern University law school, Rub (pronounced "rube") has spent most of his career as a solo practitioner. His West L.A. office is decorated with elegant models of sailing ships and black-and-white photos of John and Robert Kennedy.

The apogee of his legal career came in 1991 when he and another attorney won a \$41-million jury verdict on behalf of a former partner in the company that made Epilady hair-removal products. The partner convinced jurors she'd been dumped from the company when its products took off in the late 1980s, leaving Rub and the other lawyer to divvy up 40 percent of the damage award. Framed newspaper articles detailing his triumph still decorate Rub's outer office.

Rub's resume emphasizes his experience in real estate, bankruptcy, and trademark-infringement law, and notes that he formerly served as corporate counsel to the New York firm that makes Jordache jeans.

But there are a few biographical facts that don't appear on his resume.

It doesn't mention, for instance, that the State Bar of California formally accused him last October of misappropriation of client funds and moral turpitude in connection with two cases he handled. The allegations, which are still pending, could result in discipline ranging from a brief suspension of Rub's lawyer's license to disbarment.

In one of the cases, Bar investigators say, Rub represented four Filipinos injured in a 1994 car crash. The other driver's insurance company agreed to pay a total of \$35,000, but Rub never informed his clients of the settlement, according to the Bar. The victims learned that checks had been cut for them only after they hired another lawyer to pursue their case. Rub also stiffed a chiropractor who treated his clients, Bar investigators allege. Rub denies the accusations, saying he mailed checks to his clients that were never cashed.

Rub's resume also fails to mention how he got canned from his lucrative Jordache job.

That story is outlined in a curious 1986 lawsuit he filed accusing another L.A. attorney of slander and libel. Rub said in a deposition at the time that Jordache was paying him up to \$250,000 a year to sue counterfeiters of its products.

Rub said a client told him the other lawyer said Rub was "the leader of a Mercedes-Benz stolen car ring and...has filed fraudulent claims with Farmers Insurance."

The other attorney denied making the statement and Rub protested that it was untrue, but word spread to his Jordache bosses, who terminated him. "They couldn't afford to have that stigma attached to them -- namely, me," he testified. Other clients, he said, abandoned him in a "mass exodus," including one old friend who "treated me like the black plague" after the car-theft rumors surfaced. His lawsuit was later dismissed.

Rub got involved with Apt Pupil as a result of his friendship with the family of the shower extra, Devin St. Albin, who refused to take off his g-string.

Devin and Rub's son have played basketball together since they were small boys, and Rub coached their Encino park-league team. Devin's mother is Constance St. Albin, a San Fernando Valley nurse who drives a Jeep Grand Cherokee with a license-plate holder that reads, "I'd rather be shopping at Nordstrom." Not long after the shower shoot, she telephoned the mother of another extra, 16-year-old Blake Tibbetts, a classmate of Devin's at Crespi Carmelite High School, an all-male Catholic institution in Encino.

Tracy Tibbetts, who accompanied her son to Eliot school on the day of the shower scene, says Constance tried to recruit her to join the suit against the filmmakers, but she refused because she didn't want to join any "unnecessary lawsuits." "It's an out-and-out lie what [the plaintiffs] are saying. It's gotten way out of hand." -- Tracy Tibbetts, the mother of a 16-year-old extra who isn't suing.

"We were told in advance over and over what was going to happen -- that there was going to be some shooting with no clothes on," says Tibbetts. "There was not one person that was upset [after the shower filming]. It's an out-and-out lie what [the plaintiffs] are saying. It's gotten way out of hand."

Tibbetts says that after the shower shoot, "not one kid looked like he was being abused in any way. When I confronted Blake after I heard this horrible story that was going on, he was shocked. He could not believe it, because he said, 'None of that happened, none of that went on.' "

Phoenix Pictures lawyer Lindsay Bayman claims that Constance St. Albin tried to induce a Crespi parent to join the suit, saying, "Oh, come on; it's your chance to get a car or a college education for your son."

St. Albin denies making such a statement. But she admits calling Tibbetts and asking her to talk to Rub, and later urging Tibbetts to "get involved" in the court action.

Joey Nater, one of the shower extras who isn't suing, says his fellow extra, Ben Baker, told him he too was recruited to be a plaintiff.

Baker "was wondering if he should get involved in the lawsuit or not," Nater recalls. "I said, 'Wait a minute. I don't know what you're talking about, because I was there, too.' And he would joke about it; he'd say, 'Well, when I get my money, I'm gonna get a Ferrari.' " Baker (who was later dismissed from the suit by a judge because he wasn't a minor) denies making that statement.

After drafting his lawsuit, Rub contacted local law-enforcement agencies to demand that criminal charges be filed against Singer and his associates. But neither cops nor prosecutors would bite. L.A. County sheriff's detectives declared after an investigation that no crime had occurred on the set of Apt Pupil.

District Attorney Gil Garcetti's office took a similar stance, announcing last December that it found no basis for prosecution. "The evidence indicates that the suspects were intent on completing a professional film as quickly and efficiently as possible, and while it appears that this may have been done in a brusque and perhaps intimidating manner, there is no indication of lewd or abnormal sexual intent," the D.A.'s office said in a written summary. "In addition, the content of the film and the circumstances surrounding the filming fail to fall within the definitions of obscene matter and sexual conduct for purposes of prosecution."

Outraged at Garcetti's decision, Rub, Gordon, and their clients promptly staged another news conference -- and again hit a media jackpot.

Four major local TV outlets -- KABC, KCAL, KNBC, and Fox -- aired reports on the press conference. It also made CNN's Showbiz Today, E! Entertainment Television's news segment, and Johnnie Cochran's TV show. The Associated Press picked up the story, and it was reprinted by newspapers, including the Sacramento Bee and the Toronto Sun. Locally, the Hollywood Reporter ran an item noting Rub's call for a consumer boycott of Apt Pupil.

A few days after this tidal wave of bad publicity, according to Phoenix Pictures attorney Bayman, Rub phoned her and threatened to keep up his public attacks -- unless the moviemakers agreed to an out-of-court settlement.

"I'm starting a national media campaign tomorrow," Rub said, according to Bayman. "There will be so much damage there won't be room for a settlement after that....So if you're going to settle, settle now." Rub says he never made such a threat.

In any event, Rub has insisted to journalists that although Garcetti declined to prosecute, sheriff's detectives and FBI agents who'd investigated the case had recommended that criminal charges be pressed against Singer et al.

But that wasn't true, says one of those investigators.

"That's not accurate at all. We're not in the position to press anything," says Sheriff's Detective Doug Blaydes, a member of the Sexual Assault Felony Enforcement team, a joint local-federal group that looked into the shower controversy. "The SAFE team did a thorough investigation, and at the conclusion of the investigation it was submitted to the D.A.'s office for review....After reviewing the specific allegations and the specific laws within the penal code, I have to agree with the District Attorney's decision [not to prosecute]."

Rub also has repeatedly told reporters that California law flatly bans filming minors in the nude. That, too, is not the case.

The state's criminal code prohibits filming naked minors engaged in sex acts or with the intent to stimulate prurient interest. But as the district attorney's memo points out, the makers of Apt Pupil had no such intent. State labor law also bars the sexual exploitation of children, but does not prohibit filmmakers from using undressed minors for legitimate artistic purposes, according to California labor commissioner Jose Millan, whose agency also investigated the Apt Pupil shower shoot.

"This was not gratuitous nude filming," says Millan. "There was a specific reason why the scene was included in the film, and it had an overall artistic purpose to give the full flavor of life in this concentration camp."

It is mentioned only in passing in the lawsuits, but Rub has a theory that Singer wasn't merely out to make a commercial movie at Eliot school.

The shower shoot was really a cover for the director to take dirty pictures of pretty young boys, the lawyer claims, adding that Singer's colleagues were co-conspirators in this venture. The pictures were to be shown later at "private screenings," presumably by Singer's tumescent gay pals.

"It was like if you have a girlfriend and you go to a hotel that shows porno flicks," says Rub. "Or if you have a porno flick and you show it to your girlfriend when you're in bed together. It's something to get you off.

"Here's a young kid [and] first thing out he's a big success," the lawyer continues, referring to Singer's sudden stardom with *The Usual Suspects*. "He can do anything he wants and get away with it. He's the darling of Hollywood. And now he's got his own little film archives that he gets off [with] looking at nude boys....I find it sickening."

And a sickening scenario it might be -- if there was any real evidence to support it. But as with most of Rub's "theories," evidence is in short supply.

Among Singer's purported co-conspirators is John Baer, a photographer hired to shoot publicity stills for Apt Pupil. David Stockdale says in a deposition that Baer was "obviously homosexual," and the boys' lawsuits

claim he took photos of them in "compromising and indecent" positions. Baer, the suits contend, shot one picture of several boys "lined up along a wall of urinals and in the act of urinating." Rub and Gordon say the photo confirms that gays on the set were sexually exploiting the youths.

Baer, however, doesn't exactly fit the gay pervert profile. For one thing, he's straight; for another, he's an ex-cop. He served in the New York Police Department from 1993 until last year, according to an NYPD spokesman who says Baer left the department "in good standing."

Moreover, Baer's photo is no more lascivious than something you might find in a Melrose Avenue postcard shop. It shows four males lined up at a urinal, their backs to the camera. All are fully clothed in different colored bathrobes; one is looking playfully over his shoulder and laughing. Baer says he asked the subjects' permission to shoot, and did so only because he liked the colors and composition of the scene. A lawyer for Phoenix Pictures says at least three of those pictured were over 18.

"I took one picture, the flash wouldn't go off," says Baer. "When I took the other picture, one of the kids was laughing, asking whether I got the picture or not."

Dick Dornan shoots another big hole in Rub's gay conspiracy theory.

Dornan is a basketball and baseball coach at Crespi High School, which three of the extras attended. Apt Pupil's producers recruited a number of Crespi athletes to appear in the basketball scene in which Brad Renfro is knocked down. Dornan accompanied the students to the Eliot school for that shoot, and was asked to come back and supervise them in the subsequent shower scene, which he agreed to do.

"I was asked to be almost like a guardian," he says.

As it turned out, the shower shoot was rescheduled and Dornan couldn't make it. But if you wanted to lure teenaged boys into a shower room to take dirty pictures of them, would you invite their high school coach to come and witness the whole thing?

At least one plaintiff admits the shower footage wouldn't be much of a turn-on in any event. In sworn testimony, David Stockdale says he kept his back to the camera "most of the time," nobody ordered him to turn toward the lens, and his genitals apparently were never filmed.

Ostensibly buttressing the gay conspiracy theory are Rub and Gordon's allegations that some or all of the defendants are pedophiles who have been convicted of child abuse "and/or other deviant sexual conduct."

The two attorneys, however, admit they have no evidence to support these allegations. No arrest reports, no indictments, no records of criminal convictions. Zip. The lawyers didn't have evidence when they filed their lawsuits and, more than a year later, they still don't.

"It's an unverified complaint," acknowledges Rub of the lawsuits.

But for Rub and his partner, the truth is probably beside the point. Like Joe McCarthy's infamous allegations of supposed communists in the State Department, the sex-perversion charges -- though completely unsubstantiated -- gave the two lawyers a fearsome weapon against the makers of Apt Pupil: the threat of bad publicity. Horrendous publicity. Publicity so ugly that audiences might stay away from Singer's film in droves.

And it was a weapon that Rub and Gordon didn't hesitate to use.

Not long after filing their lawsuits, they contacted Paul Petersen, the child-actor advocate. Himself a former kid star (he was one of the original Mouseketeers and later played Donna Reed's TV son, Jeff), Petersen began using his Website to attack Singer.

In one broadside, Petersen, who works out of his Gardena home, wrote: "Brian Synger [sic], the Director, is an avowed 'gay male,' well-known in the homosexual community with a predatory penchant for hanging about film schools."

Petersen says he can't recall who provided that potentially libelous tidbit. But Ben Baker, the USC film student, says he was Petersen's source for Singer's supposed activities at USC's film school, where the director is a respected alumnus. Baker says he told Petersen that Singer "looks for love interests there."

Petersen's Internet insinuations drew a threat of legal action from Singer's attorney, but the child-actor activist insists he didn't mean to imply that Singer was picking up gay sex partners at USC. "Oh God, no; that's not it at all," he exclaims. Petersen says he was instead chastising Singer for using his USC connection to recruit young assistants there, "pay them nothing, and get their ideas."

Petersen also claimed on his Website that "raw footage and outtakes" from the shower scene had been viewed at "private parties here in Los Angeles." But when Petersen is asked if he has evidence that such screenings took place, he admits: "I know of no person who can tell me that they've seen [shower outtakes]."

Rub, too, likes to suggest that dirty footage from Apt Pupil is routinely drooled over at cozy gatherings. "At least one, and it looks like two of the people who go to [USC] got a private screening of the nude flick from Bryan Singer and were bragging about it," he told New Times in early January.

But Rub can't back up that allegation, either.

During a deposition session in late January, he grilled a USC film student named Jason about the alleged private screenings, but came up empty-handed.

Jason, an old friend of Singer's, testified that the director had indeed invited him to see some shower footage -- but it was a sequence shot months after the first lawsuit was filed in which only adult extras were used. Jason said he'd seen the footage not at a party but during a studio mixing session that was attended by several other filmmakers, including Apt Pupil's respected editor, John Ottman.

When Rub then tried to invade Jason's privacy by asking if he and Singer "were lovers," Jason's lawyer angrily refused to let him answer.

As is common in such legal actions, the Apt Pupil plaintiffs claim they were emotionally traumatized by their experiences and are entitled to financial compensation, although they have yet to specify how much.

But in court documents and interviews, the boys describe their supposed suffering in vague, unconvincing terms. They and their parents blame the makers of Apt Pupil for problems that in any other context would be considered routine adolescent troubles, like flagging grades, nail-biting, and even acne.

Ryan Glomboske, for example, says that since the shower scene, "I notice I've had a pain in my side. I call it my ulcer. I don't know what it is." Whatever it is, it hasn't been serious enough for him to see a doctor, he acknowledges.

After racking up A's in school earlier this year, he says, his grades fell "in the gutter." But he admits he can't say if his lower marks are directly related to his movie-set experiences.

His mother, Brenda, even attributes an outbreak of acne on his face to the purported depredations of Bryan Singer and the Apt Pupil crew. "We got pictures of [Ryan] just before and his face was completely clear," she says. "And all of a sudden his face [has] sores on it."

David Stockdale was so upset by what allegedly happened in the showers that he invented a new crime to describe it: "emotional rape." He claims in court papers that being emotionally raped "is probably not that far from being physically raped" -- a conclusion that victims of physical rape might strongly disagree with.

Stockdale, a promising soccer goalie, also cites his Apt Pupil experiences as the reason he stopped playing for a local club team. After the humiliation of the showers, he says, he "couldn't focus" during games and another boy beat him out as starting goalie. But in the same court document, Stockdale acknowledges that he became the first-string goalie on his high school team a few months later. He also concedes that his supposed Apt Pupil anguish didn't hinder his other activities, such as student council.

While many teenage boys are sensitive about being seen unclothed, especially by other males, Stockdale and Glomboske, who also lives in the Antelope Valley, come across as pathologically modest.

"I've never been nude around anybody," says Glomboske. "I'm really sensitive about my body. My friends have never seen me nude, my parents have never seen me nude. I made it a point that I just don't show my

body to anybody." Stockdale, who's also a priest in the Mormon church, says in a sworn statement that although he's been a student athlete for nine years, "I have never previously showered in the nude with other boys."

Both boys express particular distaste at having had to stand naked in front of gays on the set.

"I didn't want to be standing there for the world to see," says Stockdale in another court document. "That to me is for me and my future wife to see, and for us only. That is not for the enjoyment of the homosexuals on the set....I don't like being oogled [sic]."

But Stockdale's actions after the shower scene undercut his claim of being traumatized.

Despite the purported horrors of the showers, the youth worked as an extra on the movie on two subsequent days -- April 3 and April 7. (Another teenage plaintiff, Tai Savetsila, also worked on the set on those days, according to Stockdale.)

That's not all. After the shower shoot had wrapped on April 2, Stockdale's mother, Diana, asked an assistant director if there might be a job for David's 14-year-old sister, Melissa, according to David's testimony.

" 'She's available if you need an extra girl,' " the boy quotes his mother as saying.

In his deposition, Stockdale says he sought psychological counseling from two doctors after the shower incident. He saw the first, identified as Dr. Korn, only once because he felt uncomfortable with him. After Stockdale recounted how the Apt Pupil crew treated him on the set, he says, the physician commented, "There's no wrongdoing in that."

Stockdale later sought out a second counselor, Dr. Miles. He was more sympathetic, and Stockdale had several appointments with him. Miles eventually delivered his diagnosis, which didn't exactly bespeak a patient suffering from deep psychic wounds.

"He's told me," says Stockdale, "that I need to try to move on with my life."

In the kitchen of his spacious Encino home, Marty Rub is talking about his 23-year legal career, and how disgusted he's become with his own profession.

He's giving serious thought, he says, to writing a book that would "expose the law profession for the farce that it is." He's so fed up, in fact, that he's ready to quit law altogether, and soon.

He laughingly refers to himself as an "ambulance chaser" and happily tells of two fistfights with fellow barristers; he seems not at all embarrassed that one of his antagonists, whom he knocked out cold, was a man in his 70s.

He's had one really big win in his career -- the \$41 million Epilady case -- and he smells another jackpot in the Apt Pupil lawsuits. They're still in the preliminary stages, with no trial date set. Maybe Rub can convince a jury that something ugly happened in the Eliot school showers, despite the enormous holes in his case. Maybe he can tap Bryan Singer and Phoenix Pictures for big bucks. And if he does, sayonara, suckers -- he's taking off his lawyer duds for good.

"When I get my millions," Marty Rub says with a grin, "I'm getting out."