

### ### Title

**\*\*Viva Productions, Inc. vs. Court of Appeals and Hubert J.P. Webb: A Case of Alleged Forum Shopping and Freedom of Expression\*\***

### ### Facts

The case arises from Viva Productions, Inc.'s (petitioner) attempt to exhibit "The Jessica Alfaro Story," a film based on the real-life testimony of a witness in the infamous "Vizconde Massacre" case, in which Hubert J.P. Webb (private respondent) was a suspect. Concerns were raised that the movie's release could violate the sub judice rule and Webb's constitutional rights as an accused. Webb sent letters of warning to Viva Productions and Alfaro, which went unheeded, leading to Webb filing a Petition for Contempt in the Parañaque court where the criminal case was pending. Webb also filed a separate case for Injunction With Damages in the Makati court seeking to prevent the movie's promotion and exhibition. Both courts issued orders in Webb's favor, which the petitioner challenged via a petition for certiorari in the Court of Appeals, arguing against the restraint on freedom of expression, the jurisdiction of the Makati court, and the alleged act of forum shopping by Webb.

### ### Issues

1. Whether the Parañaque court can curtail petitioner's freedom of expression without a clear and present danger.
2. Whether the Makati court had jurisdiction over the injunction case, which was related to a case already pending in the Parañaque court.
3. Whether private respondent committed forum shopping by filing two cases with the same factual setup and relief sought in different courts.

### ### Court's Decision

The Supreme Court granted the petition, setting aside the decisions of the lower courts. It found Webb guilty of forum shopping for filing separate actions to achieve the same injunctive relief against the movie's exhibition, despite these being before two courts with concurrent jurisdiction. The Court declared the orders from the Makati court null and void and dismissed the case there, and also declared the restraining order from the Parañaque court functus officio. The Court emphasized that while the actions before each court were distinct, the intention behind seeking injunctive relief in both was to avoid the movie's exhibition, reflecting forum shopping. It refrained from ruling on the issue of freedom of expression given the case's resolution on other grounds.

### ### Doctrine

The principle upheld emphasizes that filing multiple actions with the same objective across different courts constitutes forum shopping, which is deserving of sanctions including the dismissal of the cases. This case also reiterated the principle protecting against prior restraint on freedom of expression, though it was not conclusively decided upon given the case's resolution on forum shopping grounds.

### ### Class Notes

- **Forum Shopping:** The act of filing multiple cases involving the same parties and issues in different courts to get a favorable outcome. Sanctioned by summary dismissal of the cases and potential contempt of court.
- **Freedom of Expression:** A constitutional right not to be curtailed without a clear and present danger that justifies prior restraint.
- **Jurisdiction:** Courts cannot take cognizance of a matter that is substantially in litigation in another court of concurrent jurisdiction.
- **Administrative Circular No. 04-94:** Sets forth directives against forum shopping, including sanctions for violations.
- **Sub Judice Rule:** Prohibits public discussion of a case currently under judicial consideration, intending to protect the accused's rights and judicial processes.

### ### Historical Background

The context of this case is deeply intertwined with the highly publicized "Vizconde Massacre," a grave criminal case in the Philippines. The media frenzy and societal attention on the case and its development played a critical role in shaping the legal battles that followed, including the controversy over the portrayal of the events in a commercial film and its potential impact on the legal proceedings and the accused's rights.