

such as *A Special Thing*, *Redban*, and *Cringe Humor* were jammed with posts claiming that Cook had ripped off comedian Louis C.K., who starred in HBO's recently canceled *Lucky Louie*. Posters noted that three bits from Cook's *Retaliation*—"Struck by a Vehicle," "Itchy Asshole," and "My Son Optimus Prime"—sound remarkably similar to "Guy on a Bike," "Itchy Asshole," and "Kid's Names," all of which are featured on C.K.'s CD *Live in Houston*.

Listening to the two albums, there's no denying certain similarities. "Guy on a Bike" and "Struck by a Vehicle" both wonder how to warn someone in a split second that they're about to be hit by a car. C.K. yells "Bad thing!" while Cook sputters "Uuuuuuhh!" In "Kid's Names" and "My Son Optimus Prime" both men discuss giving children weird names, with C.K. choosing "Fffffffffffff" to Cook's "Rrrrrrrrrrrrrr."

Is it possible Cook wrote his bits without ever hearing C.K.'s? Parallel thinking—when comics write the same or similar jokes independently—is extremely common. Comedians view the world through a similarly honed comic prism and often produce identical premises or punch lines. When the pedophilic priest scandals broke, for example, comics all over New York City riffed on it with variations of "Hey, I was never abused—what was wrong with *me*?" lines. None of them appeared to have cribbed the joke; it was simply the obvious gag.

The notion that parallel thinking explains the case of Cook and C.K. seems far-fetched. But for his part, C.K. has tried to downplay the issue. "Okay, this kid is stealing from me. And making lots of money. Three bits on one CD," he wrote on *A Special Thing*'s bulletin board in 2005, adding, "Just so you know, guys, I'm not going to do anything about this.... I'm not going to court over a bit called 'Itchy Asshole.'" The controversy did little to hurt Cook, whose *Retaliation* was the best-selling comedy album since Steve Martin's *A Wild and Crazy Guy*.

Other comedians agree there's little upside to accusing colleagues of theft. "My ex-boyfriend had a great philosophy about joke stealing," says Comedy Central favorite Lisa Lampanelli. "'Write more.' If you're gonna be a freakin' baby and whine that somebody stole your jokes, guess what? You can write more."

**Accusations of comedic skulduggery** have also dogged Denis Leary, who has spent much of his career denying that he borrowed his act wholesale from Bill Hicks, the edgy, anti-establishment legend who died of cancer in 1994. Critics have long cited a laundry list of alleged

similarities between Leary's 1993 album *No Cure for Cancer* and Hicks's earlier work, from Leary's angry, chain-smoking persona to specific jokes about tobacco, health nuts, and lame bands. The charges grew so widespread that they inspired a scathing joke among some of Hicks's friends that Leary had become famous only because, well, there's no cure for cancer.

Colleen McGarr, a onetime talent coordinator for the Montreal Comedy Festival and a close friend of Hicks's was backstage at the fest in 1991 when she first saw Leary perform what seemed to her an uncomfortably familiar set. "I was aghast," says McGarr, who later became Hicks's manager and fiancée. "To me, it was Bill's material done in a shabby, humorless way, but shocking enough that people would respond to it."

"I was shocked that [Leary] could still work in Boston," says Rogan, who claims he has also watched Leary recycle old bits by Ray Romano.

But other comics who were close to both men dispute the charges. "I think it's all a little

Comedy Central star Carlos Mencia is almost universally reviled. According to Rogan, the famed Comedy Store in Los Angeles has even instituted a Mencia early-detection signal similar to the Improv's for Williams, though considerably less high-tech. "Every time he walks in, the guys in the cover booth just start yelling 'Mencia's here!'" he says with a laugh. (Both Mencia and Leary declined repeated requests for comment.)

Nick Di Paolo claims the Comedy Central star also swiped material from him, and notes that "every Latino comic wants to kill him."

One in particular is sitcom star George Lopez, who told Howard Stern last year that Mencia stole 13 minutes of his act for an HBO special, inspiring him to pay Mencia a personal visit. "I just had enough," Lopez recalled. "So one night at the Laugh Factory, I just picked him up and slammed him against the wall."

Unfortunately, there's generally no accountability for comic larceny—even when the

**George Lopez accused Mencia of ripping off his act for an HBO special. "One night, I picked him up and slammed him against the wall," Lopez told Howard Stern.**

exaggerated," counters Comedy Central regular Nick Di Paolo, who also knows Leary from the Boston scene. "Before anyone knew who Bill Hicks was, [Denis] was funny and original, and he always did the smoking stuff."

Indeed, when comparing *No Cure for Cancer* with Hicks's material from that time, the case seems murky. There are several similar jokes, including a riff on the irony that John Lennon was murdered while lesser talents were allowed to live. But in this case the argument for parallel thinking seems plausible. Even McGarr—who says that Hicks himself held no animosity toward Leary—now feels less sure about any wrongdoing. "You listen to the albums back to back, and it's complicated," she says. "Denis did lot of things in comedy after *No Cure for Cancer*. So, it's not like it's a continuing thing." (Interestingly, in her biography on Hicks, *American Scream*, Cynthia True reported that Hicks himself was accused by Sam Kinison of stealing Kinison's act.)

While the genial, hardworking Leary is generally liked and admired by most of his peers,

culprit cops to the crime. In his book *Gasp for Airtime*, Jay Mohr owns up to an unusually high-risk robbery: When he was a cast member on *Saturday Night Live*, Mohr watched popular New York comedian Rick Shapiro do a set in a local club, transcribed it word for word, and submitted it as his own work for a sketch that made it to air. Several weeks later, after Shapiro sued *Saturday Night Live*, Lorne Michaels showed Mohr a tape of Shapiro doing the bit and asked if he had seen it before. Though Mohr denied it, the show settled with Shapiro for an undisclosed sum. Mohr, however, suffered no repercussions at all.

**How much is a stolen joke worth?** The value of a joke has fluctuated considerably over the years as the nature of entertainment has changed. In vaudeville days, a comedian could perform the same 18-minute bit around the country for a decade, earning a living from a set barely long enough to fill a second-bill act. (Such was the value of material that W.C. Fields reportedly once paid a thug \$50 to break a comedian's legs for stealing his jokes.)

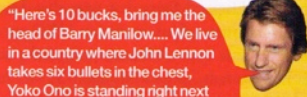
But a different ethos developed in the Catskills in the '30s, where comedians blatantly took notes while watching competing acts, and thought nothing of working the best jokes into

## Parallel Lines

Brazen creative theft, subtle manipulation of content, or two souls joined as one in common comedic perspective? You make the call.



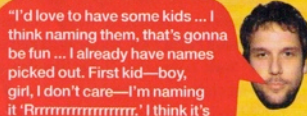
"We live in a world where John Lennon was murdered yet Barry Manilow continues to put out fucking albums ... Goddamn it. If you're gonna kill somebody, have some fuckin' taste. I'll drive you to Kenny Rogers's house. Get in the car." —Bill Hicks, *Dangerous*, 1990



"Here's 10 bucks, bring me the head of Barry Manilow.... We live in a country where John Lennon takes six bullets in the chest, Yoko Ono is standing right next to him, not one fucking bullet! Explain that to me!... Stevie Ray Vaughan is dead, and we can't get Jon Bon Jovi in a helicopter?" —Denis Leary, *No Cure for Cancer*, 1993



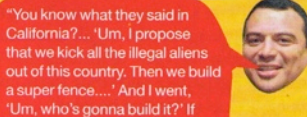
"I'd like to have a kid, 'cause you can name your kid anything you want. I'd like to give my kid an interesting name. A name with no vowels maybe, just, 'Pffnm, krd, mtkdprn, fffffff', just, like, 40 f's, that's his name. 'Fffffff, go clean your room.'" —Louis C.K., *Live in Houston*, 2001



"I'd love to have some kids ... I think naming them, that's gonna be fun ... I already have names picked out. First kid—boy, girl, I don't care—I'm naming it 'Rrrrrrrrrrrrr'. I think it's beautiful. It's feminine, but strong at the same time. 'Time for bed, Rrrrrrrrrrr ... No cookies, Rrrrrrrrrrr!' " —Dane Cook, *Retaliation*, 2005



"[Schwarzenegger] wants to build a new wall ... so no Mexicans get in. But I'm like, dude, Arnold, who do you think's gonna build that wall? It's gonna be Mexicans." —Ari Shaffir (occasional opener for Carlos Mencia), March 30, 2004



"You know what they said in California?... 'Um, I propose that we kick all the illegal aliens out of this country. Then we build a super fence....' And I went, 'Um, who's gonna build it?' If the wetbacks are gone, there goes the workforce." —Carlos Mencia, March 12, 2006

their own sets. Milton Berle, television's first star, made no apologies for his nickname, "The Thief of Bad Gag." (Bob Hope held a long-standing grudge against Berle for jokes stolen from him during their vaudeville days.) As comedy became more personal in the era of Lenny Bruce, George Carlin, and Richard Pryor, jokes came to reflect a performer's individual sensibility and their theft became a more hurtful offense. In his autobiography, Dick Cavett wrote that the borrowing of his friend Woody Allen's jokes was so pervasive that Cavett routinely called Allen to report the latest incident. Allen finally made him stop because "it pained him."

In some instances, the thievery is so absolute that a performer is left with nothing, a carcass picked apart by comic vultures. Take Will Jordan, a comedian and impressionist who gained fame in the '50s with an exaggerated impression of Ed Sullivan. Even if you've never actually seen Sullivan, you're probably familiar with his mannerisms, and credit for that goes to Jordan, who was the first performer to nail the talk show host's stiff body language and exaggerated dyspepsia. His Sullivan persona—with the host's encouragement—became part of the pop lexicon, an impression as revered and repeated as those of Groucho Marx and Howard Cosell.

But with success came appropriation. Come-

do that!" Once other comics began absorbing Jordan's Sullivan inflections and movements, fear dried him up. "I was afraid that anything I would write would be stolen," he admits. "It's a stupid reason, but I think it's the truth."

Jordan went on to make a small fortune as General Patton on the corporate sales meeting circuit in the '80s, and last played Sullivan in the 2003 romantic comedy *Down With Love*. But these days he works just one or two days a year. To add insult to injury, he wasn't even called when David Letterman held a special "Impressionists Week" on his show last November—at its home at the Ed Sullivan Theater.

Given those stakes, it's not surprising that some comics occasionally resort to violence to even the score.

When veteran Boston stand-ups Kevin Knox and PJ Thibodeau caught wind of a young comedian named Dan Kinno doing their material a few years back, they hatched a plan to exact revenge at one of Kinno's upcoming gigs. Kinno walked into the club to find the pair waiting for him, along with 60 to 70 other comics who, Thibodeau says, were "waiting to see a lynch-

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dians like Jackie Mason, Jack Carter, and Rich Little worked up their own Sullivan impressions, and Jordan's value plummeted. He watched in horror as bookings were canceled because Mason or Carter had entertained with *his* Sullivan at the same venue the week prior.

"The stuff they stole from me improved their lives one-tenth of one percent, but hurt me this much," says Jordan, spreading his arms wide during an interview at his memorabilia-strewn one-bedroom apartment in midtown Manhattan. "Jackie wasn't doing Ed Sullivan, but doing *me* doing Ed Sullivan." Recalling his propensity for twirling on his toes while mimicking the host, Jordan adds, "He's doing the spins! Sullivan didn't

ing." After ushering Kinno into the club's tiny green room, Thibodeau (who stands six foot, four inches and 250 pounds) and Knox (also six-foot-plus) interrogated the smaller comic until he confessed. "I slammed him into the wall and started spitting in his face," says Thibodeau. "I'm screaming, 'We're supposed to be friends!' and Knoxy was kinda pimp-slapping him. The kid started to cry. At that point, I walked away." Kinno never went on that night, and found himself shut out of the local club scene. Soon after, he moved to Los Angeles, where he has since appeared on the Game Show Network and MTV and is currently finding success on the club and college circuits, with regular gigs at the Improv Comedy Clubs around the country.

"People take plagiarism so seriously in all other forms of media, whether it's music, newspapers, books," Rogan says glumly. "But with comedy, it's like, 'You're on your own, fucker.'" **R**