

**NEW YORK STATE SUPREME COURT
BRONX COUNTY**

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KELLY WRIGHT, MUSFIQ RAHMAN, :
TICHAONA BROWN, TABRESE WRIGHT, :
MONICA DOUGLAS, MARK LeGRIER, :
MARIELA LINDSAY, VIELKA ROJAS, :
GRISELDA BENSON, MAURETTA THOMAS, :
SENAMI TOLODE, CLAUDINE McLEOD AND :
ELIZABETH FERNANDEZ, :
Plaintiffs, :

Index No.: 22446/2017E

**SECOND AMENDED CLASS
ACTION COMPLAINT**

v.

Jury Trial Demanded

TWENTY-FIRST CENTURY FOX, INC., FOX :
NEWS NETWORK LLC, DIANNE BRANDI, in :
her individual and professional capacities, and :
JUDITH SLATER, in her individual and :
professional capacities, :
Defendants. :

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Plaintiffs, as and for their Second Amended Class Action Complaint against Defendants
Twenty-First Century Fox, Inc. (“21st Century Fox”), Fox News Network LLC (“Fox News”) (21st Century Fox and Fox News, together, “Fox” or the “Company”), Dianne Brandi (“Brandi”) and Judith Slater (“Slater”) (collectively with Fox, “Defendants”), hereby allege as follows:

REASON FOR AMENDMENT

1. On March 29, 2017, Plaintiffs Tichaona Brown and Tabrese Wright made the courageous decision to file the initial complaint in this action against Fox. The initial complaint detailed the years of egregious racially hostile conduct Ms. Brown and Ms. Wright were forced to suffer as employees of Fox at the hands of Fox News’s former Controller, Defendant Judith Slater. Their bravery inspired additional Fox employees to come forward and join in this action to send a message to Fox that it is both immoral and unlawful to treat employees of color like second-class citizens in the workplace. Fox’s employees will no longer remain silent.

2. On April 4, 2017, Monica Douglas joined this action and exposed additional discriminatory comments and conduct, as well as evidence of a cover up by those at the highest levels, including Dianne Brandi, Fox's General Counsel and Executive Vice President, Legal and Business Affairs.

3. Then, on April 25, 2017, Ms. Brown, Mr. Wright and Ms. Douglas sought leave to amend the complaint to add eight (8) new Plaintiffs, Kelly Wright, Musfiq Rahman, Mark LeGrier, Mariela Lindsay, Vielka Rojas, Griselda Benson, Mauretta Thomas and Senami Tolode. On the same day, former Fox employee Adasa Blanco filed a race discrimination lawsuit in federal court.¹ Days earlier, former Fox employee Wasim Rafick filed a charge with the Equal Employment Opportunity Commission ("EEOC"). Each of these individuals experienced demoralizing race discrimination during their employment with Fox, and they too would not stand down.

4. Now, Plaintiffs Claudine McLeod and Elizabeth Fernandez have joined forces with their co-Plaintiffs – again, to show Fox that it will be held accountable for its unlawful discriminatory conduct. Together with Ms. Blanco, Mr. Rafick and Fox 5 reporter Lidija Ujkic,² at least sixteen (16) current and former Fox employees are alleging systemic discrimination based on race, ethnicity and national origin against Fox.

5. Ms. McLeod, who is Panamanian and Black and is a diabetic, began working at Fox News in 2007 in the Accounts Payable Department, where she still works. In that role, Ms.

¹ See Adasa Blanco v. Twenty-First Century Fox, Inc., et al., Index No. 17-CV-03017 (the "Blanco Action"), pending in the U.S. District Court, Southern District of New York. As detailed in the Affirmation of Jeanne Marie Christensen ("Christensen Aff."), ¶¶ 4-5, in the next few days, counsel for Ms. Blanco and Plaintiffs herein will be amending the complaint in the Blanco Action to include the claims of another former Fox employee.

² See Christensen Aff., ¶ 5, and Exhibit 4 attached, detailing the claims for national origin discrimination by Lidija Ujkic alleged against her employer, Fox's New York City local affiliate station, WNYW/Ch. 5 ("Fox5"), in Lidija Ujkic v. Twenty-First Century Fox, Inc., et al., Index No. 16-CV-09608 (AJN) (the "Ujkic Action"), pending in the U.S. District Court, Southern District of New York.

McLeod reported to Mark LeGrier, who, in turn, reported to Slater. Throughout her employment, Ms. McLeod was subjected to numerous discriminatory comments and conduct by Slater, including, but certainly not limited to:

- Being told that “You people are high maintenance” *vis a vis* health insurance costs and are “driving up everyone’s healthcare premiums;”
- Demanding to know whether Ms. McLeod and other minority employees were United States Citizens;
- Making numerous disparaging remarks about Ms. McLeod’s Panamanian heritage;
- Literally throwing pieces of candy at Ms. McLeod and other minority employees during a birthday celebration;
- Threatening to replace Ms. McLeod when she needed to take a day off due to the effects of her diabetes; and
- When told that Ms. McLeod’s daughter suffered from panic attacks, calling Ms. McLeod’s daughter a “stupid little girl.”

These are in addition to the myriad discriminatory comments described below, for many of which Ms. McLeod was present.

6. Ms. Fernandez, who is Hispanic, worked for Fox News from August 2008 through July 2014 in the Accounts Payable Department. In that role, Ms. Fernandez reported to Monica Douglas, who, in turn, reported to Slater. Throughout her employment, Ms. Fernandez was subjected to numerous discriminatory comments and conduct by Slater, including, but certainly not limited to:

- Being told, “I don’t like Spanish people’s food, you guys like eating pig feet, chicken feet, pig tongue and cow tail I wouldn’t even feed my dogs your food; Liz, do you like pig feet?”
- When she was pregnant with her first son, Slater, in front of others at a meeting, asked if she knew the sex of the baby and if she planned on having more kids because “Latinas like having a ton of kids;”

- Being denied access to the second floor, along with many other minorities, after Mr. Rahman mistakenly walked into former Chief Executive Officer Roger Ailes's office, as described herein;
- Being told that Mr. Rahman was a terrorist and warning that he might drop a bomb; and
- Being forced to listen to Slater ridicule other employees of color, including making fun of Ms. Douglas's "big butt" and calling Ms. Douglas a "dingdong" and a "dummy."

These are in addition to the myriad discriminatory comments described below, for many of which Ms. Fernandez was present.

SUMMARY OF CLAIMS

7. On April 19, 2017 – after permitting Bill O'Reilly ("O'Reilly") to harass and sexually harass Fox employees for 15 years – the Company was forced to terminate him due to mounting public pressure. Fox's statement to employees regarding the decision disingenuously asserted: "[W]e want to underscore our consistent commitment to fostering a work environment built on the values of trust and respect."

8. Sadly, nothing could be further from the truth. Indeed, the only consistency at Fox is the abhorrent, intolerable, unlawful and hostile racial discrimination that was inflicted on minority employees that appears more akin to Plantation-style management than a modern-day work environment.

9. In an effort to cover up the many years of harassment by O'Reilly and others, Fox News's General Counsel, Brandi, and Head of Human Resources ("HR"), Collins, permitted Slater and others to engage in abhorrent and blatant acts of race discrimination. When met with complaints about the racist behavior, incredibly, Black employees were told by Brandi and Collins that nothing could be done because Slater knew too much about senior executives, including former Ailes, former Chief Financial Officer Mark Kranz ("Kranz") and O'Reilly.

10. This class action seeks to expose Fox for this cover-up, create institutional change at Fox once and for all, and compensate the victims of race discrimination for the harm they were forced to endure and continue to endure.

11. *Plaintiff Kelly Wright* – a United States Army Veteran, ordained minister, gospel recording artist and songwriter, honored member of the Martin Luther King, Jr. Board of Sponsors at Morehouse College, and two-time Emmy Award recipient – has worked for Fox News in various anchoring reporting capacities since January 2003. Despite his outstanding performance, and because he is Black, Mr. Wright has been effectively sidelined and asked to perform the role of a “Jim Crow” – the racist caricature of a Black entertainer.

12. By way of example only, while O’Reilly refused to permit Mr. Wright to come on his show to discuss how America could focus on achieving racial conciliation in the midst of growing racial hostility, shockingly, he told Mr. Wright that he “should call up” Ailes and current co-President William Shine (“Shine”) and “offer to sing the National Anthem at the Fox News Town Halls.” Rather than viewing Mr. Wright as the two-time Emmy Award recipient he is, O’Reilly saw Mr. Wright as an entertainer and utility player.

13. On another occasion, Mr. Wright requested to appear on The O’Reilly Factor to discuss the racial divide in Ferguson, Missouri, and suggested showing the viewers “Beyond the Dream,” which is a series of positive stories about the African-American community and its contributions to the world. O’Reilly refused to run the “Beyond the Dream” piece because it showed Blacks in “too positive” a light. O’Reilly incredulously declared on his show: “I know Black America better than anyone.”

14. O'Reilly's comments are not inconsistent with many of the discriminatory comments he has made regarding Black people on his show, consistent with the systemic and institutional racial insensitivity at Fox News, including, *inter alia*,

- After reviewing a clip of Congresswoman Maxine Waters: "I didn't hear a word she said. I was looking at the James Brown wig. If we have a picture of James Brown – it's the same wig."
- "Don't abandon your children. Don't get pregnant at 14. Don't allow your neighborhoods to deteriorate into free-fire zones. That's what the African American community should have on their T-shirts."
- "White people don't force Black people to have babies out of wedlock. That's a personal decision; a decision that has devastated millions of children and led to disaster both socially and economically."

15. Shine also has demonstrated an obsession with race when it comes to discussions with Mr. Wright, including regularly asking him, "how do Black people react to you" and "how do you think White viewers look at you?" Baffled by these questions and why they were even asked, Mr. Wright answered Shine that White viewers commented that they enjoyed Mr. Wright's work and wondered why his appearances were limited. Mr. Wright also explained to Shine that Black viewers questioned why a Black man would work for Fox News -- Mr. Wright explained to these individuals that he was working to promote diversity awareness on Fox News, including through the development of Beyond A Dream, a series that focused on analyzing issues regarding diversity.

16. Throughout his career at Fox News, Mr. Wright has been marginalized, as Fox News provided his White colleagues with opportunities for advancement for which he was not considered. As a result, Mr. Wright's career trajectory has been adversely affected both in terms of career growth and compensation.

17. Mr. Wright has complained about this discriminatory treatment to Shine, Brandi, and Suzanne Scott (Executive Vice President of Programming and Development) (“Scott”), but his complaints have fallen on deaf ears and no remedial action has been taken. On numerous occasions, Mr. Wright has offered to increase coverage and outreach to minority communities in an effort to bridge the racial divide and to counter the insensitivity to People of Color frequently portrayed by Fox News. Sadly, there was no advancement of Mr. Wright’s ideas and proposals.

18. *Plaintiff Musfiq Rahman* – a dark-skinned Bangladeshi former employee in Fox News’s Payroll Department – also suffered unconscionable and unrelenting race discrimination.

19. Following 9/11, certain executives, including Ailes, expressed concerns about subsequent terror attacks on New York City. Sometime in or about late 2014, Mr. Rahman was on the second floor of Fox’s New York City office, looking for a group of other co-workers. Mr. Rahman mistakenly walked into Ailes’s office, which up to that point was open to the floor when his door was not closed. The fallout for Mr. Rahman’s “mistake” was swift and severe. Ailes was furious and his paranoia about being attacked came to the forefront. That same day, Ailes ordered that a wall be constructed immediately in his personal office to act as a barrier to entry. This wall was an obvious attempt at preventing Black or dark-skinned employees from walking in unannounced and frightening Ailes.

20. The following day, Mr. Rahman, along with a number of Black employees in the Accounts Receivable and Accounts Payable Departments, had their security passes to the second floor revoked. Thereafter, these humiliated employees were forced to get “escorts” when they needed to speak to other employees on the second floor.

21. Mr. Rahman was also subjected to egregious discrimination at the hands of Slater, a former Senior Vice President and Controller for Fox News. Slater regularly berated and

disparaged Mr. Rahman, mocking his accent and purported inability to pronounce certain words. Slater also complained that she “could not understand” Mr. Rahman and mocked him in group meetings and privately. On more than one occasion, Slater’s relentless tyranny brought Mr. Rahman to tears.

22. *Plaintiffs Tichaona Brown and Tabrese Wright* – a former Black Payroll Manager and current Black Accounting employee at Fox News, respectively – experienced similar horrific discrimination at the hands of Slater, including the following:

- Slater ridiculed Black employees by mocking stereotyped speech and complained, for example, that Black employees mispronounce the words “mother,” “father,” “month” and “ask,” by pronouncing the words as “muva,” “fava,” “monf,” and “axe,” and incredulously forced Black employees to practice saying the words correctly in front of White employees.
- Slater openly claimed that the “Black Lives Matter” movement is extremely racist and wondered what would happen if there was a parallel “White Lives Matter” movement.
- Slater disparaged Black men in particular. For instance, when a video surfaced on the internet that depicted the Black football player, Ray Rice, assaulting his wife in the elevator, Slater said, “Why are all Black men women-beaters?” In connection with the video, Slater brought up O.J. Simpson, Mike Tyson and Chris Brown as other examples of Black male wife-beaters.
- Slater regularly talked about her fear that Black people want to physically harm White people, Slater told employees that she does not travel north of 90th Street in Manhattan because she is afraid she will be “jumped” or “beat up.” For safety reasons, Slater claims to travel there only when accompanied by a Black person.
- Slater blatantly mocked the “Black Lives Matter” movement. After the August 2014 shooting of Mike Brown, and the onset of the “Hands Up, Don’t Shoot” slogan, when Ms. Brown would stop by Slater’s office to say good-bye at the end of the day, Slater responded by raising her hands up in the “Hands Up, Don’t Shoot” movement.

- Slater regularly called her commuter train to New Jersey the “Bombay Express,” due to the number of people of Indian descent who live in New Jersey.
- Slater openly talked about her belief that all Chinese men have “small penises.”
- Slater called day laborers “cheap Mexicans.”
- Due to the number of employees of color in the payroll department, Slater regularly called the payroll department, the “southern payroll department” and the “urban payroll department.”
- Slater asked Ms. Brown and Ms. Wright to teach her how to “beat box.”
- Knowing that Ms. Wright has three children, Slater incredulously asked her if all three children “were fathered by the same man.”

23. After Ms. Brown and Ms. Wright put Defendants on notice of their claims of discrimination, they were promptly retaliated against. Ms. Brown was terminated and Ms. Wright was demoted. Fox even admitted that it demoted Ms. Wright because she brought this lawsuit, describing the reason for her “position change” as follows: “This lateral transfer is occurring so that she no longer has access to Fox News confidential information that she could use in her lawsuit.”

24. *Plaintiff Monica Douglas* – a Black and Panamanian Credit and Collections Manager at Fox News – was subjected to the same racially discriminatory treatment as was experienced by Mr. Rahman, Ms. Brown and Ms. Wright. By way of example only, and in addition to all of the statements above, Slater:

- Constantly expressed an unwillingness to even be near Black people, including by repeatedly complaining that New York City has “so many more Black people now than when I was a kid;”
- Complained that Ms. Douglas has “Black eyes” as opposed to the “Aryan race,” who have blue eyes and blonde hair;

- Also complained about the “problem” created by Indian people moving into her town and thus forcing her to “ride the Bombay Express to get home;”
- Repeatedly referred to Ms. Douglas’s home in Brooklyn as the “murder capital of the world” because a lot of Black people live in that area;
- Insulted Ms. Douglas’s heritage (her family is from Panama) by saying that Slater would not even let her dog eat the food that Panamanians eat;
- Openly ridiculed Ms. Douglas’s accent, including in front of other Fox employees;
- As with Ms. Brown and Ms. Wright, Slater mocked Ms. Douglas for her purported inability to pronounce various words because she is Black, including the words “month” and “ask;”
- Constantly referred to all Black people as “your people,” while referring to all White people as “my people;” and
- Referred to Ms. Douglas as “stupid” or a “ding-dong.”

25. Slater’s disdain for Ms. Douglas manifested itself physically, as well. On at least two occasions, Slater actually kicked Ms. Douglas in the buttocks as she walked down the hall at Fox’s offices at 1211 Avenue of the Americas. Slater also regularly and mockingly rubbed Ms. Douglas’s hair in order to feel its “texture.”

26. Moreover, purely for her own entertainment and amusement, Slater regularly demanded that minority employees engage in arm wrestling contests, including against some of their white female supervisors, similar to the way slave masters demanded that Black slaves fight each other for their own amusement and entertainment. Both Ms. Douglas and Ms. Brown were subjected to this despicable treatment.

27. In addition to racial discrimination, Slater subjected Ms. Douglas to egregious discrimination based on her status as a breast cancer survivor, including by:

- Constantly mocking Ms. Douglas for the size of a breast that was removed as part of her cancer treatment;
- Saying to Ms. Douglas, “your boobs look like they are different sizes – oh, that’s right, you only have one boob;”
- Referring to Ms. Douglas as “boobs girl” or the “one-boobed girl;”
- Telling Ms. Douglas that her “boobs look crooked;”
- Referring to Ms. Douglas as “cancer girl,” among many other discriminatory statements; and
- Regularly saying aloud to Ms. Douglas and other employees that Ms. Douglas’s breast cancer treatment and chemotherapy was responsible for “increasing everyone’s” healthcare premiums.

28. In addition, Slater warned Ms. Douglas not to complain about her discriminatory conduct to Collins or anyone else in HR, stating: “Do not bother going to HR about Slater -- *I am HR*” and making it clear that she and Collins were very good friends and that any complaint would be futile.

29. Nevertheless, Ms. Douglas did complain. More than two years ago, on November 10, 2014, at 1:00 p.m., Ms. Douglas complained to Brandi about the racial discrimination committed by Slater. Nothing was done to remedy the problem, and the discrimination continued.

30. Then, in mid-2015, Brandi contacted Ms. Douglas regarding a complaint about Slater that she had received from the former Director of Payroll, Natasha Beekharry. In response to Brandi’s inquiry, Ms. Douglas again complained about Slater’s discriminatory conduct. Again, nothing was done. Instead, Brandi declared that (despite the overwhelming evidence to the contrary, and without conducting any investigation) she did not believe Slater to be racist. Brandi also said:

“Slater will not be fired because she knows too much,” referring to Slater’s knowledge regarding improprieties committed by Ailes, former Fox News Chief Financial Officer Mark Kranz (“Kranz”) and O’Reilly.

31. After the commencement of this action by Plaintiffs Brown and Wright, Ms. Douglas was told that Fox’s outside attorneys would be conducting an interview with her regarding Slater’s conduct. Despite having already admitted that Slater’s conduct was “abhorrent” (see <http://variety.com/2017/tv/news/fox-news-comptroller-judy-slater-1202016012/>), Ms. Douglas was told: “They are currently interviewing some people and asking if they could say something nice about Judy.”

32. **Plaintiff Mark LeGrier** – a Black former Accounts Payable Supervisor at Fox News – was also subjected to outrageous discrimination at the hands of Slater, including many of the comments described above.

33. Throughout his 11 years at Fox, Mr. LeGrier was subjected to multiple instances of discriminatory conduct and comments. By way of example only, Mr. LeGrier was paid less than his similarly situated White colleagues, repeatedly told by Slater that she could not understand his enunciation of certain words and forced him to repeat himself in front of others, and subjected to gratuitous attacks from Slater during meetings in front of all of his colleagues.

34. In late 2014, distressed and demoralized by Slater’s unrelenting refusal to grant him a performance review, a process necessary for a minimal salary increase, **for more than 6 years in a row**, Mr. LeGrier felt he must speak to Brandi despite the risks. During those 6 years when Slater refused to grant Mr. LeGrier even standard of living increases of 2%-3%, Slater refused to provide any explanation or discuss the issue with Mr. LeGrier.

35. Knowing that similarly situated White employees received raises on an annual basis, including far in excess of 3%, coupled with his acute understanding of Slater's bigotry, Mr. LeGrier knew that his skin color was a roadblock to success at Fox.

36. Over the years, Mr. LeGrier witnessed the downfall of employees under Slater who dared report her bias to Collins, the head of HR. Indeed, employees of color at Fox knew that Collins was a mere puppet for Slater and a complaint to her was the equivalent of personally complaining to Slater. As such, Mr. LeGrier believed that reporting the problem to Brandi, the senior in-house lawyer and "ethics" counsel, was his only option.

37. In December 2014, Mr. LeGrier met with Brandi and disclosed Slater's unrelenting bias, including her blatant refusal to engage in the annual performance review process. At this meeting, Mr. LeGrier told Brandi about Slater's incessant harassment and her consistent and repeated refusal to give raises to Black employees even though she gave raises to all the White employees. Importantly, as he discussed with Brandi, Slater had no reasonable basis for such discrimination and believed that she was not required to provide any.

38. During this meeting, Brandi took many notes. Mr. LeGrier was not privy to her notes or anything in writing about his complaints.

39. However, following his meeting with Brandi, in an effort to silence Mr. LeGrier, he received retroactive raises and compensation going back 5 years. When he daringly asked about the 6th year, Brandi simply responded, "You cannot have that year." Further, Brandi never even attempted to remedy Ms. Slater's egregious and unlawful conduct, nor did she discipline Slater.

40. Brandi failed to take any action regarding his complaints of racial animus regarding Slater.

41. Unbeknownst to Mr. LeGrier, the wrath from Slater was in its infancy. Furious that he had gone over her head to Brandi, from the moment that Slater found out about his meeting with Brandi, Slater unleashed a torrent of venomous retaliation.

42. Within days, Slater concocted an original “performance progress plan” (“Plan”) unique to Mr. LeGrier. Slater told Mr. LeGrier that she and Tamera Efinger, the Head of Accounting, and White, would administer the Plan. According to Slater, suddenly, after 11 years of work, Mr. LeGrier had suddenly performed so poorly that his every move needed to be reviewed and analyzed by her and Efinger. Previously, Slater or Efinger had not discussed performance problems with Mr. LeGrier.

43. Thereafter, each week for the next 9 months, Mr. LeGrier was forced to meet with Slater and Efinger and listen to their disparaging, outrageous and baseless critiques of his performance. In addition to enduring the humiliating and weekly vicious attacks, Slater and Efinger refused to explain why he was suddenly thrust into this position or what he had done to deserve this treatment. In fact, in response to his question, one week Slater stated, “You made me do this,” and “now, I am making you do this.”

44. On the verge of a nervous breakdown, Mr. LeGrier was constructively discharged in August 2015.

45. *Fox Backpedals Its Story On Slater’s Termination.* In late March 2017, immediately prior to Ms. Brown and Ms. Wright commencing this action, Wigdor LLP placed Fox on notice of the potential lawsuit.

46. Fox’s public relations machine went into full gear. In an effort to get out ahead of the lawsuit and pretend to care about the discriminatory conduct committed against its Black employees, Fox leaked some of the allegations contained herein to the press.

47. The leak was on March 24, 2017, a Friday, a day notoriously used to bury stories. That same day, Fox terminated Slater.

48. In a transparent attempt to avoid negative publicity and salvage its reputation, Fox terminated Slater and issued the following statement:

“We take any complaint of this nature very seriously and took the appropriate action in investigating and firing Ms. Slater within two weeks of this being brought to our attention.”

See <http://variety.com/2017/tv/news/fox-news-comptroller-judy-slater-1202016012>.

49. Fox’s claim is completely false and designed to cover up the truth. Slater was not terminated because she engaged in discriminatory conduct - Fox was willing to let her get away with that for years. Rather, Slater was terminated because Fox knew that the facts of this complaint would become a public matter and wanted to salvage its reputation.

50. Shortly after the initial complaint was filed, Ms. Brown and Ms. Wright amended their complaint to add the claims of employee Monica Douglas, who also alleged that she was subjected to a racially hostile work environment at Fox. See Brown, et al. v. Twenty First Century Fox, Inc., et al., Index No. 22446/2017E (Bronx County) (the “Action”), Dkt. No. 5.

51. Importantly, Ms. Douglas revealed that Fox was on notice of Slater’s racial bigotry from as far back as 2014. More than two years ago, on November 10, 2014, at 1:00 p.m., Ms. Douglas complained to Brandi about the racial discrimination committed by Slater. Nothing was done to remedy the problem, and the discrimination continued.

52. Then, in mid-2015, Brandi contacted Ms. Douglas regarding a complaint about Slater that she had received from the former Director of Payroll, Natasha Beekharry.

53. In response to Brandi’s inquiry, Ms. Douglas again complained about Slater’s discriminatory conduct. Again, nothing was done. Instead, Brandi declared that (despite the

overwhelming evidence to the contrary, and without conducting any investigation) that she did not believe Slater was a racist. Brandi also said:

“Slater will not be fired because she knows too much,” referring to Slater’s knowledge regarding improprieties committed by former Fox News CEO Roger Ailes, former Fox News CFO Mark Kranz and O’Reilly.

54. After Ms. Douglas bravely came forward, Fox was forced to walk back its original claim of an “appropriate response” to firing Slater within “2 weeks” of notice of discrimination, by stating that:

“We take complaints of this nature very seriously and took prompt and effective remedial action in terminating Judy Slater before Ms. Brown, Ms. Wright and Ms. Douglas sued in court and **even before Ms. Wright and Ms. Douglas complained through their lawyer.** There is no place for conduct like this at Fox News, which is why Ms. Slater was fired.”

<http://www.nydailynews.com/news/national/fox-new-employees-accusing-network-discrimination-speak-article-1.3020032> (emphasis added).

55. **Fox’s Cloak of Secrecy Went Back More than 8 Years.** Despite the false statements to the contrary, Fox’s response to race discrimination was anything but “prompt.” Indeed, as revealed in a federal lawsuit filed by Wigdor LLP on behalf of a Black former Senior Disbursement Coordinator in Fox News’s Accounts Payable Department, Adasa Blanco, Brandi was put on notice of Slater’s discriminatory conduct as early as September 2008 – **eight and a half years before Slater was terminated.** Ms. Blanco also complained about racially discriminatory conduct committed by Slater and Susan Lovallo (“Lovallo”), a Travel Supervisor at Fox News, to Collins in October of 2012 – nearly four and a half years before Slater was terminated.

56. *Defendants' conduct should come as no surprise, as it is the natural result of an all-White executive team.* Of the 37 spots that comprise the 21st Century Fox executive team and Board of Directors, there is only one Black person.

57. In light of these allegations, and those of the additional class representatives, Plaintiffs bring this Class Action Complaint to seek declaratory, injunctive and equitable relief, and monetary damages, against Defendants for harm suffered as a direct result of their discrimination, harassment and retaliation, in violation of the New York State Human Rights Law, New York Executive Law §§ 290 *et seq.* ("NYSHRL"), and the New York City Human Rights Law, New York Administrative Code §§ 8-101 *et seq.* ("NYCHRL").

58. At all times, Defendants' conduct was knowing, malicious, willful and wanton and/or showed a reckless disregard for Plaintiffs' rights, warranting an award of punitive damages. Such conduct has caused, and continues to cause, Plaintiffs to suffer substantial monetary damages and severe mental anguish and emotional distress.

JURISDICTION AND VENUE

59. The Court has personal jurisdiction over Defendants pursuant to Civil Practice Law and Rules ("CPLR") § 301 because Defendants Twenty-First Century Fox, Inc. and Fox News Network LLC, both Delaware entities, are authorized to conduct business throughout New York, and have their principal place of business located at 1211 Avenue of the Americas, New York, New York. At this same location, Defendants Twenty-First Century Fox, Inc. and Fox News Network LLC employ hundreds of employees. Moreover, Defendants Twenty-First Century Fox, Inc. and Fox News Network LLC employ hundreds more individuals throughout the state.

60. At all relevant times, Defendants Twenty-First Century Fox, Inc. and Fox News Network LLC continuously and systematically conducted business in New York. Further, the events giving rise to this action took place at the principal offices for Defendants Twenty-First Century Fox, Inc. and Fox News Network LLC, located at 1211 Avenue of the Americas, New York, NY.

61. Venue is proper pursuant to CPLR § 503 because Plaintiffs Tabrese Wright and Senami Tolode reside in Bronx County.

ADMINISTRATIVE PROCEDURES

62. Plaintiffs will submit charges of discrimination with the Equal Employment Opportunity Commission (“EEOC”).

63. Pursuant to NYCHRL § 8-502, Plaintiffs will serve a copy of this Complaint upon the New York City Commission on Human Rights and the New York City Law Department, Office of the Corporation Counsel within ten days of its filing, thereby satisfying the notice requirements of this action.

64. Plaintiffs have complied with any and all other prerequisites to filing this action.

PARTIES

65. Plaintiff Kelly Wright lives in Jersey City, New Jersey. Mr. Wright is employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

66. Plaintiff Musfiq Rahman lives in Queens, New York. Mr. Rahman was employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

67. Plaintiff Tichaona Brown lives in Central Islip, New York. Ms. Brown was employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

68. Plaintiff Tabrese Wright lives in Bronx, New York. Ms. Wright is employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

69. Plaintiff Monica Douglas lives in Brooklyn, New York. Ms. Douglas is employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

70. Plaintiff Senami Tolode lives in Bronx, New York. Ms. Tolode is employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

71. Plaintiff Mark LeGrier lives in Queens, New York. Mr. LeGrier was employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

72. Plaintiff Mariela Lindsay lives in Brooklyn, New York. Ms. Lindsay is employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

73. Plaintiff Griselda Benson lives in Brooklyn, New York. Ms. Benson is employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

74. Plaintiff Vielka Rojas lives in New Jersey. Ms. Rojas is employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

75. Plaintiff Mariela Lindsay lives in Brooklyn, New York. Ms. Lindsay is employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

76. Plaintiff Mauretta Thomas lives in Brooklyn, New York. Ms. Thomas is employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

77. Plaintiff Claudine McLeod lives in Brooklyn, New York. Ms. McLeod is employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

78. Plaintiff Elizabeth Fernandez lives in Pennsylvania. Ms. Fernandez was employed by Fox and, at all relevant times, met the definition of an “employee” under all applicable statutes.

79. Defendant Twenty-First Century Fox, Inc. is a corporation with its principal place of business in New York County, New York, and is duly organized and existing under and by virtue of the laws of the State of Delaware. At all relevant times, Twenty-First Century Fox, Inc. has met the definition of an “employer” of Plaintiffs under all applicable statutes.

80. Defendant Fox News Network LLC is a limited liability company with its principal place of business in New York County, New York, and is duly organized and existing under and by virtue of the laws of the State of Delaware. Fox News Network LLC is a wholly owned subsidiary of Twenty-First Century Fox, Inc. In turn, Fox News Network LLC owns Fox News Channel LLC and Fox Business Channel. At all relevant times, Fox News Network LLC has met the definition of an “employer” of Plaintiffs under all applicable statutes.

81. Defendant Dianne Brandi resides in New York County, New York. Defendant Brandi is employed at Fox as the Executive Vice President, Legal and Business Affairs. Defendant Brandi has served as in-house counsel for Fox for over twenty years. In this capacity,

she oversees multiple departments and other executives. At all relevant times, Defendant Brandi has met the definition of an “employer” of Plaintiffs under all applicable statutes.

82. Defendant Judith Slater is a resident of the State of New Jersey. Defendant Slater was employed at Fox as its Controller for eighteen years, until in or about March 2017. In this capacity, she supervised all employees in the payroll, accounting and account receivables/payable departments, including Plaintiffs Rafick, Brown, Tabrese Wright, Douglas and LeGrier. At all relevant times, Defendant Judith Slater met the definition of an “employer” of Plaintiffs under all applicable statutes.

FACTUAL ALLEGATIONS

I. KELLY WRIGHT’S EMPLOYMENT

A. Background

83. Mr. Wright – a two-time Emmy Award winner – began working for Fox as a Reporter in January 2003. Throughout his employment with Fox, Mr. Wright has covered many of the biggest news stories to break over the past 14 years, often breaking the stories himself. A small sampling of his accomplishments include:

- Being honored and inducted into the Martin Luther King International Chapel Board of Sponsors Laity and Clergy by Morehouse College for his role as the creator of Beyond a Dream and his role as a journalist representing and espousing the virtues of Dr. King.
- Many stories regarding the war in Iraq, where he spent three months reporting from the warzone in 2004;
- Being one of the first to report on the Abu Ghraib prison scandal and subsequent court martial cases;
- Reporting from Florida regarding the Terri Schiavo right-to-die case in 2005;

- An exclusive interview with former First Lady Laura Bush in 2007;
- Coverage of presidential campaigns;
- Exclusive interviews with many celebrities, including the late Mohammad Ali;
- An interview with O.J. Simpson following his murder trial;
- The disappearance of Malaysia Flight 370;
- The unrest in Ferguson, MO following the shooting of Michael Brown;
- The terrorist attacks in Paris, France in 2015; and
- An interview with then-Senator Barack Obama.

84. In addition, Mr. Wright co-hosted Fox and Friends Weekend from July 2006 to January 2008 and currently co-anchors Americas News Headquarters on Saturday afternoons. Mr. Wright will also be bestowed an honorary Doctorate degree from Northwest University in May 2017, acknowledging his passion for healing the African-American community and reconciling our Nation.

B. Discrimination Against Mr. Wright

85. Unfortunately, despite his accolades Mr. Wright has also been, and continues to be, the victim of pervasive race discrimination at Fox.

86. The discriminatory conduct committed against Mr. Wright has resulted in stunted career growth and advancement despite his remarkable success.

87. By way of example only, in January 2008, Mr. Wright was abruptly removed from his co-host position at Fox and Friends and replaced by a White colleague.

88. This change took place during a time that Fox was making an apparent effort to become “Whiter” across the board. Indeed, today Mr. Wright is the only Black male anchor at

Fox News and one of only three Black anchors overall. However, his anchor position is one of far lower visibility than those held by his White colleagues. For years, Mr. Wright has complained about this fact and demanded a bigger role at Fox. His complaints have fallen on deaf ears.

89. By way of example only, in 2014, Mr. Wright was asked by Brandi to return from his post in Washington, D.C., to do overnight reporting in New York City. Mr. Wright was told by Brandi that the overnight reporting would be temporary, and that he would be permitted to guest anchor when the opportunity arose. To pacify Mr. Wright, she also told him that the ultimate goal would be to have him host his own show. Of course, three years later, that has not happened.

90. The fact that Mr. Wright is not hosting his own show is not for lack of effort on his part. Most recently, in 2016, Mr. Wright pitched Shine on an idea for a weekday morning show that would begin at 4 a.m. each day and air prior to the weekday edition of Fox and Friends. Fox ultimately ran with the idea, and is launching the show. However, rather than allowing Mr. Wright to host the show, Fox has given that job to another of Mr. Wright's White colleagues. When Mr. Wright complained to Brandi about this discriminatory conduct, she explained that Fox simply wanted to use a member of the Fox and Friends team. However, Mr. Wright had been a member of the Fox and Friends team until he was removed discriminatorily from his position in 2008. Thus, Brandi was simply using the effects of one discriminatory act to justify another.

91. In addition, Mr. Wright was not permitted to report on the 2016 presidential election despite having successfully reported on presidential elections in the past. Instead, this responsibility was given to his White colleagues.

92. Mr. Wright also created a digital podcast after being told by Shine that “things are moving digital.” The podcast was never used.

93. In addition to diminishing Mr. Wright’s responsibilities and subjecting him to a race-based glass ceiling, Mr. Wright is paid substantially less than his White colleagues with similar skills, experience and performance.

94. To add insult to injury, Mr. Wright was told by Shine that Brandi’s promise that the overnight reporting role would only be temporary and that the ultimate goal was to find a show for Mr. Wright to host was simply false. Indeed, Shine has admitted that the overnight reporting role was intended to be, and is, permanent.

95. Mr. Wright also has been forced to endure many racist comments, some of which are intended to paint Mr. Wright as a caricature of a Black entertainer – i.e., a Jim Crow.

96. By way of example only, while O’Reilly refused to permit Mr. Wright to come on his show, he told Mr. Wright that he “should call up” Ailes and Shine and “offer to sing the National Anthem at the Fox News Town Halls.”

97. On another occasion, Mr. Wright requested to appear on The O’Reilly Factor to discuss the racial divide in Ferguson, Missouri, and suggested showing the viewers “Beyond the Dream,” which is a series of positive stories about the African-American community and its contributions to the world. O’Reilly refused to run the “Beyond the Dream” piece because it showed Blacks in “too positive” a light. O’Reilly later declared: “I know Black America better than anyone.”

98. Shine also has demonstrated an obsession with race when it comes to Mr. Wright, including regularly asking him, “how do Black people react to you” and “how do you think White viewers look at you?”

99. Mr. Wright has made many complaints regarding discrimination at Fox and his marginalization, including to Shine, Brandi and Scott. Mr. Wright specifically emphasized that Fox is “too blonde and too White” and needs more diversity and that he is being discriminated against based on his race. Nothing was ever done to remedy the discrimination.

C. The Discrimination Committed Against Mr. Wright Is Blatant Enough to be Noticed By His Colleagues and Even the Public

100. The discrimination to which Mr. Wright is subjected is so blatant that his colleagues and even the public regularly comment on it.

101. Indeed, it is a running “joke” among the cast and crew at Fox that Mr. Wright would get significantly more air time if he dyed his hair blonde.

102. In addition, Mr. Wright is often approached by viewers on the street and told, “I don’t like what Fox is doing to you.”

II. MUSFIQ RAHMAN’S EMPLOYMENT

103. Mr. Rahman was hired by Fox to work in Accounts Payables in or about 2008. At all times, he reported to Mr. LeGrier, who reported to Slater.

104. Following 9/11, certain executives, including Ailes, expressed concerns about subsequent terror attacks on New York City. Sometime in late 2014, Mr. Rahman was on the second floor of Fox’s New York City office, looking for a group of other co-workers. Mr. Rahman mistakenly walked into Ailes’s office, which up to that point was open to the floor and not blocked by any wall or door. The fallout for Mr. Rahman’s “mistake” was swift and severe. Ailes was furious and his paranoia about being attacked came to the forefront. That same day, Ailes ordered that a wall be constructed immediately in his personal office to act as a barrier to entry. This wall was designed with the intent of preventing Black or dark-skinned employees from walking in unannounced and frightening Ailes.

105. The following day, Mr. Rahman, along with a number of Black employees in the Accounts Receivable and Accounts Payable Departments, had their security passes to the second floor revoked. Thereafter, these humiliated employees were forced to get “escorts” when they needed to speak to other employees on the second floor.

106. Mr. Rahman was also subjected to egregious discrimination at the hands of Slater. Slater regularly berated and disparaged Mr. Rahman, mocking his accent and purported inability to pronounce certain words. Slater also complained that she “could not understand” Mr. Rahman and mocked him in group meetings and privately. On more than one occasion, Slater’s relentless tyranny brought Mr. Rahman to tears.

III. TICHAONA BROWN’S EMPLOYMENT

A. Background

107. Ms. Brown began working for Fox in November 2008, when she was hired by Fox Interactive Media as a Human Resources Information Systems (“HRIS”) employee and was assigned to work at MySpace, Inc., a social networking website located in Los Angeles, California that was owned by Fox News Corporation.

108. In December 2009, Ms. Brown was transferred to an HRIS position in 21st Century Fox Film Corp., and, in July 2010, she was hired by Fox and was transferred to 1211 Avenue of the Americas where she worked in the payroll department.

109. Payroll is part of the Administration Department (“Administration”) at Fox and, as such, Ms. Brown’s desk is located on the same floor and in close proximity to senior executives in Administration, including Ailes (until his recent departure), Shine, Jack Abernathy, Neil Cavuto, Kranz, Sharri Berg, Scott and Brian Jones.

110. For the majority of her employment, Ms. Brown reported to the Director of Payroll, Natasha Beekharry, who in turn, reported to Slater.

111. During her employment, Ms. Brown received outstanding performance evaluations and corresponding raises and bonuses.

112. At all relevant times, the majority of employees who work in the payroll, accounts receivable and accounts payable departments are Black individuals. For example, in addition to Ms. Brown, Ms. Beekharry is Black and current payroll employees Ms. Wright, Michelle Postley and Shelley Steele are Black persons. Presently, the only non-Black employee in payroll is Pauline Acosta (“Acosta”), the recently hired payroll director who earns significantly more than Ms. Brown.

113. In contrast, the majority of employees in the accounting department are White. For example, Efinger is White, Christine Williams, a senior accountant, is White, Kerry Sikorski (“Sikorski”), the accounts manager, is White, and Kim Jacobson (“Jacobson”), a project manager, is White. Collins, the Head of HR, is also White.

B. Slater Mocks Stereotyped Speech of Black Employees

114. In the presence of other employees, Slater complained to Ms. Brown that “her people” (Black people) mispronounce the words “mother,” “father,” “month” and “ask,” by saying, “muva,” “fava,” “monf,” and “axe.”

115. For example, Slater told Ms. Brown that Mr. LeGrier always mispronounced such words and it would make Slater “cringe.” Slater stated that she considered his speech especially inexcusable given his “lack of” a language barrier.

116. As another example, during a meeting held in Slater’s office, Slater wrote down five words on a yellow Post-it Note and forced Ms. Brown to say them aloud. The five words

were “ask,” “father,” “month,” “mother,” and “fifth.” This directive was meant to humiliate and disparage Ms. Brown, given that she was the only Black employee in the meeting. During this meeting, Slater also complained about other Black women in her department, stating that Ms. Douglas and Griselda Benson, like Mr. LeGrier, consistently mispronounced certain words.

117. On another recent occasion, Slater kept saying the word “monf” and directed her exaggerated annunciation of the word towards Ms. Brown. Finally, Ms. Brown asked Slater why she kept saying the word “monf.” Slater responded in an unprofessional, vicious and inappropriate manner by saying, “I do the Journal Entries for Estimates every ‘monf.’” This condescending comment was meant to humiliate and embarrass Ms. Brown. Moreover, the comment was made over the phone in the presence of Sikorski.

C. Slater Says the “Black Lives Matter” Movement is “Racist”

118. Outrageously, at work, Slater regularly discusses a number of issues that are associated with Black people and other minorities as being “racist.” For example, Slater opined that the “Black Lives Matter” movement is extremely racist. In support of this belief, Slater claims that Black people and minorities would strongly oppose a movement called “White Lives Matter.”

119. Similarly, Slater asked Ms. Brown whether she knows why a Black Entertainment Television (“BET”) station exists and why it is necessary for a separate BET awards show. Slater stated that Black people and minorities would be “up in arms” if a group of White people created a station called “WET.”

120. In support of her perceived unfairness towards White people, Slater pointed to the fact that Spanish-speaking individuals enjoy “Telemundo.”

121. Slater once asked Ms. Brown if she knew why there was no “White History Month,” and complained that it was “not fair” that Black people have “all of February” to celebrate “the Blacks.”

D. Discriminatory Statements that Black Men are Wife-Beaters and Associated with Violence

122. Slater engaged in endless comments that disparaged Black people generally and Black men in particular. For instance, when a video surfaced on the internet that depicted the Black football player, Ray Rice, assaulting his wife in the elevator, Slater asked Ms. Brown, “Why are all Black men women-beaters?” Ms. Brown challenged Slater, complaining that it was entirely inappropriate to stereotype an entire race based on one instance. Slater doubled down on her racist worldview, asking, “What about O.J. Simpson, Mike Tyson and Chris Brown?”

123. Shockingly, Slater also referenced Ms. Beekharry’s former husband, whom Slater claimed physically abused Ms. Beekharry.

124. Due to her belief that Black people want to physically harm White people, it was no secret in the office that Slater refused travel north of 90th Street in Manhattan unless she was accompanied by a Black person. Slater justified her decision based on her fear she will be “jumped” or beat up by a Black person.

125. One time when Slater was conveying such beliefs to Ms. Brown, Brian Jones, an Executive Vice President, who is Black and reports to Shine, happened to walk by. After exclaiming that she hoped he did not hear, Slater made several remarks about Mr. Jones, meant to disparage him, including: “He’s more White than Black,” and “He loves the White women and he’s even married to a White woman.”

126. Disgustingly, Slater followed these comments by asking Ms. Brown, “How do you feel about us White women taking all the good Black men?” and “How does it feel when Black men want the Kardashians instead of you all?”

127. On other occasions, Slater has expressed similar fears about being “robbed” or harmed in Brooklyn by Black people because she is White. For example, after dropping Ms. Douglas off in Brooklyn once, Slater told Ms. Brown that she “refused to make eye contact with people in Brooklyn” because she did not want them attempting to rob her. Slater told Ms. Brown that “They will see me and say look at this ‘whitey,’ ... she probably has some money, let’s rob her.” Slater explained she was so afraid of this happening that she “looked straight ahead” and made sure her doors were locked.

E. Hands Up Don’t Shoot

128. In a shocking and disturbing reflection of Slater’s indisputable racial animus towards Black people, following the August 2014 shooting of Mike Brown, and the onset of the “Hands Up, Don’t Shoot” slogan in connection with the “Black Lives Matter” movement, Slater mocked the movement when Ms. Brown stopped by her office each evening to say good-bye.

129. Employees such as Ms. Brown were required to stop by Slater’s office on their way out so she knew what time they left. Specifically, after Ms. Brown bid Slater a good evening, Slater responded by raising her hands up in the “Hands Up, Don’t Shoot” movement as depicted in the photos below:



130. Such conduct is reprehensible and legally actionable had Slater done this even on only one or two occasions. However, Slater indulged herself in such bigotry that Ms. Brown is unable to quantify the numerous occasions on which she was subjected to such hideous abuse.

F. Ms. Brown is From the “Hood”

131. There is no shortage of disgusting examples that show how often Slater seized on opportunities to insinuate that Ms. Brown is “lesser than” similarly-situated White employees. For example, Slater calls Central Islip, where Ms. Brown is from, the “hood.” In fact, after a meeting with Ms. Brown and Sikorski, Slater asked Sikorski if she would “ever go to the hood” and used an exaggerated pronunciation, “Hooood.” Sadly, Sikorski felt emboldened enough by Slater’s actions to respond that she would not go there “because all they do is murder people and dump their bodies on the street.”

132. On a separate occasion, Slater condescendingly asked Ms. Brown if she wanted to be invited to Slater’s friend’s house in Smithtown/Hauppauge, so that she could experience what “a lily-white town” looks like. Before Ms. Brown could muster a response to such an appalling statement, Slater dovetailed her bigoted comment by stating that if Ms. Brown did show up, Slater’s friend would “probably lock the door and call security because she would be scared that a Black person is at her door.” Slater ruminated aloud that her friend would probably never invite Slater back if she brought Ms. Brown to the house.

133. After a discussion at work about a funeral for a co-worker's relative, Slater asked Ms. Brown "if people from Central Islip" bury bodies in their backyards.

134. Slater also forwarded Ms. Brown a YouTube video of a Black woman arguing with a White woman where the Black woman punches the White woman and a physical fight ensues. Slater captioned the video, "Central Islip peeps?"

G. Ms. Slater Designates Fox Executives Who Are "Down With The Blacks"

135. Outrageously, Slater believes it is necessary to classify which Fox executives have "issues" with Black people. In this regard, Slater repeatedly uses the phrases "down with the Blacks," or "not down with the Blacks" to distinguish which executives may cause problems for Black employees, including Ms. Brown. For example, Slater told Ms. Brown that Brandi is "down with Blacks" because she had lived among "your people" in Barbados.

136. Notwithstanding this claim, Slater also showed Ms. Brown an email thread from September 2012 written by Brandi that referred to Ms. Brown as an "idiot," in connection with a check that needed to be sent to Fox Contributor, Colonel Hunt. In this email, Brandi referred to Ms. Brown as a fictional employee, "Felicia from Finance." Slater corrected Brandi by writing back, "you mean, Tich from payroll," because there was no employee named "Felicia" who worked in finance.

137. Another example showing that executives at Fox seemingly cannot differentiate between Black female employees occurred recently when Jack Abernathy saw a Black female temporary employee working in Ms. Brown's office and purportedly began asking panicked questions about why Ms. Brown was not out on leave. Because the temporary worker was Black, Mr. Abernathy jumped to the conclusion that she was Ms. Brown.

138. Slater also told Ms. Brown that Kranz would never give Ms. Brown any “trouble” because he was afraid of “Black people.”

139. In connection with other Fox employees who may or may not be “down with the Blacks,” Slater also discussed Adam Horsley, a White Contributor married to a Black woman, and Brian Jones.

H. Ms. Brown is Subjected to Persistent Racist Attacks by Slater

140. Among other disparagements focused on Ms. Brown’s intellect and social standing, Slater has said the following:

- Slater suggested that it would be a “good fight” if Ms. Brown was forced to engage in a boxing match with Ms. Efinger;
- Slater wanted Ms. Brown to “arm-wrestle” Ms. Efinger, and did coerce her into arm-wrestling other White females in accounting;
- “You turned Black like American southern Blacks and act like a hoodlum;”
- After a co-worker thanked Ms. Brown for her help, Slater stated in a surprised tone, “Tich was able to actually help with something?;”
- Slater constantly referred to Ms. Brown and Ms. Wright as “dummy” and “numb nuts,” and said they are “nice girls but dumb;”
- Slater regularly told Ms. Brown that her educational degrees are “useless,” saying that “you have a bunch of useless degrees,” even though Ms. Brown has a Bachelor’s degree from State University of New York, Stony Brook, a Master’s degree from Adelphi University, and credits toward a doctorate;
- Slater repeatedly and intentionally embarrassed and humiliated Ms. Brown in front of Jacobson, Efinger, and Sikorski, all White employees, in connection with Ms. Brown’s purportedly inadequate excel skills, including by forcing her to try out “new excel formulas” in front of them that often resulted in their laughter and disparagement for Ms. Brown’s “failures;”

- Slater often complained about Ms. Brown's Canadian citizenship and repeatedly asked her to obtain American citizenship, saying things such as, it bothers her that Ms. Brown "takes advantage of all of the opportunities and services offered to Americans without contributing;"
- Slater commented that Ms. Brown must make more money than any of her friends because they are Black;
- Slater remarked that her tax money was probably supporting some of Ms. Brown's Black friends who receive federal benefits; and
- Lovallo and Slater asked Ms. Brown if she knew why Michelle Obama "did not like Whites," and whether Ms. Brown knew if it was because "Mrs. Obama was from the ghettos of Chicago" and believes that "White people have held her down over the years."

141. Such shameful conduct continues through the present. By way of example only, on January 25, 2017, Slater called Ms. Brown and told her she had just come from the payroll office where saw Ms. Wright, Ms. Postley and Ms. Steele working and declared them a "Southern payroll department."

142. As evident, it is simply not workable to list each racist and discriminatory statement to which Ms. Brown has been subjected, including many in the presence of top Fox executives.

143. Unsurprisingly, Slater does not limit her racist statements to Black people and has made outrageous and cruel statements in reference to other minorities. By way of example only, included in such abhorrent conduct are:

- Slater's references to her daily commuting train as the "**Bombay Express,**" due to the number of people of Indian descent living in New Jersey;
- Slater's comments about **Chinese men having "small penises;"** and
- Slater's references to "**cheap Mexicans.**"

I. Ms. Brown's Employment Status

144. After Ms. Beekharry left Fox in May 2016, Ms. Brown assumed all of the former payroll director's responsibilities and workload but was not provided additional compensation or promoted. Although Ms. Beekharry left in May 2016, Ms. Brown had assumed many of her duties months before her departure.

145. Ms. Brown covered all such work until Acosta was hired and even then, Ms. Brown was responsible for training Acosta in her position as payroll director.

146. Additionally, Ms. Brown was responsible for handling payroll on her own during Ms. Beekharry's two periods of maternity leave.

147. Unfortunately, also in May 2016, Ms. Brown's mother suffered a stroke. Because of this, Ms. Brown expressed her concerns to Slater that she may not be able to continue to work because she needed to care for her mother. Slater suggested a remote-work arrangement. Specifically, Slater asked Ms. Brown to commit to working remotely until December 31, 2016, to give Fox time to hire a new director of payroll and for Ms. Brown to train the new hire. Ms. Brown agreed.

148. Thereafter, in September 2016, Acosta was hired as payroll director and Ms. Brown began to train her in addition to managing the payroll department responsibilities. Ms. Brown continued to work remotely.

149. In or about November 2016, Slater asked Ms. Brown to remain working past December 31, 2016, to assist year-end processing and an upcoming project scheduled for 2017. Ms. Brown agreed.

150. During the fall of 2016, however, aware that the Administration department budgets for annual salary increases of 5% each July, Ms. Brown repeatedly asked for a

performance review and salary increase. Her last performance review was in July 2015, the last time she received a salary increase.

151. Ms. Brown learned that Slater and Collins intended to deny Ms. Brown any raise at the same time that they approved raises for similarly-situated White employees, including Jacobson and Sikorski. Moreover, despite the fact that Ms. Brown was tasked with training Acosta, and that she previously was junior to and reported to Ms. Brown, Acosta is paid substantially more than Ms. Brown was paid.

152. In or about January 2017, due to a planned upgrade of payroll software, Fox asked Ms. Brown to remain working until at least the end of April 2017. Based on the projected deadlines for the software update, Ms. Brown expected to remain working remotely, on a fulltime basis.

J. Retaliatory Firing After Protected Complaints

153. Ms. Brown's complaints about the racial discrimination she experienced and witnessed other employees experience are protected under state and city laws.

154. Nevertheless, flouting all responsibility to follow the laws designed to protect persons of color in exactly such workplace circumstances, shortly after Ms. Brown raised her concerns to Fox about Slater, Collins and the ongoing discrimination, Fox terminated her employment.

IV. TABRESE WRIGHT'S EMPLOYMENT

A. Background

155. Ms. Wright began working for Fox in August 2014, reporting to the 1211 Avenue of Americas location, where she was employed full-time as a "Payroll Coordinator." Ms. Wright reports to Ms. Brown, who reports to Slater.

156. Like Ms. Brown, Ms. Wright's desk is located on the same floor and in close proximity to senior executives in Administration, including Ailes, Shine, Jack Abernathy, Neil Cavuto, Kranz, Sharri Berg, Scott and Brian Jones. In fact, when Ms. Wright looks out from her office, her view is directly into the offices of Ms. Shine and Mr. Abernathy.

157. At all times during her employment, Ms. Wright has worked in payroll and therefore under the ultimate supervision of Slater.

158. Ms. Wright has and continues to experience appalling racial discrimination while employed at Fox, and was often present when Slater has engaged in racially charged conduct directed at Ms. Brown.

B. Slater Mocks Stereotyped Speech of Black Employees

159. In the presence of Ms. Wright, and other employees, including Ms. Brown, Slater complained that Black people mispronounce the words "mother," "father," "month" and "ask," by saying, "muva," "fava," "monf," and "axe."

160. For example, in a meeting with other employees, Slater mocked Ms. Wright for purportedly announcing the word "month" as "monf." Disgustingly, Slater then called Ms. Wright her "monf girl."

161. As another example, shortly after the meeting mentioned herein, Slater, still angry at Ms. Wright for her mispronunciation of the word "month," took a pile of folders filled with documents and directed that her "monf girl" scan and photocopy the documents, put them back in order and return to her.

162. Such a task was far beneath Ms. Wright's usual responsibilities, and was assigned to intentionally humiliate and demean her. Slater's ugly bigotry was successful, as Ms. Wright broke down crying during the assignment as a result of her humiliation.

C. Judgments on Intellect and Poor Character by Slater

163. It is well-known among employees that Slater considers Ms. Wright to be a poor performer and not smart. Slater's biased opinions are evident throughout many disparaging and demeaning comments made about Ms. Wright, both to her and to other employees about her. In addition to the examples listed above in connection with Ms. Brown, many of which Ms. Wright witnessed or was aware of taking place, are the following:

- Slater regularly refers to Black payroll employees, including Ms. Wright, as the “**urban payroll department;**”
- Slater subjected Ms. Wright to an impromptu, self-made “accounting test,” forcing her to try to answer questions about accounting tasks that Slater knew she had no experience working on, for the purpose of humiliating Ms. Wright, while at no time were similarly situated White employees subjected to such an impromptu test;
- Slater repeatedly demeaned and disparaged Ms. Wright about her low credit score, threatening Ms. Wright that she “better improve” her score “or else,” and telling her that she was going to have to be counseled personally by Kranz;
- Slater discriminatorily discussed Ms. Wright's low credit score in the workplace, telling other employees about the “horrible” score and disparaging Ms. Wright's character; and
- At a recent meeting, while reviewing workflow within the payroll department, after Slater directed a question to Ms. Wright, who failed to answer fast enough, another employee answered the question, wherein Slater stated, “two years *here* (in reference to Ms. Wright) and just one month *here* (referring to the new employee)” implying in front of colleagues that Ms. Wright was “slow.”

D. Ms. Wright is Subjected to Persistent Racist Attacks by Slater

164. Among other disparagements towards Ms. Wright, Slater has made the following outrageous comments, all with the intent to marginalize and demean Ms. Wright's social status and confidence:

- Slater, knowing that Ms. Wright has three children, incredulously asked her if all three children “**were fathered by the same man;**”
- Slater regularly made disparaging comments about Ms. Wright’s hair to employees in payroll, implying that Ms. Wright’s hair was ethnic, “**too much afro**” and that she needed to “comb it before work;”
- Slater called Ms. Wright and Ms. Brown down to her office and asked the women if they knew how to “beat box,” and if so, to please perform for her;
- After a work related lunch at the Olive Garden, Ms. Wright took home her uneaten food, and while riding the elevator, Slater inquired about Ms. Wright’s “big bag,” to which Ms. Wright said that she would probably bring the leftovers home to her three children. The next day, Ms. Wright learned that Slater had made disparaging statements, including that Slater was “not paying for Ms. Wright’s kids to eat.” Ms. Wright was so upset she considered offering to pay Slater the \$11.00 for her portion of the lunch bill but feared further retaliation if she did so;
- One day, Slater walked into payroll, sat down, and forced Ms. Wright, Ms. Brown and the other employees to watch a YouTube video starring Leslie Jones, a Black Saturday Night Live member, entitled “This Is How I Talk,” claiming that Ms. Brown reminds her of Leslie Jones’s character in the video³; and
- Ms. Wright also observed Slater hold her hands up to mock the “Hands Up, Don’t Shoot” slogan in connection with the “Black Lives Matter” movement.

E. Retaliation After Protected Complaints

165. After Ms. Wright dared speak up about the racial discrimination and refused to settle her claims on Fox’s terms, Fox swiftly and ruthlessly retaliated. On March 27, 2017, Fox informed Ms. Wright that she was being transferred out of the payroll department and into the role of Affiliate Accounts Receivable Coordinator, a position she has never held and that

³ <https://www.youtube.com/watch?v=f8PXvqYpGCM>.

provides her with far fewer opportunities for advancement and development and not a compatible fit for her skills.

166. On the same day, also in retaliation for complaining and refusing Fox's offer of settlement, Fox fired Ms. Brown.

V. MONICA DOUGLAS'S EMPLOYMENT

A. Background and Race Discrimination

167. Ms. Douglas began working for Fox in October 1999. Presently, she is the manager of the Credit and Collections department.

168. At all times, Ms. Douglas has reported to Slater.

169. Like Ms. Brown and Ms. Wright, Ms. Douglas's desk was, for a time, located on the same floor and in close proximity to senior executives in Administration, including Ailes, Shine, Jack Abernathy, Neil Cavuto, Kranz, Sharri Berg, Scott and Brian Jones.

170. In addition to witnessing many of the abhorrent statements made by Slater to Ms. Brown and Ms. Wright, over the years Ms. Douglas has been the victim of Slater's vitriol and witnessed disparaging statements made by Slater to other Black employees under Slater's supervision, including, by way of example only, the following:

- Constantly expressed an unwillingness to even be near Black people, including by repeatedly complaining that New York City has "so many more Black people now than when I was a kid;"
- Stated that "You Panamanians are good workers, but have thin skin;"
- Complained that Ms. Douglas has "Black eyes" as opposed to the "Aryan race," who have blue eyes and blonde hair;
- Also complained about the "problem" created by Indian people moving into her town and thus forcing her to "ride the Bombay Express to get home;"

- Repeatedly referred to Ms. Douglas's home, Brooklyn, as the "murder capital of the world" because a lot of Black people live in her area;
- Insulted Ms. Douglas's heritage (her family is from Panama) by saying that Slater would not even let her dog eat the food that Panamanians eat;
- On a regular basis, in reference to food brought in by Ms. Douglas, would say "you eat what *we* (White people) throw away;"
- Openly ridiculed Ms. Douglas's accent, including in front of other Fox employees;
- As with Ms. Brown and Ms. Wright, Slater mocked Ms. Douglas for her purported inability to pronounce various words because she is Black and Panamanian, including the words "month" and "ask;"
- Constantly referred to all Black people as "your people," while referring to all White people as "my people;" and
- Referring to Ms. Douglas as "stupid" or a "ding-dong."

171. Slater's disdain for Ms. Douglas manifested itself physically, as well. On at least two occasions, Slater actually kicked Ms. Douglas in the buttocks while walking down the hallway at 1211 Avenue of the Americas.

172. Ms. Douglas watched on more than one occasion when Slater balled up paper and threw it at the head of a Black female supervisor.

173. Slater also regularly and mockingly rubbed Ms. Douglas's hair in order to feel its "texture." Slater openly disparaged and ridiculed wigs worn by another Black co-worker.⁴

B. Slater's Cruelty Reached Epic Levels

174. In a sadistic and vile manner, Slater subjected Ms. Douglas to egregious discrimination based on her status as a breast cancer survivor, including by:

⁴ The cultural pressure on Black women to conform to "straight hair" norms is well documented. Numerous authorities explain that micro-aggressions in the workplace, including "unwanted hair-touching" is more prevalent than most White employees realize. See <https://newrepublic.com/article/122515/wearing-my-afro-always-political-act>; <http://www.newstatesman.com/media/2014/01/politics-black-hair>.

- Constantly mocking Ms. Douglas for the size of a breast that was removed as part of her cancer treatment, including in front of other employees;
- Repeatedly saying to Ms. Douglas in front of Ms. Douglas's staff that her "boobs [were] out of position" and that, "your boobs look like they are different sizes – oh, that's right, you only have one boob;"
- Telling Ms. Douglas that her "boobs look crooked;"
- Referring to Ms. Douglas as "boobs girl" or the "one-boobed girl;"
- Referring to Ms. Douglas as "cancer girl," among many other discriminatory statements; and
- Regularly saying aloud to Ms. Douglas and other employees that Ms. Douglas's breast cancer treatment and chemotherapy was responsible for "increasing everyone's" healthcare premiums and often chided Ms. Douglas for being "so high maintenance and running up" *Slater's health care costs*.

175. In addition, Slater warned Ms. Douglas not to complain about her discriminatory conduct to Ms. Collins or anyone else in HR, stating: "Do not bother going to HR about Slater - I am HR" and making it clear that she and Ms. Collins were very good friends and that any complaint would be futile.

C. Fox's Claim That It Fired Slater When It Learned Of Her Conduct Is False: Ms. Douglas Complained Years Ago

176. Both before and after the filing of the initial Complaint, Fox publicly stated that it took "appropriate action" in dealing with Slater, and insinuated that it did not know about her unlawful conduct until after Ms. Brown and Ms. Wright had complained.

177. This claim is false, however, as Ms. Douglas complained on a number of occasions to Brandi. Indeed, more than two years ago, on November 10, 2014, at 1:00 p.m., Ms. Douglas complained to Brandi about the racial discrimination committed by Slater. Nothing was done to remedy the problem, and the discrimination continued.

178. Then in mid-2015, Brandi contacted Ms. Douglas regarding a complaint about Slater that she had received from Ms. Beekharry. In response to Brandi's inquiry, Ms. Douglas again complained about Slater's discriminatory conduct. Again, nothing was done. Instead, Brandi declared that (despite the overwhelming evidence to the contrary, and without conducting any investigation) she did not believe Slater to be racist. Brandi also said:

“Slater will not be fired because she knows too much,” referring to Slater's knowledge regarding improprieties committed by Ailes, Kranz and O'Reilly.

179. Ms. Douglas knew she had nowhere else to complain. She was forced to stand by in silence as she watched Fox terminate the Black employees that risked speaking out. As set forth below, these employees included *inter alia*, Ms. Beekharry, Mr. LeGrier, Wasim Rafick, and Kira Atkins.

180. More recently, Ms. Douglas witnessed the shameless decisions by Fox to terminate Ms. Brown and demote Ms. Wright.

D. Recent Threats To Ms. Douglas

181. After the commencement of this action, Ms. Douglas was told that Fox's outside attorneys would be conducting an interview with her regarding Slater's conduct. Despite having already admitted that Slater's conduct was “abhorrent” (see <http://variety.com/2017/tv/news/fox-news-comptroller-judy-slater-1202016012/>), Ms. Douglas was told:

“They are currently interviewing some people and asking if they could say something nice about Judy.”

182. Such a clear attempt to bully and intimidate Ms. Douglas should come as no surprise. Indeed, for years, Ms. Douglas watched as the all-White executive team dealt one swift injustice after another on employees who dared speak out about discrimination.

VI. MARK LeGRIER'S EMPLOYMENT

183. Mr. LeGrier was hired as an Accounts Payable Manager at Fox News in 2004. He worked in that position until his constructive discharge in August 2015.

184. Throughout his 11 years at Fox, Mr. LeGrier was subjected to multiple instances of discriminatory conduct and comments. By way of example only, Mr. LeGrier was paid less than his similarly situated White colleagues, repeatedly told by Slater that she could not understand his enunciation of certain words and forced him to repeat himself in front of others, and subjected to gratuitous attacks from Slater during meetings in front of all of his colleagues.

185. In late 2014, distressed and demoralized by Slater's unrelenting refusal to grant him a performance review, a process necessary for a minimal salary increase, **for more than 6 years in a row**, Mr. LeGrier felt he must speak to Brandi despite the risks. During those 6 years when Slater refused to grant Mr. LeGrier even standard of living increases of 2%-3%, Slater refused to provide any explanation or discuss the issue with Mr. LeGrier.

186. Knowing that similarly situated White employees received raises on an annual basis, including far in excess of 3%, coupled with his acute understanding of Slater's bigotry, Mr. LeGrier knew that his skin color was a roadblock to success at Fox.

187. Over the years, Mr. LeGrier witnessed the downfall of employees under Slater who dared report her bias to Collins, the head of HR. Indeed, employees of color at Fox knew that Collins was a mere puppet for Slater and a complaint to her was the equivalent of personally complaining to Slater. As such, Mr. LeGrier believed that reporting the problem to Brandi, the senior in-house lawyer and ethics counsel, was his only option.

188. In December 2014, Mr. LeGrier met with Brandi and disclosed Slater's unrelenting bias, including her blatant refusal to engage in the annual performance review

process. At this meeting, Mr. LeGrier told Brandi about Slater's incessant harassment and her consistent and repeated refusal to give raises to Black employees even though she gave raises to all the White employees. Importantly, as he discussed with Brandi, Slater had no reasonable basis for such discrimination and believed that she was not required to provide any.

189. During this meeting, Brandi took many notes. Mr. LeGrier was not privy to her notes or anything in writing about his complaints.

190. However, following his meeting with Brandi, Mr. LeGrier received retroactive raises and compensation going back 5 years. When he daringly asked about the 6th year, Brandi simply responded, "You cannot have that year." Further, Brandi never even attempted to provide a basis for Slater's egregious conduct.

191. Brandi failed to take any action regarding his complaints of racial animus regarding Slater.

192. Unbeknownst to Mr. LeGrier, the wrath from Slater was in its infancy. Furious that he had gone over her head to Brandi, from the moment that Slater found out about his meeting with Brandi, Slater unleashed a torrent of venomous retaliation.

193. Within days, Slater concocted an original "performance progress plan" ("Plan") unique to Mr. LeGrier. Slater told Mr. LeGrier that she and Tamera Efinger, the Head of Accounting, and White, would administer the Plan. According to Slater, suddenly, after 11 years of work, Mr. LeGrier had suddenly performed so poorly that his every move needed to be reviewed and analyzed by her and Efinger. Previously, Slater or Efinger had not discussed performance problems with Mr. LeGrier.

194. According to Slater, suddenly, after 11 years of work, Mr. LeGrier had fallen into an egregious performance deficit such that his every move needed to be reviewed and analyzed

by she and Efinger. Previously, Slater or Efinger had not discussed performance problems with Mr. LeGrier.

195. Thereafter, each week for the next 9 months, Mr. LeGrier was forced to meet with Slater and Efinger and listen to their disparaging and outrageous critiques of his performance. In addition to enduring the humiliating and weekly vicious attacks, Slater and Efinger refused to explain why he was suddenly thrust into this position or what he had done to deserve this treatment. In fact, in response to his question, one week Slater stated, “You made *me* do this,” and “now, I am making *you* do this.”

196. On the verge of a nervous breakdown, Mr. LeGrier was constructively discharged in August 2015.

VII. SENAMI TOLODE’S EMPLOYMENT

197. In 2012, Senami Tolode began work at Fox in accounts payables/accounts receivables. At all times and continuing through the present, she reports to Griselda Benson. At all relevant times, Ms. Tolode reported to Efinger and Slater.

198. Throughout her employment, Ms. Tolode witnessed and was the recipient of multiple discriminatory acts committed by Slater. For example, she was present when Slater made numerous discriminatory remarks to Ms. Douglas about her Panamanian food and her status as a breast cancer survivor. She was also present when Slater would touch and feel Ms. Douglas’s hair and the hair of her supervisor, Ms. Benson. Slater always had remarks about the “texture” or fell of their hair or “wigs.”

199. Additionally, by way of example only, after Donald Trump became President in January 2017, his administration enacted what is commonly referred to as the “Travel Ban,” which blocked almost all immigration from seven countries.

200. Immediately after imposition of the Travel Ban, Slater came running up to the 16th floor, in Collections, Accounts Receivables and Accounts Payables and asked the Black employees present, “Who is going to Africa?” Specifically, Slater demanded to know if any of the Black employees had current travel plans to Africa or to another country on the Travel Ban list because Slater intended to “start looking” for that employee’s “replacement.”

201. Slater targeted Ms. Tolode, who is from the African country of Benin, if she had a “certificate” to travel. Multiple other employees were present, all Black, that included Ms. Thomas, Ms. Douglas, Ms. Benson, Ms. Rojas and Ms. Lindsay and heard Slater make such derogatory statements directed at Ms. Tolode.

202. During one holiday season, Slater came up to the 16th Floor, and seeing homemade Christmas tree decorations that included photos of Ms. Tolode’s three children, Slater asked, “Whose ugly kids are these?”

203. In the summer of 2015, at farewell party for a departing employee, there was so much extra food that employees were encouraged to take home leftovers. Always looking for a way to infer generally that Black people were socially and economically less than White people, after Slater learned about the leftovers, she called up Ms. Tolode’s supervisor and Ms. Douglas to complain that if “their” employees “needed food” that they should tell Slater so she can buy them some instead of having them carry off food from a Company party in such a humiliating manner.

VIII. VIELKA ROJAS’S EMPLOYMENT

204. Ms. Rojas was hired by Fox in 2003 to work in Accounts Receivables. Ms. Rojas, a current employee, is of Panamanian descent.

205. Presently, Ms. Rojas is an Accounts Receivables Coordinator.

206. In her current position, Ms. Rojas reports to Ms. Douglas who, until March 2016, reported to Slater.

207. Ms. Rojas, like all Plaintiffs, experienced a hostile work environment because of her race.

208. Slater regularly made condescending remarks about Panamanians and Hispanics in Ms. Rojas's presence and in front of others.

209. Slater would often, and offensively, openly question Ms. Rojas and other Hispanics about why their skin complexion differed. She also interrogated Ms. Rojas and other Hispanics as to the color of their parents' skin.

210. Slater would also insult and embarrass minorities for having hair that was not as straight as she would like. Slater would routinely question minority employees - in front of the entire Department - about how much their hair cost to maintain and whether it was real.

211. By way of another example, following the election of President Donald Trump, Slater immediately assumed that every minority working for Fox News was an illegal immigrant. Based on this belief, Slater approached Fox News's minority employees and asked them when they planned to next leave the country. Slater warned that such employees would not be able to return to the United States because of President Trump's proposed immigration policies.

212. Slater's discriminatory attitudes knew no bounds. In January 2015, Ms. Rojas lost her sister to lung cancer. Rather than commiserate and demonstrate sympathy, Slater outrageously asked Ms. Rojas whether her deceased sister shared the same father as Ms. Rojas. Similar to her comments to Ms. Wright, Slater discriminatorily assumed that Ms. Rojas and her sister could not possibly share the same mother and father based on an apparent assumption that all minorities come from broken families.

213. Finally, Ms. Rojas was present for many of the discriminatory comments Slater made about Ms. Douglas's status as a cancer survivor. These comments were extraordinarily offensive to Ms. Rojas because she too had been touched by cancer - Ms. Rojas lost her 11 year old niece to Leukemia.

IX. MAURETTA THOMAS'S EMPLOYMENT

214. Ms. Thomas was hired by Fox in 2007 to work in the Accounts Receivables department, where she remains employed to this day.

215. Ms. Thomas reports to Ms. Douglas, and, until Slater's recent termination, Ms. Thomas also reported to Slater.

216. Throughout her employment, Ms. Thomas witnessed and was the recipient of multiple discriminatory acts committed by Slater. For example, because Ms. Thomas has sat right next to Ms. Douglas throughout her employment, she was present when Slater made numerous discriminatory remarks to Ms. Douglas about her Panamanian descent and her status as a breast cancer survivor. Ms. Thomas witnessed the distress and emotional harm that Slater caused to Ms. Douglas, in her presence and the presence of other employees who reported to Ms. Douglas.

217. By way of example only, even though Ms. Thomas is Jamaican, Slater would ask her on many occasions whether she knew how to pronounce certain words in "African."

218. Slater also said to Ms. Thomas that the Black employees who worked on the 16th Floor are all "high maintenance," both because they are purportedly "emotional" and, according to Slater, have special "health needs." Slater would say that the Black employees were "driving up" the health care premiums.

X. MARIELA LINDSAY'S EMPLOYMENT

219. Ms. Lindsay was hired by Fox in July 2014 to work in Collections and Accounts Receivables. She presently works in that department.

220. At all relevant times, Ms. Lindsay reported to Ms. Douglas, who in turn reported to Slater.

221. Throughout her employment, Ms. Lindsay witnessed and was the recipient of multiple discriminatory acts committed by Slater. For example, because Ms. Lindsay's desk is next to Ms. Douglas's office, she was present when Slater made numerous discriminatory remarks to Ms. Douglas about her Panamanian descent and her status as a breast cancer survivor. Like Ms. Thomas, Ms. Lindsay witnessed the distress and emotional harm that Slater caused to Ms. Douglas, in her presence and the presence of other employees who reported to Ms. Douglas.

222. By way of example only, Ms. Lindsay was present when Slater came running up to the 16th Floor after the Travel Ban and heard Slater ask the Black employees, including Ms. Lindsay, "Which one of you are citizens?"

223. Ms. Lindsay was present when Slater looked at the homemade Christmas tree decorations that included photos of Ms. Tolode's three children, and she said, "Whose ugly kids are these?"

224. Ms. Lindsay also was one of the Black employees who took home leftover food after a Company party in 2015. The next day, Slater called Ms. Douglas and Ms. Benson to complain about Ms. Lindsay and other Black employees who took home food, saying that if employees "need food" that they should tell Slater, so she can buy them some instead of having them carry off food from a Company party in such a humiliating manner.

XI. GRISELDA BENSON'S EMPLOYMENT

225. Griselda Benson has worked at Fox News for more than 16 years in Accounts Receivables, and is presently the cash receipts supervisor.

226. Throughout her tenure, Ms. Benson reported directly to Slater, Efinger, or both. In recent years, Ms. Benson's desk is located on the 16th Floor, just several cubicles away from Ms. Douglas's office. Prior to that, Ms. Benson worked on the 2nd Floor in the accounting department, outside of Efinger's office.

227. Over the years, Ms. Benson has witnessed immeasurable instances of Slater's bias towards employees of color. Importantly, she has experienced Efinger's encouragement of Slater's discrimination. By way of example only, countless times, Slater would walk behind Ms. Benson, who is Panamanian, when she was seated at her desk, place her hands on her back and shoulders and then run her fingers through Ms. Benson's hair or reach out and feel and rub her hair, saying such things as, "Where did you buy this?" "Is it real?" Such comments were intended to, and in fact had the effect, of making Ms. Benson feel different from and unusual, as compared to her middle-aged White female supervisors, who had fine, straight hair.

228. Slater's repeated focus on Ms. Benson's lack of "straight hair" was a direct reference to her race and ethnicity, a way of messaging that her "natural" hair was a "distraction." Disturbingly, now that Slater is gone, in recent weeks Efinger has started touching Ms. Benson's hair and making similar comments about her hair's style or texture.

229. After Ms. Benson underwent surgery several years ago, when Ms Benson returned to work, rather than asking her how she was recovering, Slater commented on how Benson's "people" were "high maintenance" in connection with their health and they, including Ms. Benson, were driving up health insurance premiums for everyone else at Fox.

230. Recently, Ms. Benson was present when Slater ran up to the 16th Floor after Trump's Travel Ban and asked about employees' intended travel to Africa. Ms. Benson, who is Panamanian, had no plans to visit Africa.

XII. CLAUDINE McLEOD'S EMPLOYMENT

231. Ms. McLeod, who is Panamanian and Black and is a diabetic, began working at Fox News in 2007 in the Accounts Payable Department, where she still works. In that role, Ms. McLeod reported to Mark LeGrier, who, in turn, reported to Slater. Throughout her employment, Ms. McLeod was subjected to numerous discriminatory comments and conduct by Slater, including, but certainly not limited to:

- Being told that "You people are high maintenance" *vis a vis* health insurance costs and are "driving up everyone's healthcare premiums;"
- Demanding to know whether Ms. McLeod and other minority employees were United States Citizens;
- Making numerous disparaging remarks about Ms. McLeod's Panamanian heritage;
- Literally throwing pieces of candy at Ms. McLeod and other minority employees during a birthday celebration;
- Threatening to replace Ms. McLeod when she needed to take a day off due to the effects of her diabetes; and
- When told that Ms. McLeod's daughter suffered from panic attacks, calling Ms. McLeod's daughter a "stupid little girl."

232. These are in addition to the myriad discriminatory comments described above, for many of which Ms. McLeod was present.

XIII. ELIZABETH FERNANDEZ'S EMPLOYMENT

233. Ms. Fernandez, who is Hispanic, worked for Fox News from August 2008 through July 2014 in the Accounts Payable Department. In that role, Ms. Fernandez reported to

Monica Douglas, who, in turn, reported to Slater. Throughout her employment, Ms. Fernandez was subjected to numerous discriminatory comments and conduct by Slater, including, but certainly not limited to:

- Being told, “I don't like Spanish people's food, you guys like eating pig feet, chicken feet, pig tongue and cow tail I wouldn't even feed my dogs your food; Liz, do you like pig feet?”
- When she was pregnant with her first son, Slater, in front of others at a meeting, asked if she knew the sex of the baby and if she planned on having more kids because “Latinas like having a ton of kids;”
- Being denied access to the second floor, along with many other minorities, after Mr. Rahman mistakenly walked into former Chief Executive Officer Roger Ailes’s office, as described herein;
- Being told that Mr. Rahman was a terrorist and warning that he might drop a bomb; and
- Being forced to listen to Slater ridicule other employees of color, including making fun of Ms. Douglas’s “big butt” and calling Ms. Douglas a “dingdong” and a “dummy.”

234. These are in addition to the myriad discriminatory comments described above, for many of which Ms. Fernandez was present.

XIV. FURTHER EVIDENCE THAT FOX WAS ON NOTICE OF RACE DISCRIMINATION

235. In addition to the many facts set forth above showing that Fox was aware of employee complaints regarding Slater’s racial discrimination and ongoing harassment, other individuals placed Fox on notice about her conduct years before this action was commenced.

236. As pled, Plaintiffs believe that countless other employees at Fox experienced racial harassment at the hands of management.

A. Adasa Blanco

237. As described in a federal lawsuit filed by Ms. Blanco, attached as Exhibit 3, Brandi was put on notice of Slater's discriminatory conduct as early as September 2008 – *eight and a half years before Slater was terminated*. Ms. Blanco also complained about racially discriminatory conduct committed by Slater and Lovallo to Collins in October of 2012 – nearly four and a half years before Slater was terminated.

B. Natasha Beekharry

238. Ms. Beekharry was the Director of Payroll at Fox, who Ms. Brown reported to throughout her employment until May 2016 when Ms. Beekharry left Fox. Ms. Wright also reported to Ms. Beekharry. Ms. Beekharry worked directly under Slater.

239. In or about August 2015, Fox was contacted by legal counsel for Ms. Beekharry to provide the Company with notice of the racial discrimination Slater engaged in. Upon information and belief, Ms. Beekharry experienced much of the same conduct alleged herein on behalf of Ms. Brown and Ms. Wright.

240. Ms. Beekharry departed from Fox in or about May 2016.

241. Purportedly, as a result of Ms. Beekharry's claims, Fox agreed to send Slater to training/counseling sessions in connection with her anger and racial intolerance.

242. Ms. Brown and Ms. Wright were present for the racial discrimination endured by Ms. Beekharry at the hands of Slater.

C. Harmeen S. Jones

243. Harmeen S. Jones ("Jones"), a former Black employee at Fox, commenced an action for discrimination and retaliation under 42 U.S.C. § 1981 and Title VII of the Civil Rights

Act of 1964, 42 U.S.C. §§ 2000e *et seq.* against Fox in the United States District Court, Southern District of New York, Index No. 10 Civ. 7967 (PKC).

244. In 2005, Jones was hired by Fox and worked in connection with the department responsible for organizing global “intake feeds” from Fox cameras all over the world. The room contained a wall of screens showing the feeds and rows of control stations facing the screens. According to his second amended complaint, Jones had to sit one row behind (about 5-6 feet) a co-worker named Damian Rodriguez (“Rodriguez”). Rodriguez purportedly engaged in an endless stream of racist statements each day, about Blacks, Arabs, Muslims and women. Rodriguez made racist remarks about Jones, directly to him and in front of co-workers, and bullied and physically threatened him.

245. Jones’s complaint alleges that he could not report the discrimination to HR because the people in HR were friends with his supervisors and Rodriguez and nothing would be done.

246. At some point in 2009, however, Jones finally reported the racial discrimination to Veracil Vega, the Head of HR for News Corp., and to his supervisors. A meeting about the discrimination was held. Shortly thereafter, Jones was terminated.

247. In connection with his action, Jones named two White male supervisors, William “Billy” Tote and Steve Carey.

248. Ms. Brown knows of Billy Tote and Steve Carey because she sees them often fraternizing with Slater in Slater’s office. Upon information and belief, these two men are more than simply work associates with Slater, and the three are considered close friends.

D. Wasim Rafick

249. Another Black payroll employee who worked at Fox for more than a decade, from 2003 to 2016, Wasim Rafick, placed Fox on notice about Slater's discriminatory conduct in 2015 and, again, in 2016. Specifically, Mr. Rafick complained to Collins and to Brandi that Slater singled him out and subjected him to harassment based on his dark-skin, national origin, Guyana, and his religion, Islam.

250. Rather than addressing the ongoing issues with Slater, Fox knowingly chose to remove Mr. Rafick from Fox as quietly as possible. On or about December 2016, Mr. Rafick left Fox.

251. Despite Fox's awareness of Slater's bigotry and allegations of racial discrimination against other supervisors, it failed to take any action, thereby ratifying and fostering a culture of severe racial harassment.

XV. OTHER VICTIMS OF RACE DISCRIMINATION

252. Fox News has engaged in a continuing pattern and practice of racial discrimination against Black employees and other dark-skinned employees for more than a decade. The Company fostered a workplace culture where executives believed blatant race discrimination was acceptable, and further, Fox knowingly ratified and endorsed systemic racial discrimination by its approval of repeated failures to review, promote or increase the pay of Black employees. Additionally, Fox participated in internal policies of race discrimination on a systemic basis by knowing that Human Resources failed to offer Black employees the resources or the means to effectively report or complain about race discrimination at Fox.

253. Plaintiffs observed numerous other members of the Proposed Class (defined below) suffer nearly identical race discrimination, including, but not limited to, Adasa Blanco,

Natasha Beekharry, Harmeen S. Jones, Lilibeth Prado, Queenette KariKari, Michael Young and Claudine McLeod.

CLASS ACTION ALLEGATIONS

I. CLASS DEFINITION

254. This is a class action pursuant to CPLR §§ 901 *et seq.*, brought by Plaintiffs (the “Proposed Class Representatives”) on behalf of a Proposed Class of similarly-situated currently and/or former employees. The Proposed Class (subject to future revision as may be necessary), is defined as follows:

“All minorities employed by Fox News at any time during the applicable liability or statute of limitations periods, up to and including the date of any judgment in this case.”

II. NUMEROSITY AND IMPRACTICALITY OF JOINDER

255. The members of the Proposed Class are sufficiently numerous to make joinder of their claims impracticable. While the exact number of Proposed Class members is unknown because such information is in the exclusive control of Defendants, upon information and belief there are more than 200 current and former employees who have been the victim of the discriminatory and retaliatory conduct and adverse employment actions described herein.

256. Although precise determination of the number of Proposed Class members is incapable at this time, it is significant and satisfies the numerosity requirement of CPLR § 901(a)(1).

III. COMMON QUESTIONS OF LAW AND FACT

257. The claims alleged on behalf of Plaintiffs and the Proposed Class raise questions of law and fact common to all Plaintiffs and Proposed Class members. Chief among these questions is as follows:

- Whether Plaintiffs and the Proposed Class were subject to a discriminatory and hostile work environment;
- Whether Plaintiffs and the Proposed Class were paid less than similarly situated White colleagues;
- Whether Defendants had patterns, practices and/or policies fostering and resulting in systemic unlawful discrimination, including, but not limited to, subjecting minority employees to a hostile work environment, unequal disparate pay and unequal opportunities;
- Whether Defendants knowingly permitted a hostile work environment to fester and intentionally ignored complaints regarding race discrimination at the Company; and
- Whether employees were subjected to a pattern, practice and/or policy of retaliation in connection with the reporting of discrimination, discriminatory conduct and/or retaliation.

258. Thus, the common question requirement of CPLR § 901(a)(2) is satisfied.

IV. TYPICALITY OF CLAIMS AND RELIEF SOUGHT

259. Plaintiffs are members of the Proposed Class they seek to represent.

260. The claims of Plaintiffs are typical of the claims of the Proposed Class in that they all arise from the same unlawful patterns, practices and/or policies of Defendants, and are based on the legal theory that these patterns, practices and/or policies violate legal rights.

261. Plaintiffs and the members of the Proposed Class all allege that they each were the victim of unlawful adverse employment decisions and/or a hostile work environment based on race and/or color and/or ethnicity and/or national origin and/or in retaliation for complaints regarding unlawful discrimination.

262. The relief that Plaintiffs seek for Defendants' unlawful patterns, practices and/or policies is typical of the relief which is sought on behalf of the Proposed Class.

263. Thus, the typicality requirement of CPLR § 901(a)(3) is satisfied.

V. ADEQUACY OF REPRESENTATION

264. The interests of Plaintiffs are co-extensive with those of the Proposed Class they seek to represent in the instant case.

265. Plaintiffs are willing and able to represent the Proposed Class fairly and vigorously as they pursue their similar individual claims.

266. Plaintiffs have retained counsel who are qualified and experienced in employment class action litigation and who are able to meet the time and fiscal demands necessary to litigate a class action of this size and complexity.

267. The combined interests, experience and resources of Plaintiffs and their counsel to competently litigate the individual and Class claims at issue in the instant case satisfy the adequacy of representation requirement of CPLR § 901(a)(4).

VI. REQUIREMENTS OF CPLR §§ 901 ET SEQ.

268. Without class certification, the same evidence and issues would be subject to re-litigation in a multitude of individual lawsuits with an attendant risk of inconsistent adjudications and conflicting obligations. Specifically, all evidence of Defendants' patterns, practices and/or policies and the issue of whether they are in violation of state and local law would be exchanged and litigated repeatedly.

269. Accordingly, certification of the Proposed Class is the most efficient and judicious means of presenting the evidence and arguments necessary to resolve such questions for Plaintiffs, the Proposed Class and Defendants.

270. The cost of proving Defendants' violations of the NYSHRL and the NYCHRL makes it impracticable for Plaintiffs and the members of the Proposed Class to pursue their claims individually.

271. Defendants have acted or have refused to act on grounds generally applicable to the members of the Proposed Class, making final injunctive and declaratory relief appropriate with respect to the Proposed Class as a whole.

272. The common issues of fact and law affecting Plaintiffs' claims and those of the members of the Proposed Class, including, but not limited to, the common issues identified above, predominate over any issues affecting only individual claims.

273. A class action is superior to other available means of the fair and efficient adjudication of Plaintiffs' claims and the claims of the members of the Proposed Class. There will be no difficulty in the management of this action as a class action.

274. By filing this Complaint, Plaintiffs are preserving the rights of members of the Proposed Class with respect to the statute of limitations on their claims. Therefore, not certifying a class would substantially impair and/or impede the other members' ability to protect their interests.

FIRST CAUSE OF ACTION
(Race, Color, Ethnicity and National Origin Discrimination and
Hostile Work Environment in Violation of the NYSHRL)
Against All Defendants

275. Plaintiffs hereby repeat, reiterate and re-allege each and every allegation in each of the preceding paragraphs as if fully set forth herein.

276. Defendants have discriminated against Plaintiffs and the Proposed Class on the basis of their race, color, ethnicity and/or national origin in violation of the NYSHRL by, *inter alia*, denying Plaintiffs equal terms and conditions of employment available to their similarly-situated White employees, including, but not limited to, subjecting Plaintiffs to racial slurs, racial bias, a hostile work environment and disparate treatment, including disparate pay, based on race, color, ethnicity and/or national origin.

277. Defendants have discriminated against Plaintiffs and the Proposed Class on the basis of their race, color, ethnicity and/or national origin in violation of the NYSHRL by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy a hostile work environment that has included, among other things, severe and pervasive discrimination and harassment committed against Plaintiffs and the Proposed Class.

278. As a direct and proximate result of Defendants' unlawful discriminatory conduct in violation of the NYSHRL, Plaintiffs and the Proposed Class have suffered, and continue to suffer, monetary and/or economic harm, for which they are entitled to an award of damages.

279. As a direct and proximate result of Defendants' unlawful discriminatory conduct in violation of the NYSHRL, Plaintiffs and the Proposed Class have suffered, and continue to suffer, mental anguish and emotional distress, for which they are entitled to an award of damages.

SECOND CAUSE OF ACTION
(Aiding and Abetting in Violation of the NYSHRL)
Against Defendants Judith Slater and Dianne Brandi

280. Plaintiffs hereby repeat, reiterate and re-allege each and every allegation in each of the preceding paragraphs as if fully set forth herein.

281. Defendants Slater and Brandi knowingly and maliciously aided and abetted the unlawful employment practices, discrimination and retaliation against Plaintiffs and the Proposed Class in violation of the NYSHRL.

282. As a direct and proximate result, Plaintiffs and the Proposed Class have suffered and continue to suffer monetary and/or economic harm, including, but not limited to, loss of past income, future income, compensation and benefits, for which they are entitled to an award of monetary damages and other relief.

283. As a direct and proximate result, Plaintiffs and the Proposed Class have suffered, and continue to suffer, emotional distress, for which they are entitled to an award of monetary damages and other relief.

THIRD CAUSE OF ACTION
(Race, Color, Ethnicity and National Origin Discrimination and
Hostile Work Environment in Violation of the NYCHRL)
Against All Defendants

284. Plaintiffs hereby repeat, reiterate and re-allege each and every allegation in each of the preceding paragraphs as if fully set forth herein.

285. Defendants have discriminated against Plaintiffs and the Proposed Class on the basis of their race, color, ethnicity and/or national origin in violation of the NYCHRL by, *inter alia*, denying Plaintiffs equal terms and conditions of employment available to their similarly-situated White employees, including, but not limited to, subjecting Plaintiffs to racial slurs, racial bias, a hostile work environment and disparate treatment, including disparate pay, based on race, color, ethnicity and/or national origin.

286. Defendants have discriminated against Plaintiffs and the Proposed Class on the basis of their race, color, ethnicity and/or national origin in violation of the NYCHRL by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy a hostile work environment that has included, among other things, severe and pervasive discrimination and harassment committed against Plaintiffs and the Proposed Class.

287. As a direct and proximate result of Defendants' unlawful discriminatory conduct in violation of the NYCHRL, Plaintiffs and the Proposed Class have suffered, and continue to suffer, monetary and/or economic harm, for which they are entitled to an award of damages.

288. As a direct and proximate result of Defendants' unlawful discriminatory conduct in violation of the NYCHRL, Plaintiffs and the Proposed Class have suffered, and continue to suffer, mental anguish and emotional distress, for which they are entitled to an award of damages.

289. Defendants' unlawful and discriminatory actions constitute malicious, willful and wanton violations of the NYCHRL, for which Plaintiffs and the Proposed Class are entitled to an award of punitive damages.

FOURTH CAUSE OF ACTION
(Retaliation in Violation of NYSHRL and NYCHRL)
Against All Defendants

290. Plaintiffs hereby repeat, reiterate and re-allege each and every allegation in each of the preceding paragraphs as if fully set forth herein.

291. By the actions detailed above, among others, Defendants have retaliated against Plaintiffs and the Proposed Class based on their protected activities in violation of the NYSHRL and the NYCHRL.

292. As a direct and proximate result of Defendants' unlawful and retaliatory conduct in violation of the NYSHRL and the NYCHRL, Plaintiffs and the Proposed Class have suffered, and continue to suffer, monetary and/or economic harm, including, but not limited to, loss of future income, compensation and benefits for which they are entitled to an award of damages.

293. As a direct and proximate result of Defendants' unlawful and retaliatory conduct in violation of the NYSHRL and the NYCHRL, Plaintiffs and the Proposed Class have suffered, and continue to suffer emotional distress for which they are entitled to an award of compensatory damages.

294. Defendants' unlawful and retaliatory actions were intentional, done with malice and/or showed a deliberate, willful, wanton and reckless indifference to Plaintiffs' and the Proposed Class' rights under the NYSHRL and the NYCHRL, for which Plaintiffs and the Proposed Class are entitled to an award of punitive damages.

FIFTH CAUSE OF ACTION
(Disability Discrimination and Hostile Work Environment in Violation of the NYSHRL)
Against All Defendants

295. Plaintiffs Monica Douglas and Claudine McLeod hereby repeat, reiterate and re-allege each and every allegation in each of the preceding paragraphs as if fully set forth herein.

296. Defendants discriminated against Plaintiffs Douglas and McLeod on the basis of their disability and/or perceived disability in violation of the NYSHRL by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy a hostile work environment that has included, among other things, severe and pervasive discrimination and harassment based on the disabilities and/or perceived disabilities of Plaintiffs Douglas and McLeod.

297. As a direct and proximate result of Defendants' unlawful discriminatory conduct in violation of the NYSHRL, Plaintiffs Douglas and McLeod have suffered, and continue to suffer, monetary and/or economic harm, for which they are entitled to an award of damages.

298. As a direct and proximate result of Defendants' unlawful discriminatory conduct in violation of the NYSHRL, Plaintiffs Douglas and McLeod have suffered, and continue to suffer, mental anguish and emotional distress, for which they are entitled to an award of damages.

SIXTH CAUSE OF ACTION
(Disability Discrimination and Hostile Work Environment in Violation of the NYCHRL)
Against All Defendants

299. Plaintiffs Monica Douglas and Claudine McLeod hereby repeat, reiterate and re-allege each and every allegation in each of the preceding paragraphs as if fully set forth herein.

300. Defendants discriminated against Plaintiffs Douglas and McLeod on the basis of their disability and/or perceived disability in violation of the NYCHRL by fostering, condoning, accepting, ratifying and/or otherwise failing to prevent or to remedy a hostile work environment that has included, among other things, severe and pervasive discrimination and harassment based on the disabilities and/or perceived disabilities of Plaintiffs Douglas and McLeod.

301. As a direct and proximate result of Defendants' unlawful discriminatory conduct in violation of the NYCHRL, Plaintiffs Douglas and McLeod have suffered, and continue to suffer, monetary and/or economic harm, for which they are entitled to an award of damages.

302. As a direct and proximate result of Defendants' unlawful discriminatory conduct in violation of the NYCHRL, Plaintiffs Douglas and McLeod have suffered, and continue to suffer, mental anguish and emotional distress, for which they are entitled to an award of damages.

303. Defendants' unlawful and discriminatory actions constitute malicious, willful and wanton violations of the NYCHRL, for which Plaintiffs Douglas and McLeod are entitled to an award of punitive damages.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray that the Court enter judgment in their favor and against Defendants, containing the following relief:

A. Certification of the case as a class action maintainable under CPLR §§ 901 *et seq.*, on behalf of the Proposed Class;

B. Designation of Plaintiffs as representatives of the Proposed Class;

C. Designation of Plaintiffs' counsel as counsel of record for the Proposed Class;

D. An injunction and order permanently restraining Defendants and its partners, officers, owners, agents, successors, employees and/or representatives and any and all persons acting in concert with them, from engaging in any such further unlawful conduct, including the policies and practices complained of herein;

E. An order directing Defendants to place Plaintiffs and the Proposed Class in the position they would have occupied but for Defendants' discriminatory and retaliatory treatment and otherwise unlawful conduct (including reinstatement), and to take such affirmative action as is necessary to ensure that the effects of these unlawful employment practices are eliminated and do not continue to affect the lives of Plaintiffs and the Proposed Class;

F. A declaratory judgment that the actions, conduct and practices of Defendants complained of herein violate the laws of the State and City of New York;

G. An award of damages in an amount to be determined at trial, plus pre-judgment interest, to compensate Plaintiffs and the Proposed Class for all monetary and/or economic damages;

H. An award of damages in an amount to be determined at trial, plus pre-judgment interest, to compensate Plaintiffs and the Proposed Class for all non-monetary and/or compensatory damages, including, but not limited to, compensation for their mental anguish and emotional distress, humiliation, embarrassment, stress and anxiety, loss of self-esteem, self-

confidence and personal dignity, and emotional pain and suffering and any other physical and mental injuries;

I. An award of damages to be determined at trial, plus pre-judgment interest, to compensate Plaintiffs and the Proposed Class for harm to their professional and personal reputations and loss of career fulfillment;

J. An award of punitive damages;

K. An award of costs that Plaintiffs and the Proposed Class have incurred in this action, as well as reasonable attorneys' fees to the fullest extent permitted by law; and

L. Such other and further relief as the Court may deem just and proper.


JURY DEMAND

Plaintiffs hereby demand a trial by jury on all issues of fact and damages stated herein.

Dated: May 8, 2017
New York, New York

Respectfully submitted,

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