

## **Fox News Reporter and Host Diana Falzone Sues Fox Network for Gender and Disability Discrimination**

### ***Human Rights Lawsuit Accuses Fox News of Discrimination After She Disclosed Gynecological Disease***

On-air personality and host of FOX411 and other FoxNews.com shows **Diana Falzone** filed a lawsuit today in New York State Supreme Court against Fox News Network LLC alleging gender and disability discrimination.

Ms. Falzone, who was described as the “face of FoxNews.com,” states in the lawsuit that she was forever banned from all on-air activities at Fox just three days after writing a company-approved article, “Women Should Never Suffer in Silence.” In the article, Ms. Falzone shared that she suffered from endometriosis, a painful and often misdiagnosed gynecological condition, and that the disease led to her infertility.

Ms. Falzone was hugely popular at FoxNews.com and was the most viewed Fox personality online in 2016, with over 65 million views – more views than Bill O’Reilly, Megyn Kelly or Sean Hannity. Women worldwide sent messages praising Ms. Falzone’s bravery after she shared her personal struggle with endometriosis.

The suit alleges that three days after the op-ed ran, Ms. Falzone was informed by her supervisor that he had been instructed by the “Second Floor” to permanently ban her from ever appearing on air on any Foxnews.com medium, and that she would never again be permitted to host her own shows (many of which she created), conduct her own interviews, appear on Fox TV, or even do voiceovers.

The “Second Floor” refers to the executive offices of Fox News, run by Co-Presidents Bill Shine and Jack Abernethy after the July 2016 departure of Roger Ailes.

“The issues raised in Diana Falzone’s lawsuit are a concern for all women,” said Falzone’s attorney, Nancy Erika Smith of Smith Mullin, Montclair NJ. “Fox News never banned her male counterparts who have discussed their personal health issues on air. Indeed, those men saw their careers advance,” said Smith.

According to the Complaint, Ms. Falzone repeatedly asked why she was demoted, punished and humiliated. No reason was provided. Instead, her supervisor suggested she look for another job.

Ms. Falzone’s lawsuit states that she filed a formal complaint of discrimination through the 21<sup>st</sup> Century Fox hotline, but Fox declined to put her back on the air or otherwise redress her complaint.

The Complaint further alleges that the stress caused by Fox News’ unlawful conduct exacerbated Falzone’s existing medical condition.

“Once Diana disclosed her condition, Fox executives decided she no longer conformed to their image of on-air women as ‘physically perfect’,” said Smith. “Behind closed doors they passed judgment on her, discriminated against her for being a woman with a chronic reproductive illness, and punished her for having a protected disability.”

