

The New York Times

More Trouble at Fox News: Ailes Faces New Sexual Claims and O'Reilly Loses Two Advertisers

By Emily Steel and Michael S. Schmidt

April 3, 2017

The sexual harassment scandal that engulfed Fox News last year and led to the ouster of its chairman, Roger Ailes, continued to batter the network on Monday, as a new lawsuit described unwanted sexual advances by Mr. Ailes and two major advertisers pulled their spots from the show of its top-rated host, Bill O'Reilly.

Mercedes-Benz and Hyundai said they were withdrawing their ads from Mr. O'Reilly's prime-time show, "The O'Reilly Factor," after The New York Times published an investigation this weekend that found five women who made allegations of sexual harassment or inappropriate behavior against him. Those five women received settlements totaling about \$13 million, The Times reported.

Together, the developments portray a network buffeted by allegations on multiple fronts, even as it draws record ratings with programming supportive of President Trump. Staff members remain anxious, some said on Monday, over questions about its workplace culture and its priorities.

If more advertisers abandon Mr. O'Reilly's show, it will be a blow to Fox News, which provides billions of dollars in revenue each year to its parent company, 21st Century Fox. Mr. O'Reilly has long been the pugnacious face of a prime-time lineup that sets the tone for conservative commentary. His show attracts almost four million viewers a night, and from 2014 through 2016 it generated more than \$446 million in advertising revenue, according to the research firm Kantar Media.

"Given the importance of women in every aspect of our business, we don't feel this is a good environment in which to advertise our products right now," Donna Boland, the manager of corporate communications for Mercedes-Benz, wrote in an email. Mercedes-Benz has spent an estimated \$1.9 million in ads on "The O'Reilly Factor" in the last year, according to iSpot.tv, the TV ad analytics firm.

Hyundai cited "the recent and disturbing allegations" in announcing that it was removing its ads from Mr. O'Reilly's show. "We had upcoming advertising spots on the show, but are reallocating them," Hyundai said in an emailed statement.

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“As a company, we seek to partner with companies and programming that share our values of inclusion and diversity,” the statement said. “We will continue to monitor and evaluate the situation as we plan future advertising decisions.”



Julie Roginsky has appeared on the Fox News show, “The Five.”
Associated Press

Despite Mr. O’Reilly’s history of settlements and the series of allegations against him, the company has extended his contract, which was set to expire this year, according to people familiar with the matter. Mr. O’Reilly makes about \$18 million per year. When the company extended the contract, it knew of multiple settlements that had been reached with women who had complained about his behavior.

The company says it has discussed the issue with Mr. O’Reilly. It believes his new contract gives it more leverage over him regarding his behavior, according to two people familiar with the matter. Mr. O’Reilly has said that the allegations are without merit. He did not address the controversy on his show Monday night.

Earlier on Monday, Julie Roginsky, a current Fox News contributor, filed a lawsuit against Mr. Ailes, Fox News and Bill Shine, the network’s co-president, asserting that she faced retaliation for rebuffing Mr. Ailes’s sexual advances and for refusing to disparage Gretchen Carlson, the former Fox News host who sued Mr. Ailes last summer.

And a former regular guest on Mr. O'Reilly's program, Wendy Walsh, who had recounted her allegations against him to The Times, held a news conference with her lawyer to discuss those claims and to call for an independent inquiry into sexual harassment at the network.

Also, the United States attorney's office in Manhattan is investigating Fox News, including how it structured settlements.

On Monday, Fox News moved to contain the fallout from the weekend's developments, urging its employees in an internal memo to report inappropriate behavior to the human resources department or other network executives. "Particularly in light of some of the accounts published over the last few days, I wanted to re-emphasize the message we have been conveying at our training sessions for several months," said Kevin Lord, the network's new head of human resources, who was hired in the aftermath of the Ailes scandal.

Irena Briganti, a Fox News spokeswoman, declined to comment on advertising decisions, Ms. Roginsky's lawsuit or Ms. Walsh's news conference.

Ms. Walsh, speaking in Los Angeles, repeated the account she provided to The Times. She said that Mr. O'Reilly did not follow through on a verbal offer to make her a contributor to his show after she declined an invitation to go to his hotel suite after a 2013 dinner in Los Angeles that was arranged by his secretary. She has not received a settlement and said she does not want any money. She did not report her complaints to Fox News at the time, she said, because she did not want to jeopardize her career prospects.

"Other women who are under gag orders, who cannot talk, they have been silenced," Ms. Walsh said while seated next to her lawyer, Lisa Bloom. "I had to be the voice for them."

Ms. Walsh is recounting her experiences publicly despite receiving a warning on Saturday from Mr. O'Reilly's lawyer, Fredric S. Newman, demanding that she retract the statements she made to The Times. The letter, obtained by The Times, said that her assertions were "patently false and highly defamatory" and said to "cease and desist all defamation of Mr. O'Reilly's character."

"Your segment was a failure," Mr. Newman wrote. "That is established as matter of undisputable fact in the minute-by-minute analysis of your segment, which showed that the segment was unsuccessful."

Fox News's troubles continued when Ms. Roginsky filed her suit in New York State Supreme Court. The suit echoes the complaints that other women have made about Mr. Ailes and the culture at the network, where women have said they faced harassment and feared reporting it. Ms. Roginsky's lawyer is Nancy Erika Smith, the same lawyer who represented Ms. Carlson, who received a \$20 million settlement after leaving the network.

Ms. Roginsky, who has been a paid contributor on Fox News since 2011, stated in her complaint that Mr. Ailes made sexist comments and unwanted sexual advances toward her during one-on-one meetings in his office, including requiring that she “bend down to kiss him hello” when he sat in a low armchair and telling her that they would get into “so much trouble” if he took her “out for a drink.”

Mr. Ailes also would tell her that she should “engage in sexual relationships with ‘older, married, conservative men,’” the suit stated.

Ms. Roginsky asserted in the suit that she faced retaliation for refusing Mr. Ailes’s advances. She said that she was denied a permanent position as a host on the program “The Five” and was rarely allowed to host her own segments on the show “Outnumbered,” unlike other panelists. She also stated that she was punished for not joining “Team Roger” when Ms. Carlson filed suit last summer — a reference, presumably, to a group of Fox News employees who publicly supported Mr. Ailes.

Susan R. Estrich, a lawyer for Mr. Ailes, said that he “vociferously denies” the allegations in Ms. Roginsky’s suit. She called the assertions “hogwash” and said that the suit was a “copycat complaint.”

“Her interactions with Mr. Ailes were not even close to the fictional version she wants people to believe now,” Ms. Estrich said in a statement.

The developments raised new questions about the internal investigation at Fox News that was started after allegations about Mr. Ailes first became public. In the suit, Ms. Roginsky also stated that she discussed her complaints in a meeting with Mr. Shine and another top network executive during a meeting in November, months after Mr. Ailes was dismissed in July.

A version of this article appears in print on April 4, 2017, on Page A1 of the New York edition with the headline: New Harassment Claims at Fox Are Followed by Canceled Ads

Style

Fox News faces yet another sexual harassment claim against network leadership

By Paul Farhi April 3, 2017

The sexual harassment scandal at Fox News Channel continued on Monday, with a contributor alleging that the network's co-founder pressured her for sex and its current co-president retaliated against her.

Julie Roginsky, who appeared frequently on Fox's "The Five" program and is still with the network, filed a discrimination suit in New York against Roger Ailes, the ousted former chairman of Fox, and Bill Shine, its co-president.

Fox's parent company, 21st Century Fox, removed Ailes last summer as the head of the network he co-founded amid allegations that he sexually harassed women employed by the network. His downfall was set in motion by a lawsuit filed by former Fox host Gretchen Carlson, who eventually settled her claims for \$20 million.

Roginsky, 43, who began appearing on Fox as a commentator in 2004, is the latest to go public with allegations against Ailes and Shine, who was Ailes's top newsroom deputy. She is represented by a law firm headed by Nancy Erika Smith, the attorney who represented Carlson in her suit.

Roginsky's suit is potentially significant because it describes events that allegedly occurred after Ailes left Fox and after 21st Century vowed to clean up an apparent workplace culture of harassment. She alleges that Fox and Shine did not investigate her complaints after Ailes's departure and did not refer them to a law firm that 21st Century Fox hired to look into employee harassment.

On Saturday, the New York Times disclosed that Fox star Bill O'Reilly and Fox have settled five harassment complaints against him by female employees since 2002, paying out a collective \$13 million.

In her suit, Roginsky alleges that Ailes repeatedly sexually harassed her and sabotaged her career after she refused his advances. She further alleges that Shine retaliated against her because she refused to "malign" Carlson and join "Team Roger" when Carlson sued in July.

She says that Ailes made a promotion to a permanent spot on "The Five" contingent on a sexual relationship with him.

Fox had no immediate comment on Roginsky's suit.

Roginsky, in her complaint, says Ailes would invite her to meet with him in private and “would frequently steer the conversation to Roginsky’s personal life by asking, among other things, if she was dating anyone, why she was not married, what she was looking for in a man, and remarking that he did not understand why she was still single since she was so attractive.” He allegedly told her that she should engage in sexual relationships with “older, married, conservative men” because “they may stray but they always come back because they’re loyal.”


During these meetings, Ailes allegedly sat in a low armchair and insisted on a greeting kiss that required Roginsky to bend down to kiss him. The complaint alleges that Ailes would “consistently position himself in such a way as to look down Roginsky’s dress.”

After Roginsky rebuffed Ailes’s advances, she was passed over for a regular spot on “The Five” in favor of Geraldo Rivera, according to the suit. She continued to appear in regular rotation on the daytime program “Outnumbered.”

The complaint says that Roginsky resisted pressure from Fox’s executives and colleagues to disparage Carlson after Carlson filed her discrimination suit.

In addition to Roginsky’s suit, Fox is facing a harassment claim filed by Andrea Tantaros, a former contributor to “The Five.”

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Paul Farhi is The Washington Post's media reporter. He started at The Post in 1988 and has been a financial reporter, a political reporter and a Style reporter.  Follow @farhip

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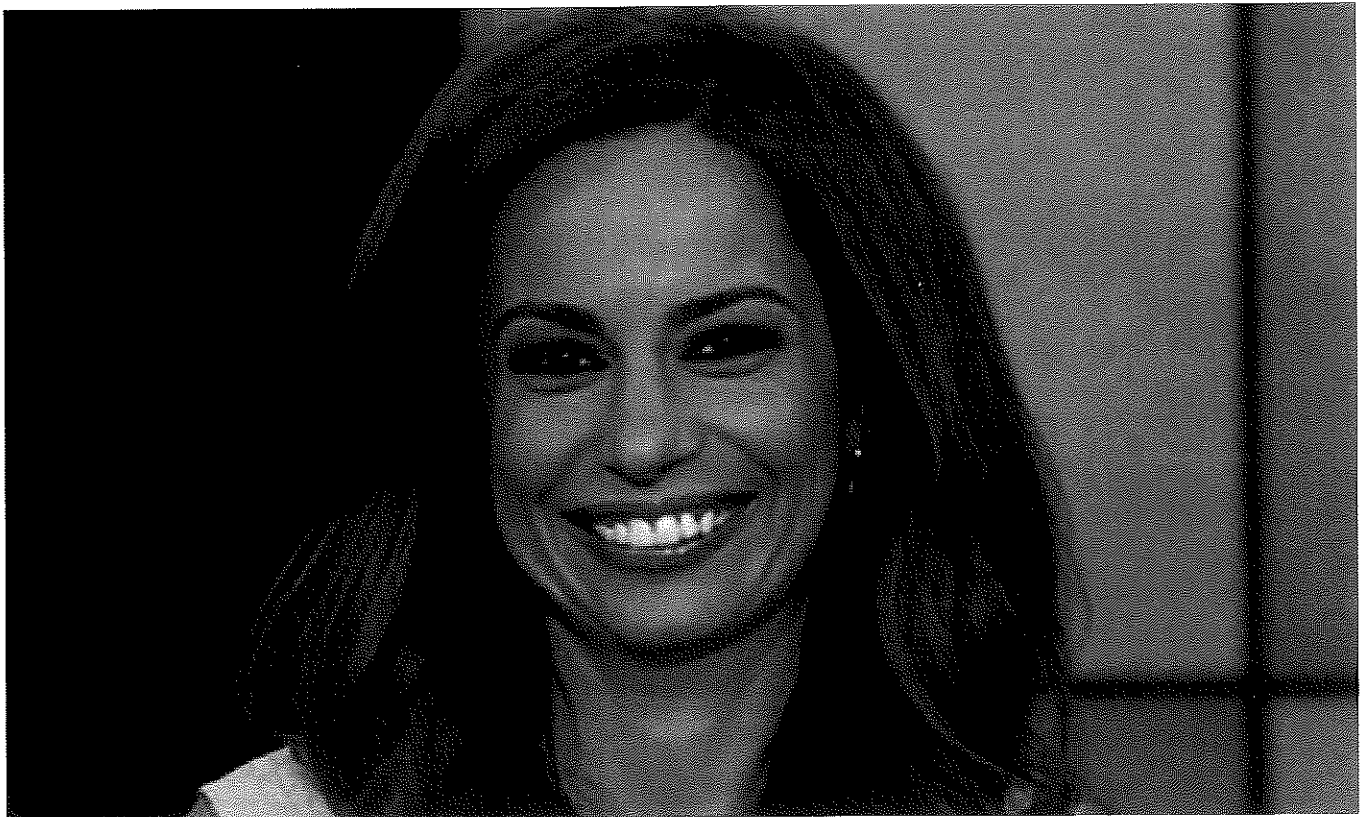
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Julie Roginsky Files Sexual Harassment Suit Against Fox News

Former Fox News CEO Roger Ailes and current co-president Bill Shine are also named

Brian Flood | April 3, 2017 @ 8:10 AM

Last Updated: April 3, 2017 @ 1:22 PM



Fox News contributor Julie Roginsky has filed a sexual harassment lawsuit against the network, former Fox News CEO Roger Ailes and current co-president Bill Shine.

TheWrap obtained the entire lawsuit, which claims that Fox News, Ailes and Shine “unlawfully harassed, discriminated against, and retaliated against Roginsky and sabotaged her career.”

Roginsky is represented by attorney Nancy Erica Smith, who also represented Gretchen Carlson in her lawsuit against the network. Ailes stepped down in disgrace last summer after Carlson came forward with allegations that resulted in numerous women making similar claims.

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[Gretchen Carlson Tweets Support for Fox News Sexual Harassment Accusers](#)

Fox News did not immediately respond to TheWrap’s request for confirmation of the suit. Roginsky told TheWrap to contact her attorney, who could not be immediately reached. Fox News’ parent, 21st Century Fox, did not immediately respond to TheWrap’s request for comment.

The suit alleges that Ailes made unwanted sexual advances on Roginsky, while leading her to believe that a promotion would follow.

The suit claims that Ailes repeatedly called Roginsky into his office for one-on-one meetings and “would frequently steer the conversation to Roginsky’s personal life.” The document also says that Ailes would often make sexist comments about other Fox News employees.

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[13 Women Who've Accused Former Fox News Boss Roger Ailes of Sexual Harassment \(Photos\)](#)

"Shine retaliated against Plaintiff because of her complaints of harassment and retaliation and because Plaintiff refused to malign Gretchen Carlson and join 'Team Roger' when Carlson sued Ailes for sexual harassment," the suit reads.

The document claims that Roginsky left the Republican National Convention a day early last July because of intense pressure to defend Ailes. Roginsky said that Fox News never investigated her complaints, and that other network executives were aware of her harassment and retaliation claims.

Roginsky began appearing as a commentator on Fox News in 2004.

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"As a direct and proximate result of Defendant Fox News' conduct, Roginsky has suffered damage to her career path, adverse job consequences, including economic damages, and continues to suffer damages, including severe mental, physical and emotional stress, pain and suffering, anxiety, stress, humiliation, exacerbation of existing medical conditions and personal sickness, loss of enjoyment of life and damage to her reputation and career," the lawsuit states.

In addition to punitive damages and legal fees, Roginsky is also seeking "compensatory damages for all back and future loss of wages, lost income, benefits, retirement losses, stock benefits losses, pain, suffering, stress, humiliation, mental anguish, emotional harm and personal physical injury and physical sickness, as well as damage to her reputation, damage to career path and loss of income."

Pamela Chelin contributed to this report

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Julie Roginsky co-hosts "The Five" on the Fox News Channel on March 30, 2015. Richard Drew / AP, file

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Yet another high-profile female pundit has slapped Fox News with a sexual harassment lawsuit.

The latest was filed Monday by a current Fox News contributor named Julie Roginsky, who is also suing former Fox News chief Roger Ailes and current company president Bill Shine. She claims her promotion to co-host of the news show "The Five" was "contingent upon having a sexual relationship with Ailes."

"During these meetings, Ailes additionally (and without irony) volunteered the advice that Roginsky should engage in sexual relationships with 'older, married, conservative men' because 'they may stray but they always come back because they're loyal,'" the papers state. "Ailes also remarked that he was loyal but that loyalty was a two-way street. These comments and their delivery made it clear that Ailes wanted a sexual relationship with Roginsky."

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Bill O'Reilly back on the air after new accuser alleges sexual harassment

03:32



Ailes, at his meetings with Roginsky, "usually sat in a low armchair."

"He repeatedly insisted on a kiss 'hello' requiring Roginsky to bend down to kiss him," the papers state. "Ailes would consistently position himself in such a way as to look down Roginsky's dress."

When she "rejected his sexual advances," Roginsky said her job was given to Geraldo Rivera.



Julie Roginsky co-hosts "The Five" on the Fox News Channel on March 30, 2015. Richard Drew / AP, file

There was no immediate response from parent company 21st Century Fox to the latest 17-page lawsuit, which was filed in New York Supreme Court.

But Ailes's lawyer, Susan Estrich, called Roginsky's claims "total hogwash."

"Mr. Ailes vociferously denies her allegations," Estrich said in a statement. "Her interactions with Mr. Ailes were not even close to the fictional version she wants people to believe now. The idea that Mr. Ailes would pressure Ms. Roginsky or any other women to have sexual relations with him is total nonsense."

New Jersey Assemblyman John Wisniewski, however, spoke up in defense of Roginsky, who is also a Democratic party strategist.

"Beyond the vulgar sexual advances Ms. Roginsky was forced to endure from her employer, the unwillingness of Fox to even investigate her claims is equally disturbing," he said in a statement.

Roginsky is not the first woman to accuse Ailes of crossing the line. Former Fox News host Gretchen Carlson also claimed she had been sexually harassed by Ailes, who resigned in July.

Fox News announced later it had reached a settlement with Carlson. Vanity Fair, which first reported news of the settlement, said Fox had agreed to pay Carlson \$20 million.

Ailes has also — and repeatedly — denied sexually harassing Carlson or any other woman at Fox.

Roginsky's lawsuit appeared a day after a blockbuster New York Times expose which revealed \$13 million in settlements to five women who have accused Fox News host Bill O'Reilly of sexual harassment and other inappropriate behavior.

One of the women featured in the Times piece, TV psychologist Wendy Walsh, said O'Reilly put the moves on her after he took her to dinner "to talk about my career in FOX."

"He said, 'Let's get out of here'," she said Monday in a press conference at the office of lawyer Lisa Bloom. "He said, 'Come back to my suite.'"

A single mother of two girls, Walsh said she politely declined and "he immediately got defensive."

"You think I'm going to attack you or something?" O'Reilly asked, according to Walsh.

After that, Walsh said, her appearances on "The O'Reilly Factor" dwindled. And at one point, she said on a visit to the studio O'Reilly barked at her "When are you leaving?"



Wendy Walsh Speaks About Bill O'Reilly Harassment Allegations

05:53



Bloom called on New York state authorities to investigate what she called the pattern of sexual harassment against women at Fox News.

In response to the Times report, which NBC News has not independently confirmed, O'Reilly released the following statement:

"Just like other prominent and controversial people, I'm vulnerable to lawsuits from individuals who want me to pay them to avoid negative publicity. In my more than 20 years at Fox News Channel, no one has ever filed a complaint about me with the Human Resources Department, even on the anonymous hotline.

But most importantly, I'm a father who cares deeply for my children and who would do anything to avoid hurting them in any way. And so I have put to rest any controversies to spare my children.

The worst part of my job is being a target for those who would harm me and my employer, the Fox News Channel. Those of us in the arena are constantly at risk, as are our families and children. My primary efforts will continue to be to put forth an honest TV program and to protect those close to me."

Fox News also insisted it "takes matters of workplace behavior very seriously" but insisted nobody has ever called their internal "hotline to raise a concern about Bill O'Reilly, even anonymously."

"While he denies the merits of these claims, Mr. O'Reilly as resolved those he regarded as his personal responsibility," the statement continued. "Mr. O'Reilly is fully committed to supporting our efforts to improve the environment of all our employees at Fox News."

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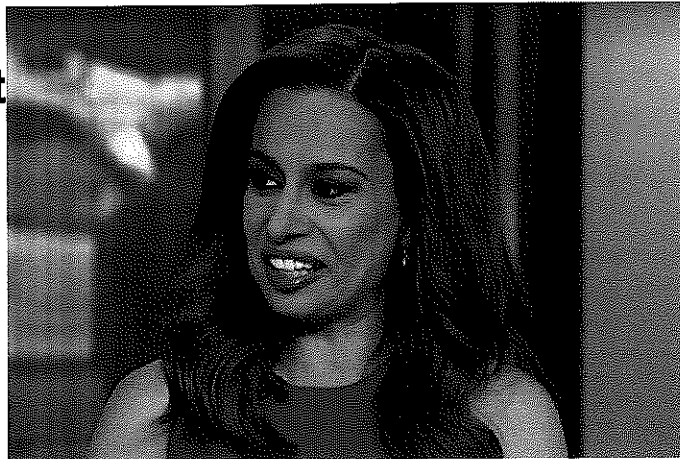
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Fox News Settles Sexual Harassment Lawsuit From Julie Roginsky

By AP Jon Levine
The Wrap December 20, 2017



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Fox News Settles Sexual Harassment Lawsuit From Julie Roginsky

Fox News has settled a sexual harassment lawsuit brought by former contributor Julie Roginsky for an undisclosed amount of money, TheWrap has learned.

In her suit, filed in April, Roginsky had said that former network chief Roger Ailes kept her from a position on "The Five" after she refused to engage in a sexual relationship with him.

Ailes "unlawfully harassed, discriminated against, and retaliated against Roginsky and sabotaged her career," the suit read. Roginsky began appearing as a commentator on Fox News in 2004 and remained on-air as a contributor during much of her litigation.

Also Read: Julie Roginsky Asks NYC Authorities to Investigate Fox News' Treatment of Women

Former Fox News co-president Bill Shine was also named in the original complaint.

In her original suit, Roginsky said that Ailes' actions led not just to economic damage, but severe emotional distress.

"As a direct and proximate result of Defendant Fox News' conduct, Roginsky has suffered damage to her career path, adverse job consequences, including economic damages, and continues to suffer

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The Roginsky settlement puts to bed another legacy of the late Ailes' leadership of the channel. The reckoning at the news giant began when network host Gretchen Carlson first raised the alarm about Ailes back in July, 2016. The channel's parent 21st Century Fox ultimately paid out \$20 million to Carlson as a result.

A subsequent investigation into Ailes led to his departure from the channel as well with an estimated \$40 million severance package.

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Reps for Fox News were not immediately available for comment on Wednesday.

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Exec Suite

DECEMBER 20, 2017

8:29am PT by Eriq Gardner

Fox News Settles Julie Roginsky Lawsuit



AP Photo/Richard Drew
Julie Roginsky



The political pundit alleged that Roger Ailes conditioned her network role on a sexual relationship.

Fox News has wrapped up another settlement on the sexual harassment front. The cable news network has resolved claims by Julie Roginsky, who alleged in a lawsuit that she was denied

a position co-hosting the mid-afternoon show *The Five* after refusing to have a sexual relationship with Roger Ailes.

Roginsky is a political consultant who was a regular on Fox News beginning in 2005. She says her contract was renewed three times. Her complaint filed in New York Supreme Court discussed frequent one-on-one meetings with Ailes, the former president at Fox News who left under a sexual misconduct storm and passed away earlier this year. During those meetings, Roginsky says Ailes would steer the conversation to the personal and made clear he wanted a sexual relationship.

The co-hosting spot on *The Five* would go to Geraldo Rivera, and although Roginsky remained on rotation on another show, *Outnumbered*, "she was rarely allowed to lead her own segments, unlike the other panelists on the show," stated her complaint.

Roginsky also reported that after the Ailes scandal erupted and Fox hired the Paul Weiss law firm to investigate, she wasn't contacted even though her claims were known by others.

She sued Fox News, Ailes and Bill Shine for retaliation. The case didn't get far, although Fox did tout its anti-discrimination policies and claimed she failed to "avoid harm" in a court filing.

Terms of the settlement were not made public. The parties told the judge they were working on resolution earlier this month and Roginsky's attorney confirmed a settlement has now been reached.

In another development on the Fox News front today, two more women — Andrea Mackris and Rebecca Diamond — joined a lawsuit against the network and Bill O'Reilly over alleged breaches of prior settlement agreements. (Some analysis on that legal action here.)