

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

LAURA W. LUHN,

Plaintiff,

v.

FOX NEWS NETWORK, LLC, TWENTY-
FIRST CENTURY FOX, INC. & WILLIAM
SHINE,

Defendants.

Index No.: _____

SUMMONS

To:

Fox News Network, LLC
1211 Avenue of the Americas
New York, New York 10036

Twenty-First Century Fox, Inc.
1211 Avenue of the Americas
New York, New York 10036

William Shine
14811 Como Circle
Bradenton, Florida 34202

You are hereby summoned to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Venue is proper in New York County pursuant to CPLR 503 because a substantial part of the events giving rise to this action occurred in New York County and because at least one of the

Defendants resides in New York County. Plaintiff designates New York County as the place of trial, pursuant to CPLR 509.

Dated: New York, New York
January 25, 2023

/s/ William T. Reid, IV

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COMPLAINT

Plaintiff Laura W. Luhn (“**Plaintiff**” or “**Luhn**”), by her attorneys Reid Collins & Tsai LLP, files her complaint against Defendants Fox News Network, LLC (“**Fox News**”), Twenty-First Century Fox, Inc. (“**Twenty-First Century Fox**”), and William Shine (“**Shine**” and collectively, “**Defendants**”), and alleges as follows.

NATURE OF THE ACTION

1. Roger Ailes used his position as the head of Fox News to trap Laura W. Luhn in a decades-long cycle of sexual abuse. To ensure her compliance and public silence, Ailes photographed and videotaped Luhn in compromising positions—blackmail material that he explicitly described as his “insurance policy”—and made clear to Luhn that any attempt to speak out or stop the abuse would result in severe personal humiliation and career ruin.

2. Fox News’s corporate leadership (including Defendant Shine) and its parent company, Defendant Twenty-First Century Fox, knew of Ailes’s conduct (and similar conduct of Fox News’s on-air talent) yet did nothing to stop it. Worse still, Fox News executives engaged in coordinated public smear campaigns against other victims of sexual abuse. These cruel campaigns ensured the silence of other victims like Luhn. In the period when Ailes was abusing her, Luhn

had a front-row seat to the very public intimidation campaign that Fox News waged against another victim after she lodged disturbing allegations against Fox News star, Bill O'Reilly. In private conversations with Luhn, Ailes explicitly reinforced the message that this public campaign was designed to convey to Luhn and other would-be accusers: come forward at your own peril.

3. Thus threatened, for years, Luhn faced the Hobson's choice between remaining silent at Fox News and taking what career breadcrumbs Ailes might offer or leaving the network and facing recriminations and blackmail. Eventually, the years of abuse led to Luhn suffering a mental breakdown. During the breakdown—of which Fox News was well aware—Ailes's hatchet man, Defendant Shine, took it upon himself to control Luhn's personal life, manage her medical care, and ensure her public silence about the sexual abuse. These efforts ultimately included having Luhn sign a "release" of her claims. With the fear of Ailes or Fox News spreading compromising photographs and videos, and with the knowledge of the aggressive personal attacks against other Fox News accusers, Luhn capitulated, receiving a severance equal only to payment for her wages until retirement age.

4. Luhn continued to maintain her public silence for years. But as the #MeToo movement began to chip away at power structures in newsrooms across the country, Luhn decided to come forward and tell her story. Now, with the passage of New York's Adult Survivor's Act, Luhn brings this lawsuit to finally receive compensation for all of the physical, mental, emotional, and professional harm she suffered and continues to suffer because of the severe sexual abuse at the hands of Ailes, Fox News, and its corporate enablers.

PARTIES

5. Plaintiff Laura Luhn is a former employee of Fox News and is currently a resident of the State of California. The acts complained of took place while Luhn was employed at Fox News.

6. Luhn began working at Fox News in 1996 as a Guest Relations Staffer. She rose to become Director of Booking in 2006. In 2007, she became Senior Director of Corporate and Special Events, and she served in that role until mid-2011.

7. Throughout Luhn's time at Fox News, Roger Ailes was the Chairman and Chief Executive Officer ("**CEO**") of Fox News, and Chairman of Fox Television Stations.

8. Defendant William Shine is an individual residing in Florida.

9. Defendant Twenty-First Century Fox, Inc. is a Delaware corporation with its principal place of business in New York County, New York.

10. Defendant Fox News Network, LLC is a Delaware limited liability company with a principal place of business located in New York County, New York. Fox News Network, LLC owns Fox News Channel and Fox Business Network. Fox News Network, LLC was a wholly owned subsidiary of News Corporation, Inc., which, in June 2013, became Twenty-First Century Fox after splitting off its publishing assets. Twenty-First Century Fox, Inc. has since been purchased by, and become a subsidiary of, The Walt Disney Co.

JURISDICTION AND VENUE

11. The instances of sexual harassment, abuse, and assault suffered by Luhn that are the basis for this action occurred at hotels in New York City, New York.

12. Luhn was employed by Fox News, and Ailes was Chairman and CEO of Fox News, which at all relevant times has had its principal place of business in New York.

13. Fox News is registered to do business in New York.

14. At all relevant times, Bill Shine worked for Fox News in New York City. He undertook the acts described herein in the course of his employment at Fox News in New York City.

15. As a result, this Court has jurisdiction over the parties to this action and the claims asserted herein pursuant to CPLR 301 & 302.

16. Venue is proper in New York County pursuant to CPLR 503 because a substantial part of the events giving rise to this action occurred in New York County and because at least one of the Defendants resides in New York County. Plaintiff designates New York County as the place of trial, pursuant to CPLR 509.

STATEMENT OF FACTS

A. Luhn's interest in television news media led her to meet predator and industry giant Roger Ailes.

17. During her employment at Fox News, Laura Luhn suffered years of sexual abuse at the hands of one of America's most powerful men: Roger Ailes. Her employer, its controlling parent company, Defendant Shine, and many other executives knew of and enabled the abuse, which ultimately caused severe despair and devastation for Luhn.

18. Ailes, who died in 2017, was the CEO and Chairman of Fox News and Chairman of Fox Television Stations. He launched Fox News Channel in 1996 and brought Luhn on as an employee of Fox News at its inception.

19. By the time Luhn met him, Ailes was already one of the most powerful men in America. He had a successful political consulting business called Ailes Communications where he had worked as President Richard Nixon's Executive Producer for television, helped Nixon's successful presidential campaign, worked on the campaign to reelect Ronald Reagan, and orchestrated George H.W. Bush's victory in the 1988 Republican primary and general election. After he left political consulting in 1991, he ran CNBC and a network called "America's Talking," which eventually became MSNBC. In 1996, Ailes was hired by News Corporation chairman Rupert Murdoch to launch Fox News Channel and serve as its CEO.



Ailes with President Richard Nixon in 1969



Ailes with President Ronald Reagan in 1986



Ailes with President George H.W. Bush in 1990

20. Luhn began at Fox News as a Guest Relations Staffer for *Fox News Sunday with Tony Snow*. Throughout her almost 15 years at Fox News, she was promoted several times—first to Manager of Booking and eventually to Director of Booking, a visible and highly desirable role. She ended her tenure at Fox News as Senior Director of Corporate and Special Events.

21. As is often the case with victims of sexual abuse, Ailes used his proximity to the political elite and the news media to take advantage of Luhn's professional interest in those fields.

22. Ailes met Luhn in Washington, D.C., at the headquarters of the George H.W. Bush presidential campaign in the summer of 1988. At the time, Luhn was 28 years old, and Ailes was nearing 50.

23. Because of her interest in politics, Luhn was eager to work with the powerful Ailes. She was initially inspired by Ailes because of what he could teach her and because of his political power. Luhn attributed Bush's successful presidential campaign to Ailes, and she wanted to learn more about the industry from him.

24. Luhn introduced herself to Ailes on an elevator at the Bush campaign office. When she later ran into him in the hallway, he was friendly and seemed to remember her. Luhn was flattered. After Bush was elected President, Ailes told Luhn to call him if there was ever anything he could do to help her professionally.

25. Luhn took him up on the offer and interviewed with Ailes Communications in the fall of 1990. Like he did with many other victims, Ailes groomed Luhn by asking her deeply personal questions about her family and childhood at her very first job interview. Ailes designed the questions to determine whether he would be able to manipulate her.

26. Other women who worked at Fox News faced similarly inappropriate questioning over the years of Ailes's reign at Fox News as a precursor to similar incidents of sexual harassment and abuse. In fact, following Gretchen Carlson's lawsuit against Ailes in July 2016, at least twenty women came forward with remarkably similar stories about how Ailes groomed his victims. As with these other victims, the inappropriate questions were just the beginning of the grooming process that would result in years of sexual abuse that Luhn could not escape.

27. Ailes should never have been in a position of power at Fox News or anywhere else. His sexual misconduct did not begin at Fox; Ailes had been harassing women for years and pressuring them into engaging in nonconsensual sexual conduct by holding career opportunities over their heads since at least the early 1980s. As all of the Fox News executives and many employees knew, Ailes was obsessed with secrecy and would keep people in line through the heavy use of thinly veiled threats. Despite Ailes's behavior, Fox News and its parent company retained him to lead the company for two decades, directly enabling (and actively covering up) his abuse of Luhn and others.

B. Luhn suffers a nightmare of sexual abuse throughout her employment with Fox News.

28. Ailes's abuse of Luhn was among the worst he inflicted on his many victims. At their very first encounter, Ailes set the stage by blackmailing Luhn and taking videos of her performing coerced sex acts. He physically forced Luhn to perform oral sex on him regularly. And he constantly reminded Luhn that he "owned" her, that she was his "sex slave," and that she was forbidden from telling anyone about the abuse or he would make her pay dearly.

1. From the beginning of their relationship, Ailes puts Luhn in a compromising position that left her with no meaningful choice.

29. In January of 1991, a few months into Luhn's work for Ailes at his company, Ailes Communications, Ailes instructed her to meet him at the Crystal City Marriott in Virginia for what would become the first incident of abuse.

30. Ahead of the meeting, Ailes demanded that Luhn wear a black garter and stockings, calling it her "uniform."

31. When she arrived, Ailes told Luhn to dance for him. She was resistant. But this did not stop Ailes.

32. His manipulation of her began immediately when he tied her compliance to her job security, saying, "Laurie, if you're gonna be my girl, my eyes and ears, if you are going to be someone I can depend on in Washington, my spy, come on, dance for me."

33. Feeling pressured by one of the most powerful men in the world and unsure of what to do, Luhn danced, and, without her permission, Ailes videotaped her doing so.

34. Next, Ailes told Luhn to get down on her knees in front of him. Feeling that she had no choice because of Ailes's physical size, power, and video evidence, Luhn obeyed.

35. He put his hands to her temples and threatened her, saying, "tell me you will do what I tell you to do, when I tell you to do it. At any time, at any place when I call. No matter

where I call you, no matter where you are. Do you understand? You will follow orders. If I tell you to put on your uniform, what are you gonna do, Laurie? [yelling] WHAT ARE YOU GONNA DO, LAURIE? [whispering] What are you, Laurie? Are you Roger's whore? Are you Roger's spy? Come over here."

36. Ailes then demanded that Luhn perform oral sex on him. Feeling that she had no choice in the matter, Luhn reluctantly obeyed.

37. Afterwards, Ailes showed Luhn the footage of her dancing. When she asked him what he was going to do with it, he replied, "I am going to put it in a safe-deposit box just so we understand each other." He would go on to refer to this and other photos and videos of Luhn as his "insurance."

38. From this moment on, Luhn believed that she had no choice but to do as Ailes commanded her, or risk losing her safety, her career, her reputation, and her personal relationships. Luhn knew she was trapped.

2. After he recruited Luhn to Fox News in 1996, Ailes's manipulation and abuse of Luhn becomes repeated and habitual.

39. In 1996, several years after the first incident, Ailes recruited Luhn to work on the launch of Fox News Channel. Luhn was incredibly eager for a chance to finally work in the television news industry, which she had dreamed of doing for many years. And at this point, she had no reason to believe that another assault would happen or be a condition of her employment.

40. Understanding the once-in-a-lifetime opportunity, Luhn accepted a job as a Guest Relations Staffer from a Fox News executive who called to offer her the job.

41. Although she did not see much of Ailes at first, once the network was up and running, Ailes began to demand hotel meetings in New York with Luhn on a regular basis. At the first encounter, Luhn expected that they would simply be talking business. She was wrong. Instead,

Ailes made it known what was going to be required of Luhn. He told her that “from time to time, I’m going to ask you to do things and I’m going to expect you to meet me and put on your uniform.” He expected Luhn to show up prepared or risk retribution. Ailes already had compromising videos of Luhn, and his large presence and demeanor (he would yell and threaten Luhn if she stepped out of line), led Luhn to believe that failure to comply would result in disastrous consequences both for her career and her personal life.

42. As a new full-time employee, Luhn had hoped to have a fresh start and an opportunity to build a career learning from one of America’s news industry giants. Although Ailes had abused her several times already when she did some contracting work for Ailes Communications, Luhn expected things would be different at Fox News. When the abuse continued, she was devastated that she would not be able to start the new life she dreamed about.

43. Even though Luhn worked in the Washington, D.C. bureau of Fox News, Ailes regularly called Luhn to New York for encounters by telling Luhn directly or through Defendant Shine or Senior Vice President Kim Hume that there was a “booking meeting” in New York that she needed to attend.

44. In preparation for these “meetings,” Ailes ordered Luhn to book her own room at a hotel that was not the usual hotel used by Fox News employees when traveling to New York. After booking the room—usually at the DoubleTree Times Square or the Renaissance Times Square, and later at the Omni Berkshire—Luhn submitted expense reports to be reimbursed for the hotel expenses. This obviously raised eyebrows at Fox News, and other high-level executives, including Defendant Shine, Senior Vice President Kim Hume, and others, were aware of Ailes’s conduct. Despite this awareness, Fox News enabled this unwelcome sexual conduct by paying expenses

related to it, taking no action against Ailes, and later by actively covering up other instances of harassment and abuse.

45. The typical sexual encounters between Ailes and Luhn largely resembled the first one. Ailes would sit in an armchair and bark commands like, “bring an envelope to make it look like you’re on official business” or, “come here and show me what you can do.” He would also shove Luhn’s head into his crotch and yell, “What are you, Laurie? Go on, say it. Tell me what you are! Are you my whore? Are you my sex slave? Are you loyal? Can I depend on you, Laurie?”

46. Ailes left no room for doubt that he viewed these forced acts as a quid pro quo for Luhn’s promotions and career advancement at Fox News. At one point after promoting Luhn to Manager of Booking in June 2004, Ailes demanded, “Now, remember, you’re Doris Day. Go put your uniform on, get over to the DoubleTree and thank me for this.” Ailes expected Luhn to stay silent and endure the abuse. He explicitly told her that she could not show any hesitation, either in her reaction or her tone of voice; otherwise, she would risk losing everything.

47. Over the years, the sexual abuse generally followed the same or similar patterns. Sometimes Ailes would touch himself while Luhn would dance; other times he would grab her breasts as he masturbated.

48. Usually, he would have her perform oral sex on him, telling her, “Get in there. Lick my balls,” and ejaculating into her mouth. Ailes would forcefully touch Luhn’s breasts and vagina during these encounters, including digital penetration.

49. These “usual” incidents occurred numerous times, including at least once in 1997; at least 4 times in 1999, most of which occurred at the DoubleTree Times Square; at least 2 times in 2000 at the DoubleTree Times Square and once in December of 2000 at Le Meridien on West 58th Street; at least 3 times in 2001 at the DoubleTree; at least 2 times in 2002; and at least 3 times

in 2004, one of which happened at the Renaissance Hotel in New York City, once after a promotion in June of 2004, and once at the Marriott Marquis in New York City in the summer of 2004.

3. Ailes ramps up his abuse, and Luhn becomes increasingly distressed.

50. Although these incidents usually took place in a New York City hotel, on one occasion, Ailes made Luhn perform oral sex on him in his New York City office on the second floor of Fox News in 2005.

51. On that day, Ailes called Luhn into his office in the evening after the administrative assistants had gone home.

52. He was sitting in his typical armchair when Luhn arrived. After she entered the office, Ailes commanded her to “come over here and get down on your knees.”

53. Although Luhn was often in this office and Ailes would regularly grope her breasts or buttocks, this was the only time that Luhn was made to perform oral sex on Ailes in his New York City office.

54. Luhn was particularly distressed by this incident because Ailes’s office was on the second floor of 1211 Avenue of the Americas with only sheer curtains covering the windows. Because the incident happened after dark, Luhn was convinced that people on the street would be able to look in and see what was happening. This danger that Ailes pressed Luhn into began to have a debilitating effect on Luhn’s sense of self that only worsened with time.

55. But the most traumatic incidents of abuse happened when Ailes forced Luhn to engage in sadomasochistic sex with Ailes and another woman.

56. At least five times between 2002 and 2005—including three at the Renaissance Times Square and two at the Omni Berkshire—Ailes had another woman meet him and Luhn in a New York City hotel room.

57. At these encounters, which Ailes photographed and videotaped, he would force Luhn to perform oral sex on this woman. Ailes was particularly violent and demanding in these encounters, pushing Luhn into the other woman and yelling at her, “Get in there, Laurie!”

58. The final occasion happened on November 16, 2005, at the Omni Berkshire. The other woman arrived that day with a zipper purse containing a flesh-colored dildo. Ailes shoved it in and out of Luhn’s vagina while the other woman held Luhn down. Ailes took a video. He was violent and pushed Laurie into the other woman.

59. Luhn was left frightened and worried about her safety. She felt humiliated, violated, and disgusted. The physically painful experience was a shock to her and resulted in abrasion to her vagina from the penetration.

60. All the while, Ailes held the photographs and videos he had of Luhn over her head, at various times describing them as his “insurance policy,” telling Luhn that he kept them in a safe-deposit box and reminding Luhn of his “loyalty requirement” and the fact that he “owned” her.

C. Fox News knows of ongoing abuse of women employees at the hands of Ailes and other powerful men at Fox for nearly fifteen years, but it takes no action to stop Ailes’s abuse of Luhn.

61. Although Luhn’s experience was among the worst suffered at the hands of a Fox News executive, it was by no means an isolated one. There was an ongoing pattern of sexual abuse at Fox News.

62. Not only was Fox News aware of Ailes’s ongoing sexual abuse, but it also did everything within its power to discredit women who came forward by silencing, firing, blacklisting, and publicly smearing them. Throughout its first two decades in existence, Fox News repeatedly protected its powerful male executives at the expense of women employees who faced abuse and trauma.

63. When a woman came forward with allegations of harassment or abuse, Ailes and other executives at Fox News would not just fire her, they would ensure she never worked in the industry again.

64. At best, speaking up would have no effect; executives and other Fox News agents would often tell women things like, “he’s just going through a rough time,” or “boys will be boys.” For example, in the early days of Fox News, Luhn was also harassed by a well-known political analyst who would appear regularly on Fox News. Whenever he saw Luhn in the hallway, he ran his hands up and down her side and hips, grazing her breast. When Luhn reported this inappropriate behavior to her supervisor at the time, Senior Vice President Kim Hume, she was told “boys will be boys. Bill Clinton is the same way.”

65. In another high-profile example, Megyn Kelly described an incident in which she complained to a superior in 2006 about Ailes’s advances on her, yet the superior vouched for Ailes and told Kelly, “It’s okay, please don’t sink him. He’s going through a rough time. He’s a good man, he’s having marital difficulty—*just ignore him and it’ll go away.*”¹

66. But for Luhn, ignoring the abuse did not make it go away and she was abused for over fifteen years. And numerous other women, many of whom have come forward publicly and many of whom have not, experienced harassment, abuse, and professional retribution for even just refusing to engage in sexual acts with superiors who demanded it from them. For example:

67. Rudi Bakhtiar alleges she was harassed by Fox News D.C. Bureau Chief Brian Wilson when he declared to Rudi that he “want[ed] to see the inside of [her] hotel room.” After

¹ Video: Megyn Kelly Presents: A Response to “Bombshell,” YouTube (Jan. 9, 2020), <https://www.youtube.com/watch?v=MmSz7HqkI9s>.

she gently declined Wilson's inappropriate advances, Bakhtiar was reassigned from the Washington bureau of Fox News and denied major reporting assignments.²

68. Juliet Huddy initially stayed silent when Bill O'Reilly harassed her. In a series of incidents, she alleges O'Reilly forcibly kissed her against her will, invited her to his hotel room, became hostile when she declined his advances, and called her repeatedly on the phone while masturbating. Huddy has publicly stated that she didn't complain to Fox News because she feared retaliation.

69. Predictably, Huddy's silence wasn't enough. When Huddy simply rebuffed O'Reilly's advances without making public complaints, she alleges that he still retaliated against her, including by surprising her on-air and failing to prepare her for live segments. O'Reilly eventually replaced her on one segment and cancelled another segment in which she was featured.

70. O'Reilly wasn't the only one who retaliated against Huddy. Jack Abernethy, who eventually became president of the network, also allegedly sexually harassed and retaliated against Huddy professionally after she made it clear to him that she was not interested in a personal relationship. When Fox News renewed Abernethy's contract in September 2016, the company was aware of the allegations against him. Abernethy was Ailes's hand-picked Chief Financial Officer for Fox News. He was privy to many of the deeply held secrets and financial payoffs to sexual abuse victims at Fox.

71. When Huddy did eventually come forward publicly with her harassment allegations, her fears were confirmed: she never worked in television again. Huddy ended up losing much of what she had built during her career, including her house.

² Rosemary Rossi, *Reporter Rudi Bakhtiar Breaks Silence on Her Fox News Exit, Sexual Harassment Settlement*, The Wrap (July 23, 2016), <https://www.thewrap.com/reporter-rudi-bakhtiar-breaks-silence-on-her-fox-news-exit-sexual-harassment-settlement/>.

72. Fox News customarily treated other women who complained of sexual harassment or abuse in a similar manner to Bakhtiar and Huddy. Fox News made such treatment widely known with thinly veiled threats about what would happen to others who came forward with similar allegations, or who simply refused to comply with the abusive demands of powerful men at Fox News.

73. Luhn was well aware of the dangers of coming forward, particularly after witnessing the coordinated blackmail and smear campaign against Fox News producer Andrea Mackris, who accused Bill O'Reilly of sexual harassment in 2004. Luhn lived in constant fear of Ailes's promised similar retribution.

74. Mackris detailed harassment allegations similar to those alleged by Juliet Huddy, wherein O'Reilly would make unwanted sexual advances and unwelcome phone calls where it sounded like he was masturbating.

75. According to news reports, O'Reilly also told Mackris on multiple occasions to buy a vibrator and would describe to her various sexual fantasies he had about her. In order to keep her quiet, O'Reilly would allegedly threaten her, saying that any woman who complained about the harassment would "pay so dearly that she'll wish she'd never been born."

76. These were not empty threats; according to reporting from the New York Times, which interviewed current and former Fox News employees for a story in 2017, "Fox News and Mr. O'Reilly adopted an aggressive strategy that served as a stark warning of what could happen to women if they came forward with complaints."³

³ Emily Steel & Michael S. Schmidt, *Fox News Settled Sexual Harassment Allegations Against Bill O'Reilly, Documents Show*, NY Times (Jan. 10, 2017), <https://www.nytimes.com/2017/01/10/business/media/bill-oreilly-sexual-harassment-fox-news-juliet-huddy.html>.

77. Before Mackris even filed suit, Fox News offensively filed a lawsuit against her, alleging extortion of \$60 million in return for not going public with “scandalous and scurrilous” claims about O’Reilly.

78. Fox News hired a public relations firm to shape the narrative in O’Reilly’s favor and hired a private investigator—Bo Dietl—to dig up unsavory information about Mackris. Tabloids published unflattering stories about Mackris, and she never worked in television news again.

79. Luhn was acutely aware of Mackris’s treatment while it was happening. Throughout her own abuse, Luhn feared similar treatment if she were to ever come forward with her experiences.

80. Indeed, Ailes personally made sure Luhn knew how badly Mackris was treated as a way to intimidate Luhn into compliance. He specifically told her that the Mackris situation was just “a taste of what would happen” if Luhn spoke out, implying that Luhn would face similar, if not worse, consequences.

81. A comment made publicly by Bill O’Reilly in response to Megyn Kelly’s sexual harassment allegations against Ailes summed up Fox News’s culture: ***“If somebody is paying you a wage, you owe that person or company allegiance.”***⁴

82. This twisted culture pervaded the workplace, resulting in an expectation of fierce loyalty to the company at the expense of women like Luhn.

83. Moreover, Ailes told Luhn that he was in complete control of the Human Resources department, and that they reported to him. In fact, he promoted his very own assistant, Brigitte

⁴ Steel & Schmidt, *Bill O’Reilly Thrives at Fox*.

Boyle, to Director of Human Resources, so that he could keep close tabs on all the goings on at Fox News.

84. Thus, any attempt to come forward with Ailes's abuse would have been at best fruitless, and at worst devastating to Luhn's safety, career, financial situation, personal friendships, family relationships, and public reputation.

85. Besides, countless Fox News employees and executives were aware that sexual harassment pervaded the workplace, not just with Ailes but with other abusers as well. The situation with Luhn was an open secret at Fox News and Twenty-First Century Fox.

86. Luhn believes that numerous executives were aware of Ailes's inappropriate behavior based on their comments or reactions during her tenure at the company, but no one intervened to help her. These executives included: Defendant Shine, Senior Vice President and Executive Producer of Fox News Channel's prime-time programs; Jack Abernethy, CEO of Fox Television Stations and Ailes's hand-picked CFO for Fox News; Kim Hume, Vice President and Washington, D.C. Bureau Chief; Peter Chernin, CEO of News Corporation (Twenty-First Century Fox's parent company); Lon Jacobs, Chief Legal Officer of News Corporation; Brian Lewis, Executive Vice President; Suzanne Scott, Vice President of Programming and current Fox News CEO; Irena Briganti, Senior Executive Vice President of Corporate Communications; Judy Laterza, Executive Assistant to Roger Ailes; Brigitte Boyle, Senior Vice President of Recruitment; Susan Estrich, Fox News Analyst and later legal counsel to Roger Ailes; Dianne Brandi, General Counsel; Brit Hume, Anchor and many others.

87. Despite the long list of executives who knew what was happening, no one did anything to stop or prevent the abuse from taking place. Fox News was also aware of sexual harassment allegations against Bill O'Reilly, Brian Wilson, Eric Bolling, and others.

88. When Fox News's efforts to silence its female employees threatened to spill out publicly, it would quietly settle with its victims. Indeed, Fox News settled multiple lawsuits as early as 2002 that alleged harassment by powerful men at Fox News. But ultimately, Fox News did nothing to remove abusers like Ailes from power until at least six settlements and multiple allegations of harassment and abuse came into the public eye in 2016 and 2017. Only then did News Corp. finally hire the law firm Paul, Weiss, Rifkind, Wharton & Garrison, LLP to conduct an independent investigation of Fox News.

89. Although Paul, Weiss was initially engaged to investigate only Roger Ailes, they soon discovered that the culture of abuse was so pervasive that they had to expand the investigation to other Fox News executives. Even when Fox News finally did take action, abusers left with golden parachutes: Roger Ailes resigned in disgrace from Fox News with a \$40 million severance package; O'Reilly was fired with \$25 million.

D. Luhn's life collapses.

90. Around 2007, Fox News and Ailes grew increasingly worried about Luhn and the possibility that she might come forward publicly with her story. Fox News executives thus kept an increasingly close watch on her to ensure her silence and compliance.

91. First, Ailes removed Luhn from her position as Director of Booking and moved her into event planning. Her new title was "Senior Director of Corporate and Special Events," which required commuting weekly to New York City.

92. Media Relations Vice President, Irena Briganti, told Luhn that Fox News was reassigning her because of rumors and gossip surrounding Luhn and Ailes's relationship.

93. As if the gossip and rumors flying around weren't distressing enough, Fox News and Ailes began a character assassination of Luhn in the media in an effort to create confusion and deflect from his harassment and abuse. Luhn was completely shunned by co-workers,

management, and many friends and family members. This isolation drove Luhn into a deep depression and caused severe mental anguish and emotional distress.

94. Following her removal from the Booking Department, Luhn had a mental breakdown on her way to Mexico for a vacation.

95. After learning of the breakdown, Ailes insisted that Luhn forgo the vacation and instructed Bill Shine to send her to Houston instead to stay at the Four Seasons for a long weekend. Luhn arrived there and found that the hotel was paid. Later, Luhn went back to New York, where Suzanne Scott, then Shine's deputy, picked up Luhn from the DoubleTree Times Square hotel and checked her into the Warwick Hotel on Sixth Ave under Scott's name. Shortly after arriving at the Warwick, Luhn's personal doctor called and was very concerned about her. Luhn spent six weeks at the Warwick.

96. Ailes's next move to control Luhn was to insist that she sell her Washington, D.C. co-op apartment and move to New York, urging her to cut off contact with everyone in the Washington bureau and her personal friends. Ailes told her, "You don't have friends. I'm your only friend. Only I can protect you."

97. Ailes also told Luhn around this time that he needed to approve all of her outgoing emails; Luhn would show Ailes the emails she would receive, and he would mark them up and dictate exactly how to respond.

98. Once that same year Ailes spotted a bottle of anxiety medication at a staff meeting in Luhn's purse, and he berated her: "**Don't take pills, and don't you ever tell that doctor about us!**" This only increased her suffering and anxiety.

99. In late 2010, due to the effects of Ailes's abuse and his and Shine's insidious control over her life, Luhn's mental health continued to deteriorate, and she found herself in California

renting an apartment in Brentwood (hand-picked by a Fox News executive) and still on the payroll at Fox News. While there, she suffered another mental breakdown.

100. At the direction of Ailes, Defendant Shine personally took over handling all issues with Luhn. In March 2011, Shine sent her to stay with her parents in San Antonio, telling her she had to leave L.A. immediately. Shine repeatedly called Luhn's father to keep tabs on Luhn, asking him about Luhn and her state of mind. This came a few weeks after a story broke in the New York Times about Ailes urging Judith Regan to lie to federal investigators about her relationship with Bernard B. Kerik, who investigators were vetting for a cabinet position. Luhn suspected that Ailes and Fox News were worried about the effect of further allegations of inappropriate behavior at the hands of Ailes, and Shine needed to ensure Luhn's silence and discredit her.

101. When Luhn was sent to Texas, Defendant Shine continued to exert control over her life, even choosing her psychiatrist. For the first time in her life, Luhn finally opened up about the abuse she had been suffering for many years. The psychiatrist convinced Luhn to write a letter detailing her abuse. Without consulting a lawyer, Luhn sent the letter to Fox News's powerful General Counsel, Dianne Brandi.

102. Meanwhile, as Shine and Fox News were well aware, Luhn was in the midst of mental crisis and she was in dire financial straits, unable to support herself and truly terrified about her future.

103. Luhn was trapped and powerless—Defendants knew that she was still at their mercy because Ailes had compromising videos of her, and because he had relentlessly reminded her for two decades of his “insurance policy” meant to “keep [her] in line.” Knowing that they could exploit the situation to squeeze Luhn into a settlement that caused more suffering and silence,

Defendants compounded the duress by deploying Defendant Shine to control Luhn's life, medical care, and living situation.

104. Under his microscope, Luhn remained absolutely terrified that Ailes would release the sexual videos publicly or leak them to the press. She was scared that Ailes and Shine would discredit her publicly by telling the media of her mental health struggles and painting her as "crazy." She feared that Ailes would make good on his promises and that Defendants would go after her like they went after Andrea Mackris, or even worse given the "insurance policy" Ailes held in the coerced videos.

105. Luhn lived in fear of angering Ailes and the resulting retaliation if she asked for enough money to actually compensate her for the abuse and trauma. All along, Luhn wanted to keep Ailes at bay and maintain her career and her personal safety. Fully understanding that any settlement that exceeded her wages would unleash Ailes's and the Fox News machine's wrath for revealing the truth about the sexual abuse, Luhn accepted a settlement that amounted only to her current salary until she hit retirement age (\$250,000 x 12 years). Fox News withheld over 30% of the settlement for taxes like they would for a payment of wages or a severance payment.

106. Although this settlement was inadequate, Luhn's dire financial situation (caused by her inability to work because of the trauma of the sexual assaults) combined with her oppressive fear of the Fox News machine and Shine's continued control over her life forced her to capitulate. Defendants knew exactly what they were doing and took full advantage of the miserable situation they had created. Defendants had absolutely no regard for the life they were destroying along the way. Their only goal was to force Luhn to continue her silent suffering.

107. Against the backdrop of Defendant's coercion, Luhn's twenty-year silence about the abuse was predictable. She had been living in fear: fear of retaliation; fear of Roger Ailes; fear

of public humiliation; fear of losing everything she had built over a fifteen-year career at Fox News. For years, Ailes had threatened her and constantly reminded her of his “insurance policy”—the compromising videos of Luhn—implying that should she ever try to report the abuse, he would share them publicly and smear Luhn, ruin her career, and assassinate her character. Shine’s subsequent control over her life only served to underscore the fact that Ailes and Fox News were deadly serious about these threats. The fear continued even after the settlement, overshadowing her entire life.

E. Lasting effects of trauma.

108. In 2015, Luhn sent a final, desperate letter to Ailes. She remained unemployed and in need of a job and hoped Ailes could help. She expressed gratitude for the financial compensation from Fox News. She noted she had always been a “good soldier”—a reference to the militaristic lingo Ailes would use to remind Luhn of her role.

109. Because of Ailes’s longtime manipulation that isolated Luhn, Ailes was one of the only people—if not the only person—she believed she could reach out to for help. So it is hardly surprising that when Luhn was in trouble, she sought the help of the one man who had fashioned himself as her sole friend and protector. Ailes had made it so she would have no one else to turn to. She certainly could not find work in the industry again.

110. Tellingly, Luhn did not come forward publicly with her story until after others came forward with their allegations and Ailes resigned. In fact, Luhn called the attorneys at Paul, Weiss who were leading the investigation of harassment at Fox News the day after Ailes resigned—showing how much her fear was tied to Ailes’ position of power over her. In the summer of 2016, Luhn finally worked up the courage to tell her story notwithstanding the confidentiality provisions in the settlement agreement that she signed under duress.

111. Ailes's abuse and Fox News's complacency caused Luhn to suffer years of trauma. Indeed, Luhn is still suffering from Ailes's abuse. She is unable to function normally in everyday life. She frequently experiences flashbacks of the abuse. And she continues to relive the trauma day in and day out. Ailes's abuse and manipulation of Luhn continues to haunt her to the point where she no longer has any normalcy in her life and feels completely alone and isolated. Ailes and Fox News, with Shine's able assistance, utterly destroyed Laura Luhn.

CAUSES OF ACTION⁵

THIS ACTION IS TIMELY UNDER CPLR 214-J (THE ADULT SURVIVORS ACT).

112. This action is timely because it falls under the Adult Survivors Act and is brought during the one-year time period set forth in that section. CPLR 214-j. The claims brought here allege intentional and negligent acts and omissions for physical, psychological, and other injuries suffered as a result of conduct that would constitute sexual offenses as defined by § 130 of the New York Penal Law committed against a person who is eighteen years of age or older. Such claims have been revived by CPLR 214-j and may be commenced between November 24, 2022, and November 24, 2023.

113. The underlying conduct described herein (collectively, the "**Sex Crimes**") constitutes the following crimes under New York Law: New York Penal Law § 130.20 (sexual misconduct); § 130.40 (criminal sexual act in the third degree); § 130.52 (forcible touching); § 130.55 (sexual abuse in the third degree); § 139.66 (aggravated sexual abuse in the third degree);

⁵ Plaintiff intends to amend the complaint after March 1, 2023 to include a cause of action under New York City Administrative Code § 10-1104, which provides an independent cause of action for plaintiffs who are injured by a party who enables, participates in, or conspires in the commission of a crime of violence motivated by gender. Causes of action that would otherwise be barred due to a statute of limitations are revived for the period of March 1, 2023, to March 1, 2025 under this statute.

and § 130.70 (aggravated sexual abuse in the first degree). Each of the acts constituting sexual conduct was done without Luhn's express or implied consent.

114. The Adult Survivors Act applies to revive the statute of limitations for each of the causes of action asserted below.

FIRST CAUSE OF ACTION: NEGLIGENCE

(Against Fox News Network, LLC and Twenty-First Century Fox, Inc.)

115. Plaintiff repeats and realleges the above paragraphs as if fully set forth herein.

116. These Defendants' conduct described herein, including the negligent retention and supervision of Roger Ailes and affirmative acts covering up and empowering Ailes to commit sexual assaults against Laura Luhn, resulted in Ailes's commission of Sex Crimes.

117. Given Ailes's position of authority at Fox News, his knowledge is imputed to Fox News and Twenty-First Century Fox, Inc. given his role at the companies.

118. Even if Ailes's own knowledge of his Sex Crimes were not sufficient to constitute what these Defendants knew or should have known, other high-level executives and many employees also knew of Ailes's propensity for sexual misconduct. Ailes's misconduct was an open secret within Fox News and Twenty-First Century Fox for years before such knowledge was widely and publicly known.

119. Ailes had committed sexual crimes and had sexually abused many women even before his time as the CEO and Chairman of Fox News. Thus, these Defendants knew or should have reasonably known that Ailes had a propensity to engage in Sex Crimes and would use his powerful position at Fox News to lure and trap Plaintiff and those similarly situated in abusive situations under the guise of career advancement.

120. These Defendants took no action, and in fact helped further Ailes's and other Fox News employees' crimes by funding smear campaigns, firing employees who failed to comply

with wrongful sexual demands, and delaying in investigating alleged misconduct for decades until such accusations were public knowledge.

121. These Defendants' failure to take action to prevent Ailes's Sex Crimes caused Luhn physical injuries at the time and severe psychological damage and trauma, from which she still suffers to this day.

122. To the extent these Defendants assert that Luhn released this cause of action, any such release was entered under duress and is void.

123. Luhn is entitled to recover damages for her physical and emotional injuries in an amount to be assessed by the jury at trial.

SECOND CAUSE OF ACTION: NEW YORK STATE UNLAWFUL DISCRIMINATORY PRACTICES

(Against Fox News Network, LLC and Twenty-First Century Fox, Inc.)

124. Plaintiff repeats and realleges the above paragraphs as if fully set forth herein.

125. New York Exec. Law § 297(9) provides an independent, civil cause of action for individuals who are unlawfully discriminated against in the terms, conditions, or privileges of employment because of the individual's sex. Ailes's numerous Sex Crimes committed against Luhn, an employee of the company he ran, constituted an unlawful discriminatory practice.

126. Ailes was the CEO and Chairman of Fox News and treated Luhn and other women at Fox News worse than men because they were women. These Defendants had knowledge of Ailes's conduct, paid for instrumentalities that helped perpetuate his Sex Crimes, like hotels and travel expenses, and even aided the Sex Crimes by engaging in smear campaigns and retributive actions against Luhn and other employees who complained or refused to comply.

127. Therefore, these Defendants can be held liable for a hostile work environment, which, in this case, included the Sex Crimes, because they encouraged or acquiesced in the unwelcome sexual conduct by an employee or subsequently condoned the offending behavior.

128. Ailes's conduct can be imputed to these Defendants on the independent basis of his high-level position at the companies.

129. To the extent these Defendants assert that Luhn released this cause of action, any such release was entered under duress and is void.

130. These Defendants' actions and inactions caused Luhn's physical and emotional harm and entitle her to recover damages in an amount to be assessed by the jury at trial.

THIRD CAUSE OF ACTION: NEW YORK CITY UNLAWFUL DISCRIMINATORY PRACTICES

(Against Fox News Network, LLC and Twenty-First Century Fox, Inc.)

131. Plaintiff repeats and realleges the above paragraphs as if fully set forth herein.

132. New York City Administrative Code § 8-502(a) provides an independent, civil cause of action for an individual who has been harmed by an unlawful discriminatory practice.

133. These Defendants are liable for gender discrimination because Ailes, as Luhn's employer and the Defendants' agent, discriminated against Luhn because of her gender by treating her worse than other employees, specifically allowing and enabling the commission of Sex Crimes against her.

134. Ailes consistently discriminated against Luhn through illegal sexual conditions of employment, such as by requiring Luhn to engage in unwanted, nonconsensual sexual acts in exchange for promotions she earned. These Defendants, as the employer and owner, allowed this conduct to continue.

135. To the extent Defendants assert that Luhn released this cause of action, any such release was entered under duress and is void.

136. These Defendants' conduct caused Luhn's physical and emotional harm. She is entitled to recover damages in an amount to be assessed by the jury at trial.

**FOURTH CAUSE OF ACTION: AIDING AND ABETTING NEW YORK STATE UNLAWFUL
DISCRIMINATORY PRACTICES**

(Against Bill Shine)

137. Plaintiff repeats and realleges the above paragraphs as if fully set forth herein.

138. Defendant Shine aided and abetted Ailes's Sex Crimes, which constituted discrimination, by knowingly helping Ailes conceal and cover up such acts. Shine helped conceal Ailes's Sex Crimes by, among other things, failing to report or address Ailes's actions, ordering Luhn to go to New York for alleged "booking meetings," which he knew were actually a front for Ailes to abuse Luhn in a hotel room, and instructing Luhn where to go, where to live, which psychiatrist to hire in an effort to ensure her public silence.

139. Defendant Shine's aiding and abetting allowed the sexual abuse of Luhn to continue unchecked.

140. To the extent Defendant Shine asserts that Luhn released this cause of action, any such release was entered under duress and is void.

141. Luhn is entitled to recover damages in an amount set by the jury at trial for her physical and emotional injuries that resulted from Defendant Shine's conduct.

**FIFTH CAUSE OF ACTION: AIDING AND ABETTING NEW YORK CITY UNLAWFUL
DISCRIMINATORY PRACTICES**

(Against Bill Shine)

142. Plaintiff repeats and realleges the above paragraphs as if fully set forth herein.

143. Under New York City Administrative Code § 8-107(6), it is considered unlawful discriminatory practice to aid, abet, incite, compel, or coerce another's discrimination.

144. Defendant Shine aided and abetted Ailes's Sex Crimes, which constituted discrimination, by knowingly helping Ailes conceal and cover up such acts. Shine helped conceal Ailes's Sex Crimes by, among other things, failing to report or address Ailes's actions, ordering

Luhn to go to New York for alleged “booking meetings,” which he knew were actually a front for Ailes to abuse Luhn in a hotel room, and instructing Luhn where to go, where to live, and which psychiatrist to hire in an effort to ensure her public silence.

145. Defendant Shine’s aiding and abetting allowed the sexual abuse of Luhn to continue unchecked.

146. To the extent Defendant Shine asserts that Luhn released this cause of action, any such release was entered under duress and is void.

147. Luhn is entitled to recover damages in an amount set by the jury at trial for her physical and emotional injuries that resulted from Defendant Shine’s conduct.

JURY DEMAND

148. Plaintiff demands a trial by jury in this action.

CONCLUSION AND PRAYER

WHEREFORE, Plaintiff demands a judgment against Defendants for:

- (a) Compensatory damages in an amount to be determined at trial;
- (b) Punitive damages in an amount to be determined at trial;
- (c) Prejudgment interest to the extent available by law or in equity;
- (d) Costs and attorneys' fees, as authorized by New York City Administrative Code §§ 8-502(g), N.Y. Exec. Law § 297(10), and other applicable law; and
- (e) Such other and further relief as the Court may deem just and proper.

Dated: January 25, 2023

Respectfully submitted,

/s/ William T. Reid, IV

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