

Rape Allegations Roil Fox; Network Calls It a Lawyer 'Stunt'

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A former political commentator for Fox News has sued the network and anchor Charles Payne, claiming he raped her in 2013 and that the network retaliated against her after she reported it, including by leaking false information to the National Enquirer.

Scottie Hughes, a President Donald Trump supporter and past regular guest commentator for both Fox News and Fox Business Network, lodged the lawsuit Monday in the U.S. District Court for the Southern District of New York, bringing claims for discrimination, gender-motivated violence, retaliation and defamation, among others.

Fox and Payne, for their part, deny the allegations and call the suit meritless.

Hughes' lawsuit includes allegations that she "confidentially" contacted lawyers at Paul, Weiss, Rifkind, Wharton & Garrison in June, as they were conducting an internal investigation of behavior at Fox, and disclosed that she had been raped and sexually assaulted by Payne and treated unlawfully by the network. In turn, the "lead [outside] independent [Paul Weiss] lawyer suggested that it would be best to reach a business solution rather than conduct a formal investigation," according to Hughes, and she felt thwarted.

Days later Fox "made clear" to Hughes that a business solution would not happen. At the same time, she alleges, the network leaked to the National Enquirer a false story about Hughes and Payne that included a "self-serving" statement, purportedly written by Payne, saying that he regretted engaging in what he described as a consensual affair with Hughes.

Hughes, now 37, claims that after the 2013 rape occurred, her invitations to appear on Fox television shows increased dramatically, and that Payne ultimately was able to coerce her, "his subordinate," into an ongoing sexual relationship in exchange for career opportunities and benefits. After she finally ended the relationship years later, she was largely removed from the network as a guest commentator, and ultimately "blacklisted" from Fox and other networks as an on-air personality, harming her career and income, she claims.

She also alleges in the suit that Payne was never disciplined for his abuse of her. Payne was suspended in July pending an investigation of his behavior, but he was later cleared, and this month he returned to his host role on Fox Business Network.

"However painful it is to expose the fact that she is a rape victim ... Ms. Hughes cannot allow Fox to victimize her a second time by trampling on her reputation and ruining her career in order to promote the actions of a male on-air talent," the lawsuit, filed on behalf of Hughes by Manhattan-based plaintiffs' lawyer Douglas Wigdor, said.

The filing by Hughes adds to a 13-month string of sexual harassment, assault and gender and race discrimination lawsuits lodged against Fox and its executives by current and former employees. The network has taken measures to deal with the fallout, including the resignation of former chairman Roger Ailes and the ousting of star television host Bill O'Reilly. Wigdor, whose boutique firm represents numerous plaintiffs suing Fox in recent months, said the network has not gone far enough.

"This is the modus operandi at Fox. As seen in the cases involving Bill O'Reilly and Roger Ailes, when Fox confirms that male executives have committed abhorrent wrongs, it opts to exit them with mega severance packages in the tens of millions of dollars while the true victims are left to fight their battles in the court system," Hughes' lawsuit states, adding, "Fox must be held accountable for its horrific behavior."

The suit also said in a footnote that Fox's leaking to the Enquirer demonstrates its "belief that its spin about an affair would somehow negate Ms. Hughes' sexual assault claims [and it] speaks volumes about Fox's ignorance about

sexual violence against women."

In a statement, Fox responded to Hughes' suit by saying, "The latest publicity stunt of a lawsuit filed by Doug Wigdor has absolutely no merit and is downright shameful." It added, "It's worth noting that Doug is Ms. Hughes' third representative in the last six months to raise some variation of these claims which concern events from four years ago, since it apparently took some time to find someone willing to file this bogus case."

Payne's lawyer, Jonathan Halpern, a New York-based partner at Foley & Lardner, said in a separate statement that his client "vehemently denies any wrongdoing and will defend himself vigorously."

"We are confident that when the evidence is presented in this case, Mr. Payne will be fully vindicated and these outrageous accusations against him will be confirmed as completely false," Halpern added.