

TMZ's Harvey Levin & Warner Bros Hit With Discrimination & Retaliation Action Over Outlet's Alleged "Sexist & Misogynistic" Culture

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A former TMZ production assistant and on-air contributor has filed a discrimination and retaliation complaint with the federal government today against Harvey Levin and Warner Bros Entertainment that could lead to a lawsuit down the line.

"Ms. Zilio, along with her female colleagues, was belittled and abused, held to different and more stringent standards, excluded from business and social interactions in which only male employees participated, denied advancement opportunities, and retaliated against when she resisted the sexist and misogynistic ways," claims the action from Bernadette Zilio before the Equal Employment Opportunity Commission and California's Department of Fair Employment and Housing ([READ IT HERE](#)).

Zilio was an employee of Levin's EHM Productions from 2015 to February 28 this year.

In the complaint, Zilio and her Wigdor LLP and Girard Bengall, APC attorneys detail the culture at the celebrity gossip outlet and sister site TooFab in where Zilio served as an associate producer, as a "boys' club," "100% a bro fest" and a "[f]reaking frat house." And, they say when Zilio tried to do something through the corporate channels about how she and other women were being treat, she was punished, threaten and pink slipped.

"In addition to the discriminatory work environment, Ms. Zilio's complaints on behalf of herself and her female colleagues about the unlawful treatment were met with retaliatory discipline and abuse," the 27-page filing states. "Incredibly, Ms. Zilio was terminated within a few days of Warner Bros. and EHM's Human Resources telling Ms. Zilio that it rejected her complaints about the sexist and misogynist treatment, and instead accepted the excuses her male supervisors gave for the differential treatment."

Literally seen on TMZ up until her last days, Zilio was walked out the door at the end of February after refusing to sign a separation agreement.

That perp walk of sorts came just a few days after the supposed probe by WB Employee Relations Experts into her claims at the Levin-run organization was suddenly wrapped up. The conclusion of Zilio's second discussion in less than as many years with WB HR reps over conditions at EHM was also the day that she had yet another run in with TooFab's

Managing Editor. On that February 28, Shayam Dodge of accused Zilio of “plagiarism and misquoting” in an article of hers – the official catalyst for her termination later that very day.

Along with the AT&T-owned WB, who owned and distribute EHM’s shows and content, Levin, EHM itself, Dodge and TooFab senior producer Ross McDonagh are named as respondents in the action – an action that took on a whole new hue once Zilio was fired, it seems.

“Following her termination, Ms. Zilio retained counsel to assert her claims of discrimination and retaliation,” the complaint notes. “Her counsel informed Respondents that she intended to pursue such claims in litigation,” it goes on to say.

“In response, on July 29, 2020, Respondents, through their counsel, threatened to sue Ms. Zilio for ‘substantial liability’ if she were to share the details of her claims publicly. Respondents’ threat constitutes further retaliation since such threat was clearly intended to intimidate Ms. Zilio and dissuade her from engaging in protected activity.”

To that end, EHM say Zilio is now trying to rewrite history.

“As Ms. Zilio and her attorney are well aware, TooFab.com parted ways with Ms. Zilio because of multiple and documented incidents of plagiarism and inaccurate reporting,” a spokesperson for the TMZ and TooFab production company told Deadline on Tuesday. “These incidents were addressed at the time and Ms. Zilio acknowledged her errors. This is a blatant attempt to use negative publicity and inaccurate claims to force TooFab and TMZ to pay a monetary settlement. We will vigorously defend against any attempt to mischaracterize what is a legal and justified employment decision.”

Whether this all ends up going before a judge or not will be up to the EEOC and DFEH. The latter, at least, is usually pretty inclined to grant complainant’s wishes, it should be noted.