

**CITY OF NEW YORK
COMMISSION ON HUMAN RIGHTS**

----- X
In the Matter of the Complaint of: :
: :
ROMA TORRE, KRISTEN SHAUGHNESSY, :
JEANINE RAMIREZ, VIVIAN LEE and :
AMANDA FARINACCI, : **VERIFIED COMPLAINT**
: :
Complainants, :
: Case No.:
v. :
: :
CHARTER COMMUNICATIONS, INC. d/b/a :
SPECTRUM d/b/a NY1, :
: :
Respondent. :
: :
----- X

Complainants Roma Torre, Kristen Shaughnessy, Jeanine Ramirez, Vivian Lee and Amanda Farinacci (“Complainants”) allege against Respondent Charter Communications, Inc. d/b/a Spectrum d/b/a NY1 (“Charter”) as follows:

STATEMENT OF FACTS

I. Background of Discrimination at Charter

1. Complainants Roma Torre, Kristen Shaughnessy, Jeanine Ramirez, Vivian Lee and Amanda Farinacci are five brave journalists who had the courage to stand up against the institutional age and gender discrimination that pervades the workplace at Charter’s New York One (“NY1”) news channel by filing a lawsuit in the Southern District of New York. See Torre, et al. v. Charter Communications, Inc. No. 19 Civ. 05798 (JMF) (S.D.N.Y.)

2. The original 62-page Complaint, filed on June 19, 2019, detailed numerous examples of egregious discrimination against on-air women over the age of 40 – and corresponding favoritism towards younger women and men of any age – as well as retaliation

against them for raising internal complaints. See Ex. A (original Torre Complaint); Torre, No. 19 Civ. 05798 at Dkt. No. 1. Complainants sought to address a systemic form of discrimination affecting women throughout the TV news industry and create lasting change.

3. After the Torre action was filed, public sentiment was fully supportive of Ms. Torre, Ms. Shaughnessy, Ms. Ramirez, Ms. Lee and Ms. Farinacci’s claims – there was substantial press coverage of the lawsuit when it was filed;¹ elected officials (including Mayor Bill de Blasio, Public Advocate Jumaane Williams and the New York City Council Women’s Caucus Co-Chairs) made public statements of support and sent open letters to Charter seeking immediate action (see Ex. B (Amended Complaint) at ¶¶ 354-355); and social media rallied behind them, including numerous public figures such as Katie Couric, Lin-Manuel Miranda and Megyn Kelly.

4. But, as demonstrated in the public record, Charter refused to accept responsibility and, in response to this public rebuke of their conduct, only doubled-down in their actions: Charter continued to engage in retaliation against Complainants; subjected them to an increasingly hostile work environment; continued to deny them opportunities made available to others; and refused to address complaints regarding this ongoing mistreatment. Accordingly, on September 10, 2019, Complainants filed an Amended Complaint detailing continuing retaliation. See Ex. B at ¶¶ 359 to 396; Torre, No. 19 Civ. 05798 at Dkt. No. 25.

¹ See e.g. “Five NY1 Anchorwomen Sue Cable Channel for Age and Gender Discrimination,” *The New York Times*, June 19, 2019; “How the NY1 Lawsuit Opens Up Another #TimesUp Conversation,” *Forbes*, June 30, 2019; “Five NY1 Anchorwomen are Suing the Network for Age, Gender Discrimination,” *Daily Beast*, June 19, 2019; “Five anchors sue NY1 for age and gender discrimination,” *The New York Post*, June 19, 2019; “Five NY1 anchorwomen sue for age and gender discrimination,” “We as Women Have an Expiration Date,” *Vogue*, June 19, 2019.

5. Charter even attempted to minimize the Complainants' claims in legal filings, suggesting that their claims were nothing more than "petty slights and trivial harms" and asked the court to dismiss their claims. Torre, No. 19 Civ. 05798 at Dkt. Nos. 20, 36. The Court rejected that argument and largely denied Charter's motion to dismiss the claims. However, as Ms. Torre, Ms. Shaughnessy, Ms. Ramirez, Ms. Lee and Ms. Farinacci continued to prosecute their case, they brought to the court's attention additional and ongoing retaliation.

6. As just a few examples, (i) with NY1's acquiescence, Pat Kiernan refused to allow any of the Complainants to appear on his podcast – it being framed as "intimate conversations with the newsroom's expert journalists" and with almost 30 other NY1 journalists appearing on the show (see Torre, No. 19 Civ. 05798 at Dkt. No. 89, p. 3); (ii) several NY1 employees were accused of making completely disparaging statements about Ms. Torre's age and appearance – including that NY1 "significantly cut Anchor Torre's airtime on 'On Stage' because they felt an 'older woman' who battled 'cancer' looked 'too old' for the show's aesthetic" – and that NY1 refused to conduct any legitimate investigation into her complaints (see Torre, No. 19 Civ. 05798 at Dkt. No. 54; see also Garfin v. Charter Communications, Inc., No. 156813/2020 (N.Y. Sup. Ct. N.Y. Cty.), and; (iii) Pat Kiernan's agent – clearly acting for his client – told Ms. Torre's brother, "Tell your fucking sister [Ms. Torre] to drop her stupid lawsuit" and "At any other shop in town they would have dropped those bitches so fast it would make your head spin" (see Torre, No. 19 Civ. 05798 at Dkt. No. 89, p. 4).

7. On December 31, 2020, Complainants and Charter each announced that the Torre action was resolved. Complainants each announced the resolution as follows:

We are pleased to announce we have reached a confidential resolution of our lawsuit against Charter/NY1. After engaging in a lengthy dialogue with NY1, we believe it is in everyone’s interest – ours, NY1’s and our viewers – that this litigation be resolved and we have mutually agreed to part ways. We want to thank everyone who has supported us through these times – please know that the support from each and every person has made a real difference.²

8. In response to this announcement, the public was extremely dismayed that Ms. Torre, Ms. Shaughnessy, Ms. Ramirez, Ms. Lee and Ms. Farinacci would no longer be reporting the news on NY1. The public response was an overwhelming further rebuke of Charter’s history of discriminatory and retaliatory conduct. A small sample of the public response was as follows:



² See e.g. <https://twitter.com/RomaTorreNYC/status/1344719443528732676>



Jimmy Van Bramer @JimmyVanBramer

After what must have been a brutal fight, to see these five women leave like this feels wrong. We've all watched & learned so much from them for so long. Their reporting has been part of the soundtrack of our City. Such a loss.



Erin Durkin @erinmdurkin · Dec 31, 2020

Wow. The women who sued @ny1 for discrimination will be leaving the station as part of a settlement. Big loss for NYC journalism.

"We are pleased to announce we have reached a confidential resolution of the lawsuit filed by Roma Torre, Kristen Shaughnessy, Jeanine Ramirez, Vivian Lee and Amanda Farinacci and as a result, have mutually agreed to part ways. We want to thank them for their years of dedicated service in reporting the news for New Yorkers and we wish them well in their future endeavors."

2:32 PM · Dec 31, 2020 · Twitter for iPhone

42 Retweets 3 Quote Tweets 191 Likes



Gretchen Carlson @GretchenCarlson

We've come long way in 4 yrs but not far enough. Sad they can no longer work @NY1 & be silenced forever. We must change way we "settle" cases. Why do women have to leave? Why muzzled? It's only through speaking openly that we solve harass/discrim in workplace. @LiftOurVoicesUS



Erin Durkin @erinmdurkin · Dec 31, 2020

Wow. The women who sued @ny1 for discrimination will be leaving the station as part of a settlement. Big loss for NYC journalism.

"We are pleased to announce we have reached a confidential resolution of the lawsuit filed by Roma Torre, Kristen Shaughnessy, Jeanine Ramirez, Vivian Lee and Amanda Farinacci and as a result, have mutually agreed to part ways. We want to thank them for their years of dedicated service in reporting the news for New Yorkers and we wish them well in their future endeavors."

7:03 PM · Dec 31, 2020 · Twitter Web App

12 Retweets 1 Quote Tweet 39 Likes



Yashar Ali @yashar

So many smart women in media who decided to speak up after facing harassment, assault, and other misconduct have had their careers destroyed after doing so.

Follow @RomaTorreNYC, @kshaughnessy2, @RamirezJeanine, @IamVivLee, and @amandafarinacci to support what they do next.



Erin Durkin @erinmdurkin · Dec 31, 2020

Wow. The women who sued @ny1 for discrimination will be leaving the station as part of a settlement. Big loss for NYC journalism.

"We are pleased to announce we have reached a confidential resolution of the lawsuit filed by Roma Torre, Kristen Shaughnessy, Jeanine Ramirez, Vivian Lee and Amanda Farinacci and as a result, have mutually agreed to part ways. We want to thank them for their years of dedicated service in reporting the news for New Yorkers and we wish them well in their future endeavors."

3:56 PM · Dec 31, 2020 · Twitter Web App

42 Retweets 3 Quote Tweets 191 Likes



Erin Durkin @erinmdurkin

Wow. The women who sued @ny1 for discrimination will be leaving the station as part of a settlement. Big loss for NYC journalism.

"We are pleased to announce we have reached a confidential resolution of the lawsuit filed by Roma Torre, Kristen Shaughnessy, Jeanine Ramirez, Vivian Lee and Amanda Farinacci and as a result, have mutually agreed to part ways. We want to thank them for their years of dedicated service in reporting the news for New Yorkers and we wish them well in their future endeavors."

1:48 PM · Dec 31, 2020 · Twitter for iPhone

378 Retweets 192 Quote Tweets 1,518 Likes

Kate Rigg January 2 · 🌐

I am super pissed off that NY1 fired all these fabulous anchor women for being over 40— the old male anchors --with questionable TV presence and voices but nonetheless local favorites get to stay-- but these hard working women just cast aside. Unacceptable #TimesUp #timesupnow



FINANCE.YAHOO.COM
5 anchors will no longer work at NY1 after suit settlement
 Five female anchors will no longer work at a New York news channel as part of the settlement ...

👍👎👏 55 17 Comments 4 Shares

New York Theater @NewYorkTheater

Omg, what a loss! I don't understand: They sue for gender discrimination because @GetSpectrum was trying to erase them from @NY1 , and they reach a settlement...in which Spectrum gets to erase them?! What am I missing?

Roma Torre @RomaTorreNYC · Dec 31, 2020

We are pleased to announce we have reached a confidential resolution of our lawsuit against Charter/NY1. After engaging in a lengthy dialogue with NY1, we believe it is in everyone's interest – ours, NY1's and our viewers – that this litigation be resolved

Show this thread

8:12 PM · Dec 31, 2020 · Twitter Web App

4 Retweets 9 Likes

Dan R. @dsrbroadway

Despite their pushing Pat down our throats all these years #, it's these women who carry us through our days as viewers of #NY1. I hate them all leaving as part of the settlement. I will miss them, and quite honestly I'll never look @NY1 the same way ever again.

New York Post @nypost · Dec 31, 2020

NY1 reaches deal with anchorwomen who sued over age discrimination trib.al/IYsuzBK



7:52 PM · Dec 31, 2020 · Twitter for iPhone

3 Retweets 4 Likes

Doug Do-Mas @AntrumOHgmore

This is total bullshit.

I won't be watching @NY1 in 2021.

@patkiernan is a joke and not half as talented as any of these women, let alone all 5 of them.

Guess it's time to call @verizonfios and dump @GetSpectrum

Erin Durkin @erinmdurkin · Dec 31, 2020

Wow. The women who sued @ny1 for discrimination will be leaving the station as part of a settlement. Big loss for NYC journalism.

"We are pleased to announce we have reached a confidential resolution of the lawsuit filed by Roma Torre, Kristen Shaughnessy, Jeanine Ramirez, Vivian Lee and Amanda Farinacci and as a result, have mutually agreed to part ways. We want to thank them for their years of dedicated service in reporting the news for New Yorkers and we wish them well in their future endeavors."

3:40 PM · Jan 1, 2021 · Twitter for iPad



John Dutt
@duttster

@NY1 Just read about the "settlement" (ouster) re the senior female anchors. Tragic. Shame on management - they don't understand what NY1 means to the community. We have watched these veteran professionals for years; they are part of the family. We don't need another Fox lineup!

10:34 AM · Jan 1, 2021 · Twitter for iPhone

1 Like



Rebecca Kavanagh
@DrJKavanagh

Replying to @dianafalzone @AdrienneLaw and 6 others

Wow. I am so sad that the terms of the settlement include all five women leaving @NY1. I think this was a mistake on @NY1's part. I think the station underestimates how much viewers appreciate their journalism. It's a real loss to the network.

7:02 PM · Jan 1, 2021 · Twitter Web App

3 Retweets 21 Likes



Sean "TheOrange" Corse
@SeanOrange

It is impossible to see this as a desirable outcome. Those responsible for discrimination get to keep their jobs while their victims get the boot. How will anything change as long as this continues?



Erin Durkin @erinmdurkin · Dec 31, 2020

Wow. The women who sued @ny1 for discrimination will be leaving the station as part of a settlement. Big loss for NYC journalism.

"We are pleased to announce we have reached a confidential resolution of the lawsuit filed by Roma Torre, Kristen Shaughnessy, Jeanine Ramirez, Vivian Lee and Amanda Farinacci and as a result, have mutually agreed to part ways. We want to thank them for their years of dedicated service in reporting the news for New Yorkers and we wish them well in their future endeavors."

3:22 PM · Dec 31, 2020 · Twitter for iPhone



Patrick Rheume
@patrickrheume

Anyone who follows the news in New York City knows that @RomaTorreNYC @RamirezJeanine @kshaughnessy2 @IamVivLee & @amandafarinacci are the best of the best.

@NY1 has disgraced itself & lost five of the top journalists working today.

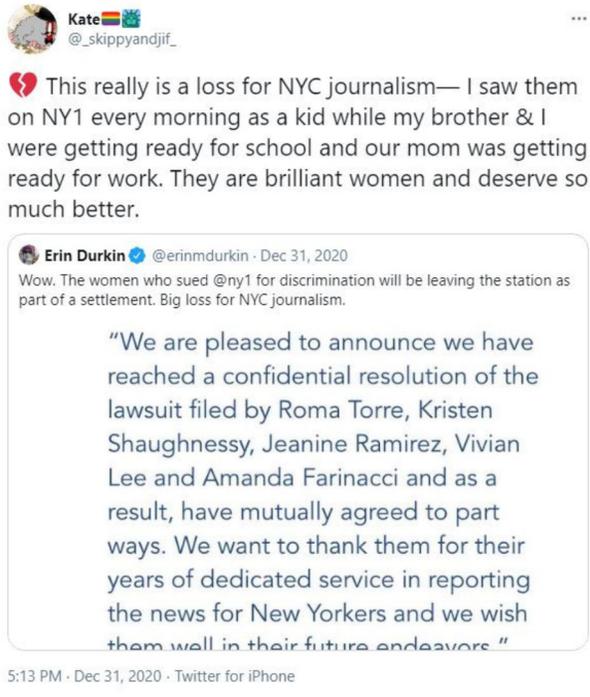


Erin Durkin @erinmdurkin · Dec 31, 2020

Wow. The women who sued @ny1 for discrimination will be leaving the station as part of a settlement. Big loss for NYC journalism.

"We are pleased to announce we have reached a confidential resolution of the lawsuit filed by Roma Torre, Kristen Shaughnessy, Jeanine Ramirez, Vivian Lee and Amanda Farinacci and as a result, have mutually agreed to part ways. We want to thank them for their years of dedicated service in reporting the news for New Yorkers and we wish them well in their future endeavors."

10:52 AM · Jan 1, 2021 · Twitter for iPad



II. Further Retaliation Against Complainants

9. Despite the Torre action having been resolved and concluded (see Torre, No. 19 Civ. 05798 at Dkt. No. 100), and Complainants no longer working at NY1, Charter refuses to let Ms. Torre, Ms. Shaughnessy, Ms. Ramirez, Ms. Lee and Ms. Farinacci move on with any semblance of dignity and respect. Charter continues to show disdain for Complainants based on their decision to pursue litigation against the company and due to the repeated public rebuke created by that litigation.

10. Most recently, despite having previously agreed to submit Ms. Torre, Ms. Shaughnessy, Ms. Ramirez, Ms. Lee and Ms. Farinacci for Emmy award nominations for their work in 2020, Charter has since reversed course and is now refusing to do so. Emmy awards are among the most prestigious recognitions a television journalist can receive for her work, and such recognitions are of enormous benefit to one's career and marketability. Notably, all Complainants are now looking for alternate employment and an Emmy nomination would help

in that search. By refusing to submit them for Emmy awards, Charter is materially harming Complainants and retaliating against them.

11. Upon information and belief, Emmy submissions are now due by February 15, 2021. But Complainants do not have access to the footage or otherwise have the ability to submit their own pieces for Emmy nominations without Charter abiding by its prior commitments. Complainants have asked Charter to submit them for the previously agreed upon nominations, but Charter has confirmed in writing that they are refusing to do so. This is a blatant attempt to further retaliate against Complainants for their decision to file claims against Charter and publicly and openly advocate for their right to be free from discrimination.

12. In late December 2020, Ms. Torre was specifically asked by Joel Siegel (Managing Editor), Leisha Majtan (Senior Producer, Special Projects) and Jeremy Campbell (Managing Director of Editorial) to let them know which of her pieces she wanted to be submitted for 2020 Emmy nominations. Ms. Torre requested that Charter submit eight of her theatre reviews for nominations (a category for which Ms. Torre won an Emmy in 2019) and also requested submission of her coverage of the George Floyd memorials and an interview she conducted with Governor Andrew Cuomo. Mr. Siegel confirmed receipt of her request. In previous years, this was the typical process for submissions and nothing more was needed.

13. Ms. Shaughnessy was also told that her work would be submitted for Emmy consideration. On or about December 21, 2020, Ms. Shaughnessy was asked by Colby Wilson (Senior Executive Producer) and Peter Malavenda (Senior Producer) which pieces should be submitted for Emmy nominations. Ms. Wilson confirmed for Ms. Shaughnessy that Ms. Shaughnessy's anchoring during Tropical Storm "Isaias," as well as the anchoring she did on Saturday, November 7, 2020, when the Presidential Election was called, would be submitted.

14. Ms. Ramirez was also set to be submitted for Emmy nominations. In mid-December 2020, Ms. Ramirez communicated with Ms. Majtan, who is among those responsible for Emmy submissions. Ms. Majtan told Ms. Ramirez that she was going to include Ms. Ramirez's story regarding a shooting victim's family that aired as part of a series on gun violence in New York's 73rd Precinct titled, "On the Beat in Brownsville." Ms. Ramirez's portion was called "A Family's Pain After A Fatal Shooting." On December 22, 2020, Ms. Ramirez also emailed Mr. Siegel in response to his Emmy nomination email inquiry and told him that this piece was to be submitted per her conversation with Ms. Majtan.

15. Ms. Lee was also supposed to be submitted for Emmy nominations for 2020. In December 2020, Mr. Siegel, Ms. Majtan and Mr. Campbell emailed Ms. Lee and asked for her desired Emmy nomination requests. Ms. Lee promptly responded and proposed eight pieces for the Emmy nominations in three different categories and provided detailed information she believed was needed for the submission, including the date and title of each piece. Among Ms. Lee's proposals was her anchoring work for several hours straight without break on November 7, 2020, when the Presidential Election was called for now-President Biden. Mr. Siegel confirmed receipt and the expectation was that these pieces would be submitted for nominations, as that was the familiar process at NY1.

16. Finally, Ms. Farinacci was also expected to be nominated for Emmy awards. Between September and December 2020, Ms. Farinacci had several conversations with Ms. Majtan in which Ms. Majtan confirmed that certain pieces Ms. Farinacci worked on were excellent and should be submitted for Emmy nominations. Ms. Majtan told Ms. Farinacci that she kept a Google document of pieces she intended to submit for Emmy nominations at the end of the year, and that many of Ms. Farinacci's pieces were on the list. Specifically, Ms. Majtan

confirmed that five of her stories would be submitted for Emmys, including: “9/11 Family Reunion” – a profile of Debra McCarthy, an NYPD detective who had a chance encounter after 9/11 that led her to find her biological family; “Tortoise” – a profile of Harry Houdini, a human interest story about a 140 pound tortoise living with a Staten Island woman, and “Addict to Art” – a profile of a recovering addict named Ashshahid Muhammad, whose artistic talent saved his life, as he’s seen in schools and community centers with a pencil in his hand sketching his life story for youngsters he hopes will learn from his mistakes.

17. As stated above, while NY1 had agreed to submit Complainants for Emmys in December 2020, following further public rebuke against Charter when it was announced that the Torre action had been resolved and that Ms. Torre, Ms. Shaughnessy, Ms. Ramirez, Ms. Lee and Ms. Farinacci would all be leaving NY1, Charter was unable to let them leave with dignity. In retaliation for having litigated their claims, Charter has since refused to submit Complainants for any Emmys. There is simply no justification for this other than to ensure that Charter could get further vengeance against these brave women who stood up for themselves.

PRAYER FOR RELIEF

18. Respondent’s conduct constitutes unlawful retaliation in violation of the New York City Human Rights Law, *N.Y.C. Admin. Code §§ 8-101 et seq.* (“NYCHRL”).

19. By the actions described above, among others, Respondent has retaliated against Complainants based on their protected activities in violation of the NYCHRL.

20. The discriminatory and retaliatory conduct committed against Complainants constitutes wrongs committed to the public at large and must be deterred and eradicated.

21. Complainants respectfully request (i) an investigation into Respondent’s discriminatory and retaliatory conduct, (ii) that Charter cease and desist from any further

discriminatory or retaliatory conduct, (iii) that any and all remedial measures to be taken to ensure Charter's compliance with the anti-discrimination and anti-retaliation obligations of the NYCHRL, and (iv) any further relief available by law deemed just and proper.

Dated: February 8, 2020
New York, NY

Respectfully submitted,

WIGDOR LLP

By: 
Douglas H. Wigdor
David E. Gottlieb

85 Fifth Avenue
New York, NY 10003
Telephone: (212) 257-6800
Facsimile: (212) 257-6845
dwigdor@wigdorlaw.com
dgottlieb@wigdorlaw.com

Attorneys for Complainants