

Wigdor LLP Files Pregnancy Discrimination And Retaliation Lawsuit Against BMF Media Group

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Wigdor LLP represents sales executive Ashley Berg in a lawsuit against BMF Media Group LLC (“BMF”) which alleges claims of unlawful pregnancy discrimination, retaliation and violations of the New York Labor Law. BMF’s co-founding Partners Brian Feit and Bruce Starr, Managing Partner Ed Starr and Chief Operating Officer Eric Brunman are also named Defendants in the lawsuit. BMF is a Manhattan-based brand marketing agency that specializes in experiential marketing campaigns for global brands such as L’Oréal, Estée Lauder and Revlon.

The Complaint alleges that soon after Ms. Berg joined BMF as an Executive Vice President, she was told that the Company had just conducted a “risk assessment” analysis of its female employees who may take maternity leave, finding that Ms. Berg was **“at the top of the list.”**

According to the Complaint, after a year of stellar performance at BMF, Ms. Berg was promoted to lead the sales team; however, when she informed her male bosses that she was pregnant a few months later, their response was that they **“knew this was coming,”** and within four days she was demoted back down to a sales position and told she would receive a 35% cut in salary. As alleged, one of Ms. Berg’s male bosses told her that the salesperson position was a **“better role for you now because you are pregnant,”** making it abundantly clear that the decision to demote her was discriminatory.

BMF’s Pattern and Practice of Discriminating against Pregnant Women

An Amended Complaint filed on March 19, 2019 alleges that since the lawsuit was filed, a number of women have come forward to share their experiences with gender and/or pregnancy discrimination committed by BMF and its all-male leadership. For example, during a conversation with a female prospective candidate for a Senior Vice President Role at BMF, Defendant Brunman asked this woman inappropriate questions about whether she had plans to become pregnant, and told her that she needed to **“promise that you will wait a year to have a baby because we need someone to give us runway and show that they are fully committed to the job and give their full attention to the position,”** according to the Amended Complaint.

The Amended Complaint further alleges that since the lawsuit was filed, BMF has retaliated against Ms. Berg in numerous ways, including by marginalizing her, shutting her out of important client meetings and evicting her from her own private office, among other retaliatory actions.

Finally, as alleged, BMF has failed to pay Ms. Berg over \$60,000 in owed compensation based on the terms of the commission agreement that she signed when she joined the Company.

Pregnancy discrimination suit filed by [@WigdorLaw](#) alleges that prominent brand marketing firm [#BMFMedia](#) demoted a female sales executive just 4 days after she disclosed her pregnancy to her boss & owes her over \$60,000 in unpaid commissions. <https://t.co/5wg0X0S7Co>
– WigdorLaw (@WigdorLaw) [February 22, 2019](#)

Ms. Berg is represented by Wigdor LLP Founding Partner [Douglas H. Wigdor](#) and Senior Associate [Tanvir H. Rahman](#).

Statement from Douglas H. Wigdor, Founding Partner at Wigdor LLP:

“The amended complaint provides further evidence of systemic pregnancy discrimination. When the Chief Operating Officer has the audacity to ask a prospective candidate about her intentions of becoming pregnant, a very clear message is being sent that working mothers are not respected at BMF Media. We applaud the courage of this witness to step forward and ask others to contact us should they have experienced similar unlawful conduct.”

[Read the full Amended Complaint here](#)

Ad Age

“In Amended Suit, BMF Employee Alleging Pregnancy Discrimination Claims She’s Not Alone”

March 19, 2019

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MediaPost

“Rising Star Sues BMF Media For Discrimination”

March 19, 2019

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New York Post

“I was demoted days after telling bosses I was pregnant: suit”

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Adweek

"BMF Co-Owner Sues Agency for Allegedly Demoting Her After Learning She Was Pregnant"

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"After a Female Executive Claimed Pregnancy Discrimination Against BMF, More Women Have Come Forward"

March 19, 2019

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Ad Age

"BMF Employee alleges she was demoted after telling the company she was pregnant"

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