

Fashion label Perry Ellis sued over alleged racist and homophobic policy

Company sued over alleged policy instilled by president and COO Oscar Feldenkreis, who is accused of telling staff there should be 'no blacks' in ads

[Rupert Neate](#) in New York / Wednesday 21 October 2015 / 16.03 EDT



A model walks the runway at the Perry Ellis spring 2012 fashion show in New York. Photograph: Frazer Harrison/Getty Images

Perry Ellis International, the fashion label named after its gay founder, is being sued over claims that the company's president demanded that there are "no blacks in my ads" or "anyone who looked too gay".

The company, which also owns the labels Original Penguin, Ping and Nike Swim, is being sued over an alleged racist and homophobic policy instilled by its president and chief operating officer, Oscar Feldenkreis.

Feldenkreis, who is due to replace his father George Feldenkreis as Perry Ellis's chief executive early next year, is also accused of telling the plaintiff that he could avoid jury service by "telling them you hate niggers and fags".

Perry Ellis said it "categorically denies" all the allegations.

The lawsuit, filed in a New York court on Wednesday, is brought on behalf of Joseph Cook, the president of Original Penguin's wholesale division. Cook, who is gay, claims that he has been "forced to endure highly offensive homophobic, racial and ethnic slurs" from Feldenkreis.

22. In or around June 2015, while meeting with Mr. Feldenkreis and another Perry Ellis executive in the Company's New York City offices, Mr. Cook informed Mr. Feldenkreis that he had been summoned to jury duty. Mr. Feldenkreis told him that he could get out of jury service by "telling them you hate niggers and fags."

23. As a gay man, Mr. Cook was deeply disturbed by both the nature of this hateful remark and Mr. Feldenkreis' hostile tone of voice. Mr. Feldenkreis knows Mr. Cook is homosexual. He was further humiliated by having to endure this remark in the presence of a peer with the Company. The executive also present during this meeting was similarly shocked by Mr. Feldenkreis' slurs.

24. Mr. Feldenkreis' disdain for homosexuals and African-Americans extends to the Company's advertising campaigns. In fact, his aversion to Company advertisements containing African-American models or gay models is well-known throughout the Company.

An extract from the lawsuit against Perry Ellis president Oscar Feldenkreis. Photograph: Handout

On one occasion it is alleged that during a meeting to approve new adverts, Feldenkreis admonished Cook and his team to make sure there are "no blacks in my ads" and he "did not want anyone who looked too gay". Feldenkreis then allegedly asked for all ads to be sent to him so that he could screen the models before publication.

Feldenkreis's daughter, who is brand director of Original Penguin, also allegedly repeatedly told Cook that "my dad doesn't like having black guys in his ads, or anyone who looks too gay".

The extent to which the race of models is allegedly scrutinised at Perry Ellis extended to executives discussing their body colour based on a coded number system, according to the lawsuit.

On one occasion Cook replied to a discussion about one male model, who was referred to as "not 05", to ask: "I'm bad with the codes ... What is 05?" The reply he received was an image of nearly a dozen black Crayola crayons.

Cook claims in the lawsuit that he was frozen out and had his role diminished when he complained about Feldenkreis's alleged homophobic and racist behaviour.

In a statement, the company's lawyer said: "Perry Ellis is a company that promotes equal opportunity and a positive working environment. The company is proud of the fact that it is probably one of the most diverse companies in the apparel business following its multicultural roots, stemming from Puerto Rico and Cuba. Perry Ellis categorically denies any allegations to the contrary. The claims that have been asserted will be vigorously defended against."

Cook's lawyer, Douglas Wigdor, said: "It is incredible that a company founded by a gay man can now be so insensitive to others based on their sexual orientation and race."