

# Warner Wolf suing Don Imus for age discrimination

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By Andrew Marchand

For a retirement present, one New York broadcast legend has filed a lawsuit against another.

Warner Wolf is taking Don Imus and three others to the New York State Supreme Court, alleging Wolf was let go from WABC's "Imus in the Morning" show at the end of 2016 because of age discrimination and is owed severance, as well as damages for "severe mental anguish, emotional distress, humiliation," among other maladies.

Imus is scheduled to retire from his show at the end of March. He regularly makes fun of everything and everybody.

In the suit, Imus is the first one named as a defendant, along with WABC GM Chad Lopez, Cumulus Sr. VP Mike McVay and WABC program director Craig Schwalb. The claim was filed late Thursday morning, and a copy was obtained by The Post.

Wolf's lawyer, Douglas H. Wigdor writes, "Imus routinely made inappropriate comments about the Plaintiff's age, including stating that it was 'time to put [Mr. Wolf] out to pasture' and 'shoot him with an elephant dart gun.'"

In 2016, the suit says that Imus replaced Wolf, then 78, because of his age and hired Sid Rosenberg, who was 30 years younger. Wolf claims that Cumulus refused to honor severance for 26 weeks of pay, amounting to \$97,500. There seems to be a disagreement between the two parties if a deal had been officially consummated.

Both Imus and Wolf have had legendary broadcast careers. Wolf, 80, made his name in New York as a sports anchor for WCBS-TV with his trademark, "Let's go to the videotape" line that helped earn him prominence, including a role in "Rocky IV." During a recent episode of the NBC hit, "This is Us," they referenced Wolf's signature videotape line.

Imus has been a shock jock in New York and nationally for nearly half a century at various stops. Imus, now 77, was fired from WFAN and MSNBC in April 2007 after calling Rutgers female basketball players "nappy-headed hos." WABC hired him in December of that year. Wolf rejoined the show shortly thereafter.

The suit claims that "Imus in the Morning was responsible for approximately one-third of WABC's entire revenue, and, as a result Imus was routinely left to call the shots." Wolf was with Imus until the end of 2016, when he was let go under circumstances that Wolf claims were unlawful.

“It is hard to imagine a more iconic sportscaster than Warner Wolf and it is shameful that despite his continuing abilities at providing insight into the world of sports he was terminated because of his age and not even provided the severance for which he was contractually entitled,” Wigdor said in a statement to The Post.

According to Wigdor, Wolf began broadcasting from his home in Naples, Fla., instead of the WABC studio in December 2015. At the time, Wolf was making \$195,000, according to the suit. He was due 26 weeks of severance pay, if let go, according to the court document.

In 2016, Wolf claims that he agreed to a paycut to \$80,000, which was a condition that WABC insisted upon so he could continue to ['Imus in the Morning' is going off the air](#) work from Naples. The 26 weeks severance remained part of the deal, according to Wolf. Wolf felt like the terms were agreed upon, via email.

Before the new agreement went into effect, Rosenberg was hired and Imus, according to the suit, sent Wolf an email saying he didn't think the Florida arrangement was working.

“We tried it,” Imus allegedly wrote. “It sucks. If you're in studio in New York ... it's terrific. Anything else is not.”

Wolf said neither Imus nor the station had ever said his working from Naples was an issue prior to the email.

Wolf said Cumulus refused to pay the 26-week severance, which had been conveyed via email before he was let go. Wolf also claimed that upon his firing, Imus “ominously” warned him, “Don't go to war with me.”

To borrow one of Wolf's signature lines, which he used to utilize in reference to point spreads, “If you had Wolf not going to war with Imus, you lost!”