

# NY1 Anchors Call On Charter CEO To Keep Bias Suits Public



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By [Anne Cullen](#)

Law360 (August 21, 2019, 4:53 PM EDT) -- A group of female NY1 anchors suing [Charter Communications](#) for allegedly sidelining them to prop up younger talent called on Charter's CEO to keep the dispute in the public court system, blasting an attempt by the news organization to push part of the proceedings into a private forum.

The seven anchors and reporters behind a pair of age and gender discrimination lawsuits against the media giant penned an open letter to Thomas Rutledge on Tuesday, urging him to let three of them out of forced arbitration agreements they signed as part of their employment contracts.

"It is completely hypocritical to ask your viewers to believe that Charter is committed to empowering the public with information, when you conceal these claims behind closed doors," the group argued, calling for claims lodged by Vivian Lee, Thalia Perez and Michelle Greenstein to remain in New York federal court, where the two lawsuits against Charter were filed earlier this summer.

Charter, which owns the popular New York City-based cable channel where the women anchored, asked the court to send Lee's claims into arbitration on Tuesday, claiming she joined the lawsuit "in flagrant disregard of her contractual obligations." The company's motion on Perez and Greenstein's claims is expected to hit the docket shortly.

The five longtime news anchors and reporters behind the first suit — Roma Torre, 61; Kristen Shaughnessy, 50; Jeanine Ramirez, 49; Amanda Farinacci, 40; and Lee, 44 — sued Charter [in June](#), contending NY1 managers slashed their airtime, passed them over for assignments, reduced their visibility on NY1's website, and withheld promotional opportunities because they wanted younger men and women on air.

The pair behind the second case — Perez and Greenstein, who are both over 40 — sued [the following month](#), alleging they were fired either because they were pregnant or were just returning from maternity leave.

An attorney representing all seven women told Law360 on Wednesday that sequestering a portion of these allegations in a backroom proceeding would violate what Charter stands for as a disseminator of news and information.

"As a news organization," said David Gottlieb of [Wigdor LLP](#), "it's hypocritical to hide your disputes behind closed doors in a secretive forum."

He added that Rutledge should grant the request because "it is the right thing to do for numerous reasons, including that arbitration is anti-employee, anti-women."

Also on Tuesday, Charter asked the New York federal court to throw out the bulk of the allegations that aren't subject to the arbitration provisions, as it said those women have alleged nothing aside from

everyday slights and harms many experience at work.

"The complaint reflects plaintiffs' subjective discontent with details of their work assignments and perquisites, focusing on a litany of legally-insignificant alleged wrongs that they claim they have experienced, in a futile attempt to show that Charter has sidelined them in favor of younger female and male anchors," the company argued.

The vast majority of the anchors' allegations, Charter insisted, "amount to mere 'trivial harms' and 'petty slights,'" which the company said can't uphold a discrimination claim.

"Not every minor discontent or complaint by an employee is actionable," the company added.

But Gottlieb fired back at this categorization on Tuesday, declaring that "for Charter to characterize our clients' claims as petty and trivial slights only demonstrates what our clients have been saying from the start, which is that NY1 has never taken their complaints seriously."

A spokesperson for Charter said in an emailed statement Wednesday that the company "take[s] these kinds of allegations seriously, but these lawsuits have no merit."

"We plan to defend against these accusations and have no additional comment at this time," the company representative said.

The women are represented in both suits by Douglas H. Wigdor, David E. Gottlieb and Julia Elmaleh-Sach of Wigdor LLP.

Charter is represented in both suits by Bettina B. Plevan, Daryl G. Leon and Jordan D. Simon of [Proskauer Rose LLP](#).

The cases are Torre et al. v. Charter Communications Inc., case number [1:19-cv-05708](#), and Perez et al. v. Charter Communications Inc., case number [1:19-cv-07141](#), both in the [U.S. District Court for the Southern District of New York](#).