

Harvey Weinstein and company reach \$25 million settlement in civil suit

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December 11,
2019

Harvey Weinstein's legal team has agreed a tentative \$25 million (£18.6m) settlement with the dozens of women who filed a civil lawsuit against him, in a deal which sees him escape personal liability and avoid admission of wrongdoing.

Weinstein, 67, is set to go on trial in New York in January in a separate criminal case involving two women.

One woman accused Weinstein of raping her at a Manhattan hotel in 2013, and the other claimed he forced oral sex on her at his townhouse in 2006. Weinstein has denied any nonconsensual sexual activity.

But the disgraced film producer's team are likely to be celebrating the agreement reportedly reached in his civil suit, in which Weinstein will not pay anything to his accusers himself.

The money would be paid by insurance companies representing the producer's former studio, the Weinstein Company, which is in bankruptcy proceedings.

The pay out to the accusers would be part of an overall \$47 million settlement intended to finalise all the company's obligations.

A spokesman for Weinstein told The Telegraph that they were unable to comment on the specifics of the financial agreement.

More than \$12 million — a quarter of the overall settlement package — would go toward some, but not all, legal costs for Weinstein; his brother, Bob; and other former members of their company's board, the lawyers told The New York Times.

The board members would be insulated from future liability, and the alleged victims would drop their claims against Weinstein and other executives.

Katherine Kendall, 50, an actress who accused Weinstein of chasing her around his apartment naked during what she thought would be a work meeting in 1993, said she was disappointed in the agreement.

"I don't love it, but I don't know how to go after him," she told the paper, adding that she agreed to it to avoid blocking other women from receiving compensation.

"I don't know what I can really do."

Genie Harrison, a sexual harassment lawyer representing Sandeep Rehal, a former Weinstein assistant who is part of the proposed settlement, said that holding out for more favourable terms might have left the alleged victims empty-handed.

"I don't think there's a markedly better deal to be made," she said.

"We have really, truly done the best we can under the circumstances, and it's important for other victims to know this, come forward and be able to get the best level of compensation we were able to get."

Since The New York Times first published its accusations against Weinstein, in October 2017, dozens of women have come forwards to accuse him of sexual harassment and assault, including some of the highest-profile women in the entertainment world, such as Gwyneth Paltrow, Angelina Jolie and Salma Hayek.

None of the stars are part of this civil suit.

The two-year battle for compensation has involved lawyers for the women, Weinstein, his former board members, creditors, insurers and the New York attorney general's office.

Last year, when the Weinstein Company entered bankruptcy, the accusers watched a potential settlement payout dwindle from a projected \$90 million victims' fund that had been discussed as part of a possible sale of the studio.

Under the deal agreed now, the New York Times said, 18 of the alleged victims would split \$6.2 million, with no individual getting more than \$500,000.

A separate pot of money, \$18.5 million, would be set aside for those who were part of a class-action case, the New York attorney general's suit and any future claimants, with a court-appointed monitor allocating payments based on the severity of the harm alleged.

Zoe Brock, 45, a former model who has accused Harvey Weinstein of sexually inappropriate behaviour, told the paper that agreeing to the settlement terms made her feel "sick and defeated and hopeless," because neither Weinstein nor his former board members would be required to pay the alleged victims.

"Many of us are outside the statute of limitations, and we can't have our day in criminal court with Harvey," said Caitlin Dulany, 56, who has accused Weinstein of sexually harassing and assaulting her in the mid-1990s.

Even a flawed settlement, she said, might "bring some justice and relief."

Two women who have brought civil suits against Weinstein — Alexandra Canosa, a producer who used to work for him, and Wedil David, an actress — have walked away from the tentative deal and intend to challenge it, according to their lawyers.

Douglas Wigdor and Kevin Mintzer, who represent Ms David and other accusers, said they did not think it was the best agreement possible.

“It is shameful that \$12 million of the settlement is going to the lawyers for the directors, who we alleged enabled Harvey Weinstein, and it is even more outrageous that the proposed settlement will seek to bind non participating members by providing a release to the insurance companies and the directors of the Weinstein Company itself,” they said in a statement.

They said they intend to “proceed with holding Harvey Weinstein accountable for his actions”.

Lawyers will now begin working on turning the preliminary term sheet into an official settlement agreement, which will require approval from at least two judges - one from the federal court in Delaware overseeing the Weinstein Company’s bankruptcy and the other from a federal court in New York.

It could still fall apart because of objections by lawyers representing the dissenting women.