

Former teen model sues Harvey Weinstein, alleging sexual assault

 latimes.com/entertainment-arts/business/story/2019-12-19/former-teen-model-sues-harvey-weinstein-

December 19,
2019

A former teen model who alleges she was sexually assaulted by Harvey Weinstein filed a new lawsuit Thursday against the disgraced movie mogul, his former studio Miramax and previous owner the Walt Disney Co.

Kaja Sokola, a native of Poland who was previously identified only as Jane Doe in an earlier class-action lawsuit, alleged in a new lawsuit filed with the New York State Supreme Court that in 2002, when she was 16 and an aspiring actress, Weinstein promised to take her to lunch to discuss her career. Instead, the lawsuit says, he took her to his SoHo apartment, where he “aggressively and threateningly demanded sex.”

Weinstein “instructed her take off her clothes,” and “to touch herself,” according to the filing. He also took off his pants and, despite her protestations, forced her to touch his penis while he “grabbed at her breasts.”

In a statement to The Times, Sokola said she “cannot accept the proposed ‘global settlement’ as fair or just. There is no accountability for the perpetrators, insufficient compensation for all of the victims, and millions of dollars going to people that I believe enabled Weinstein I know that this lawsuit cannot erase the pain that I have been living with for 17 years. But I do hope to achieve at least some measure of justice that has still been denied to Harvey Weinstein’s many victims.”

Representatives of the Walt Disney Co. and Miramax did not respond to requests for comment. Juda Engelmayer, a spokesman for Weinstein, referred to a statement last year from Weinstein’s former attorney Benjamin Brafman, who called the claim “patently false” and “uncorroborated.”

The case is among dozens of civil lawsuits filed by women who have accused Weinstein of sexual misconduct and is believed to be the first that alleges he assaulted a minor. It comes weeks before a criminal trial against the producer is set to begin in New York City.

Weinstein, who has been accused of sexual misconduct by more than 80 women, has previously denied all allegations of nonconsensual sex.

Sokola was initially part of a federal class-action suit filed in December 2017 against the embattled filmmaker. Weinstein and his former film studio’s board have reached a controversial \$47-million settlement with several women who have accused him of sexual

misconduct, according to attorneys involved in the negotiations.

Under terms of the agreement, about \$25 million will be allocated to the accusers, \$7.3 million to unsecured creditors and former Weinstein Co. employees and about \$12.2 million will be earmarked to pay legal fees of the studio's directors and officers, according to a copy of the settlement term sheet obtained by The Times. The Weinstein Co. filed for bankruptcy protection in March 2018.

Insurance companies are expected to make the payment on behalf of Weinstein and the Weinstein Co. A U.S. Bankruptcy Court judge in Delaware still must formally approve the deal.

Some of Weinstein's accusers aren't happy with the settlement.

Sokola's attorney, Douglas Wigdor, said his client decided to remove herself from the class-action suit "because she wants to hold Weinstein and Disney to account." The lawsuit also names Miramax and its cofounder, Bob Weinstein, brother of Harvey Weinstein.

Disney acquired Miramax in 2003 and parted ways with the brothers in 2005. The Burbank-based giant sold Miramax in 2010. According to the most recent terms of the class-action settlement, Disney and all its subsidiaries — including Miramax — will be released from liability.

Sokola's lawsuit states that executives of Disney and Miramax, including Bob Weinstein, "were aware of Harvey Weinstein's pattern of misconduct, but the companies that employed him utterly failed to supervise him, and they continued to empower him with their prestige and resources and allowed him to find more victims, including Kaja Sokola."

After the alleged assault in 2002, Sokola states that Weinstein blocked her from leaving the apartment. "Harvey Weinstein made clear that refusing his sexual demands would mean giving up the opportunity to make it in Hollywood," the lawsuit states. He told her that he had "made" the careers of Penélope Cruz and Gwyneth Paltrow, repeatedly telling her that he was the only person who could catapult her career as an actress, according to the complaint.

"Weinstein's ongoing emotional abuse and the guilt, shame and anxiety," the lawsuit alleges, led to "long term depression, anorexia and difficulty in maintaining healthy relationships with men."

Wigdor said that because his client, who is now a clinical psychologist in Poland, was a minor at the time of the initial alleged incident, her claims fall under the Child Victims Act, which gives victims of child sexual abuse more time to file civil lawsuits against their abusers. This year, both [California](#) and New York passed such laws.

Earlier this year, Wigdor rejected the proposed civil settlement on behalf of another client, Wedil David. David alleges that Weinstein raped her in a Beverly Hills hotel room in 2015. Wigdor in a statement called the process “fundamentally flawed and unfair” and criticized the terms as “inadequately compensating victims while providing millions of dollars to the ultra-wealthy directors of the Weinstein Co. ... and their big firm lawyers.”

Weinstein, the producer behind such Oscar-winning hits as “Shakespeare in Love,” “Chicago” and “The King’s Speech,” was fired from his company in October 2017 after dozens of women accused him of sexual misconduct.

Earlier this week, Weinstein was widely criticized for calling himself “the forgotten man” in an interview with the New York Post and citing how many women he helped during his career. The comments triggered a swift backlash, including a formal statement signed by 23 of his accusers.