

# Disney, Miramax Were 'Enablers' Of Weinstein, Ex-Model Says

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Law360 (December 19, 2019, 4:01 PM EST) -- Harvey Weinstein's legal woes deepened Thursday as a onetime teen model sued him in New York state court, alleging he sexually assaulted her when she was 16 years old and that Disney and Miramax essentially cleared the way for his sexual misdeeds by not adequately supervising him.

The suit by plaintiff Kaja Sokola against Weinstein and his purported "enablers" was brought under New York's recently enacted Child Victims Act, which gives people who allegedly experienced sexual abuse as children until age 55 to file civil claims, up from the previous cutoff age of 23.

Besides a battery claim against Weinstein himself, Sokola also accused the one-time Hollywood mogul's brother Bob Weinstein, The Walt Disney Co. and Miramax Film Corp. of failing to put a stop to his sexual misconduct even though they knew about his penchant for mistreating women.

More specifically, Sokola claims that Disney, Miramax and Bob Weinstein had a duty to supervise and discipline employees like Harvey Weinstein "to avoid unreasonable harm to others," but failed to either fire him or take steps to make sure he didn't use his position to mistreat the companies' female employees or actresses.

"Indeed, numerous employees and executives of Miramax and Disney 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," Thursday's complaint said. "Were it not for the gross neglect of these individuals and companies and their failure to exercise reasonable care, Sokola would have been spared from Harvey Weinstein's predatory conduct."

Sokola's suit noted that Disney had oversight over Miramax and its employees, including Weinstein, after it purchased the studio in the 1990s, and that the two corporations agreed to be jointly liable for claims arising under several employment contracts that Weinstein signed, one of which ran from 1999 through 2005.

Sokola said she was introduced to Weinstein at a modeling industry event that was held shortly after she came to the U.S. in 2002 to pursue an acting and modeling career.

Weinstein allegedly invited her to lunch several days later under the guise that he'd help with her career. But instead of taking her out for that meal, he took her to his apartment where he "terrified and sexually abused her," according to the complaint, which noted that the incident caused Sokola to experience long-term depression and other physical and mental health problems.

Absent the elongated statute of limitations afforded to her by the Child Victims Act, Sokola said in her complaint that her claims would have been time-barred and that she would have been "forced to accept the inadequate so-called 'global settlement' that is being unfairly foisted upon so many other Weinstein victims."

She appeared to be referring to a tentative settlement reached between Weinstein and several of his accusers worth about \$25 million to end sexual misconduct claims against him, according to an accuser's attorney.

The agreement would give general releases from all claims to the insurers for Weinstein's bankrupt film studio The Weinstein Co. and would provide \$12 million to cover attorney fees, including those of Weinstein, according to an accuser's attorney. News of the proposed settlement was recently reported first by The [New York Times](#).

Sokola, who has eschewed her modeling and acting career and is now a clinical psychologist and psychotherapist, said she originally lodged her claims anonymously as part of a class action against Weinstein and various people and businesses affiliated with him.

But in a statement issued Thursday, 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," she said, adding that each of Weinstein's purported enablers "could have — and should have — stopped [him] before he made me another of his victims."

Sokola's attorneys Douglas Wigdor and Kevin Mintzer said in a statement that they hope Sokola's suit will encourage others to pursue their own claims against Weinstein.

"While others may have decided to settle, albeit under some of the most offensive and one-sided terms, we hope that the filing of this complaint encourages other victims and the New York attorney general to join us as we continue our efforts at holding Harvey Weinstein and his enablers accountable," they said. "Kaja Sokola, who was sexually abused by Harvey Weinstein when she was only 16 years old, is entitled to justice, and we intend to see that she gets it."

Representatives for Disney were not immediately available for comment. A representative for Miramax declined comment.

Weinstein's representatives did not offer a new comment about Sokola's complaint. Weinstein's then-lawyer Benjamin Brafman commented to the press in 2018 when Sokola's allegations first came to light that they were "preposterous" and "will ... be shown to be patently false."

Sokola is represented by Douglas H. Wigdor and Bryan L. Arbeit of Wigdor LLP and Kevin Mintzer of the Law Office of Kevin Mintzer PC.

Counsel information for the defendants was not yet available.

The case is Sokola v. Weinstein et al., case number unavailable, in the Supreme Court of the State of New York, County of New York.