

# Weinstein Sex-Abuse Settlement Rejected by Federal Judge

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Chris Dolmetsch

A federal judge won't give preliminary approval to a proposed \$18.9 million settlement between Harvey Weinstein and nine women who claim he sexually assaulted or abused them, saying the tentative deal isn't fair to other women.

U.S. District Judge Alvin Hellerstein in New York said he was rejecting the settlement because the agreement tries to create a group case that covers claims by women who asked to be excluded from a deal. He said the proposal unfairly lumps together women who simply met Weinstein with those who were sexually assaulted by him.

"Not every woman was captured in the same way," Hellerstein said. "Your settlement would create inequality among all of those people."

The deal was negotiated with the help of New York Attorney General Letitia James as part of a larger proposal for liquidation of the Weinstein Co. and its parent company, which last year reached a \$46.8 million agreement to resolve all of the claims arising from Weinstein's conduct.

Lawyers for women who opted out of the settlement lauded Hellerstein's decision. They had been critical of the deal, saying it overpaid lawyers and underpaid victims while forcing Weinstein to pay nothing.

## 'Unfair' Terms

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"We have been saying for over a year and a half that the settlement terms and conditions were unfair and should never be imposed on sexual-assault survivors," said Douglas Wigdor, who represents six women making abuse claims against Weinstein. "On behalf of our clients, we look forward to pursuing justice against Harvey Weinstein and his many enablers."

The women agreeing to the proposed settlement -- female actors and screenwriters -- sued the movie mogul in December 2017, alleging his namesake company, its officers and directors, and Miramax, the studio he once ran, enabled his predatory conduct. The only remaining defendant in the case is Weinstein, after others won dismissals.

"We've long held that we needed to find justice for all the women that Weinstein preyed upon in a fair and equitable way," Elizabeth Fegan and Steve Berman, lawyers for the women who supported the deal, said in a statement. "Now, we need to turn our attention to litigating our clients' individual cases."

Fegan and Berman said they will appeal an earlier court dismissal of claims against the Weinstein Co. board of directors, who they say knew of Weinstein's behavior and did nothing to stop it.

"We believe they should be held accountable for their silence and inaction," the attorneys said. "The brave women who stood up to Weinstein and filed this action deserve our admiration, and we will continue to fight on their behalf."

Weinstein is currently serving a 23-year sentence at a maximum security prison in upstate New York after his conviction at a trial this year.

The case is Geiss v Weinstein, 17-cv-9554, U.S. District Court, Southern District of New York.