

Lawsuit Against Fox News Alleges Harassment From Anchors, Sexual Assault From Ed Henry

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One former Fox News staffer and one frequent on-air guest at the network filed suit in federal court Monday, alleging they had been harassed individually by Ed Henry, the Fox News anchor who was fired by the cable-news outlet earlier this month following a complaint about “willful sexual misconduct in the workplace,” and their disclosures threaten to revive an era that the Fox Corp.-owned media company had hoped to put behind it after the ouster of Roger Ailes.

One of the employees, Jennifer Eckhart, alleged she was assaulted by Henry, while the other, Cathy Areu, claimed in the filing that Henry sent her sexually graphic photos and messages. The lawsuit was filed in U.S. District Court in the Southern District of New York by the Wigdor LLC law firm, which has represented several Fox News staffers in the past in complaints that alleged sexual or racial discrimination at the company.

The suit also alleges harassment by some of Fox News’ best known anchors, including Tucker Carlson, Sean Hannity and Howard Kurtz, along with a contributor, Gianni Caldwell.

“Based on the findings of a comprehensive independent investigation conducted by an outside law firm, including interviews with numerous eyewitnesses, we have determined that all of Cathy Areu’s claims against Fox News, including its management as well as its hosts Tucker Carlson, Sean Hannity & Howard Kurtz and its contributor Gianni Caldwell, are false, patently frivolous and utterly devoid of any merit,” Fox News said in a statement. “We take all claims of harassment, misconduct and retaliation seriously, promptly investigating them and taking immediate action as needed — in this case, the appropriate action based on our investigation is to defend vigorously against these baseless allegations. Ms. Areu and Jennifer Eckhart can pursue their claims against Ed Henry directly with him, as Fox News already took swift action as soon as it learned of Ms. Eckhart’s claims on June 25 and Mr. Henry is no longer employed by the network.”

“The Me Too movement has helped to bring to light a number of injustices in our society, and everyone that has suffered deserves to be heard. This is not one of those cases,” said Catherine Foti, an attorney for Henry. “The evidence in this case will demonstrate that Ms. Eckhart initiated and completely encouraged a consensual relationship. Ed Henry looks forward to presenting actual facts and evidence, which will contradict the fictional accounts contained in the complaint. That evidence includes graphic photos and other aggressively suggestive communications that Ms. Eckhart sent to Mr. Henry.”

Henry was terminated on July 1 after Fox News received a complaint on June 25 from a former employee about Henry's behavior from "years ago," according to a statement made in July by Fox News Media CEO Suzanne Scott and President Jay Wallace. "Ed was suspended the same day and removed from his on-air responsibilities pending investigation. Based on investigative findings, Ed has been terminated," the executives said.

"I stand for all victims who have been mistreated, harassed, assaulted, and even worse, at the hands of those in power, and the institutions that continue to support them, said Jennifer Eckhart, a former associate producer at Fox Business Network who worked in different positions there over seven years, in a statement provided by her attorney. "My decision to speak out was not an easy one, but I refuse to let fear of retaliation, victim shaming and further attacks intimidate me into remaining silent. I am hopeful that my decision to file this action will result in positive change for women at Fox, and for all victims in the workplace, and I am honored that other women have come forward since my decision to do so."

"I chose to file this complaint because no woman should have to suffer the conduct to which I was subjected, much less the egregious conduct suffered by Ms. Eckhart," said Cathy Areu, a frequent guest on Fox News programs and shows that run on Fox Nation, the company's streaming service.

In the suit, Eckhart alleges Henry, who had been an anchor on "America's Newsroom," the network's mid-morning news program, "groomed, psychologically manipulated and coerced Ms. Eckhart into having a sexual relationship with him, and that, when she would not comply voluntarily, he sexually assaulted her on office property, and raped her at a hotel where Fox News frequently lodged its visiting employees." The suit says Eckhart was the one who contacted Fox News on June 25, and notified the company she had retained legal counsel regarding her claims against Henry.

Meanwhile, Areu alleges Henry "sent Ms. Areu a slew of wildly inappropriate sexual images and messages – which are in her possession – throughout the first half of this year." She also claims Sean Hannity demeaned her on the set of his show in front of crew and staffers, and alleges Tucker Carlson propositioned her one evening in New York after the broadcast of his primetime program.

The plaintiffs are seeking a jury trial and damages.

Fox News grappled with a series of embarrassing and often sordid lawsuits in the wake of the 2016 ouster of Ailes, its former chief executive who was alleged to have harassed several female staffers and other associates over the course of his career in TV. Ailes, who died in 2017, denied all charges made against him, including those of Gretchen Carlson, an

anchor whose 2016 suit against him sparked a wholesale reckoning at Fox News and its parent company. After Ailes' departure, Bill O'Reilly, once the linchpin of Fox's primetime schedule, was pushed out in 2017 after facing allegations of harassment.

Since coming on board as CEO in 2018, Suzanne Scott has worked to create a different atmosphere, an acknowledgement that the factors behind Ailes ouster had negative effects on employees. She has reworked human-resources policies and instilled several new senior executives at Fox News Channel and Fox Business Network.