



Proceedings

A monthly newsletter from McGraw-Hill



September 2016 Volume 8, Issue 2

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Dear Professor,

I hope your fall semester is off to a fantastic start! Welcome to McGraw-Hill's September 2016 issue of Proceedings, a newsletter designed specifically with you, the Business Law educator, in mind. Volume 8, Issue 2 of Proceedings incorporates "hot topics" in business law, video suggestions, an ethical dilemma, teaching tips, and a "chapter key" cross-referencing the September 2016 newsletter topics with the various McGraw-Hill business law textbooks.

You will find a wide range of topics/issues in this publication, including:

1. A recent United States Fourth Circuit Court of Appeals decision striking down North Carolina's voter identification law;
2. A judge's recent decision to overturn the criminal conviction of "Making a Murderer" defendant Brendan Dassey;
3. The International Monetary Fund's Warning to China to remedy its corporate debt "problem";
4. Videos related to a) the oldest prosecution of a suspected serial killer in United States history and b) alleged sexual harassment committed by Roger Ailes, the former chief executive officer at Fox News;
5. An "ethical dilemma" related to the ethics of the amount of attorneys' fees requested in the Volkswagen emissions settlement; and
6. "Teaching tips" related to Article 1 ("Federal Appeals Court Strikes Down North Carolina Voter ID Requirement") and Video 2 ("Roger Ailes' Exit May Help All Sexual Harassment Victims") of the newsletter.

Here's to an academically enriching and enjoyable Fall Semester 2016!

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Of Special Interest

This section of the newsletter covers three (3) topics:

- 1) A recent United States Fourth Circuit Court of Appeals decision striking down North Carolina's voter identification law;
- 2) A judge's recent decision to overturn the criminal conviction of "Making a Murderer" defendant Brendan Dassey; and
- 3) The International Monetary Fund's warning to China to remedy its corporate debt "problem."

Hot Topics in Business Law

Article 1: "Federal Appeals Court Strikes Down North Carolina Voter ID Requirement"

<http://www.nytimes.com/2016/07/30/us/federal-appeals-court-strikes-down-north-carolina-voter-id-provision.html? r=0>

According to the article, a federal appeals court decisively struck down North Carolina's voter identification law recently, saying its provisions deliberately "target African-Americans with almost surgical precision" in an effort to depress black turnout at the polls.

The sweeping 83-page decision by a panel of the United States Court of Appeals for the Fourth Circuit upended voting procedures in a battleground state about three months before Election Day. That ruling and a second wide-ranging decision recently, in Wisconsin, continued a string of recent court opinions against restrictive voting laws that critics say were created solely to keep minority and other traditionally Democratic voters away from the polls.

The North Carolina ruling tossed out the state's requirement that voters present photo identification at the polls and restored voters' ability to register on Election Day, to register before reaching the 18-year-old voting age, and to cast early ballots, provisions the law had fully or partly eliminated.

The court also held that the ballots of people who had mistakenly voted at the wrong polling stations should be deemed valid.

In the Wisconsin decision, Judge James D. Peterson of Federal District Court ruled that parts of Wisconsin's 2011 voter ID law are unconstitutional. He ordered the state to make photo IDs more easily available to voters and to broaden the range of student IDs that are accepted at the ballot box.

The decision also threw out other rules that lengthened the residency requirement for newly registered voters, banned distributing absentee ballots by fax or email and sharply restricted the locations and times at which municipal voters, many of them Milwaukee blacks, could cast absentee ballots in person.

Judge Peterson's sharply worded 119-page ruling suggested that Wisconsin's voter restrictions, as well as voter ID restrictions in Indiana that have been upheld in the Supreme Court, exist only to suppress votes.



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“The evidence in this case casts doubt on the notion that voter ID laws foster integrity and confidence,” he wrote. “The Wisconsin experience demonstrates that a preoccupation with mostly phantom election fraud leads to real incidents of disenfranchisement which undermine rather than enhance confidence in elections.”

The court decisions — the third and fourth federal rulings in recent weeks against Republican-enacted voting restrictions — were made as the two political parties raced from their summer conventions into the critical final months of the campaign, with Wisconsin, like North Carolina, considered a contested state.

North Carolina’s Republican-controlled legislature rewrote the state’s voting rules in 2013 shortly after the Supreme Court struck down a section of the Voting Rights Act of 1965 that had given the Justice Department the power to oversee changes in election procedures in areas with a history of racial discrimination. Forty of the state’s 100 counties had been subject to oversight. Civil rights advocates and the Justice Department had sued to block the law, but a Federal District Court judge upheld it in April, writing that the state’s “significant, shameful past discrimination” had largely abated in the last 25 years.

On Friday, the three-judge panel emphatically disagreed, saying the lower court’s amply documented ruling had failed to consider “the inextricable link between race and politics in North Carolina.”

The judges noted that Republican leaders had drafted their restrictions on voting only after receiving data indicating that African-Americans would be the voters most significantly affected by them.

“We cannot ignore the record evidence that, because of race, the legislature enacted one of the largest restrictions of the franchise in modern North Carolina history,” they wrote. “The court seems to have missed the forest in carefully surveying the many trees,” they stated. The panel stopped short of reimposing federal oversight on the state’s elections, saying that striking down the law was enough.

Voting rights advocates called the ruling, which Republicans say they will appeal, a resounding victory. Fresh from speaking Thursday night at the Democratic National Convention, the Rev. William J. Barber II, the president of the North Carolina branch of the N.A.A.C.P., which is a plaintiff in the lawsuit, called the decision “a moral and constitutional vindication of our constitutional critique of this extremist legislature and our extremist governor.

“A political majority doesn’t give you the power to run roughshod over the Constitution,” he said.

Attorney General Loretta E. Lynch, who was in Baton Rouge, La., on Friday, also welcomed the decision, saying the law “sent a message that contradicted some of the most basic principles of our democracy.



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“The ability of Americans to have a voice in the direction of their country — to have a fair and free opportunity to help write the story of this nation — is fundamental to who we are,” she said. Republicans denounced the opinion as wrongheaded and politically motivated, particularly because the three judges who decided the case had been nominated to the appeals court by either President Bill Clinton or President Obama. (One of them, however, had originally been named by President George W. Bush in 2003 to a vacant seat on the Federal District Court in South Carolina.)

“We can only wonder if the intent is to reopen the door for voter fraud” in November’s federal and state elections, State Senator Phil Berger and the House speaker, Tim Moore, said in a statement. They pledged to appeal the ruling.

So did Gov. Pat McCrory, a Republican who is locked in one of the country’s tightest races for governor. “Photo IDs are required to purchase Sudafed, cash a check, board an airplane or enter a federal courtroom,” Mr. McCrory said. “Yet three Democratic judges are undermining the integrity of our elections while also maligning our state.”

Republicans say the restrictions were aimed at ending rampant voter fraud.

But on Friday, the appeals court dismissed that argument, saying the restrictions “constitute inapt remedies for the problems assertedly justifying them and, in fact, impose cures for problems that did not exist.” Academic studies have repeatedly concluded that fraud at the ballot box — the sort that photo identification requirements might reduce — is already vanishingly rare.

The North Carolina and Wisconsin decisions could figure in November’s elections. Friday’s ruling stated pointedly that whether or not the North Carolina restrictions were driven completely by racial bias, they were clearly devised to keep Democratic voters away from the polls. North Carolina has become a swing state in national elections in recent years in no small part because the protections of the Voting Rights Act allowed black voter turnout to approach that of whites, the court stated.

The state ended its decades-long history of backing Republican presidential candidates in 2008, when Barack Obama eked out a narrow victory there. But in 2012, Mitt Romney reclaimed the state for the Republicans.

This year, Democrats are resting their hopes for a victory by Hillary Clinton on a strong turnout among black voters as they try to counter Donald J. Trump’s appeal among North Carolina’s white working-class voters.

The clauses that were overturned in the North Carolina law, labeled the Voter Information Verification Act, made voting harder in a number of ways. A much-discussed provision, which took effect this year, required voters either to produce one of six accepted forms of identification, such as a driver’s license, passport or military ID, or cast a provisional ballot.



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Critics argued that some voters lacked those documents and that the law omitted some forms of identification, such as student IDs, held by blocs of voters who favor Democrats.

Among the other provisions, which were in effect during the 2014 elections, one of the most criticized shortened the state's early voting period to 10 days, from 17. Voting rights groups charged that this would crimp African-American voter turnout, in part by eliminating one of the Sunday voting days on which black churches typically transported worshippers to a voting site. Friday's opinions were just the latest setbacks in recent weeks to advocates of photo IDs and other voting restrictions. The Wisconsin ruling, which appeared likely to be appealed, came only days after a different federal judge issued a separate ruling on that state's voter ID law, stating that voters without photo identification could vote in November if they presented affidavits swearing to their identities.

In Texas, a federal appeals court has ruled that the state's photo ID law, among the nation's toughest, must be softened to eliminate its discriminatory impact.

Discussion Questions

1. What, specifically, were the North Carolina voting restrictions that were the subject of review by the United States Fourth Circuit Court of Appeals?

As the article indicates, the United States Fourth Circuit Court of Appeals focused on the following five (5) North Carolina voting restrictions:

- a. *The photo identification mandate;*
 - b. *A prohibition against registering on Election Day;*
 - c. *A prohibition against registering before reaching the 18-year-old voting age;*
 - d. *A prohibition against casting early ballots; and*
 - e. *A prohibition against counting the ballots of people who had mistakenly voted at the wrong polling stations.*
2. Why did the United States Fourth Circuit Court of Appeals strike down the subject North Carolina voting restrictions?

As the article indicates, the United States Fourth Circuit Court of Appeals struck down the subject North Carolina voting restrictions because, according to the court, the provisions "target(ed) African-Americans with almost surgical precision" in an effort to depress black turnout at the polls. The Court found, as a matter of fact, that North Carolina legislative leadership had drafted their restrictions on voting only after receiving data indicating that African-Americans would be the voters most significantly affected by them.



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3. Are you surprised by the United States Fourth Circuit Court of Appeals finding (based on the evidence presented in the case) that the restrictions imposed by North Carolina's voter identification law "target(ed) African-Americans with almost surgical precision" in an effort to depress black turnout at the polls? Explain your response.

This is an opinion question, so student responses may vary. As a life-long North Carolina resident, your author is deeply saddened by the facts and circumstances that led to the subject case, particularly the Court's finding that North Carolina legislative leadership had drafted their restrictions on voting only after receiving data indicating that African-Americans would be the voters most significantly affected by them. Based on this finding of fact, the voting restrictions did not merely have an "adverse impact" on African-American voters; instead, according to the Court, North Carolina legislative leadership crafted the restrictions with specific intent to discriminate against African-Americans.

Article 2: "Conviction Against Brendan Dassey of 'Making a Murderer' Is Overturned"

<http://www.nytimes.com/2016/08/13/us/brendan-dassey-making-a-murderer.html? r=0>

According to the article, a federal judge recently overturned the murder and sexual assault convictions of Brendan Dassey, one of the defendants whose case was the subject of the wildly popular Netflix documentary series, "Making a Murderer."

Mr. Dassey, 26, must be released from prison within 90 days unless the authorities schedule a new trial, according to the order from a federal judge in the Eastern District of Wisconsin.

In 2007, Mr. Dassey was convicted of participating in the murder and sexual assault of Teresa Halbach, a 25-year-old photographer, and sentenced to life in prison.

The 10-part series by Laura Ricciardi and Moira Demos, released in December, suggested that police investigators unfairly questioned Mr. Dassey, then 16, without a lawyer or parent present.

It suggested he was mentally unfit, was coerced into a confession that he later recanted, and that his court-appointed lawyer, Len Kachinsky, was content to cut a deal.

In the 91-page court order, the judge, William E. Duffin, said state courts erred in finding that investigators never made Mr. Dassey promises during his interrogation on March 1, 2006.

"The investigators repeatedly claimed to already know what happened on October 31 and assured Dassey that he had nothing to worry about," Judge Duffin wrote. "These repeated false promises, when considered in conjunction with all relevant factors, most especially Dassey's age, intellectual deficits, and the absence of a supportive adult, rendered Dassey's confession involuntary under the Fifth and Fourteenth Amendments."



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The documentary also questioned the conviction of Mr. Dassey's uncle, Steven Avery, who was also convicted of murder and sentenced to life in prison. Mr. Avery was not affected by the court order.

"Today there was a major development for the subjects in our story and this recent news shows the criminal justice system at work," Ms. Ricciardi and Ms. Demos said in a statement. "As we have done for the past 10 years, we will continue to document the story as it unfolds, and follow it wherever it may lead."

Discussion Questions

1. In your reasoned opinion, should a judge have the power to overturn a jury (trial court) conviction of a criminal defendant? Explain your response.

This is an opinion question, so student responses may vary. Legally, a judge does have the power to overturn a trial court conviction of a criminal defendant if the judge determines that the jury a) abused its discretion and/or b) committed an error of law in its conviction of the defendant.

2. What (specifically) is the legal standard for determining whether law enforcement officials coerced a criminal defendant into making a confession?

The legal standard for determining if law enforcement officials coerced a criminal defendant into making a confession is based on whether the defendant was "tricked" or forced into making the confession, thereby depriving the defendant of his own free will. In essence, the court in the subject case concluded that Brendan Dassey did not voluntarily make a confession, based on the following judicial reasoning:

"The investigators repeatedly claimed to already know what happened on October 31 and assured Dassey that he had nothing to worry about. These repeated false promises, when considered in conjunction with all relevant factors, most especially Dassey's age, intellectual deficits, and the absence of a supportive adult, rendered Dassey's confession involuntary."

3. As the article indicates, Judge William E. Duffin determined that Brendan Dassey's confession was involuntary under the Fifth and Fourteenth Amendments (to the United States Constitution). What, specifically, does that mean?

According to the Fifth Amendment to the United States Constitution, "No person shall...be deprived of life, liberty, or property, without due process of law."

According to the Fourteenth Amendment to the United States Constitution, "No State shall...deprive any person of life, liberty, or property, without due process of law."



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The Fifth Amendment sets forth the general proposition that all people are entitled to due process as a constitutional right, while the Fourteenth Amendment obligates all states to honor and recognize that right.

In the subject case, according to Judge Duffin, Brendan Dassey was deprived of due process because his confession was the result of coercion or trickery by government officials, and therefore involuntary.

Article 3: "IMF Tells China: Fix Your Debt Problem Now"

<http://money.cnn.com/2016/08/12/news/china-corporate-debt-imf/index.html>

According to the article, China needs to tackle its corporate debt problem before it spirals out of control.

That's the message from the International Monetary Fund, which warned China about its debt levels recently.

"China's medium term outlook is clouding because of high and rising corporate debt," said James Daniel, IMF's mission chief in China. He said the world's second biggest economy must "urgently address the problem."

At \$25 trillion, China's debt stands at about 254% of GDP, according to data from the Bank for International Settlements. Even though that's high, it's actually pretty close to some other indebted countries in the world.

The United States, for example, has similar levels of debt as China. What's alarming about China's mountain of debt is the speed at which it's been growing in recent years. It has quadrupled between 2007 and 2014, according to a report by McKinsey.

It has also spooked many global institutions and investors.

"Investors are right to be worried: dealing with the unsustainable build-up of debt is one of the biggest long-run challenges that policymakers face," said Julian Evans-Pritchard, China economist at Capital Economics.

The massive lending spree was designed to provide a shot in the arm to China's slowing economic growth after the financial crisis. That's not necessarily a bad thing -- governments around the world encourage companies to borrow in order to invest and build to keep the economic engines spinning.

But Evans-Pritchard said the trouble with China is that the credit is often poorly allocated, generating much weaker economic returns.



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Rating agencies and international economic organizations have long warned China about the rising level of debt, especially among stalling state owned companies. The IMF said Friday, China should tackle this "zombie" debt problem and write off bad loans and recognize losses.

China is starting to get tougher with some of its state-owned heavy industry giants. Beijing announced earlier this year that it would cut 1.8 million coal and steel jobs and invest 100 billion yuan (\$15.3 billion) in restructuring and training to find new employment for the laid off workers. But the IMF said China needs to broaden this effort to other industries and focus on more productive and innovative parts of the economy.

Discussion Questions

1. What is the International Monetary Fund (IMF)?

According to the International Monetary Fund web site (<http://www.imf.org/external/about.htm>):

The International Monetary Fund (IMF) is an organization of 189 countries, working to foster global monetary cooperation, secure financial stability, facilitate international trade, promote high employment and sustainable economic growth, and reduce poverty around the world.

Created in 1945, the IMF is governed by and accountable to the 189 countries that make up its near-global membership.

The IMF, also known as the Fund, was conceived at a UN conference in Bretton Woods, New Hampshire, United States, in July 1944. The 44 countries at that conference sought to build a framework for economic cooperation to avoid a repetition of the competitive devaluations that had contributed to the Great Depression of the 1930s.

The IMF's responsibilities: The IMF's primary purpose is to ensure the stability of the international monetary system—the system of exchange rates and international payments that enables countries (and their citizens) to transact with each other. The Fund's mandate was updated in 2012 to include all macroeconomic and financial sector issues that bear on global stability.

A core responsibility of the IMF is to provide loans to member countries experiencing actual or potential balance of payments problems. This financial assistance helps countries in their efforts to rebuild their international reserves, stabilize their currencies, continue paying for imports, and restore conditions for strong economic growth, while undertaking policies to correct underlying problems. Unlike development banks, the IMF does not lend for specific projects.

The IMF oversees the international monetary system and monitors the economic and financial policies of its 189 countries. This activity is known as surveillance. As part of this process, which takes place both at the global level and in individual countries, the IMF highlights possible risks to stability and advises on needed policy adjustments. In this way, it helps the international monetary system serve its essential purpose of sustaining economic growth by facilitating the exchange of



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goods, services, and capital among countries, and ensuring the conditions necessary for financial and economic stability.

2. What (if any) legal authority does the IMF have to monitor and/or regulate China's (or any other nation's) economy?

The IMF's legal authority to monitor and/or regulate a particular country derives either from a) a loan contract the IMF has with that country or b) the surveillance authority the IMF has over its member nations (China is a member of the IMF).

3. Does corporate debt really matter? If so, why? If not, why not?

This is an opinion question, so student responses may vary. In your author's opinion, corporate debt matters significantly. Even though a debt-plagued corporation may invoke bankruptcy protections to address debt that is otherwise unmanageable, the company's long-term solvency and survival may still be affected. Although Chapter 11 bankruptcy provides for debt restructuring, there is no guarantee that a company will be able to address (i.e., pay for) restructured debt. With Chapter 7 bankruptcy (liquidation bankruptcy), the company would cease to exist as an ongoing business concern.

In China's case, even if many companies are state-owned, their unmanageable corporate debt could affect China's ability to issue and sell future debt instruments. This, in turn, could significantly affect the reputation and performance of the Chinese economy.



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Video Suggestions

Video 1: “Felix Vail Case Becomes Oldest Prosecution of Suspected Serial Killer in History”

<http://www.usatoday.com/story/news/nation-now/2016/08/12/jury-felix-vail-found-guilty-murdering-his-first-wife/88634718/>

Note: In addition to the video, please see the following article, also included at the above-referenced internet address:

“Felix Vail Case Becomes Oldest Prosecution of Suspected Serial Killer in History”

According to the article, nearly 54 years after Mary Horton Vail went under the dark water of the Calcasieu River, a jury found her then-husband, Felix Vail, guilty of murdering her.

It is the oldest prosecution of a suspected serial killer in United States history.

He was the last known person with Mary, the woman he called his wife, Sharon Hensley, who disappeared in 1973, and his wife, Annette, who disappeared in 1984.

Sentencing is set for September 26, but Vail will get a life sentence without parole, which means he may celebrate his upcoming 77th birthday behind bars.

“Justice is being served today,” District Attorney John DeRosier told reporters. “I’m just honored to be a part of this process.”

He said prosecutors believe there could be other victims beyond these three women.

Assistant District Attorney Hugo Holland said he and Melissa Sonnier traveled the country, digging up evidence, much of which jurors didn’t get to hear, including that one of Vail’s ex-wives describing pristine surgical saws he kept in a VW trunk.

He said prosecutors confirmed that Vail had molested a child in Oklahoma, but authorities were unable to pursue that case because the statute of limitations had expired.



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The Clarion-Ledger reported on the allegations of molestation in 2013, citing items that private investigator Gina Frenzel had found inside Vail's Texas home, including a photograph of a naked 3-year-old girl and journals where he discussed his relationship with that girl and other children.

Annette's mother, Mary Rose, who had pushed for 32 years for justice for her daughter, called the verdict "a prayer answered, a dream come true that justice would be done and that he would be held accountable for the three young lives."

Mary Vail's brother, Will Horton, praised the district attorney's office for their dedication and Rose for never giving up. He talked of his love for his sister and his nephew, Bill, who died of cancer in 2009.

Bill's widow, Janet, talked about her late husband, who at age 8 walked into the police station in Livingston, California, in August 1970, and told a detective that his father, Felix Vail, had said he killed the boy's mother, Mary.

"Today he was heard," she said.

Public Defender Andrew Casanave said, "From the beginning, I disagreed with this concept of this prosecution. Clearly the jury disagreed with me. I think we put on one hell of a defense, despite out moneyed and outspent."

Felix Vail had maintained his innocence, saying he is a victim of "hate" and "hypocrisy."

In 1962, he told deputies his wife accidentally fell from the boat when they were trotline fishing on the Calcasieu River.

But three former friends testified Vail told them he killed his wife, Mary.

Discussion Questions

1. What is a "statute of limitations?"

A "statute of limitations" is the period of time a plaintiff in a civil case or a prosecutor in a criminal case has to bring a cause of action against a defendant. If the plaintiff/prosecutor does not comply with the applicable statute of limitations, he/she is forever barred from bringing a cause of action against the defendant that is governed by the subject statute of limitations period.

2. In your reasoned opinion, should there be a statute of limitations period for murder? Why or why not?



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This is an opinion question, so student responses may vary. On both the federal and state levels, there is no statute of limitations period for murder. The unlawful, intentional taking of the life of another human being is believed to be too wrongful to justify a statute of limitations period.

3. As the article indicates, prosecutors confirmed that Felix Vail had molested a child in Oklahoma, but authorities were unable to pursue that case because the statute of limitations had expired. In your reasoned opinion, should there be a statute of limitations period for child molestation? Why or why not?

This is an opinion question, so student responses may vary.

Video 2: “Roger Ailes’ Exit May Help All Sexual Harassment Victims”

<http://www.usatoday.com/story/money/2016/07/22/roger-ailes-exit-fox-news-may-bring-other-victims-forward/87445490/>

Note: In addition to the video, please also see the following article, also included at the above-referenced internet address:

“Roger Ailes’ Exit May Help All Sexual Harassment Victims”

According to the article, the resignation of Roger Ailes, the powerful CEO of Fox News Channel, two weeks after a former *Fox & Friends* host sued him for sexual harassment could encourage other victims in a wide range of industries to come forward, women's advocates say.

“We see spikes in reporting when there is a really large national conversation about sexual harassment in the workplace,” says National Organization for Women President Terry O'Neill.

Ailes, 76, was sued by Gretchen Carlson, a onetime co-host of the network's morning talk show *Fox & Friends*, who said her career suffered after she rejected his advances. Ailes has denied the charges. Yet, *New York* magazine has reported that an internal inquiry by Fox News parent 21st Century Fox discovered several more women also claimed to have been harassed by Ailes, including Fox star Megyn Kelly.

Ailes resigned, effective immediately.

“Some victims of sexual harassment might be encouraged to come forward after seeing that Ailes resigned,” especially if they see his departure as a “form of accountability,” says Maya Raghu, director of workplace equality for the National Women’s Law Center.

Sexual harassment is a frequent reality in the workplace. An oft-cited 2011 ABC News/*Washington Post* poll found that one in four women said they had experienced it on the job.



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Workplace harassment is often not reported, says the U.S. Equal Employment Opportunity Commission. "Employees who experience harassment fail to report the harassing behavior or to file a complaint because they fear disbelief of their claim, inaction on their claim, blame, or social or professional retaliation," it said in a June 2016 executive summary of a task force report on the topic.

The day that Ailes stepped down, Carlson tweeted a statement from her lawyer that read in part: "We hope that all businesses now understand that women will no longer tolerate sexual harassment and reputable companies will no longer shield those who abuse women."

Rupert Murdoch, chairman of 21st Century Fox, did not mention the sexual harassment allegations in a recent statement. He praised Ailes, the man he tasked two decades ago with creating a new cable network.

"Roger Ailes has made a remarkable contribution to our company and our country," said Murdoch, who will step into the roles of chairman and acting CEO of Fox News and Fox Business Network in the wake of Ailes' departure. "Roger shared my vision of a great and independent television organization and executed it brilliantly over 20 great years."

NOW's O'Neill said it was troubling that Murdoch did not refer to Carlson's charges. "As the new CEO, Rupert Murdoch needs to reassure the viewing public that Fox News understands and will comply with the law," she says. "His silence does just the opposite."

However, Murdoch's sons, Lachlan Murdoch, co-executive chairman of 21st Century Fox, and James Murdoch, the company's CEO, said in a separate statement that they maintain their "commitment to maintaining a work environment based on trust and respect."

And O'Neill says she is heartened by how quickly Fox responded after Carlson filed her legal complaint. It represents "extraordinary progress" she says, when an allegation is made, top executives take it seriously, and "there is swift action."

"If that doesn't happen, then quite frankly, harassers are able to move forward with their careers, are able to move up, and their victims get sidelined, or go elsewhere," she said.

Sexual harassment helps to fortify the so-called "glass ceiling" that blocks women from advancing in some organizations, O'Neill says. Dealing with such abuse "takes an enormous amount of mental and emotional energy and that pulls you off your game, so then you're not performing at the top of your ability."

And many sexual harassers "are serial offenders," she says.

"They have a strategy. They know what works," she says. "They utilize a number of tactics so that they can continue with their behavior and not face consequences."



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Workplace policies on reporting and disputing harassment issues can vary. Carlson did not sue Fox News, or 21st Century Fox, when she filed her complaint earlier this month in the Superior Court of New Jersey. Fox News has said that when Carlson signed her contract, she agreed to an arbitration clause that mandated “any employment dispute regarding her tenure at Fox News must be done via confidential arbitration.”

“It remains to be seen if Fox News is dedicated to eliminating sexual harassment throughout the organization,” O’Neil says. Those at the top of the organization “really needs to understand how corrosive sexual harassment is and need to be committed to fighting it.”

Discussion Questions

1. Define sexual harassment.

According to the United States Equal Employment Opportunity Commission website (https://www.eeoc.gov/laws/types/sexual_harassment.cfm):

Sexual Harassment—It is unlawful to harass a person (an applicant or employee) because of that person’s sex. Harassment can include “sexual harassment” or unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.

Harassment does not have to be of a sexual nature, however, and can include offensive remarks about a person’s sex. For example, it is illegal to harass a woman by making offensive comments about women in general.

Both victim and the harasser can be either a woman or a man, and the victim and harasser can be the same sex.

Although the law doesn’t prohibit simple teasing, offhand comments, or isolated incidents that are not very serious, harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

The harasser can be the victim's supervisor, a supervisor in another area, a co-worker, or someone who is not an employee of the employer, such as a client or customer.

2. As the article indicates, workplace sexual harassment is often not reported. Why not?

According to the United States Equal Employment Opportunity Commission, “Employees who experience harassment fail to report the harassing behavior or to file a complaint because they fear disbelief of their claim, inaction on their claim, blame, or social or professional retaliation.” In short, victims are fearful of the negative repercussions of filing a claim, even though sexual harassment law is designed to protect those who file a claim.



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3. In terms of sexual harassment, should an employer be legally responsible for the wrongful actions of an employee? For example, if the allegations in the subject case are proven to be true, should Fox News be responsible for the wrongful action of Roger Ailes? Explain your response.

This is an opinion question, so student responses may vary. In your author's opinion, if the facts demonstrate that an employer either knew or should have known that sexual harassment was occurring and failed to address the wrongful behavior, the employer (in addition to the aggressor) should be held liable. Sexual harassment law does provide for such employer liability.



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Of Special Interest

This section of the newsletter addresses the ethics of the amount of attorneys' fees requested in the Volkswagen emissions settlement.

Ethical Dilemma

“Lawyers Want Over \$300 Million from Volkswagen After \$10 Billion Emissions Settlement”

<http://fortune.com/2016/08/11/lawyers-volkswagen-10-billion-settlement/>

Note: In addition to the article, please see the accompanying video, also included at the above-referenced internet site.

“Lawyers Want Over \$300 Million from Volkswagen After \$10 Billion Emissions Settlement”

According to the article, plaintiffs' lawyers will seek up to \$332.5 million in fees and costs for their work in a \$10 billion settlement over claims Volkswagen outfitted vehicles with software to cheat on emissions testing, according to a court filing.

The filing recently in a federal court in California said Volkswagen and the plaintiffs' lawyers had not yet agreed on how much the attorneys will be paid for their work. Volkswagen has agreed to pay reasonable costs and fees in connection with the settlement announced in June, which covers vehicles with 2.0-liter engines.

In the filing, plaintiffs' lawyers said they will request no more than \$324 million in fees and up to \$8.5 million to cover other legal costs, for a total of \$332.5 million. The lead lawyer, Elizabeth Cabraser, said the amount was far less than the “judicially established benchmark” for class action settlements, which is approximately 25% of the settlement amount.

“But this is not an ordinary case, this is not an ordinary settlement, and this will not be an ordinary fee request,” the filing said.

A final fee request will require approval from the judge overseeing the litigation, according to the settlement papers. Any fee amount will be paid separately by Volkswagen, and not deducted from the settlement fund, the settlement papers said.

Volkswagen spokeswoman Jeannine Ginivan said the automaker “is prepared to pay attorneys' fees that reasonably reflect the work the plaintiffs' steering



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committee has undertaken in connection with the 2.0L TDI settlement program. Ultimately, it will be for the Court to decide what is reasonable.”

Discussion Questions

1. Does an attorney have an ethical obligation to charge a client a “fair” fee? If so, who (or what) determines whether the fee is “fair?”

This is an opinion question, so student responses may vary. In a settlement (such as the one in the Volkswagen case), the court does have the right to review the terms of the settlement, including attorney’s fees, to determine whether the settlement is consistent with essential notions of justice.

2. In your reasoned opinion, are the attorneys’ fees requested in the Volkswagen case reasonable?

This is an opinion question, so student responses may vary. In the Volkswagen case, the attorneys’ fees requested (\$332.5 million) represent approximately three (3) percent of the overall settlement amount (\$10 billion). Compare that to a standard automobile case, where it is customary for an attorney to request 1/3 (33 and 1/3 percent) of the overall recovery as attorneys’ fees.

3. In your reasoned opinion, should the state bar organization in each state more closely monitor attorneys’ fees? Why or why not?

This is an opinion question, so student responses may vary. In practice, the contract of representation between attorney and client dictates the amount charged for attorney’s fees, subject to review by the court. Usually, the state bar organization does not “weigh in” on the issue.



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Of Special Interest

This section of the newsletter will assist you in addressing Article 1 ("Federal Appeals Court Strikes Down North Carolina Voter ID Requirement") and Video 2 ("Roger Ailes' Exit May Help All Sexual Harassment Victims") of the newsletter.

Teaching Tips

Teaching Tip 1 (Related to Article 1—"Federal Appeals Court Strikes Down North Carolina Voter ID Requirement")

Note: Please consider the following as supplemental material for discussing the issue presented in Article 1:

"U.S. Supreme Court Stance on North Carolina Law to Send Signal on Voting Limits"

<http://www.reuters.com/article/us-usa-court-election-idUSKCN10R290>

According to the article, the U.S. Supreme Court's handling of North Carolina's long-shot bid to reinstate its contentious voter identification law will set the tone for the court's treatment of similar cases that could reach the justices before the November 8 elections.

Voter identification laws were adopted by several states in recent years, generally driven by Republicans who said the laws were meant to prevent election fraud. Democrats have argued that the laws were meant to keep minorities, who tend to vote for Democrats, away from the polls.

Civil rights groups have challenged the laws in court.

The Richmond, Virginia-based 4th U.S. Circuit Court of Appeals on July 29 invalidated the North Carolina law, ruling that it intentionally discriminated against minority voters.

Attorneys for North Carolina Governor Pat McCrory, a Republican, filed court papers late on Monday with Chief Justice John Roberts, seeking restoration of parts of the law and arguing the appeals court was wrong to set it aside so close to the election.

The Supreme Court rarely grants such emergency requests, and is even less likely to do so now because it is down to only eight justices, rather than the usual nine, following the February death of conservative Justice Antonin Scalia.



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He was a likely vote to put the North Carolina law back in place for the election. But the court is now split evenly between liberals and conservatives.

“With a 4-4 court they are going to be very reticent (to intervene), whatever the topic,” said Rick Hasen, an election law expert at University of California, Irvine School of Law.

The vote of moderate liberal Justice Stephen Breyer could be key. Last month, he cast the deciding vote on a case involving a transgender student wanting to use the boys' restroom at school. Saying he did so as a courtesy to his colleagues, Breyer voted to block a lower court decision in the student's favor. This led some legal experts to say Breyer could vote this way again.

In 2014, the high court let some parts of the North Carolina law take effect for that year's election. It acted similarly on a Texas voter identification law. Breyer did not publicly dissent in either case, unlike some of his liberal colleagues.

Opponents of the North Carolina law say the state's argument about precipitous disruption of election law is weak, arguing that the 4th Circuit ruling left plenty of time for election workers to train on operating without voter ID in place.

Allison Riggs, an attorney for the Southern Coalition for Social Justice, a civil rights group that challenged the law, also noted that the state waited 17 days to file its Supreme Court application.

The North Carolina law, which also limited early voting and prevented residents from registering and voting on the same day, was enacted in 2013.

Whatever the high court does is likely to signal how it would act in any other voting controversies before the election.

In recent weeks, courts have handed wins to voting rights advocates in several states, including Wisconsin and Texas. Some of those disputes could also reach the high court before the election. North Carolina's application does not seek to reinstate all elements of the law prior to the election, meaning some provisions, including a ban on same-day registration, will not be in effect whatever the high court does.

Teaching Tip 2 (Related to Video 2—“Roger Ailes’ Exit May Help All Sexual Harassment Victims”)

Note: Please consider the following as supplemental material for discussing the issue presented in Video 2, including the following article, and the accompanying video, also included at the internet address listed below:



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“The Fall of Roger Ailes: He Made Fox News His ‘Locker Room’ –And Now Women Are Telling Their Stories”

https://www.washingtonpost.com/lifestyle/style/the-fall-of-roger-ailes-he-made-fox-his-locker-room--and-now-women-are-telling-their-stories/2016/07/22/5eff9024-5014-11e6-aa14-e0c1087f7583_story.html

According to the article, one day in early June, an embattled but determined news anchor, a public relations man and a group of attorneys settled into chairs around the conference table on the 35th floor of a law office on Madison Avenue in Manhattan.

Gretchen Carlson’s tenure as an on-air host at Fox News was imperiled, and she knew it. For the previous nine months she’d been quietly meeting with attorneys to craft a sexual-harassment lawsuit against her boss, the all-powerful Fox News chairman, Roger Ailes. Now she was almost ready to go public with her allegation that Ailes had sabotaged her career because she wouldn’t have sex with him. But questions ricocheted around the room.

What would be the fallout? How would this be perceived? How would it play?

“We knew Fox was a high-powered, very potent machine that would go into full attack mode,” recalled Carlson’s public relations agent, Allan Ripp, who was meeting his client for the first time that day. “But she was resolved.”

Within weeks, Carlson would be out of a job, and a cascading series of events, unfolding with dizzying speed, would culminate in the public shaming and resignation this week of Ailes, one of the most influential executives in American television history, as well as a primary architect of the modern-day Republican Party and conservative movement. News of Carlson’s firing, and the lawsuit she filed shortly thereafter, have now prompted 25 women to come forward with what they describe as similar harassment claims against Ailes that stretch across five decades back to his days in the 1960s as a young television producer, according to Carlson’s attorney, Nancy Erika Smith.

Interviews with four of those women portray the 76-year-old television powerhouse as a man who could be routinely crude and inappropriate, ogling young women, commenting about their breasts and legs, and fostering a macho, insensitive culture. Three of the women were speaking about their allegations for the first time, including a 2002 Fox News intern who says Ailes grabbed her buttocks, and a Fox News employee who says Ailes touched her and tried to kiss her against her will at his office in 2004.

“Roger is committed to defending himself against the campaign that is being waged to destroy his reputation including the vigorous refutation of demonstrably false and incredible charges,” his attorney Susan Estrich said in a statement. “It is virtually impossible to respond to anonymous allegations, much less ones that are fourteen or even thirty years old, especially charges never made



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at the time of the alleged occurrence. In the law, this impossibility is why we have statutes of limitation, that are at most three years.”

Many of the allegations that have become public — first in New York magazine and then elsewhere — are clustered in the decades long before Ailes became the founding chief executive officer and guiding light of media mogul Rupert Murdoch’s new Fox News Channel in 1996. Some involve instances of Ailes kissing or touching women against their will; others fall into the realm of boorish behavior, off-color quips and assertions that women needed to provide sexual favors to advance their careers.

Some Ailes loyalists suspect the scandal has been seriously overblown and has become a convenient vehicle for Murdoch’s sons — Lachlan and James — who have long wanted to vanquish the bombastic Fox News titan who had always been shielded by their father.

A long list of the ousted executive’s current and former staffers have come to his defense, including Maria Bartiromo, Neil Cavuto and Greta Van Susteren, the latter who said she’d “never seen or heard about” sexual harassment involving Ailes.

Mary Matalin, who hosted a program when Ailes ran CNBC and has been a friend for years, said she’d never seen or heard of harassment allegations.

“To us, sexism at the work place was *not* being treated as roughly/honestly as men; politics and TV are not places for sugar cubes,” she wrote in an email.

Others have painted Ailes as a somewhat out-of-touch relic of another era but far from a serial harasser.

“I look at Roger, it’s like ‘Mad Men,’” said an ex-high-ranking Fox News executive, one of more than two dozen current and former network employees who spoke on the condition of anonymity because they feared retribution or had signed nondisclosure agreements. “This guy came of age in the ’50s, ’60s and ’70s when it was a whole different culture. I don’t think he was thinking that [what he was saying] was really all that bad.”

Ailes, the son of an Ohio factory foreman, learned the television business in the 1960s during stints at stations in Cleveland and Philadelphia. Television was a male-dominated field in those days — it wasn’t until 1976 that change came; Barbara Walters became the first female co-anchor of a network newscast.

Ailes’s break came when he got a job as a prop boy on “The Mike Douglas Show,” a talk show that was nationally syndicated in 1963. In the mid-1960s, while Ailes was still on the rise, a woman who was then an 18-year-old model says her agency called her for an audition with the Douglas show.



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They were looking for two women to do a skit, the woman — who spoke on the condition of anonymity — said in an interview.

She was called into a room — she thinks it was at a hotel, but isn't sure — and met Ailes.

“Suddenly, he grabbed me and kissed me,” she told The Washington Post. “I froze. I just didn't know what to do. I think I had just gotten my first kiss from my boyfriend, so I didn't know what to do. I just froze.”

The woman said Ailes told her: “I need you to be receptive. We only hire girls who are cooperative.” “I was speechless,” she recalled. “No one has ever violated me that way before or since...I never saw something like that coming. I wasn't worldly. I grew up on a farm. It was a shock to me. I got out of there as fast as I could. I was so horrified. I said to myself, ‘I'm going to remember that man's name.’”

Ailes, who eventually became executive producer of Douglas's show, met Richard M. Nixon while the presidential candidate was waiting to appear on the program. Soon, he was working for him.

Ailes's work on the Nixon campaign made him a political star. He started his own political consulting firm and became a key adviser to a generation of national Republican figures, later playing a central role in shaping the public image of George H.W. Bush in his successful 1988 campaign against Michael Dukakis.

Around that time, another woman — a receptionist in Ailes's consulting office — says he sexually harassed her.

“He said I was a cross between Marilyn Monroe and Jayne Mansfield,” the woman said in an interview. “He said I was sexy...I had studied theater, dance and voice in school, so I wanted to work in television.”

Ailes once called her into his office, the woman said, then locked the door. She said he then told her that he could introduce her to power players in the industry who would cast her on television shows. The woman recalled being “thrilled.”

Then, she said, her spirits sank.

“He said: ‘Let me explain to you how casting works. There are 20 people up for a part, and maybe 10 are right for it. And maybe five really show how much they want the part. You understand what I'm telling you?’”

She had no doubt that he was suggesting that she would have to sleep with him.



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“It was pretty obvious what he meant,” she said. “I went into shock. I was shaking at my desk. I went home from work and told my mother to forget the big dreams I had, that I wasn’t going to see my name in lights because I wasn’t sleeping with Orson Welles.”

Later, she recalled, she decided to quit. She ran into Ailes as she was leaving.

He didn’t seem surprised, she said, and he didn’t seem to care.

Ailes’s bravado and insouciance seemed like a perfect match for the new network that billionaire Rupert Murdoch was launching in the mid-1990s. The newsrooms in Murdoch’s empire were salty places, and Fox News would assume a measure of that swagger.

“Boorish behavior is Murdoch company behavior — boorish behavior as defined by tough-guy behavior,” Murdoch biographer Michael Wolff said in an interview. “The tough-guy behavior sometimes intersects with sexual harassment, and this is very strong within the organization.”

In a statement recently announcing Ailes’s resignation (which made no mention of the claims against Ailes), Lachlan and James Murdoch said: “We continue our commitment to maintaining a work environment based on trust and respect. We take seriously our responsibility to uphold these traditional, long-standing values of our company.”

Ailes birthed an unabashedly right-leaning network, heavy on opinion, and succeeded in obliterating his main rival, CNN, in the ratings and making huge profits. He also pushed for a very specific look: blond and leggy. Television had long been the realm of perfectly coiffed commentators and anchors, but under Ailes, Fox News seemed to be taking the ethos to another level.

“Generally, women accept that at Fox you are expected to wear skirts [and] dresses and that the makeup people are going to slather it on and make you look like a bimbo,” said a former frequent guest commentator. One time, the former commentator said, higher-ups at the network reprimanded makeup artists for putting her on-air without false eyelashes, even though she hated wearing them.

A late-night anchor boasted about the “leg chair” on his set, where the audience could get a full view of the on-air talent’s legs.

“From the very beginning, Roger wanted attractive women, translucent desks,” a prominent early staffer said in an interview. The message from Ailes was unmistakable, the former staffer said: “I want to see her legs. I want the viewers to see their legs. I want people to watch Fox News even if the sound is turned down.”

The signals sent by Ailes were quickly picked up by the employees, the former staffer said. Some women began showing up to news meetings in short skirts and blouses that showed their cleavage. “It became common knowledge that women did not want to be alone with him,” the former staffer said. “They would bring other men with them when they had to meet him. It became a locker room,



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towel-snapping environment. He would say things like, ‘She’s really got the goods’ and ‘look at the t--s on that one.’”

Sometimes, the former staffer said, Ailes made “jokes that he liked having women on their knees. The tone he set went through the organization.”

From at least 2003 to 2005, women who worked in the advertising and promotions division of Fox News said their boss, Fox News Vice President Joe Chillemi, routinely berated them with obscenities and vulgarities.

After investigating the reports, the U.S. Equal Employment Opportunity Commission filed a lawsuit against Fox News, alleging that Chillemi, a top Ailes deputy, had created a hostile workplace. The EEOC said Chillemi cursed and denigrated women in the office, calling them “bitch” and telling them to “be a man.”

Fox News denied the allegations and settled the suit in 2006 for \$225,000.

All the while, former staffers say, Ailes wasn’t moderating his tone. He sometimes made remarks in meetings about women’s appearances, such as calling them beautiful or saying everyone would want to date them.

There were women who didn’t like it but said nothing.

“I always found working at Fox like being in the military,” a former high-ranking Fox executive said in an interview. “Everybody was a loyalist. Everybody was a lieutenant to Roger the general.”

The general always had attendants. In May 2002, a 20-year-old college student scored an accounting internship with Fox News, but to her surprise she ended up being assigned to work for Ailes, the woman recalled in an interview with *The Post*.

The woman fit the profile of a future Fox News standout. She was pretty and blond.

Not long after she started the job, Ailes asked her to get him a copy of *Maxim*, the racy men’s magazine.

“When I gave it to him, he said: ‘There are some great articles in here. And you’re pretty enough to be in here. You look like the women in here. You have great legs. If you sleep with me, you could be a model or a newscaster.’”

She told him she “wasn’t that kind of person.” But he persisted, she said.

“At first it was once a week,” she said. “Then it got to be every day.”



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She said she quit after only a few weeks.

“When I told him I was leaving, he said he was sorry I was leaving and that he was really disappointed that I didn’t sleep with him,” she recalled. “He said, ‘You could have gotten anything you wanted.’”

“And then he grabbed me,” she said, “and grabbed my ass.”

A similar pattern appears in the allegations of another woman, a former Fox News employee, who says she was harassed by Ailes in 2004. The woman, who spoke to The Post on the condition of anonymity, says Ailes and an assistant offered to pay for her professional development and introduced her to a talent agent.

In Ailes’s office one day, she says, Ailes suggested the woman have a drink with him alone at a hotel. She says he asked her, “Do you know how to play the game?”

He tried to kiss her, she recalled.

“He was touching me,” she said. “I got out of there as quickly as I could.

She says she was traumatized and couldn’t sleep. Later, she told him that she wouldn’t meet him at the hotel. Her professional development opportunities then disappeared, she said.

The next year, when Gretchen Carlson, a CBS reporter and 1989 Miss America pageant winner, joined Fox News, she was under no illusions about what people thought of the network’s anchors.

“I like to joke that when I joined Fox News I hit the ‘bimbo trifecta’: Former Miss America. Blonde. Fox News host...I may have achieved a Google record for being called dumb or a bimbo,” she wrote in her memoir, “Getting Real,” published in 2015. “Never mind that I’d graduated with honors at Stanford or studied at Oxford.”

Ailes was part of the appeal of the network for the rising TV star.

“I thought Ailes was brilliant,” she wrote.

At Fox News, she landed a spot as a co-host of the wildly popular morning program “Fox & Friends.” For a time, she was happy there.

In her book, she writes glowingly of Ailes.

“Roger Ailes, the most accessible boss I’ve ever worked for, was behind the scenes. He saw Fox as a big family, and he cared about everything we did.”



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But by 2009, Carlson alleges, she was being subjected to a “hostile work environment” by one of her co-hosts, Steve Doocy. Carlson alleged that Doocy was “sexist and condescending,” and she accused him of “putting his hand on her and pulling down her arm on live TV.” Doocy did not respond to an interview request.

Carlson, however, could engage in sexually charged banter on-air. Once she seemed to surprise Doocy by giving him a present during the program — a container of “potent Turkish Viagra” — and telling him that if “you take this you can ‘blank’ many times...All you do is take a few sips at night and you’re a man.”

When Ailes heard about her concerns, Carlson alleges, Ailes called her a “man hater” and said she should learn to “get along with the boys,” punishing her by blocking her from doing big interviews, she alleges.

In 2013, she lost her co-host job and, according to her lawsuit, took a substantial pay cut. She was, however, given her own program, “The Real Story with Gretchen Carlson.” But it would air for only an hour in a less-desirable midafternoon slot.

After the switch, Carlson alleges, Ailes, who has been married since 1998, continued to harass her.

He asked her to turn around so he “could see her posterior,” she alleges, and told her “I’m sure you can do sweet nothings when you want to.” She said he embarrassed her by telling her in front of a group of people that he likes to remain seated when women greet him, so they have to “bend over.”

Carlson says she confronted Ailes in his office in September.

“I think you and I should have had a sexual relationship a long time ago, and then you’d be good and better and I’d be good and better,” she alleges he told her.

It was after that meeting that Carlson called Smith, the attorney who would represent her in the lawsuit. They worked on the lawsuit. But they didn’t say a word to Fox News, according to Ripp, the public relations consultant.

On June 23 — two days after her 50th birthday — Fox News fired Carlson.

What Fox News didn’t know at the time, Ripp said, was that a version of Carlson’s lawsuit had already been drafted.

Fox News was aggressive. Ailes blasted her, accusing her of filing the suit in retaliation for her firing.

Wolff, the Murdoch biographer, couldn’t help thinking the billionaire’s sons were taking advantage of the situation to achieve their goal of excising Ailes. “This is not principally about sexual



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harassment,” Wolff said. “This is an internal coup.” (“Nothing could be further from the truth,” said a person at 21st Century Fox with knowledge of the situation.)

Carlson and her team had decided early on that they would need to move fast to counter the Fox News public relations offensive, which was portraying the former anchor as a disgruntled employee. The network released friendly handwritten notes Carlson had sent Ailes, including one with a smiley face.

But Carlson was able to punch back because she had something else working in her favor: The story kept getting bigger. Smith said other accusers began contacting her.

“I was enraged,” said the woman who claims Ailes harassed her as an 18-year-old in the ’60s. “I emailed her and said, ‘Any way I can help, I will.’ I signed my real name. This guy has gotten away with this for a long time. Every time I saw his name on the news through the years, it brought it back.”

Days after the lawsuit was filed, New York magazine’s Gabriel Sherman, author of an Ailes biography, published a report detailing the allegations of six women, including one who described Ailes’s genitalia in graphic detail and said he had exposed himself to her.

As the media world was rocked by news of Ailes’s resignation, Smith said she was hearing from more women.

“They keep coming,” she said. “I got three today.”



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Chapter Key for McGraw-Hill/Irwin Business Law Texts:

	Hot Topics	Video Suggestions	Ethical Dilemma	Teaching Tips
Barnes et al., Law for Business	Chapters 4 and 5	Chapters 5 and 25	Chapter 3	Chapters 4 and 25
Bennett-Alexander & Hartman, Employment Law for Business	N/A	Chapter 9	N/A	Chapter 9
Kubasek et al., Dynamic Business Law	Chapters 5, 6 and 7	Chapters 7 and 43	Chapter 2	Chapters 5 and 43
Kubasek et al., Dynamic Business Law: Summarized Cases	Chapters 5, 6 and 7	Chapters 7 and 43	Chapter 2	Chapters 5 and 43
Kubasek et al., Dynamic Business Law: The Essentials	Chapters 1, 5 and 6	Chapters 6 and 24	Chapter 2	Chapters 5 and 24
Mallor et al., Business Law: The Ethical, Global, and E-Commerce Environment	Chapters 3 and 5	Chapters 5 and 51	Chapter 4	Chapters 3 and 51
McAdams et al., Law, Business & Society	Chapters 4, 5 and 16	Chapters 4 and 13	Chapter 2	Chapters 5 and 13
Melvin, The Legal Environment of Business: A Managerial Approach	Chapters 2, 23 and 26	Chapters 13 and 23	Chapter 5	Chapters 2 and 13
Pagnattaro et al., The Legal and Regulatory Environment of Business	Chapters 6, 12 and 13	Chapters 13 and 20	Chapter 2	Chapters 6 and 20
Sukys, Brown, Business Law with UCC Applications	Chapters 2, 5 and 34	Chapters 5 and 23	Chapter 1	Chapters 2 and 23



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This Newsletter Supports the Following Business Law Texts:

- Barnes et al., Law for Business, 12th Edition 2015© (0078023815) – New edition coming January 2017
- Bennett-Alexander et al., Employment Law for Business, 8th Edition 2015© (0078023793)
- Kubasek et al., Dynamic Business Law, 3rd Edition 2015© (0078023785) – New edition coming January 2017
- Kubasek et al., Dynamic Business Law: Summarized Cases, 1st Edition 2013© (0078023777)
- Kubasek et al., Dynamic Business Law: The Essentials, 3rd Edition 2016© (007802384X)
- Mallor et al., Business Law: The Ethical, Global, and E-Commerce Environment, 16th Edition 2016© (0077733711)
- McAdams et al., Law, Business & Society, 11th Edition 2015© (0078023866)
- Melvin, The Legal Environment of Business: A Managerial Approach, 2nd edition 2015© (0078023807) – New edition coming January 2017
- Pagnattaro et al., The Legal and Regulatory Environment of Business, 17th Edition 2016© (0078023858)
- Sukys, Brown, Business Law with UCC Applications 14th Edition 2017© (0077733738)

