

# Harvey Weinstein Close to \$25 Million Civil Settlement with Accusers

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Harvey Weinstein is close to a \$25 million settlement that would resolve most of the civil litigation against him, including a broad class action case accusing him and his board of directors of a systemic pattern of sexual misconduct.

The general terms of the agreement have been in place for several months, though it has taken time to resolve the details. Under the deal, the insurance companies for the Weinstein Co. would pay the victims with the most serious claims \$500,000 apiece. A larger pool of claimants would split the balance of the funds.

The deal, which has been hammered out with the assistance of the New York attorney general's office, must still be approved by the judge overseeing the Weinstein Co. bankruptcy case.

At least four Weinstein plaintiffs are not participating in the agreement, and at least three of them are expected to oppose the deal. Thomas Giuffra, who represents plaintiff Alexandra Canosa, said he would object before the bankruptcy court. He argued that the agreement is being driven by Elizabeth Fegan, the attorney who led the class action case, and that he and other plaintiffs have been pressured to accept the terms.

Giuffra said that Fegan stands to receive a percentage of the payout to the class action claimants, or several million dollars, as part of the deal. Another \$12 million will go to the attorneys who defended Weinstein, his brother Bob Weinstein, and the Weinstein Co. directors in the civil cases.

Giuffra said that for every plaintiff who does not accept the deal, the insurers will give the \$500,000 to Weinstein. In other words, Weinstein would receive at least \$1 million in the agreement, as a way for the insurers to disclaim any further obligations to defend him.

"That is so morally wrong," Giuffra said.

Douglas Wigdor, who represents plaintiff Wedil David and an anonymous Weinstein accuser, said he will also oppose the provision releasing the insurance companies from further liability.

“We reject the notion that this was the best settlement that could have been achieved on behalf of the victims,” said Widgor and his co-counsel, Kevin Mintzer, in a statement. “It is shameful that \$12 million of the settlement is going to the lawyers for the directors who we alleged enabled Harvey Weinstein and it is even more outrageous that the proposed settlement will seek to bind non participating members by providing a release to the insurance companies and the directors of the Weinstein Company itself. While we don’t begrudge victims who want to settle, we plan to vigorously object to any provision that tries to bind victims who want to proceed with holding Harvey Weinstein accountable for his actions which is exactly what we intend to do.”

Ashley Judd, who has filed a sexual harassment and retaliation claim against Weinstein, is also not part of the settlement agreement.

Much of the civil litigation has been put on hold as terms of the agreement have been ironed out, and in light of Weinstein’s upcoming criminal trial.