

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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Index No.

JENNIFER SHEPARD-BROOKMAN,

Date Purchased:

Plaintiff,

Plaintiff designates New York County as the place of jury trial.

-against-

The basis of the venue is where the tort arose, and the Plaintiff maintains her residence.

ROSIE O'DONNELL,

**SUMMONS**

Defendant.

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**TO THE ABOVE NAMED DEFENDANT:**

**YOU ARE HEREBY SUMMONED**, to answer the complaint in this action and to serve a copy of your answer, or if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiffs' Attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: New York, New York  
October 15, 2015

**BRIAN KENNEDY, ESQ.**  
*Attorney for Plaintiff*  
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New York, New York 10013  
Telephone: 212-687-0099

**SINGER DEUTSCH LLP**  
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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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JENNIFER SHEPARD-BROOKMAN,

Plaintiff,

-against-

ROSIE O'DONNELL,

Defendant.

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Index No.:

Date Purchased:

**COMPLAINT**

Jury Trial Demanded

The Plaintiff, by her attorneys, Brian Kennedy, Esq. and Singer Deutsch LLP, complaining of the Defendant, respectfully alleges as follows:

**INTRODUCTION**

1. This is a civil action brought by the Plaintiff JENNIFER SHEPARD-BROOKMAN (hereinafter, "Ms. Brookman" or the "Plaintiff") against the Defendant ROSIE O'DONNELL (hereinafter, "Ms. O'Donnell" or the "Defendant"). Ms. Brookman brings this claim to hold Ms. O'Donnell accountable for her malicious conduct in making false and defamatory statements of fact about Ms. Brookman to others in their workplace, which caused Ms. Brookman to suffer intense emotional distress, anxiety, and lack of sleep, destroyed her professional reputation, and led to her termination of employment.

2. At the time she committed her slander per se, by falsely accusing Ms. Brookman of betraying professional and personal confidences and leaking certain sensitive information to the media – an accusation which Ms. Brookman completely denies – Ms. O'Donnell was solely motivated by and exhibited personal spite and ill will against Ms. Brookman, and either knew or showed reckless disregard for the falsity of her accusations.

## PARTIES

3. At all times herein, Ms. Brookman was and is an individual living in the County and State of New York, and the cause of action arose in the County and State of New York.

4. At all times herein, Ms. O'Donnell was and is an individual working in the County and State of New York, and living in the County of Rockland, in the State of New York.

## ALLEGATIONS

### INTRODUCTORY FACTS

5. Since about 1997, the ABC television network (hereinafter, "ABC") has aired a television talk show program known as "The View" (hereinafter, the "Show"), produced in the County and State of New York. The format of the Show involved a panel of several female co-hosts who discuss a variety of social and political issues.

6. The Show was created by Barbara Walters (hereinafter, "Ms Walters") and William Geddie (hereinafter, "Mr. Geddie"), who were executive producers of the Show. Since about 1997 until May 2014, Ms. Walters worked as a moderator and a co-host of the Show.

7. Since about 2001 until March 2015, Ms. Brookman worked as a producer and then a senior producer of the Show.

8. Ms. O'Donnell is a television and radio personality, celebrity blogger, comedian, actress, and writer.

9. From late 2006 through late 2007, for one season, Ms. O'Donnell worked as a moderator and a co-host of the Show.

10. During that period, Ms. O'Donnell feuded with Mr. Geddie, the executive producer of the Show since 1997, and senior staffers and co-hosts of the Show, and reportedly fell into rages, screamed at the staff, insulted them, and was so vicious that some of the staffers on the Show spoke of Ms. O'Donnell using the word "hate."

11. Upon Ms. O'Donnell's departure from the Show in late 2007, and through the present time, Whoopi Goldberg (hereinafter, "Ms. Goldberg") replaced Ms. O'Donnell as the moderator and a co-host of the Show.

12. In or about July 2014, ABC announced that Ms. O'Donnell would return to the Show in late 2014 as a co-host, with Ms. Goldberg continuing as the moderator and a co-host of the Show.

13. At that time, a story was reported in the media that Ms. O'Donnell disliked and probably could not co-exist with Mr. Geddie, and that Mr. Geddie may be terminated from his job on the Show.

14. In or about August 2014, ABC announced that Mr. Geddie, along with his long-time close associates Alexandra Cohen (hereinafter, "Ms. Cohen"), the supervising producer of the Show, and Mark Gentile, the director of the Show, would leave the Show, and that William Wolff and Brian Balthazar would be the new executive producers of the Show.

15. With the departure of Mr. Geddie, Ms. Cohen, and Mr. Gentile from the Show, Ms. Brookman remained as the only long-serving senior production staffer of the Show.

16. At that time, another story was reported in the media that Ms. O'Donnell wanted to take control of the Show and the role of moderator from Ms. Goldberg, and

that Ms. O'Donnell and Ms. Goldberg clashed about Ms. O'Donnell's efforts to take control of the Show.

17. In her effort to assert control over the Show and to reclaim the role as the moderator, Ms. O'Donnell sought to take the coverage of news stories on the Show away from Ms. Goldberg and to herself, would become upset if she was not granted the coverage she expected, and accused Ms. Brookman of teaming with Ms. Goldberg to undermine Ms. O'Donnell.

18. For example, in or about mid-September 2014, Ms. O'Donnell accused Ms. Brookman of conspiring with Ms. Goldberg to shift the coverage of a story on the Show, specifically about the beheading of James Foley by ISIS, away from Ms. O'Donnell and to Ms. Goldberg.

19. At that time, Ms. O'Donnell intimidated Ms. Brookman by screaming that she "owned" the story and was upset that Ms. Goldberg covered the story, and by grabbing the arms of the chair in which Ms. Brookman was sitting, leaning very close to her face, and prohibiting her from leaving, while continuing to aggressively and loudly berate her for giving the coverage of the story to Ms. Goldberg.

20. Since Ms. O'Donnell's return to the Show in late 2014, numerous stories appeared in the media about Ms. O'Donnell and her acrimonious relationship with the other co-hosts and staffers of the Show. For example:

- In September 2014, it was reported that Ms. O'Donnell was having a hard time "playing second fiddle" to Ms. Goldberg and wanted to run the Show, and griped in front of the studio audience of the Show about a perceived on-air snub when she was cut off by Ms. Goldberg;
- In October 2014, it was reported that Ms. O'Donnell "melted down" on the producers of the Show about her lack of involvement in the marketing plans for the Show, which she disapproved;

- In November 2014, it was reported that Ms. O'Donnell micro-managed the Show and its selection of guests, and "is bi-polar in the way that she interacts with the staff" of the Show;
- In November 2014, it was reported that Ms. O'Donnell fought with and screamed at Ms. Goldberg and other staffers of the Show about how certain topics were to be discussed on the Show, in particular the Bill Cosby rape scandal and the Ferguson, Missouri police shooting;
- In December 2014, it was reported that Ms. O'Donnell was infuriated with and complained to the producers of the Show when they initially agreed to allow just Ms. Goldberg, rather than the other co-hosts including Ms. O'Donnell, interview former model Beverly Johnson about her accusation of drugging and attempted sexual abuse against Bill Cosby; and,
- In December 2014, it was reported that Ms. O'Donnell was a "malcontent" who was "bringing down" the Show, was "impossibly rude to members of the cast and crew," and was outraged when it became clear that Ms. Goldberg would continue as the moderator of the Show.

#### **UNDERLYING FACTS OF THE CLAIM**

21. In or about mid-January 2015, during a meeting for the planning of topics for the content of the Show, known as a "Hot Topics" meeting, attended by Ms. Brookman, executive producers William Wolff and Brian Balthazar, co-host Nicolle Wallace, two guest co-hosts from outside ABC, and other staffers of the Show, Ms. O'Donnell publicly accused Ms. Brookman of betraying professional and personal confidences and leaking certain sensitive information to the media.

22. At the above-noted "Hot Topics" meeting, Ms. O'Donnell started the meeting by addressing the issue of unauthorized and improper leaks of information about the Show to the media, and then verbally accused Ms. Brookman of being the source of leaks of information to the media about Ms. O'Donnell's bad reaction to the producers' initial agreement to allow just Ms. Goldberg to interview Beverly Johnson about the Bill Cosby sex scandal, the bad relationships of the co-hosts of the Show, and the behind-the-

scenes drama of the Show.

23. Had Ms. Goldberg been at the above-noted ‘Hot Topics’ meeting, Ms. Goldberg would have opposed Ms. O’Donnell’s accusation against Ms. Brookman, and would have defended Ms. Brookman.

24. At the above-noted “Hot Topics” meeting, Ms. Brookman felt attacked by Ms. O’Donnell, and denied that she leaked any such information about the Show to the media.

25. In or about late January 2015, after the above-noted “Hot Topics” meeting, Ms. O’Donnell continued to publicly accuse Ms. Brookman of being the source of such unauthorized and improper leaks of information about the Show to the media, and verbally told staffers of the Show, such as William Wolff and Brian Balthazar, that Ms. Brookman had been leaking such information about the Show.

26. At the time that Ms. O’Donnell made her above-noted accusations against Ms. Brookman, she acted with malice. In making such accusations, Ms. O’Donnell was solely motivated by personal spite and ill will against Ms. Brookman, and knew or had a high degree of awareness of the probable falsity of such accusations against Ms. Brookman.

27. To be clear, Ms. Brookman denies that she ever leaked any such information about the Show to the media, and unequivocally states that the accusations that she leaked any such information about the Show to the media is false.

### **CLAIM**

### **SLANDER PER SE**

28. Plaintiff repeats, realleges, and reiterates every allegation set forth above

as if fully set forth at length herein.

29. Defendant made the above-noted statements of fact about Plaintiff, which were of a defamatory nature, to other staffers in their workplace.

30. Defendant's above-noted statements were false, and in making such statements, Defendant was solely motivated by and exhibited personal spite and ill will against Plaintiff, and either knew or showed reckless disregard for the falsity of such statements.

31. Defendant's above-noted statements caused Plaintiff to suffer intense emotional distress, anxiety, and lack of sleep, destroyed her professional reputation, and led to her termination of employment.

#### **PRAYER FOR RELIEF**

WHEREFORE, the Plaintiff demands judgment against the Defendant in an amount greater than the monetary jurisdiction of any lower court as follows:

- (a) On the claim, compensatory damages in the amount to be determined at trial, with statutory interest thereon, and punitive damages;
- (b) Such other and further relief as the court deems just, proper, and equitable under the circumstances, including but not limited to attorney's fees, expert witness fees, costs and disbursements, and any and all other expenditures that the Plaintiff incurred in prosecuting this action.

PLEASE TAKE NOTICE that the Plaintiff demands a jury trial on the foregoing claim.

Dated: New York, New York  
October 15, 2015



Yours, etc.;



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DEADLINE.COM

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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JENNIFER SHEPARD-BROOKMAN,

**VERIFICATION**

Plaintiff,

-against-

ROSIE O'DONNELL,

Defendant.

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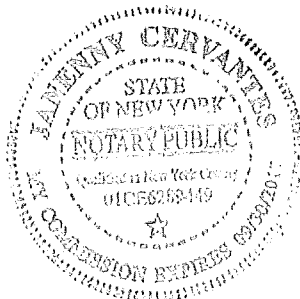
STATE OF NEW YORK  
COUNTY OF New York

JENNIFER SHEPARD-BROOKMAN, being duly sworn, states that she is the Plaintiff in this action and that the foregoing complaint is true to her own knowledge, except as to matters therein stated to be alleged upon information and belief, and as to those matters she believes it to be true.

*Jennifer Shepard-Brookman*  
JENNIFER SHEPARD-BROOKMAN

Sworn to before me this  
13 day of October, 2015.

*Jenny Cervantes*  
Notary Public



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**SUMMONS**

**and**

**VERIFIED  
COMPLAINT**

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