

**CORRECTED EXHIBIT G**  
**TO AFFIDAVIT OF DIANNE BRANDI, ESQ.**

### CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To: Agency(ies) Charge No(s):

FEPA  
 EEOC

570-2008-01948

**D.C. Office Of Human Rights**

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

**Ms. Catherine Herridge**

Home Phone (Area Code) (Number)

**(202) REDACTED**

Street Address

City, State and ZIP Code

**220 M Street, S.W., Washington, DC 20024**

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

**FOX NEWS NETWORK LLC**

No. Employees, Members

**500 or More**

Phone No. (Include Area Code)

**(202) 824-6300**

Street Address

City, State and ZIP Code

**400 N Capitol St., N.W., Suite 550, Washington, DC 20001**

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

RACE  COLOR  SEX  RELIGION  NATIONAL ORIGIN  
 RETALIATION  AGE  DISABILITY  OTHER (Specify below.)

**Equal Pay**

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

**10-18-2007**

**08-06-2008**

CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

See four (4) page attachment.

WASHINGTON FIELD OFFICE  
EEOC  
2008 SEP 16 P 3:59

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.  
SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

3/16/08 Date  
C. J. [Signature] Charging Party Signature

WASHINGTON DC OFFICE  
-2008 AUG -1 P 12: 11  
WASHINGTON DC OFFICE

**CATHERINE HERRIDGE'S COMPLAINT  
AGAINST FOX NEWS CHANNEL**

At Fox News Channel, there is a corporate culture of discrimination and retaliation. As the EEOC website indicates, *Fox News Channel has been ordered by a Federal Court decree in 2006 "from engaging in sex discrimination, sexual harassment, or retaliation."* Despite this decree, such discrimination and retaliation continues. Upon information and belief, Dianne Brandi, Fox News Channel's Senior Vice-President Legal Affairs, personally signed the consent on behalf of Fox News Channel to this Court decree. In this complaint, you will see that Brandi was one of the individuals who actively took part in the discrimination, harassment and retaliation against me.

Fox News Channel discriminated against, and harassed, me on the basis of my age and gender. When I complained of this discrimination, pursuant to Fox's own policies and procedures, Fox refused to conduct a prompt investigation. Instead, because I continued to raise the issue of discrimination and harassment, Fox News Channel retaliated against me.

**1) Age and Gender Discrimination**

Before October 18th, 2007, I was the anchor on Fox News' Saturday program "Weekend Live" between noon and 2:00 p.m. I held this position under a letter agreement signed by Dianne Brandi.

On October 18th, 2007 Bill Shine, Senior Vice President for Programming, at Fox News Channel told me he would be taking my show off the air for one weekend. On November 2, 2007, Shine informed me that I would be removed from the air on a permanent basis. Shine claimed to remove me because the Fox News Channel was moving to "more light news and more entertainment news." I soon learned that "light news and entertainment" applied only to me, a white female over 40, and not the regular male anchors, regardless of their age, or female anchors under 40.

Shortly after I was removed from the air so that Fox could move towards "light news and entertainment," the Weekend Live show returned to the air with Brian Wilson, male, as anchor with a **hard news and politics format**. This demonstrates that the reason Bill Shine offered for the adverse job action against me, removing me from my position as anchor, was pretext for discrimination. In the last 18 months, I believe Fox has made an effort to "move out" employees over 40. I believe the action against me is part of this pattern.

When I was removed as a regular anchor, Fox suggested it was a business decision. The Nielsen ratings data does not bear this out. In fact, my immediate replacement, Washington DC Bureau Chief Brian Wilson (white male over 40 and my immediate supervisor), saw a 35% drop in the demographic. The demographic reflects the number of viewers between the ages of 25 and 54.

It is vital in setting advertising rates. A drop in the demographic means a TV network can expect a drop in advertising revenue.

After Wilson's poor performance, he was replaced by Correspondent Shannon Bream, a white female under 40 with less national reporting and anchoring experience than I. Bream had an even lower Nielsen demographic rating. Neither of my less qualified replacements did "light news and entertainment."

Despite this business data, Fox did not restore me to my anchoring position. I believe Fox's decision was an act of discrimination and retaliation.

Moreover, I routinely produce at least 30% of the reports from the Fox Washington DC bureau. On a regular basis, I am at least 400% more productive than my near peers and I have a master's degree in Journalism from Columbia University. Presented with this data, Fox has refused to equitably compensate me relative to my lower producing peers. In addition, Fox has told me that they will not consider me for promotion in the future. However, my lower producing peers (white males) are promoted to high profile reporting beats which are, historically, stepping stones to seven figure salaries. No matter how hard I work, I cannot advance professionally. This, by definition, puts a glass ceiling over my head.

## **2) Failure to investigate my complaint**

I made a formal complaint of discrimination and harassment, in December 2007, in accordance with company policy, to Fox's Senior Vice President legal affairs, Dianne Brandi. I later provided Brandi with all of my documents and I identified about a half dozen witnesses to support my claim. Virtually all of the documents were ignored. To my knowledge none of the witnesses were interviewed.

More seriously, when Fox finally got around to conducting an alleged investigation (even though none of the witnesses were interviewed and my documents were not considered), the "Fox investigation" was conducted by Brandi herself, who was one of the individuals I identified as having discriminated against and harassed me. Her actions amounted to a self-investigation. At a meeting in March, before she completed her report, Brandi told me that whatever I said -- her report would be unfavorable to me -- another indication of her bias.

Brandi and Fox News' failure to properly investigate my claims of discrimination and harassment caused me to endure continued discrimination and harassment based upon my age and gender.

## **3) Retaliation**

Fox's senior managers proceeded to retaliate against me for making a formal complaint of discrimination and harassment. My job as well as my health insurance were threatened on several occasions by Fox's Washington DC bureau Chief Brian Wilson, by Bill Shine, Senior

Vice President Programming, and by Dianne Brandi. Brandi told my agent that Shine had said to her he thinks "she [Catherine] doesn't want to work here anymore."

Brandi told my agent, that Wilson had said to her, that I was "disgruntled, disruptive, not producing and it maybe time for her [Catherine] to go."

Following my complaint, there was also an effort to marginalize and isolate me. I was ordered by Shine and Brandi to no longer speak with our Chairman and CEO Roger Ailes about my complaint - even though Fox's own policies and procedures allow me to contact individuals higher in the chain if I am dissatisfied with Brandi and Shrin's response to my complaints, which I was. After my complaint, my calls to Ailes were no longer returned. This was significant because I was personally hired by Ailes 12 years ago. In addition, reporting assignments within my area of expertise were taken away from me and given to other less experienced correspondents.

Brandi said that if I didn't like how things were going I was free "to sue or go to the EEOC." This was clearly a threat and an effort to shut down a legitimate complaint.

I have attempted to resolve this complaint internally, but at every turn, Fox Senior Managers have threatened to fire me, to negotiate me out of my contract, or to dock my pay.

I agreed to my contractual salary on the basis that I would be a reporter four days a week, and anchor for one day. It is well understood in the industry that reporting is more work than anchoring. However, when I was removed as an anchor, I was required to report five days a week without additional compensation. In fact, Fox told me that if I failed to work as a reporter five days a week they would dock me one day's pay per week. I believe this is another example of inequitable compensation. Furthermore, Fox's removal of my anchor position amounts to a demotion in that I am no longer serving in that position and now am required to work more for the same amount of pay. This demotion also makes it harder to find work in the future by reducing my marketability to other news networks.

My contract requires Fox News to renegotiate with me for a new contract with terms at least as favorable as my current contract. Contractually, such negotiations were to begin on July 22, 2008. Fox failed to meet its own deadline and did not commence negotiations until Wednesday, August 6, 2008. Moreover, Fox is in clear breach of that contract because the terms are unquestionably not as favorable as my current contract. In the new contract offer, I am being required to essentially waive my discrimination complaints and waive my right to future promotions. I am being demoted by no longer being offered to serve as an anchor/co-anchor, and despite my productivity, Fox is refusing to offer equitable compensation. Fox also inserted an arbitration clause. All of these adverse actions are further evidence of discrimination and retaliation.

#### 4) Fox's Pattern of Discrimination and Harassment

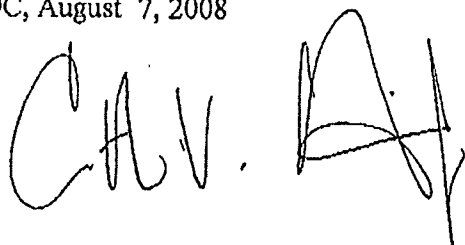
I believe my experience is part of an on-going pattern of discrimination which affects protected minorities in the Fox Washington DC bureau. As one example, in May 2006, Fox announced the

promotion of five white male DC-based correspondents. All of the protected minorities in the bureau, including a black male with seniority at the White House as well as all of the women, a military veteran and a gay male, were passed over for promotion. None of these positions were posted internally. When I questioned then DC Bureau Chief Kim Hume about why I was not promoted, she said I was never considered for the positions which included the Senior White House Correspondent, the Pentagon Correspondent and the Congressional Correspondent. These jobs are stepping stones to further promotion. Kim Hume never investigated this complaint.

As another example, in November 2006, I questioned our acting bureau chief Bruce Becker why the less desirable shifts, such as the early, late and weekend shifts, were routinely given to the female correspondents, as well as a black male correspondent. The more desirable shifts, such as reporting for Fox's evening newscasts, were done by the white male correspondents in the bureau. These more desirable shifts lead to higher profile assignments and promotion.

On the basis of what I have outlined above, I request that the EEOC investigate my complaint to ensure that Fox News Channel is in compliance with employment law.

Washington DC, August 7, 2008



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WASHINGTON FIELD OFFICE  
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FBI  
WASHINGTON DC