

Teresa Giudice: Prostitution whore! You were f---king engaged 19 times!

(Intro music)

Amanda Pampuro: Welcome to Sidebar, a podcast from Courthouse News. I'm your host, Amanda Pampuro.

Hillel Aron: And I'm Hillel Aron.

AP: Today on Sidebar, find out what happens when people stop being polite.

HA: And start getting real.

AP: Real litigious.

HA: Nailed it.

AP: Thank you.

HA: Now, Amanda, did you recognize that clip we played at the top of the show?

AP: Can't say that I did.

HA: That is from the "Real Housewives of New Jersey," from a scene that arguably put the show on the map when Teresa Giudice flips over a table.

AP: Ah, and that franchise will be the focus of our episode today: the real lawsuits against the "Real Housewives" of real-ity TV.

HA: Right. A slew of lawsuits have been filed this year against Bravo and NBC by the cast members of this franchise, who say that the producers have created an unsafe work environment by plying them with free booze and sticking them with unhinged, unstable characters.

AP: Or at least people who play unhinged, unstable characters on TV.

HA: Yeah, and they say that this combination has caused them to be subject to sexual harassment, to threats of physical violence and to the intentional infliction of emotional distress, all in the name of ratings. I spoke with attorney Mark Geragos. He's a very prominent lawyer here in Los Angeles and he's filed three of these lawsuits against reality TV producers this year alone. Intentional infliction of emotional distress. I mean, that is kind of the crux of reality television, isn't it?

Mark Geragos: Yeah, it's exactly what it is. You're manipulating it, you're amplifying it, you're taking advantage of it and, at the same time, you're not complying with the laws. There isn't some kind of reality TV immunity, but that's been the way that people have proceeded in this area.

HA: So, Amanda, how familiar are you with the "Real Housewives?"

AP: Not very. I know there's "Real Housewives of New York" and Beverly Hills?

HA: Right. Orange County, Atlanta, New Jersey, Miami, Potomac.

AP: Potomac?

HA: Yeah, sort of D.C. area. There's the "Real Housewives of Salt Lake City." There's even a "Real Housewives of Dubai."

AP: Wow.

HA: All in all, there are currently eight installments airing, plus a menagerie of spinoffs like "The Real Housewives Ultimate Girls Trip," the exceedingly popular "Vanderpump Rules" and a new spinoff of that called "Vanderpump Villa." That's not to mention the more than 30 versions that air in other countries, from "The Real Housewives of Budapest" to "The Real Housewives of Rotterdam" and "The Real Housewives of Nairobi."

AP: So, this is a global phenomenon.

HA: That's right. And to help me better understand it, I spoke to Brian Moylan. He wrote a book about the show called "The Housewives" and he also has a newsletter called "The Housewives Institute Bulletin."

Brian Moylan: What I love about "Real Housewives" is at its best, it's like watching a Tennessee Williams play, where you have these kind of like delusional people living their lives in a state of emotional freneticism and I love that and they can't help but keep the darkness from bubbling up all the time and you see the kind of what's really going on in their mind. So, that's what I really like about it. But at this point it's almost 20 years since "Housewives" started, and I call them my TV friends. You know, you just want to spend time with them, you want to check in with them, see how they're doing, what college their kid got into, do we like the new boyfriend, you know?

AP: I think a lot of people might be wondering how real are these shows?

HA: Well, I did ask Brian about this.

BM: Of reality shows, "Housewives" are fairly real and you know the situations are obviously produced in that they're going on trips, they're having group functions all the time and parties at each other's house.

HA: And we assume the producers are planning these trips, right?

BM: Yes, the producers plan the trips, so they'll take two women and say OK, you're in a fight, you two have to go to lunch, and then those women go to lunch. But whatever they say or whatever they do is not predetermined, is not scripted. They're just saying and doing what they want, and the way the other woman is going to react to that is totally up to her.

HA: That said, most of the cast members want to be on these shows for whatever reason, and they know what's expected of them. They know they're there to inhabit certain roles, whether that's the drunk, the clown, the villain or the moral center around which all the chaos swirls. But I want to get back to this idea of a hostile work environment.

AP: Yeah, what does that mean in a workplace where the job is having manufactured fights?

HA: It's a question I had as well, and to help answer it, I found the two perfect people to talk to for this episode. Cesie Alvarez and Angela Angotti are both attorneys who host a podcast called "The Bravo Docket," where they dissect lawsuits and criminal cases filed against and by reality TV personalities. Here's Angela.

Angela Angotti: I mean you look at shows like "Survivor" or "Naked and Afraid" or what I mean, those are unsafe work environments but that's what the participants agree to going in and it's really an interesting sort of conundrum legally, because these reality shows are supposed to be just these women living their real lives and, yes, some of the storylines may be manufactured, but the emotions are real. And in the little bits of contracts that have been made publicly available that we've been able to see, they agree in writing that they can be put in certain positions, and they agree that the producers can manipulate and put forth false narratives and edit things to make look like things happen that didn't happen. So, the validity of those contracts, I'm sure, will get tested in these lawsuits. And that's going to be really interesting to see.

AP: "Housewives" has been airing for 18 years. Why the sudden flurry of lawsuits now?

HA: Great question. This all begins last summer, 2023. The double strike by the Writers Guild of America and the Screen Actors Guild has paralyzed Hollywood. Production has ground to a halt. Television's saving grace, besides reruns, is reality television, which has no writers, no actors, at least no union actors. So, in the middle of this strike, a former housewife named Bethenny Frankel comes out and says that reality stars should unionize. Here's Brian again.

BM: They still also have some of the worst deals in entertainment when it comes to things like residuals and intellectual property they may create on the show in terms of their catchphrases and things like that. If you think about, let's say, the cast of "Friends," right, they were making a million dollars an episode, whereas the highest paid housewives might make a million dollars a year. For your first year on "Housewives," you're probably making \$60,000, which isn't going to cover your outfits that you need to have to be on the show to not look like you're wearing the same outfits twice.

AP: So, who is Bethenny Frankel and why does she become the Norma Rae of reality TV?

HA: Bethenny was a finalist on an "Apprentice" spinoff hosted by Martha Stewart. She was then cast on "The Real Housewives of New York," even though she wasn't actually married at the time.

BM: So, she started on "Real Housewives," became a fan favorite, had a bunch of bestselling books, had a bunch of businesses. She launched a line of alcoholic beverages called Skinny Girl Margaritas and it was a huge hit. She made skinny, all sorts of Skinny Girl products: chocolates, deli meats, jeans, everything you could imagine under the sun. But she sold the liquor brand to Jim Beam for a reported \$120 million, which made Bethenny very wealthy. And as a result of that, Bravo put a clause into all the housewives' contracts, which they call the Bethenny clause, which says if the housewives start a business while on the show and sell it for more than a million dollars, Bravo gets 10% of the sale of that business. Because they missed out on what would have been a \$12 million payday from Bethenny, which could have paid the salaries for housewives for like five years.

AP: She's like the Gwyneth Paltrow of reality TV.

HA: Yeah, exactly. And notably, she's one of the few housewives who no longer needs Bravo. She's independently wealthy and independently famous.

AP: So, then she can call for reality stars to unionize.

HA: Not only that, she goes on TikTok and she calls for something called the reality TV reckoning.

Bethenny Frankel: The reality TV reckoning, the new Bethenny clause. Reality stars are the stepchildren, the losers, the mules, the pack horses, the ones that the entertainment industry is going to rely on right now to carry the water and do the heavy lifting when real stars, real A-list Hollywood is on strike.

HA: And then she lays out this preview of what some of the lawsuits are going to be filed about.

BF: Reality television exploits affairs, bankruptcy, falling off the wagon, not really having what you say you have, saying something inappropriate, risking cancellation every single time the camera goes on.

AP: Oh, so who did she sue?

HA: She did not sue anyone. She doesn't really have a cause of action to sue over, but she does get the ball rolling, and there's a lot of speculation about Bethenny's motives in all this. Here's Brian Moylan.

BM: I mean, we watched Bethenny for years and she seems like a nice lady, but she doesn't seem like she would have a vested interest in helping all the reality stars in the world. So, there's some speculation among fans that she's doing this to get back at Bravo, that she doesn't want to be associated with the "Housewives" anymore, even though it made her rich and famous, or that she's mad that Andy Cohen mistreated her and so now she's coming after him. So, yes, it's a labor dispute, but is it also a personality dispute? Maybe some of each. Again, it's like Peter Thiel. Was he really suing because of privacy, or was he suing because he hated this guy?

AP: And who is Andy Cohen?

HA: Andy Cohen is sort of the Vince McMahon of the "Real Housewives." He is the executive producer of the franchise, and he also hosts this talk show that airs on Bravo, where he interviews reality show cast members about what's just aired. So, he's the most powerful creative force behind the show, but he's also, in a way, a cast member, and we'll talk more about him later because he's named in the most eye-catching complaint.

AP: Oh, foreshadowing, I like it.

HA: Right. So, one more thing about Bethenny Frankel. Brian Moylan compared her to Peter Thiel. There is much speculation online about Bethenny's role in all these lawsuits and some people wonder if maybe she's funding them.

AP: Like Peter Thiel funded the Hulk Hogan lawsuit against Gawker.

HA: Exactly.

AP: And what does Mark Geragos say about this?

HA: I did ask him that.

MG: Bethenny, I think, deserves a lot of the credit for exposing and putting herself out there and having the courage and the bravery to at least expose a lot of what's happening.

HA: You know, there's a rumor out there that she's funding these lawsuits.

MG: Yeah, she's never written me a check, but I'll call her up and tell her you said so. I'll send her a bill. She may want to respond to that.

HA: Last year, a few weeks after Bethenny did her whole reality reckoning thing, Geragos sent NBC a demand letter basically warning them we're about to file a bunch of lawsuits against you. I'll read an excerpt: "As you know, NBC has a pattern and practice of grotesque and depraved mistreatment of the reality stars and crew members on whose account its coffers swell. These individuals have been mentally, physically and financially victimized by NBC and threatened with ruin should they decide to speak out about their mistreatment. As a result, the sordid and dark underbelly of NBC's wildly consumed reality TV universe has remained under wraps for far too long. Please be advised that the day of reckoning has arrived."

AP: OK, should we get into what some of these lawsuits say?

HA: Sure. So, the one that's gotten the most attention was filed in February in New York by Leah McSweeney, and she's famous basically for getting drunk and making a scene.

Leah McSweeney: I'm like stir crazy, there's just only so much talking about yachts and déclassé that I can really handle before I'm like this is how I have fun. Watch and learn. All right, I'm kind of peeing in the pool right now.

HA: And in her complaint, she identifies as an alcoholic, which she says is a disability. She says she was nine years sober when she first joined "The Real Housewives of New York" in 2019 for season 12. And she says the producers purposely crafted scenarios, to quote, "drive her to the brink of insanity and force her to break her sobriety because it would create morbidly salacious reality television." And this is a theme running through many of these suits that the producers are plying everyone with alcohol so they'll get drunk, fight, get emotional, whatever. So, McSweeney relapses during a girls' trip in a very infamous episode, I believe they called it "Hurricane Leah," and so she's this very wild drunk for a while and then she gets back on the wagon, and she says the producers tried to encourage her to start drinking again, that they told her the audience wouldn't like her if she stayed sober. Bravo has not responded to a request for comment, but I did ask the lawyers from "The Bravo Docket" to weigh in on the McSweeney complaint. This is Angela.

AA: Those claims are a little bit, I took them with a big grain of salt. Leah's own statements that are on video that aired talked about how she decided to start drinking again on her own prior to filming starting, and there's lots of housewives that have been on for decades that don't drink, so Leah's claims, it's going to be interesting to see how the facts come out on that one.

HA: Her co-host, Cesie, pointed out that in Leah's book "Chaos Theory," published in 2022, she thanks Andy Cohen at the end of it, writing, "I've loved my time on 'Real Housewives of New York' and I will always treasure the incredible memories."

Cesie Alvarez: And then she has quotes in there that says she was struggling with her sobriety, or she went off the deep end and Bravo provided her with a psychiatrist immediately after and she was like, I really appreciated them providing me the care. So, that's the reason I have issue with her claims, just because the facts are contradictory. However, if they were pushing her to drink and they knew that she had a problem, I think those claims are valid to make.

HA: Now the most controversial part of the lawsuit is sort of buried halfway through the 109-page complaint. McSweeney is arguing that Andy Cohen himself, the ringmaster of "The Real Housewives" franchise, played a role in pressuring her to drink. And she writes, "Cohen favors housewives that play ball with his proclivity for substance abuse and discriminates against sober housewives." And a little later it says, "upon information and belief," this is a great phrase that appears in like every lawsuit ever.

AP: Because you can say anything you want after that.

HA: Right. It's like when Donald Trump says, "people are saying," but the complaint reads, "upon information and belief, defendant Cohen also engages in cocaine use with housewives and other Bravolebrities that he employs." Then there's more of the same. She says that the housewives he does cocaine with get better treatment, better edits, that he promotes a workplace culture that thrives off of drug and alcohol abuse, and so on.

AP: So, why is that stuff in there?

HA: Well, here is what Angela had to say about that.

AA: It has nothing to do with any of her claims. As far as I'm concerned, I, you know, feel like that was added in because that would get attention and really bring all of the media attention to the complaint, because it was salacious. There's separate aspects to the complaint and there are strategies that are used there, right, I mean, as this plaintiff's attorney, you want the attention on the complaint because that puts pressure on the network when everyone's reporting on it and then they want it to go away. So, there's, it's, you know, easy to understand why they added it in. But does it really have anything to do with her legal claims? I don't think so.

HA: Andy Cohen has denied using cocaine and pretty much everything else in the lawsuit, and his lawyer wrote a very strongly worded letter to McSweeney's lawyer demanding an apology and a public retraction, calling the lawsuit baseless and a shakedown. He wrote, "the allegations were obviously made up by you or your client to achieve maximum tabloid clickbait value in the hopes of weaponizing these false allegations, along with other lies that permeate the complaint, as leverage

to force an unjustified settlement. It will not. Instead, this conduct only subjects you and your client to independent and substantial legal exposure.”

AP: Oh, he's threatening to countersue.

HA: Yeah, I think so, though he hasn't yet. Now I did speak briefly with Leah McSweeney's attorney, Gary Adelman. He agreed to an interview, and it did not go very well. Should I play a clip from it?

AP: Sure.

Gary Adelman: I'm not interested in talking about the claims themselves. That's subject to a lawsuit. I'm not interested in having Bravo or anybody else take what I say and twist it and try to use it against us. That's not what we do. If you've read any of the things that I've said, you will know what I'm willing to talk about. But I'm not interested in that. Actually, I'm not interested in this at all. Have a nice day.

AP: Wow, OK.

HA: Lawyers, huh.

AP: What about some of the other lawsuits?

HA: OK, let's stay in New York. This next one was filed in January by Caroline Manzo, who was a real housewife of New Jersey for its first five seasons. She also starred in a spinoff, “Manzo'd with Children,” which ran for three seasons, and she appeared on “The Real Housewives Ultimate Girls Trip,” which is where the actions in this lawsuit took place. And the suit claims that Manzo was sexually assaulted by another housewife named Brandi Glanville. She's another sort of wild and misbehaving housewife. Actually, her behavior seems to have generated quite a bit of litigation. Here's Brian Moylan.

BM: One of my favorite ever Bravo lawsuits happened between Joanna Krupa, who was a real housewife of Miami, and Brandi Glanville, who was the real housewife of Beverly Hills. And Brandi was on “Watch What Happens Live” and said that Joanna had a smelly vagina, and so Joanna sued Brandi for defamation and they, like, it went to depositions. Joanna Krupa's husband had to come in and testify whether or not her vagina was smelly and, like it was about to go to court, and the day before it was about to go to court, they settled out of court, Brandi issued a apology and you know, whatever. But, oh my God, that's like if we're talking crazy “Housewives” lawsuits, we can't forget the smelly vagina lawsuit.

HA: But back to Caroline Manzo's lawsuit.

AP: Which is against Bravo and NBC for Brandi's behavior.

HA: Right. Her complaint says the producers regularly ply the “Real Housewives” cast with alcohol, cause them to become severely intoxicated and then direct, encourage and or allow them to sexually harass other cast members, because that is good for ratings.

AP: Do all these suits use the word ply?

HA: Yeah, most of them do. And she says that Brandi forcibly kissed her and groped her in a bathroom.

AP: That's terrible. But is that Bravo's fault?

HA: That is the question. Here's what "The Bravo Docket" team had to say about it. First, we're going to hear from Angela and then Cesie.

AA: This one probably has some teeth, depending on some of the other issues, because it was in Morocco. What actually happened, we only know Caroline Manzo's side of the story, but considering Brandi's past history of similar behaviors, which are on video, which anyone can see, in which they obviously knew about before casting Brandi again. This one, I think we gave this one a bit more credibility than the others.

CA: Well, also, Brandi came out after and didn't say that it didn't happen. She said it was consensual. So, and it was consensual, and Bravo makes her be this character playing devil's advocate, though, if they've watched the show, that's been on since 2006, it happens every season, so you know what you're signing up for and it's, from what we can guess, pretty laid out in the contracts what's going to happen. Yeah, I don't want it to seem like I'm saying it's OK to sign away your right to be sexually assaulted. No one should go through that. That's not what you sign up for at all. That shouldn't be permissible in any workplace. But in terms of experiencing, I think, something shocking or a drunk individual, I don't think that should come as a surprise.

HA: And this I think will be a common defense in these suits, which is that these women know what they're getting into, they know they're going to experience drunken, debauched behavior and that that stuff makes for good entertainment.

AP: For some people.

HA: Right. So, I put that argument to Mark Geragos, who is not involved in the two New York lawsuits but has filed other ones which we're going to get to shortly. Now, I think a lot of people, or some people, I think would look at some of these lawsuits and say you know these cast members, they know what they're getting themselves into, they've seen reality television before. A lot of drama happens on reality television. They're doing it willingly and they're doing it to achieve a certain level of fame. What would your response to that argument be?

MG: I think there's a lot to that. I think that that is the motivation, I think it's been exactly how it's gone on for so long is that you prey on people who are thirsty for these kinds of things emotional stability, emotional distress. You're preying on them in order to amplify your ratings.

HA: Geragos has filed two lawsuits on behalf of cast members of "Vanderpump Rules." Have you seen this one?

AP: Nope.

HA: It's a "Real Housewives" spinoff following the trials and tribulations of the staff at bars and restaurants owned by Lisa Vanderpump, who was a Beverly Hills real housewife, and this show was



sort of on its last legs until it was revived by a tawdry love triangle between a bartender named Tom Sandoval, his girlfriend Ariana Madix and her best friend Rachel Leviss. Here's Brian Moylan, our resident "Housewives" expert.

BM: It was basically like Tom cheating on his girlfriend with her best friend, who also happens to be his best friend's ex-girlfriend. If that makes sense to anybody. It would make perfect sense to Bravo viewers.

HA: And the way Ariana discovered the affair was she found sexually explicit videos of Rachel on Tom's phone. She sent one of the videos to herself and then sent it to Rachel and texts her "you are dead to me." These videos have not been published, but TMZ described the contents of one of them in a news story. So, Rachel, who is portrayed as the big villain in all of this, is suing both Tom and Ariana for invasion of privacy and revenge porn.

AP: Revenge porn.

HA: Yeah, and as Angela explained, it's a fairly new law.

AA: So, and it was just amended I think the year before this came out, so it's a brand-new law. It hasn't been interpreted by courts of appeal. It has, you know, there's just not a lot of stuff on it as far as actual legal interpretations of the statute or cases where it has been enforced in particular ways. So, it's kind of hard to say.

HA: And here's Cesie.

CA: I think like it meets all the elements, but I just don't think a jury would find she would have to pay Rachel that much for sending it to herself and Rachel.

AP: And Bravo is not a defendant in this one.

HA: No, but the complaint does go out of its way to suggest that Bravo allowed this distribution to happen and certainly exploited it. And you get a sense that Bravo might get added later as a defendant, depending on how discovery goes. And here's Mark Geragos who's representing Rachel Leviss.

MG: Sandoval has publicly admitted to his role in this, but at the same time, there's also a level of exploitation if you take a look at the ratings and creating the villain, if you will, that Rachel has been distorted into. It was part of the ratings ploy that everybody is engaged in, and as we go through or work through discovery, we will do what's appropriate.

HA: Just a few weeks ago, Geragos filed another lawsuit against Bravo and NBC, this time on behalf of a different Vanderpump cast member, Faith Stowers. She says she was cast as the token person of color on the show, paid just \$5,000 for her first season and then subjected to quote, "racism, sexual harassment and physical assault." She says another cast member, Lala Kent, held a knife to her neck and that she was discouraged from talking to the police or to the media about the incident. And the complaint actually mentions Bethenny Frankel's reality reckoning as the inspiration for her to come forward.

AP: But not all these reality lawsuits have been aimed at the “Housewives” franchise.

HA: That's right. One show that's been a target of at least three lawsuits is “Love Is Blind,” a Netflix dating show where the contestants don't see each other until one of them proposes marriage. The most recent suit was filed by our old friend, Mark Geragos. I asked him if he had more lawsuits in the pipeline. And here's what he had to say. So, a few more, six more?

MG: More than a baker's dozen, I'll say.

AP: So, the reality reckoning isn't over?

HA: According to Geragos, it's just getting started.

AP: There is one thing that's over, though, and that's this episode. Many thanks to Hillel and our producers, especially Jamie Ross, the only one of us who actually watches “Real Housewives.”

HA: And who patiently coached me on how to pronounce Teresa Giudice's name correctly. Still doesn't sound right to me.

AP: Thank you for listening. Please subscribe to Sidebar wherever you get your podcasts. Next time on Sidebar. No one wants to come out on the losing side of a lawsuit, but what lengths will litigants go to win? In our next episode, Kelsey Reichmann will explore the inside baseball of shopping for the perfect court. It's not all balls and strikes when you can pick your referee.