

### **Statement from Linda Fairstein:**

Today, after nearly five years of litigation, Netflix, Ava DuVernay and Attica Locke – those responsible for the 2019 Series “WHEN THEY SEE US” – agreed to a resolution of my defamation lawsuit. The decision to conclude this fight was not an easy one. We were prepared to present a compelling case to the jury, as articulated by Federal District Judge Kevin Castel in his powerful decision dismissing the defendants’ summary judgment claim.

The Court’s ruling on summary judgment already exposed the truth of what happened. The defendants sought to portray me as the Series’ villain and, in doing so, “reverse-engineered plot points to attribute actions, responsibilities and viewpoints” to me that *were not mine*, nor were they supported by a single piece of evidence in the defendants’ so-called substantial research materials. Documents and testimony in the public record since that motion was filed, and recently unsealed, demonstrate that the scenes that were the subject of my lawsuit were “**invented**” by the filmmakers, and that the defendants intentionally and viciously targeted me when marketing and promoting the Series.

This is what this case was all about – not about “winning” or about any financial restitution, but about my reputation and that of my colleagues. It was about setting the historical record straight that the villainous caricature invented by the defendants and portrayed on screen was not me. That truth will be reinforced every time a viewer goes to watch the Series ever again due to Netflix’s agreement in the settlement to place a disclaimer at the front of the Series.

I am also pleased that Netflix will be making a contribution to the Innocence Project as part of the settlement. The job of every prosecutor and every DA’s office across the country is to ensure fairness in the process. Organizations such as the Innocence Project assist in this goal.

I am grateful to all those who offered their generous support to me and my family over these past five years, and to my attorneys who represented me with enormous skill and dedication throughout this arduous process. I am now looking forward to moving on and to resuming my work with non-profit organizations, to writing books and to being a voice for victims of sexual violence.

### **Statement from Kara Gorycki:**

We are proud to have represented Linda in this critical case and grateful for her courage to bring this effort to the brink of trial. As one of the world’s largest and most powerful media companies, Netflix has the ability to crush the reputations of individuals in service of producing content that generates buzz, captures viewer attention and keeps subscribers signed up for the service. It is rare for power like that to be called to account.

Yet that is precisely what Linda did. It is our sincere hope that this settlement serves as a wakeup call to Netflix and other media companies that they have a responsibility to show fidelity to the truth when portraying real human beings and

should not attempt to profit from the utterly false villainization of people, as they did in Linda's case.

**Statement from Andrew Miltenberg:**

This case was precedent setting. It represented the first time that a defamation case concerning a dramatic streaming series has advanced through summary judgment and stood at the brink of trial. We are confident that we would have won.

The importance of what Linda achieved by bravely advancing this case will be heard throughout the media industry, as Netflix and others feel compelled to take far greater care to represent real people with truthfulness and integrity, rather than dehumanizing them and turning them into fake caricatures. We are proud to have played a role in building this historic case and are hopeful it will help others protect and restore their reputations if they are ever subjected to the same shameful treatment that Linda endured.