

1 RETURN DATE: APRIL, XX, 2022 : SUPERIOR COURT

2  
3 SAGE STEELE : J.D. OF HARTFORD

4 V. : AT HARTFORD

5  
6 ESPN PRODUCTIONS, INC. and  
7 THE WALT DISNEY COMPANY : APRIL XX, 2022

8  
9 **COMPLAINT**

10 1. Plaintiff Sage Steele is, and at all relevant times was, an individual residing in Avon,  
11 Connecticut.

12 2. Connecticut law prohibits private employers from disciplining their employees for  
13 engaging in constitutionally protected speech, whether that speech takes place in the workplace or  
14 outside of it. Nevertheless, when the Plaintiff, Sage Steele (“Steele”), made certain public comments  
15 - on her own time and on matters of significant public interest (and thus clearly protected under both  
16 the United States Constitution and the Constitution of the State of Connecticut) - her employers,  
17 Defendants ESPN Productions, Inc. (“ESPN”) and The Walt Disney Company (“Disney”), illegally  
18 subjected her to substantial workplace penalties.

19 3. Defendants based their retaliatory actions on inaccurate third-party accounts of  
20 Steele’s comments, and concededly did not immediately review the actual comments or the context  
21 in which they were made. As a result, Defendants made no efforts to correct inaccurate and harmful  
22 reporting about their employee, Steele, and took no steps to correct or discipline coworkers who,  
23 based on the same inaccurate, third-party accounts, took it upon themselves to harass and condemn  
24 Steele for expressing an opinion. Though Defendants based their punitive actions against Steele on a  
25 supposed workplace policy barring political commentary, they repeatedly have ignored commentary  
26 from other employees – both before and after they penalized Steele for expressing her opinion - that  
27 was more political and more controversial than the comments made by Steele, and that in some cases  
28 was overtly disrespectful to Steele.

1           4.       In response to Defendants’ violation of her constitutional and statutory rights, in  
2 February 2022, Steele submitted a human resources complaint putting Defendants on notice of their  
3 wrongdoing. She followed with a letter from her attorneys. Tellingly, after months of Defendants  
4 withholding prime hosting assignments from Steele as punishment, when they received her  
5 complaint and attorney’s letter, they promptly offered her the assignment of co-hosting coverage at  
6 The Masters Tournament in a blatant admission of liability and an obvious scheme to try to dodge  
7 responsibility.

8           5.       Defendants have thus violated Connecticut law and Steele’s rights to free speech  
9 based upon a faulty understanding of her comments and a nonexistent, unenforced workplace policy  
10 that serves as nothing more than pretext. As a result, Plaintiff brings these claims seeking remedies  
11 for the harms caused by Defendants’ conduct.

12  
13 **COUNT ONE: Violation of General Statutes § 31-51q by Disciplining Employee for**  
14 **Constitutionally Protected Speech.**

15  
16           6.       Plaintiff Sage Steele is, and at all relevant times was, an individual residing in Avon,  
17 Connecticut.

18           7.       ESPN Productions, Inc. is, and at all relevant times was, a Delaware corporation  
19 doing business in Bristol, Connecticut, with its principal place of business in Bristol, Connecticut.

20           8.       The Walt Disney Company is, and at all relevant times was, a Delaware corporation  
21 doing business in Bristol, Connecticut.

22           9.       Steele alleges on information and belief that ESPN and Disney, at all times relevant  
23 to this action, were the agents, servants, partners, joint venturers and employees of each other.  
24 ESPN and Disney, in doing the acts alleged herein, were acting with the knowledge and consent of  
25 each of the other defendants in this action. At all times mentioned herein, each of the defendants  
26 was the co-conspirator, agent and/or employee of each of the remaining defendants and in doing the  
27 things herein mentioned was acting within the scope of such co-conspiracy, agency and/or  
28 employment.

1  
2 **A. Steele’s Storied Career at ESPN**

3 10. Steele has devoted her entire career to pursuing her childhood dream of hosting  
4 ESPN’s *SportsCenter*. She has been proud to do so and has taken pride in her accomplishments at  
5 ESPN since 2007.

6 11. Steele has worked tirelessly under immensely stressful circumstances, at times in the  
7 absence of institutional support, to drive *SportsCenter*’s tradition of excellence in sports journalism.

8 12. Steele has become one of ESPN’s most popular sportscasters and has broken new  
9 ground as she rose through the ranks.

10 **B. Steele Exercises Her Constitutionally Protected Right to Free Speech**

11 13. In the summer of 2021, Disney announced a policy requiring its salaried and non-  
12 union workers to be “fully vaccinated” against COVID-19 by September 30, 2021. Steele was  
13 subject to this vaccine mandate. Despite deep personal objections to a privately mandated  
14 vaccination policy and her hesitance to receive the vaccine, she complied with the mandate and  
15 received her vaccination as required in order to keep her job.

16 14. When Defendants moved the goalposts for compliance with their vaccine policy  
17 again in 2022 by requiring booster shots, even though the Centers for Disease Control had not (and  
18 to date has not) changed its definition of “fully vaccinated” to include any requirement for a booster  
19 shot, Steele again complied by getting the required booster shot. Steele is in full compliance with  
20 Defendants’ vaccine policy.

21 15. On September 13, 2021, Steele appeared on a podcast, “Uncut with Jay Cutler,”  
22 where she was interviewed by the podcast’s host. During the interview, Steele, who had just come  
23 from getting her vaccination shot, was asked why she had a band-aid on her arm. Steele made it clear  
24 that she had just been vaccinated against COVID-19 in compliance with Disney policy. She also  
25 indicated that while she “respect[ed] everyone’s decision” to get vaccinated, she believed that a  
26 corporate mandate was “sick” and “scary to me in many ways.” She also indicated that she “didn’t  
27 want to” get the vaccine but still complied in order to keep her job and support her family.

28 16. Steele appeared on the podcast as a private citizen on her day off, and made it clear

1 during the interview that she was speaking on her own behalf, not on behalf of ESPN or Disney.

2 17. During the podcast interview, Steele also offered some frank, unguarded thoughts  
3 about media criticism and the refusal of some individuals to accept opinions unlike their own, or not  
4 in accord with those they assume are held by others based on appearance, gender, etc. In this  
5 context, when she was asked about her experience as a biracial woman, Steele noted that Barbara  
6 Walters once challenged her (on the ABC program *The View*, owned by Disney) on her biracial  
7 identity.

8 18. When Jay Cutler brought up racial identity during the discussion on his podcast,  
9 Steele noted her pride in her own biracial identity, musing on how biracial people are pigeonholed  
10 into identifying with one race only. Steele explained how important it is to her to identify with both  
11 her Black family and her white family, and how fortunate she is to have been raised in such a  
12 diverse, accepting family. Steele also discussed this topic on *The View* in 2014, when Walters asked  
13 her why she didn't just identify as Black like President Barack Obama did. In relaying the story to  
14 Cutler, Steele responded that it was "fascinating" that President Obama had chosen to identify as  
15 Black despite having been raised by his white mother and grandmother, concluding, "You do you.  
16 I'm going to do me." Notably, Steele did not in any way criticize President Obama; she merely  
17 relayed her personal experience as a biracial woman.

18 19. Steele also gave her opinions on locker room interactions between male athletes and  
19 female reporters, and how both parties were responsible for negotiating those interactions  
20 professionally.

21 20. Throughout the podcast, Steele's comments were measured and respectful. She  
22 repeatedly recognized the value of the opinions of those who might disagree with her, and at all  
23 times was simply voicing her personal views on matters of public concern.

24 21. The podcast episode was made public on or about September 29, 2021 and media  
25 coverage erupted.

26 22. Media reports slammed Steele, some misquoting and many taking her comments out  
27 of context, calling her comments "appalling," "awful," "bonkers," and "nasty." *See, e.g.*, T.J.  
28 Macias, "Sage Steele, ESPN Speak Out After Anchor's Podcast Comments 'Create Controversy,'"

1 *Miami Herald* (Oct. 5, 2021), <https://www.miamiherald.com/news/nation->  
2 [world/national/article254771602.html](https://www.miamiherald.com/news/nation-world/national/article254771602.html); Danielle Cohen, “This Is an Impressive Number of Bad  
3 Opinions,” *The Cut* (Oct. 6, 2021), <https://www.thecut.com/2021/10/sage-steele-this-is-an->  
4 [impressive-number-of-bad-opinions.html](https://www.thecut.com/2021/10/sage-steele-this-is-an-impressive-number-of-bad-opinions.html).

5 23. Social media also erupted in a frenzy. Jemele Hill, Steele’s former colleague at  
6 ESPN, called Steele a “clown” on Twitter for her comments. Brenda Alexander, “Sage Steele  
7 Removed from ESPN Following Comments on Obama, Vaccine; Former Colleague Jemele Hill  
8 Calls Her Out,” *Yahoo! News* (Oct. 5, 2021), <https://www.yahoo.com/video/sage-steele-suspended->  
9 [podcast-comments-174500917.html](https://www.yahoo.com/video/sage-steele-suspended-podcast-comments-174500917.html).

10 24. In a knee-jerk reaction, ESPN and Disney relied on the misleading characterizations  
11 of her comments, bowed to groupthink and forced Steele to publicly apologize and suspended her for  
12 a period of time in October 2021.

### 13 **C. ESPN and Disney Punish Steele for Her Exercise of Her Free Speech Rights**

14 25. Shortly after taking part in the podcast interview, Steele tested positive for COVID-  
15 19, despite having recently been vaccinated.

16 26. On the evening of Sunday, October 3, 2021, while she was quarantined, Steele was  
17 contacted by Rosetta Ellis, the head of the ESPN talent department, who began the conversation by  
18 asking whether Steele was “okay,” apparently referring to her mental state. Ellis then asked Steele  
19 questions about Steele’s comments on the podcast. When Steele asked Ellis if she had listened to the  
20 podcast, Ellis admitted she had not.

21 27. The next day, on October 4, 2021, Steele was informed that she would be “sidelined”  
22 or “taking a break” (euphemisms for “suspended”) and would be required to issue a public apology  
23 for her comments. ESPN senior vice president Norby Williamson spoke with Steele that day and  
24 reprimanded her for having “whacked the company.” He went on to ask if Steele was “okay”  
25 because she had been “liking and tweeting” certain things.

26 28. Despite feeling she had done nothing that required an apology, Steele was sent  
27 suggested apology language by ESPN PR, which she edited and, under threat of losing her job, was  
28 forced to issue.

1           29.     ESPN hypocritically followed her apology with a statement that read in part, “we  
2 embrace different points of view – dialogue and discussion makes this place great. That said we  
3 expect that those points of view be expressed respectfully, in a manner consistent with our values,  
4 and in line with our internal policies.” These sentiments are wholly undermined by ESPN and  
5 Disney’s punitive response to Steele’s completely respectful exercise of her constitutionally  
6 protected right of free speech.

7           30.     Steele was initially to return to broadcasting on October 12, 2021, but was sidelined  
8 until October 14, 2021.

9           31.     During Steele’s absence from broadcasting, it was widely reported in the media that  
10 ESPN had “suspended” Steele for her comments on the podcast. *See, e.g.*, Matthew Miller, “Sage  
11 Steele Suspended from ESPN for Controversial Remarks Regarding Race, COVID Vaccine,”  
12 *Yahoo! Sports* (Oct. 5, 2021), [https://sports.yahoo.com/sage-steele-suspended-espn-controversial-  
13 203800107.html?src=rss](https://sports.yahoo.com/sage-steele-suspended-espn-controversial-203800107.html?src=rss); Rashad Grove, “Sage Steele Suspended from ESPN After Controversial  
14 Remarks on Vaccine Mandates, Female Journalists, and President Obama,” *Ebony* (Oct. 6, 2021),  
15 [https://www.ebony.com/entertainment/tv\\_film/sage-steele-suspended-from-espn-after-controversial-  
16 remarks-on-vaccine-mandates-female-journalists-and-president-obama/](https://www.ebony.com/entertainment/tv_film/sage-steele-suspended-from-espn-after-controversial-remarks-on-vaccine-mandates-female-journalists-and-president-obama/); “Clay Travis: ESPN’s  
17 Suspension of Sage Steele ‘Absolute Madness,’” *Fox News* (Oct. 7, 2021),  
18 <https://www.foxnews.com/media/clay-travis-espn-suspending-sage-steele-vaccine>.

19           32.     ESPN did nothing to rebut the widespread reports that it had suspended or otherwise  
20 disciplined Steele for her comments, both because those reports were true and because ESPN stood  
21 to benefit from the public perception that it had punished Steele for her remarks.

22           33.     The day before Steele’s return to broadcasting, she had a conversation with Jill  
23 Fredrickson, senior vice president of *SportsCenter*, who said that some of Steele’s coworkers were  
24 “hurt” by her comments on the podcast (though Steele later learned that Fredrickson had been  
25 fishing for this response by asking employees directly if they were hurt). When Steele asked  
26 Fredrickson if she had listened to the podcast, Fredrickson demurred, saying the podcast was too  
27 long.

28           34.     ESPN and Disney have continued to punish Steele by removing her from prime

1 assignments, including coverage of the New York City Marathon, the Rose Parade, and the 12th  
2 Annual ESPNW Summit, which Steele had hosted and emceed since its inception in 2010. At the  
3 ESPNW Summit on October 18, 2021--two full weeks after Steele was suspended, was already back  
4 on air, and media attention had died down -- Laura Gentile, ESPN and Disney Network's executive  
5 vice president of commercial marketing, made opening comments condemning Steele, in violation of  
6 company policy prohibiting ESPN employees from publicly making personal attacks on their  
7 colleagues. Gentile went on to explain to the hundreds of attendees (including media) as well as the  
8 tens of thousands of live-stream viewers that ESPN had "elected" to have Steele "sit this one out" as  
9 a result of her comments. In other words, Gentile openly admitted that ESPN was taking disciplinary  
10 action against Steele as a direct result of her constitutionally protected exercise of free speech rights.  
11 Adding insult to injury, this was done at an event conceived to celebrate and elevate diverse female  
12 voices and perspectives.

13 35. ESPN even put pressure on The V Foundation, a cancer charity co-founded by ESPN,  
14 to remove Steele, a member of the V Foundation board of directors, from her role as host of a  
15 fundraiser honoring her dear friend, the late Stuart Scott, on December 6, 2021.

16 36. Many other ESPN personalities have publicly criticized and flouted ESPN's policies  
17 over the years yet have faced no repercussions for their actions. It is clear that ESPN selectively  
18 enforces its policies based on whether it agrees with the political views of the employees in question.  
19 For example:

20 a. In January 2017, then-ESPN personality Dan LeBatard slammed Steele for an  
21 Instagram post she made commenting that she had missed her flight because of protests of the  
22 Trump "Muslim ban" at the Los Angeles airport. On his national ESPN radio show, as well as on  
23 social media, LeBatard vocally criticized ESPN's policy barring broadcasters from speaking about  
24 the Muslim ban, and openly declared he would refuse to follow the policy. LeBatard faced no  
25 repercussions from ESPN for his insubordination and public criticism of both ESPN and his  
26 colleague.

27 b. In September 2017, Jemele Hill, then the 6 p.m. *SportsCenter* anchor, went on  
28 a Twitter rant in which she called then-President Trump a "white supremacist who has largely

1 surrounded himself with other white supremacists.” Hill was not disciplined in any way; she merely  
2 issued a statement on social media, without apologizing or taking any responsibility for her divisive  
3 comments in violation of supposed ESPN policy requiring employees to refrain from publicly  
4 commenting on political matters.

5 c. In July 2019, LeBatard sharply criticized ESPN’s purported policy against  
6 political commentary, calling it “cowardly.” He then went on to condemn one of President Trump’s  
7 rallies, calling the president an “old white man” who “instigated” racial division. Again, LeBatard  
8 experienced no repercussions from ESPN for his comments, even though he criticized the network  
9 on its own airtime.

10 37. Steele has also been publicly bullied by her colleagues, in direct violation of ESPN  
11 policy, yet those colleagues have faced no disciplinary action whatsoever, despite Steele’s efforts to  
12 bring those attacks to the attention of Disney and ESPN executives.

13 38. As just one example, in October 2021, fellow *SportsCenter* anchor Nicole Briscoe  
14 retweeted a post from someone who said she hoped ESPN no longer uses Ms. Steele to cover  
15 women’s sporting events, with Ms. Briscoe adding, “Amen. (Even if it gets me in trouble.) Amen.”

16 39. Steele had previously spoken with Norby Williamson about many similar examples  
17 of employee retaliation. He told her to inform him when she was attacked by coworkers on social  
18 media because he could not keep track of everything on social media, and that if Steele alerted him  
19 to the attacks, he would remind anchors who violated ESPN policy not to criticize their fellow  
20 employees and to take down the attacking posts.

21 40. In keeping with Williamson’s instructions, Steele sent a screenshot of Briscoe’s tweet  
22 to Williamson, who claimed he was “on it.” Yet the post remained on her account, publicly  
23 accessible for more than three months afterward.

24 41. In addition, on November 12, 2021, ESPN NFL analyst Ryan Clark refused to appear  
25 on air with Steele because of her comments and asked her boss to replace her with her co-host for  
26 the segment. When Clark did not get his way, he did not do the show, and he suffered no penalty  
27 from ESPN as a result.

28 42. Countless ESPN employees, including Briscoe, LeBatard when he was with the

1 network, Sarah Spain, Mark Jones, Mina Kimes, Damien Woody, and others openly and publicly  
2 criticized Steele in direct violation of ESPN policy without any repercussions whatsoever. Disney  
3 and ESPN stand by and allow Steele to be bullied and harassed, and in doing so, they punish Steele  
4 for expressing her views in exercise of her First Amendment rights.

5 43. ESPN's lack of response to the comments made by Briscoe, LeBatard and others also  
6 demonstrates the pretextual nature of ESPN's purported reliance on a policy against permitting on-  
7 air employees to engage in public political commentary. Countless numbers of Steele's on-air peers  
8 continue in a sustained pattern spanning many years of plainly engaging in public commentary on  
9 political matters, but none of them faced any discipline whatsoever for doing so. If ESPN truly  
10 embraced inclusion and diversity, it would embrace diversity of opinions.

11 44. In a more recent and extreme example, during the weekend of March 18-20, 2022,  
12 during ESPN's live coverage of the NCAA women's basketball tournament, ESPN host Elle Duncan  
13 led a "moment of silence" in opposition to Florida's "Parental Rights in Education" bill, which  
14 would restrict discussions on sexual orientation and gender identity in public school classrooms for  
15 the grades kindergarten through third grade. The "moment of silence" was prefaced with  
16 commentary about the bill. In broadcasting the "moment of silence" and commentary on the bill,  
17 Defendants took a stand on a divisive political issue that was highly produced and scripted in  
18 advance, with several meetings and conference calls taking place beforehand to plan the  
19 demonstration.

20 45. Before the two-minute "moment of silence," Duncan said, "We understand the  
21 gravity of this legislation and also how it's affecting so many families across this country, and  
22 because of that, our allyship is going to take a front seat, and with that, we're going to pause in  
23 solidarity." Later that day, another "moment of silence" took place on ESPN airwaves when fellow  
24 broadcasters Courtney Lyle and Carolyn Peck introduced it with more scripted comments about  
25 Florida's bill. Analis Bailey, "ESPN Announcers Stay Silent During Women's March Madness  
26 broadcast to Protest Florida Bill," *USA Today* (Mar. 20, 2022).

27 [https://www.usatoday.com/story/sports/ncaaw/2022/03/20/march-madness-espn-announcers-protest-  
28 florida-bill-moment-silence/7113874001/](https://www.usatoday.com/story/sports/ncaaw/2022/03/20/march-madness-espn-announcers-protest-florida-bill-moment-silence/7113874001/). In addition, ESPN announcers Pam Ward and Stephanie

1 White held a third moment of silence and commented on the “dangerous bill.” Unlike Steele’s  
2 podcast comments, the “moments of silence” and associated political commentary took place on  
3 ESPN’s own airwaves, the broadcasters were speaking in their capacity as ESPN employees, not  
4 private citizens, and it was clearly produced by the network. In other words, with this action, ESPN  
5 violated its own policy against engaging in political commentary.

6 46. ESPN’s inconsistency in how it treated Steele as compared to her peers demonstrates  
7 that Steele was punished not only for exercising her constitutional right to free speech but because of  
8 the *content* of that speech. Steele was disciplined by her employer in violation of Connecticut state  
9 law because she exercised her First Amendment right to express opinions with which ESPN and  
10 Disney do not agree.

11 47. Given ESPN’s unconscionable treatment, Steele lodged a formal complaint with  
12 ESPN’s Human Resources department in February 2022, putting Defendants on notice of their  
13 blatant violations of Steele’s constitutional rights and of Connecticut state law. Steele’s attorneys  
14 followed up with a letter asserting Steele’s rights.

15 48. Notably, Steele’s first request was for an apology from Defendants. Defendants  
16 deprived Steele of her constitutional rights, punished her by sidelining her and taking away  
17 assignments (publicly admitting as much through executive vice president Laura Gentile’s  
18 comments at the ESPNW conference and recreating a firestorm weeks after Steele’s suspension).  
19 Defendants forced Steele to apologize, allowed media to destroy her and let media reports that she  
20 had been suspended to go unchallenged, and allowed Steele’s colleagues to defame her in violation  
21 of company policy without so much as a reprimand. Defendants did all this while they let other  
22 employees express opinions critical of Defendants without any repercussions or even a negative  
23 comment by Defendants. After complaining to human resources and hiring counsel to write a letter  
24 concerning the violation of her rights, all Steele wanted at the time was for Defendants to correct the  
25 damage done by apologizing to her. Instead of agreeing to do so, Defendants ignored Steele’s  
26 request for an apology and instead continued to gaslight her.

27 49. Tellingly, Steele had been taken off *all* hosting assignments for major events since the  
28 podcast with her interview was published in September 2021—until Defendants received Steele’s

1 human resources complaint and her attorneys' letter detailing Defendants' violations of Steele's  
2 constitutional and statutory rights. After they received the complaint and the letter, Defendants  
3 suddenly offered Steele the opportunity to co-host ESPN's coverage of The Masters Tournament, in  
4 a blatant admission of their culpability and prior misconduct and in an attempt to cover up their  
5 violation of her rights and to avoid liability.

6 50. Also tellingly, ESPN had a booster requirement for all employees covering on-site  
7 events. Although the CDC, Augusta National Golf Club and the PGA Tour were not mandating a  
8 booster, ESPN insisted on enforcing the policy which put Steele in the untenable position of either  
9 getting the booster or not being able to work the first assignment she was given after all the others  
10 had been taken away. After multiple correspondences, ESPN failed to respond to Steele's attorney,  
11 who had been writing to clarify the policy. Having no choice but to get the booster in order to  
12 provide proof by March 21, 2022 (since the company's policy required inoculations two weeks prior  
13 to the start of the event to be considered fully boosted), Steele complied with ESPN's policy under  
14 duress so she could work the assignment. Exactly two days later on March 23, 2022, in another  
15 admission of guilt by ESPN, Steele was given a one-time exemption to the booster mandate despite  
16 the fact that the deadline had already passed and Steele had filed the necessary paperwork to prove  
17 she received the booster.

18 51. Furthermore, Steele's human resources complaint and attorney letter both raised the  
19 issue of repeated social media attacks on Steele by her ESPN colleagues. Defendants attempted to  
20 remedy her claims, in another admission they had violated their own policies and Steele's rights.

21 **D. ESPN and Disney's Conduct Violates State Law**

22 52. On or about November 1, 2013, Steele and ESPN entered into an Employment  
23 Agreement (the "Agreement"), as subsequently amended on October 1, 2016, and April 25, 2017.  
24 The Agreement states that it "shall be construed according to the laws of the State of Connecticut."  
25 By entering into the Agreement, Steele became Defendants' employee.

26 53. Pursuant to General Statutes § 31-51q, Connecticut law holds employers liable for  
27 "disciplining or discharging" any employee as a result of that employee's exercise of his or her right  
28 of free speech as protected under the federal and state constitutions.

1           54.     Steele’s comments during the podcast interview addressed matters of public concern  
2 and were accordingly protected by both the First Amendment to the United States Constitution and  
3 Article First, Section 4 of the Connecticut Constitution.

4           55.     ESPN and Disney took adverse actions against Steele in the nature of discipline  
5 and/or discharge as a result of her exercise of her right to free speech under the state and federal  
6 constitutions. Steele was suspended from on-air appearances, forced to issue a humiliating public  
7 apology, taken off prime assignments, and subjected to bullying and harassment by colleagues while  
8 ESPN and Disney did nothing to stop it.

9           56.     Steele’s exercise of her right to free speech did not substantially or materially  
10 interfere with her bona fide job performance or with her working relationship with her employer.  
11 She appeared on the Jay Cutler podcast as a private citizen expressing her own views related to her  
12 own personal experiences; at no time did she purport to speak for her employer. Because she covers  
13 sports, not politics or world news, her expression of her personal views on vaccine mandates and  
14 racial identity could not possibly call into question her journalistic neutrality.

15           57.     Steele has suffered significant damages as a direct and proximate result of ESPN and  
16 Disney’s adverse actions against her. Her reputation and professional prospects have been damaged  
17 beyond repair, likely costing her professional opportunities for years if not decades in the future.

18           58.     By this action, Steele seeks to recover not only the actual damages she has suffered as  
19 a result of ESPN and Disney’s violation of Connecticut state law and her right to free expression, but  
20 also punitive damages and reasonable attorney’s fees, as provided by statute.

21 **COUNT TWO: Breach of Contract**

22           59.     Plaintiff restates and incorporates by reference, as though fully set forth herein, the  
23 allegations contained in paragraphs 1-58, above.

24           60.     The employment Agreement between Steele on the one hand and ESPN and Disney  
25 on the other constitutes a valid and binding contract between the parties based upon sufficient legal  
26 consideration.

27           61.     At all relevant times, Steele performed all the duties and obligations of the parties’  
28 Agreement.

1           62. By their conduct described above, including their failure to investigate properly the  
2 statements allegedly made by Steele, their failure to defend their employee from misleading media  
3 and social media attacks, their decision to illegally punish Steele for making constitutionally  
4 protected statements, and their pretextual reliance on a policy not applied to other employees, ESPN  
5 and Disney have breached one or more of the material terms of the parties' Agreement.

6           63. As a result of Defendants' breach, plaintiff has been denied the benefits of the  
7 contract and has suffered attendant damages, in the form of, inter alia, lost revenue and lost business  
8 opportunities.

9 **COUNT THREE: Bad Faith Conduct, Breach of the Implied Covenant of Good Faith and Fair**

10 **Dealing**

11           64. Plaintiff restates and incorporates by reference, as though fully set forth herein, the  
12 allegations contained in paragraphs 1-63, above.

13           65. Steele was entitled to receive the benefits of the parties' agreement.

14           66. Defendants' conduct, including their failure to investigate properly the statements  
15 allegedly made by Steele, their failure to defend their employee from misleading media and social  
16 media attacks, their decision to illegally punish Steele for making constitutionally protected  
17 statements, and their pretextual reliance on a policy not applied to other employees, was engaged in  
18 without any reasonable basis and solely for the purpose of interfering with the rights and benefits of  
19 employment to which Steele was properly entitled.

20           67. Defendants knew, or recklessly disregarded, the fact that they had no reasonable basis  
21 to take the aforementioned actions with respect to Steele.

22           68. Steele suffered significant harm as a result of Defendants' conduct.

23 **COUNT FOUR: Negligent Infliction of Emotional Distress**

24           69. Plaintiff restates and incorporates by reference, as though fully set forth herein, the  
25 allegations contained in paragraphs 1-68, above.

26           70. Defendants' conduct as described above created an unreasonable risk of causing  
27 Steele emotional distress.

28           71. Emotional distress was a foreseeable result of Defendants' actions and failure to act,

1 as described, and Defendants knew or reasonably should have known that their conduct created an  
2 unreasonable risk of such distress.

3 72. Defendants' conduct caused Steele to suffer emotional distress.

4 73. Said distress was severe enough that it might result in illness or bodily harm.

5 **COUNT FIVE: Intentional Infliction of Emotional Distress**

6 74. Plaintiff restates and incorporates by reference, as though fully set forth herein, the  
7 allegations contained in paragraphs 1-73, above.

8 75. Defendants by their conduct intended to inflict emotional distress or knew or should  
9 have known that emotional distress was the likely result of their conduct.

10 76. Defendants' conduct, including penalizing Steele without conducting even the barest  
11 investigation into her statements, in failing and refusing to defend her from misleading media and  
12 social media attacks, and in relying on a pretextual "policy" which was not applied to other  
13 employees, was extreme and outrageous.

14 77. Defendants conduct as described was the proximate cause of severe emotional  
15 distress sustained by Steele.

16 **COUNT SIX: Declaratory Relief**

17 78. Plaintiff restates and incorporates by reference, as though fully set forth herein, the  
18 allegations contained in paragraphs 1-77, above

19 79. An actual controversy has arisen and now exists between Steele on the one hand and  
20 ESPN and Disney on the other. As described above, Steele alleges that ESPN and Disney have  
21 violated her rights as protected by Conn. Gen. Stat. § 31-51q. Upon information and belief, ESPN  
22 and Disney deny Steele's allegations and contend that their conduct has not violated Steele's rights  
23 as protected by Conn. Gen. Stat. § 31-51q.

24 80. Steele seeks a declaratory judgment from this Court that ESPN and Disney have  
25 violated Steele's rights as protected by Conn. Gen. Stat. § 31-51q.

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1           WHEREFORE, Plaintiff seeks judgment in her favor against Defendants, and each of them,  
2 as follows:

- 3           1.     Punitive damages pursuant to General Statutes § 31-51q;
- 4           2.     Punitive damages under common law for reckless conduct;
- 5           3.     Attorneys' fees under General Statutes § 31-51q;
- 6           4.     Compensatory damages;
- 7           5.     Declaring that Defendants have violated Plaintiff's rights under General Statutes  
8           § 31-51q; and
- 9           6.     Such other and further relief as the court may deem just and proper.

10  
11 Dated: April 28, 2022

12  
13 By: \_\_\_\_\_

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