

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT  
CIVIL ACTION NO. 1884CV01606

THE BOSTON GLOBE LLC

Plaintiff,

v.

HILARY SARGENT

Defendant.

**AFFIDAVIT OF HILARY SARGENT**

I, Hilary Sargent, depose and state as follows:

1. I submit this affidavit based on my personal knowledge in opposition to Plaintiff The Boston Globe, LLC's (the "Globe") Motion for Preliminary Injunction.

**My Globe Employment Generally**

2. I worked for The Boston Globe on two separate occasions. From June 1998 until August 1999, I worked as an editorial assistant (in a coop role) in the Globe's State House bureau and in the newsroom, where my responsibilities ranged from answering phones, distributing faxes, and covering news.

3. I returned to the Globe in January 2014 as a writer for Boston.com, the Globe's free website. Between January 2014 and February 2016, I worked as a writer and editor for Boston.com. My employment at the Globe ended on February 11, 2016. Exhibit 1 to the Globe's Memorandum is a copy of a separation agreement the Globe presented to me and that I signed when my Globe employment ended.

### The May 20-21, 2018 McGrory Tweets

4. Exhibits 2 and 3 attached to the Globe's Memorandum accurately reflect posts of iMessage exchanges between Brian McGrory (the Globe's Editor) and myself.

5. The purpose of my May 20-21, 2018 tweets was to bring public awareness to what I consider to be McGrory's inappropriate behavior, and - - more importantly - - to bring attention to the Globe's leadership my concerns and view that this type of inappropriate behavior is a long-standing and pervasive problem at the Globe.

6. Exhibits 2 and 3 attached to the Globe's Memorandum include a "screenshot" image of the iMessage exchange which I printed at an earlier date. They do not show the dates the iMessages were sent or received. I do not have the original iMessages in electronic form, though they may still exist - - I simply do not know.

7. I do not specifically recall whether the iMessage exchange reflected in Exhibits 2 and 3 occurred during my employment with the Plaintiff. The exchange, however, is merely an example of the nature of messages McGrory sent me during the time I was employed at the Globe which I believe are inappropriate and sexually suggestive.

8. Exhibit A to this affidavit is an unaltered copy of the screenshot of the iMessage exchange, showing that the exchange is undated and that it was an exchange between myself and McGrory.

9. I have taken steps to preserve my phone. I have also approached a vendor to see if the actual iMessages can be recovered. I understand that the process for potentially recovering messages is technologically difficult and that the electronic version of these messages may prove impossible to recover.

10. McGrory should be able to provide the Globe, his employer, with the same information. The Globe should also have access to McGrory's emails. To my knowledge, neither the Globe nor McGrory has provided a sworn statement that the iMessages are not genuine and my assertions are false.

**I Have Always Been and Will Continue to be Cooperative Under Reasonable Circumstances Not Present Here**

11. The Globe claims that I have refused and am refusing to cooperate with their efforts to investigate. To the contrary, I made repeated efforts to discuss my concerns about the Globe's culture of sexual inappropriateness as well as my own personal experiences during my time at the Globe. I want the inappropriate behavior I was subject to by McGrory and others at the Globe to stop.

12. On November 8, 2017, I emailed Globe CEO Vinay Mehra in which I urged him to speak to former employees. Exhibit B to this affidavit is a copy of this email, with redactions to shield personal contact information.

Sexual harassment within the Globe isn't a new thing, nor is it just an old thing. It's both. One of the things that is most admired about the Globe is how the newspaper approached the investigation into sexual abuse within the Catholic Church. I truly hope that the Globe will have the same relentless curiosity when it comes to examining its own current problems as well as its own long history with sexual harassment. There are many of us who are no longer at the Globe but who care deeply about the paper, and who have been deeply hurt by what happened to us when we worked there. I implore you to be inquisitive and open, and to reach out to those whose lives have been affected by what has been a longstanding and rampant problem at the Globe.

13. On December 19, 2017, I emailed Boston Globe owner John Henry, explaining that I wanted him to be aware of my experiences at the Globe. Exhibit C to this affidavit is a copy of this email, redacted to shield personal contact and private information.

At the least, I truly think you ... should know what happened to me there. I'm sure you've heard pieces of it second hand, but I'm also sure that if you

heard it from me you would understand why I feel so passionate about this topic. As I've said so many times before, I'm not on a mission to do anything aside from ensure that what happened to me doesn't happen to anyone else ... I'm not on a mission against the Globe. I think if you know my experience -- which I haven't disclosed but which spans both my intern experience as well as my recent time at the Globe -- it will help you ensure the Globe is a safe place for young women in the years to come. I think that's important.

14. I did not receive any response from Mehra or Henry, nor did anyone else from the Globe contact me to understand the concerns I outlined in the aforementioned emails.

15. I have never refused to cooperate and, through counsel, have told the Globe that I would cooperate voluntarily if the Globe created a safe environment conducive to a discussion about inappropriate sexual conduct generally, including a comprehensive discussion about McGrory's behavior, and the behavior of others.

16. The Globe has intimidated me through litigation coupled with a negative media campaign. The Globe appears to be far more interested in protecting McGrory and silencing me than learning about my experiences and how they can prevent others from experiencing inappropriate behavior.

17. On May 24, 2018, the Globe chose to publish on its website a memo written by McGrory to Globe staff in which he made misleading and slanderous comments. McGrory wrote that he had "no role, no say whatsoever" in hiring me to work at Boston.com and suggested he had no oversight of Boston.com during the time I worked there. The Globe could confirm that these statements by McGrory are patently false. Exhibit D to this affidavit is a copy of the May 24, 2018 memo written by McGrory and published on the Globe's website.

18. In McGrory's May 24, 2018 memo, he wrote that he and I "dated many years ago." We did, in fact, have a "dating" relationship for brief periods on and off between 1999 and 2004.

19. For the past two weeks, the Globe's legal team has bombarded me with threats of litigation and demands for "cooperation" while I was scrambling to find permanent legal representation and while the Globe was aware that I was undertaking efforts to do so. The Globe was told that the counsel who initially represented me in this matter was doing so only on a temporary basis while I sought a more permanent solution.

20. I am a single mother, with a young child, and I do not have the financial and legal resources of the Globe and its owners. It took me until June 1, 2018 to hire permanent counsel. It is unreasonable to expect me to meet with the Globe's legal team without counsel when the Globe is suing me and McGrory is publicly threatening to do so.

21. The Globe is asking for "full cooperation". The separation agreement I signed in 2016 requires only that I cooperate "reasonably". I believe that I have done everything reasonable to bring these issues to their attention. The Globe has had ample opportunity to discuss my concerns privately.

**The Globe is Perpetuating its Own "Harm" and Attacking Me Does Not Address the Problem**

22. The Globe has published numerous articles in its own newspaper stating that I am refusing to cooperate. By attempting to smear me, the Globe is perpetuating the reputational harm it claims to suffer.

23. On May 23, 2018, Globe Managing Director Linda Pizzuti Henry and Globe CEO Vinay Mehra issued a memo to staff (which was published in full on the Media Nation blog, and quoted in the Globe's own stories), in which they wrote that the Globe is "deeply committed to creating a safe, comfortable, welcoming working environment for all employees." I hope this is true, yet I do not believe that retaliating furthers their articulated mission. Exhibit E to this affidavit is a copy of the memo written by Pizzuti and Mehra and published on the Media Nation blog.

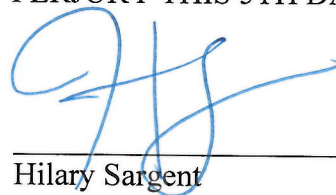
24. Given the disparity in resources and influence between me and the Globe, I believe this lawsuit is an effort to both intimidate and silence me.

25. Furthermore, this lawsuit sends a negative message to anyone who might speak out about similar issues, and it will undoubtedly deter others from coming forward, whether they experienced this type of behavior at the Globe or elsewhere.

26. The information in this affidavit is not information I wanted to share publicly, nor is it information I should ever have been forced to share publicly.

27. By not responding to my requests to speak privately, and by filing this lawsuit, the Globe gave me no other reasonable option. I hope the Globe will stop threatening and defaming me and will instead devote their considerable resources toward offering former employees a way to discuss their concerns in a private setting and work toward -- in their words -- "creating a safe, comfortable, welcoming working environment for all employees".

SUBJECT TO THE PAINS AND PENALTIES OF PERJURY THIS 5TH DAY OF JUNE  
2018.



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Hilary Sargent

# EXHIBIT A

Brian McGrory

Sometimes it's best to have one even if you're not wedded to it

I can only write within a draft

Meaning?

I imagine there are people who can sit down and with enough time just write something

But I need a draft and then a day and then I'll add something and then a day and so on

I need time but only time if I start with a draft

Got it. What do you generally wear when you write?

Seriously?

Well, not entirely.

Well I don't generally write

Oh.



# EXHIBIT B



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## Sexual harassment

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Hilary Sargent [REDACTED]  
To: vinay.mehra@globe.com

Wed, Nov 8, 2017 at 9:14 AM

Vinay,

My name is Hilary Sargent, and I'm a former BGMP employee. I worked as an intern at the Globe from 1998-2000, and then as an editor and writer at Boston.com from 2014-2016.

I read the memo you sent this week regarding sexual harassment, and I'm reaching out to urge you to speak with former employees as well as current ones. Sexual harassment within the Globe isn't a new thing, nor is it just an old thing. It's both.

One of the things that is most admired about the Globe is how the newspaper approached the investigation into sexual abuse within the Catholic Church. I truly hope that the Globe will have the same relentless curiosity when it comes to examining its own current problems as well as its own long history with sexual harassment.

There are many of us who are no longer at the Globe but who care deeply about the paper, and who have been deeply hurt by what happened to us when we worked there.

I implore you to be inquisitive and open, and to reach out to those whose lives have been effected by what has been a longstanding and rampant problem at the Globe.

You can reach me anytime, via phone [REDACTED], or email [REDACTED]

Thank you,

Hilary Sargent

# EXHIBIT C



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## Reaching out

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**Hilary Sargent**  
To: John Henry

Tue, Dec 19, 2017 at 6:18 PM

John,

I am sure you and Linda are understandably upset with me for speaking out on this, but I do not think I am wrong to do so.

At the least, I truly think you both should know what happened to me there. I'm sure you've heard pieces of it second hand, but I'm also sure that if you heard it from me you would understand why I feel so passionate about this topic.

As I've said so many times before, I'm not on a mission to do anything aside from ensure that what happened to me doesn't happen to anyone else.

I enthusiastically agreed to take on [REDACTED] as an intern -- at least in part because I thought I could make sure she didn't have the same experience I had.

I really hope that even if you think what I've done (in terms of being public about this) was ill-advised, that you'll also be curious enough to know why. I've said many times before, and I still believe, that you and Linda bought the Globe for the right reasons. I don't hate the Globe. I'm not on a mission against the Globe.

I think if you know my experience -- which I haven't disclosed but which spans both my intern experience as well as my recent time at the Globe -- it will help you ensure the Globe is a safe place for young women in the years to come. I think that's important.

Thank you,

Hilary Sargent

# EXHIBIT D

**The Boston Globe****Metro**

# Full text of editor Brian McGrory's note to staff

MAY 24, 2018

To the newsroom,

Hilary Sargent is someone I have known for a long time, been fond of personally, and respected professionally. To say the least, I was not anticipating the situation this week.

Hilary released on Monday what she said was an exchange between us. I have no recollection of it, which, admittedly, is embarrassing to me. I have asked Hilary to provide the date and a more complete version of the exchange. She has not addressed my request. I have told the Globe's owners that the company should feel free to retrieve our text messages by whatever means possible, and I am trying myself.

Absent that information, I do think some context is needed.

First, Hilary and I dated many years ago. We did not work together at the time, and we've remained friendly over the years.

Second, when Hilary came to boston.com in 2014, I had no role, no say whatsoever, in her hire. She did not report to me, even indirectly. The site had a separate editor

answering directly to the front office. We were on mutually friendly terms, and I do not believe I ever wrote, spoke, or acted in a disrespectful way to her.

Third, months after Hilary left boston.com, we would sometimes exchange text messages that included the kind of personal banter of two people very familiar with each other. I regret that very much for reasons that go far beyond the Globe.

I can't believe I have to write these words, but I have never harassed Hilary Sargent or any other women at the Globe or anywhere else – ever. I don't believe I have ever acted inappropriately with anyone at this company. I have been a manager two different times over my 29 years with this organization – from 2007 to 2009 as the Metro editor, and from 2013 to now as the editor. I cannot think of a time, not one, when I treated any female colleague with anything but respect. I have never faced any sort of complaint, formal or informal, whether as a manager or not. I have consistently put women in leadership positions, such that newsroom management is split equally by gender, with talented women holding many of the most pivotal jobs – managing editor, news editor, innovations editor, Spotlight editor, just to name a few. I devoted myself to the issue of gender pay equity from the first months that I took this position, and I'm proud to say that in key categories in the newsroom, we have achieved it. Tough decisions that have affected women and men have been made during my tenure, inevitable in an industry that is losing revenue each year. But I have always tried to address these challenges with a basic sense of decency.

I have no desire to argue with Hilary Sargent, publicly or privately. In fact, I very much respect her abilities as a journalist. But I do think that it's important to have the broader context known.

Finally, I fully realize the toll this has taken on the newsroom, the distraction it has

caused and the questions it has understandably raised. My one request is that everyone remains focused on the vital work of the Globe each and every day.

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# EXHIBIT E

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# Media Nation

*By Dan Kennedy • The press, politics, technology, culture and other passions*

## Globe executives address sexual-harassment accusation against Brian McGrory

**ON MAY 23, 2018** / **BY DAN KENNEDY** / **IN MEDIA**

Two top Boston Globe executives, managing director Linda Pizzuti Henry and president Vinay Mehra, sent this out to the staff earlier this afternoon. A source passed it on a little while ago. As you'll see, the message concerns a charge by Hilary Sargent, a former top editor at Boston.com, that she was sexually harassed by Globe editor Brian McGrory in a text message, which she posted on Twitter (<https://twitter.com/lilsarg/status/998591266823835648>) this past Monday.

Emily Rooney, Adam Reilly and I discussed the situation (<https://www.wgbh.org/news/local-news/2018/05/22/globe-editor-brian-mcgrory-accused-of-sexual-harassment>) Tuesday evening on "Greater Boston."

The full text of Henry and Mehra's message (except for an internal link for reporting employee concerns) follows.

*As you may be aware, a former employee has publicly suggested that there was an inappropriate text exchange between Brian McGrory and her. As we discussed last fall and at the last newsroom Town Hall, we are deeply committed to creating a safe, comfortable, welcoming working environment for all employees. We have multiple avenues for employees to use to escalate concerns and will work to expeditiously address any issues raised going forward or looking back.*

*This issue is no exception. When we first learned about the social media discussion mentioned above, we began investigating to gather as much relevant information as we could. We discussed the issue with Brian in an attempt to understand both the nature of any exchanges between the two parties and also whether or not these exchanges occurred during her employment. We also reached out to Ms. Sargent, the former employee, to ascertain the timing and context of the text in question. At this time it is still unclear when these exchanges took place.*

*We expect to have resolution on this matter soon but did not want to wait another day to connect with you directly. We want to reiterate how important your work is, how important your contributions are to us and how seriously we take assertions of improper conduct.*

*If there is anything you would like to discuss related to this matter or any others, please do not hesitate to reach out to us or any member of the management or human resources team....*

*Thank you.*

*Linda & Vinay*

*Talk about this post on Facebook.*

*(<https://www.facebook.com/dan.kennedy.355744/posts/10104285247935599>)*

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