

Courtney Love Sued by Ex-Assistant for “Evil, Despicable Conduct”

Hole frontwoman Courtney Love, who was sued last month for alleged nonpayment of more than \$400,000 in attorney’s fees, is now facing a different lawsuit from her former assistant. The new suit alleges unpaid wages and a whole lot more — including claims that Love directed her assistant to hire a computer hacker and mail fake legal documents.

Jessica Labrie, Love’s former assistant, claims that she routinely worked more than 60 hours per week without overtime pay, and that “harassment, retaliation and discrimination” at work contributed to her suffering “humiliation, emotional distress, loss of reputation, and mental and physical pain and anguish.”

The suit also alleges that Love promised Labrie a “full ride” scholarship to Yale University, a position on the set of an upcoming Nirvana biopic, a promotion and multiple cash bonuses, none of which were fulfilled. Labrie claims that her refusal to participate in illegal computer hacking and fraud schemes, along with her complaints about unreimbursed business expenses, led Love to create a hostile work environment.

Unlawful Orders

When an employer directs an employee to break the law, the employee must struggle between fear of retribution at work and fear of retribution from the authorities. But workers’ legal protections vary widely depending on the industry and state in which they work. For example, the Whistleblower Protection Act gives specific protections to federal employees, while the Dodd-Frank Act contains several protections for whistleblowers on Wall Street. But the numerous federal statutes don’t cover every circumstance, and some state laws place a substantial burden of proof upon would-be whistleblowers.

“In New York, our whistleblower laws present a tough burden,” said David A. Fallon, an associate with Tully Rinckey. “You have a private right of action to sue your employer if they fire you for refusing to break the law, but before you do that, you have to show that the conduct violated the rule of law. You also have to show that the violation created a substantial danger to public health and safety.”

“If your mom-and-pop employer is asking you to cook the books and you refuse, you’re not going to be protected under New York law.”

The National Conference of State Legislatures publishes a state-by-state guide to whistleblower law, and the Department of Labor outlines the federal statutes.

Unfulfilled Promises

As for Love’s grandiose promises of tuition, bonuses and a job in the movie business, she could potentially be held legally liable.

“Generally, you can sue to enforce an oral promise of a bonus,” Fallon said. “But you’re still

going to have to prove in court that there was such an oral promise, and there are certain types of contracts that must be in writing to be enforceable.”

“This happens a lot in the financial industry, where big bonuses are being promised to guys who end up getting fired instead.”

Fallon specifically mentioned the recently resolved case of Daniel Ryan, an investment broker who successfully sued his former firm over unpaid bonuses. Though Ryan signed an employment application that stated he was not guaranteed employment, compensation or benefits for any length of time, a jury found that his bosses entered into a binding oral agreement to pay him a \$175,000 bonus, and the verdict was upheld on two appeals.