

always have a view  
sfgate.com/buyphotos



San Francisco Chronicle

## Top court to hear 'Friends' harassment case Was foul language 'creative necessity'?

Bob Egelko, Chronicle Staff Writer  
Thursday, July 22, 2004

The final review of the long-running TV series "Friends" may be penned by the California Supreme Court.

▪ Printable Version  
▪ Email This Article

The court agreed Wednesday to decide whether writers' sexually coarse comments on the set amounted to constitutionally protected free speech or might be considered sexual harassment of a female assistant.

The justices last considered the tension between harassment laws and freedom of speech in 1999, when a divided court upheld a San Francisco judge's ruling banning repeated racial slurs in the workplace.

The current suit was filed by Amaani Lyle, who spent four months as an assistant to the writers on the show. She said writers constantly discussed their sex lives and fantasies about cast members, displayed crude drawings of women and used offensive language and gestures.

The behavior was not directed at her but made her work environment oppressive, she said. She also said the studio, which had an anti-harassment policy, had never warned her to expect such things at work.

In court statements, three male writers named as defendants acknowledged using sexually coarse and vulgar language, but said it was part of their creative process of producing scripts for a show that involved sexual situations and humor. "Friends" ended its 10-year run on NBC this May.

Lyle's suit against the writers and the Warner Brothers studio was dismissed by a Los Angeles judge but reinstated by a state appeals court, which said a jury should decide whether she was subjected to a hostile work environment, based on either her sex or her race. Lyle is African American.

### ChronicleJobs TOP JOBS

#### ENGINEERING

Join Our Team  
*Lockheed Martin*

#### ENGINEERING

Norther & Southern  
California  
*Harris & Associates*

#### ENGINEERING

Design & Improve Plant  
Equipment...  
*C&H Sugar*

#### ENGINEERING

Seismic Design Skills?  
*Peak Engineering, Inc.*

#### ENVIRONMENTAL

SOLANO COUNTY  
WATER AGENCY  
*Solano County Water  
Agency*

#### FACILITIES

County of Sonoma is  
accepting apps  
*County of Sonoma*

#### FINANCE

City of Berkeley is  
hiring...  
*City of Berkeley*

#### FINANCIAL

Opportunity for Success  
*Federal Home Loan  
Bank of SF*

#### FINANCIAL

JOB FAIR  
*Providian Financial  
Corporation*

#### FUNDRAISING

Creative Leader,  
Strategic Thinker  
*American Committee-*

The writers' claim of "creative necessity" is a potential defense in a harassment case but depends on the facts, the court said. If the jury finds that the behavior was part of their "necessary job performance, and not engaged in for purely personal gratification, or out of meanness or bigotry or other personal motives," it may not have been harassment, the appellate panel said.

The appeal by the writers and the studio drew support from the Foundation for Individual Rights in Education, which said the appellate ruling would interfere with freedom of speech on college campuses.

*The case is Lyle vs. Warner Brothers, S125171. E-mail Bob Egelko at [begelko@sfgchronicle.com](mailto:begelko@sfgchronicle.com).*

## Page A - 2

*Weizmann Institute of Science*

**GOVERNMENT**

Development Coord  
Planning, Proj Mgt  
*City of Merced*

**GOVERNMENT**

Public Defender  
Seattle, WA  
*King County Dept. of  
Comm. & Human  
Services*

**GOVERNMENT**

Sacramento County is  
accepting apps  
*Sacramento County*

**GOVERNMENT**

Analysts; Engineer  
Fresno County  
*Fresno County*

**GOVERNMENT**

MERCED COUNTY IS  
HIRING  
*Merced County*

- About Top Jobs
- View All Top Jobs

**Ads by Google**

**Sonoma County Wine Tours**

Good wine, good food, good natured Plan your sonoma  
wine tour today  
[sonomacounty.com](http://sonomacounty.com)

**Napa Midweek Special Rate**

Luxury B&B Inn in Downtown Napa Starting at \$190,  
save up to \$76  
[www.daughtersinn.com](http://www.daughtersinn.com)

**Mr. Limo Napa/Sonoma tour**

limo wine tour \$600 8hrs 8pak limo wine tour \$700 8hrs  
10pak  
[www.mrlimo.com](http://www.mrlimo.com)



Get 50% off home delivery of the Chronicle for 12 weeks!

[Back To Top](#)

Chronicle Sections ▾

Go

©2005 San Francisco Chronicle | [Feedback](#) | [RSS Feeds](#) | [FAQ](#) | [Contact](#)